

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions
G. Thomas Cooper, Jr., Circuit Court Judge

Appellant Case No. 2019-001815
Lower Case No. 2019-GS-23-01146A

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S.C. SUPREME COURT

The State, ... Respondent,

vs.

William D. Lewis Appellant.

RECORD ON APPEAL
VOLUME II

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1 Q Check me.

2 A Yes, sir.

3 Q It's got a lot of stuff on it that doesn't relate
4 to this case, so check the date again.

5 A That's correct, sir.

6 Q March 16th?

7 A Correct.

8 Q So March 16th, he's saying he wasn't thinking
9 about going?

10 A He just said, I'm declining. That's all I
11 can tell you.

12 Q And you told him also that some people say it's a
13 great thing to go to?

14 A Right. I also said, I haven't lost anything
15 in Reno.

16 Q That may be two of us.

17 And different sheriff's departments -- let me
18 rephrase that. You would agree that the 46 sheriff's
19 departments in South Carolina are run differently.

20 A Yes, sir. That's the reason why we're
21 elected.

22 Q At least 46 different days?

23 A Yes, sir. I guess so.

24 Q Depending on the size.

25 A All I can testify to is how I do mine.

Testimony of Chuck Wright

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1 Q Yeah. And whether somebody else thinks another
2 position is more important, that's up to them?

3 A Yeah, I can only tell you what I do in
4 Spartanburg.

5 MR. WISE: Okay. Thank you.

6 MR. BRACKETT: If there's nothing
7 further, I ask that this witness be excused.

8 THE COURT: All right. Any objection to
9 excuse this witness?

10 MR. WISE: No objection.

11 THE COURT: You're free to go.

12 THE WITNESS: Yes, sir.

13 THE COURT: Thank you for your time.

14 THE WITNESS: Yes, sir.

15 THE COURT: Is that evidence?

16 MR. BRACKETT: No, sir. I did not put
17 that in.

18 MR. WISE: No, sir. That's got some
19 other stuff in it.

20 MR. THOMPSON: May it please the Court,
21 the State will call Linda Cobb.

22 THE CLERK: Miss Cobb, if you could come
23 to the Bible. Please place your left hand on the
24 Bible and raise your right hand. Do you solemnly
25 swear or affirm to tell the truth, the whole

Testimony of Linda Cobb

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1 truth, and nothing but the truth, so help you God?

2 THE WITNESS: I do.

3 THE CLERK: Please take a seat and state
4 your name for the record?

5 THE WITNESS: Linda Cobb.

6 WHEREUPON:

7 LINDA COBB,
8 after having been sworn, testified as follows:

9 DIRECT EXAMINATION

10 BY MR. THOMPSON:

11 Q Good afternoon, Miss Cobb. Miss Cobb, if you
12 would for the jury, tell them what your position is
13 here in the county?

14 A I am the financial manager for the Greenville
15 County Sheriff's Office.

16 Q So what are your duties as the financial manager
17 there?

18 A I compile the budget, manage all accounts,
19 make sure that our bills are paid on time from the
20 proper account.

21 Q Would you say you're very heavily involved in the
22 budget for the Greenville County Sheriff's Office?

23 A Yes, I am.

24 Q Are you, kind of, the main person who helps
25 organize that and makes sure it runs appropriately?

1 A Yes. Yes.

2 Q And can you tell me, how long have you been
3 working in that position with Greenville County
4 Sheriff's Office?

5 A For 34 years.

6 Q Are you a civilian in that position?

7 A Yes.

8 Q So you're not a law enforcement officer, but you
9 work for the sheriff's department?

10 A That's correct.

11 Q You can tell me just a quick guide of how the
12 budget is put together in Greenville County? Is it
13 one year, two years? Just how the process works.

14 A Okay. It is a two-year budget process. In
15 the fall the year the budget is turned in, the
16 captains make their recommendations to the
17 sheriff. And then when I receive those
18 recommendations, we compile it into the budget
19 that we submit in the county.

20 Q So you helped compile all that stuff. You're the
21 actual person who submits it to the county?

22 A Correct.

23 Q Are you, kind of, the liaison between those folks
24 at County Square and the sheriff's Office?

25 A Yes.

- 1 Q So you know all the people that run that, Joe
- 2 Kernell, John Hansley?
- 3 A Yes.
- 4 Q Do you deal with them on a regular basis?
- 5 A Yes.
- 6 Q Okay. And so, back if 2017 -- in January of 2017
- 7 when Will Lewis took office as sheriff, where the
- 8 budget process there? Where was the two-year period
- 9 there?
- 10 A We actually just submitted the upcoming
- 11 two-year budget to County Square. At that point,
- 12 the county was changing computer systems, and so
- 13 we were trying to get the budget into the hands of
- 14 County Square before the new system went live.
- 15 Q Does that two-year budget operate on a normal
- 16 yearly cycle or is it by a physical cycle?
- 17 A It is a physical year that begins on
- 18 July 1st.
- 19 Q So the county budget that you currently had that
- 20 you were submitting, when would that have started, the
- 21 one you just submitted?
- 22 A That one would have started in -- the one
- 23 that we were submitting at that point?
- 24 Q Yes.
- 25 A That would be for the year that would start

1 July 1, 2017.

2 Q Okay. So you were in the last six months then
3 starting January of the two-year budget.

4 A Right.

5 Q That was previous -- that you had previously
6 submitted?

7 A Correct.

8 Q Now, in your position, do you attend all the
9 budget meetings?

10 A I attend at least one budget meeting with
11 county staff per year, per cycle.

12 Q Are there usually any budget meetings that don't
13 include you?

14 A Not that I'm aware.

15 Q All right. In fact, are you aware of any budget
16 meetings at this point in time that you were not
17 included in?

18 A Not under normal circumstances.

19 Q Okay. And let's get to that. Did you know about
20 the trip to Charlotte by the sheriff and members of
21 the county?

22 A Not at the time that it occurred.

23 Q So no one had told you about that?

24 A That's correct.

25 Q When did you learn of the trip to Charlotte?

1 A I learned of the trip in April when the
2 credit card statements came due.

3 Q So they have to submit the receipts to you, is
4 that how you learned?

5 A That's correct.

6 Q So you found out they went to Charlotte. Did you
7 know the purpose of it at that point in time?

8 A I did not.

9 Q When did you learn that that Charlotte trip was
10 actually supposed to be some sort of budget meeting?

11 A I actually learned that through media about
12 six months later.

13 Q Okay. And so you had no idea a budget meeting had
14 been held without you there?

15 A That's correct.

16 Q Is that what you mean by outside of normal
17 circumstances?

18 A That's correct, yes, sir.

19 Q And, to your knowledge, has there been any other
20 budget meeting that you've been excluded from in the
21 time you've been at the sheriff's department for
22 36 years?

23 A None that I know of.

24 MR. THOMPSON: Thank you. I have no
25 further questions.

Testimony of Linda Cobb
THE WITNESS: Thank you.

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CROSS-EXAMINATION

BY MR. WISE:

Q Just a few questions. Prior to Sheriff Lewis coming in, basically the budget was done with just basically a two percent cost of living increase for the employees?

A Typically, yes.

Q So you would take the budget, add two percent to it, and submit it? Maybe not simple.

A The base budget, yes.

Q As far as salaries are concerned, you just take two percent and submit it?

A As far as salaries are concerned, we are given a printout from the county. We have to verify the current salaries of existing employees, and turn that back in. And then the county calculates the increase.

Q So the budget process as far as salary is concerned is simply not that complicated?

A That's correct.

Q All right. You didn't go in a push for raises for this group or this group substantially above two percent?

A That was not part of the package that we

1 submitted.

2 Q That was not part of your planning either?

3 A That's correct.

4 Q Okay.

5 A That does not fall into my job.

6 Q And when a bill is submitted for an expense for
7 any employee, you go over it and look at it and make
8 sure it's all proper expenses.

9 A Correct.

10 Q And, occasionally, you find things that are not
11 proper expenses?

12 A That is correct.

13 Q And people make mistakes, correct?

14 A They can.

15 Q And you request when you find a mistake, they --
16 basically, if they use a county credit card, they
17 personally reimburse for that on their credit card?

18 A Depending on what we are instructed at the
19 county level, yes.

20 Q Instructing by whom?

21 A If an employee were to, say, accidentally
22 charge gas on the county card when they meant to
23 use their personal card, it would just be part of
24 the written policy that they would reimburse the
25 county account.

1 Q And you would call that to the attention of
2 whoever made that mistake?

3 A That's right.

4 Q And they would reimburse it?

5 A Yes.

6 MR. WISE: Thank you very much.

7 THE WITNESS: Thank you.

8 MR. THOMPSON: No further questions, Your
9 Honor. I ask that she be excused.

10 THE COURT: Thank you very much. Witness
11 be excused without objection?

12 MR. WISE: No objection.

13 THE COURT: Next witness.

14 MR. BRACKETT: Your Honor, that's our
15 last witness before lunch.

16 THE COURT: All right. Ladies and
17 Gentlemen, short and sweet. Apparently your lunch
18 has arrived and we will take our lunch break at
19 this time. The State had sort of scheduled
20 witnesses before lunch and after lunch, but I took
21 a break because we needed one at 11:30. So I'm
22 going to ask that you be back in the jury room
23 about 1:15. I've asked the bailiffs -- I know
24 that room is probably pretty stuffy -- allow you
25 to stroll up and down the halls. That's about as

1 far as I can go, but at least you can exercise
2 your legs. If you got a Fitbit on you, it will
3 probably help your steps.

4 But, anyway, I'll see you at 1:15. Thank
5 you very much. Don't discuss the case among
6 yourselves while you are in the jury room. Thank
7 you.

8 (Jury exits the courtroom at 12:16 p.m.)

9 THE COURT: Solicitor, what is your plan
10 for the afternoon?

11 MR. BRACKETT: Our next witness will be
12 Miss Nabors, which I expect to be a lengthy
13 witness.

14 THE COURT: Is that the only one you have
15 scheduled?

16 MR. BRACKETT: Yes, sir.

17 THE COURT: All right. I don't know --

18 MR. BRACKETT: I don't know how long his
19 cross examination is, but I expect my direct will
20 probably take a minimum of two hours.

21 THE COURT: That's right.

22 MR. WISE: I think we're going to take
23 the afternoon.

24 THE COURT: All right. That's fine. See
25 you at 1:15.

1 MR. BRACKETT: Thank you.

2 (A break was taken from 12:17 p.m. to 1:16 p.m.)

3 THE BAILIFF: All rise. G. Thomas Cooper
4 presiding.

5 THE COURT: Be seated, thank you.

6 THE COURT: Counsel, approach the bench.

7 (Bench conference off the record.)

8 THE COURT: The State ready to proceed?

9 MR. BRACKETT: State is ready.

10 THE COURT: Defense ready to proceed?

11 MR. WISE: Yes, sir.

12 THE COURT: Bring the jury, please.

13 (Jury enters the courtroom at 1:23 p.m.)

14 THE COURT: All right. Ladies and
15 Gentlemen, we're now ready to continue with the
16 trial.

17 Solicitor, call your next witness.

18 MR. BRACKETT: Thank you, Your Honor.

19 May it please the Court? The State will call

20 Savannah Nabors.

21 THE CLERK: Miss Nabors, please come to
22 the Bible and put your left hand on the Bible and
23 raise your right hand. Do you swear or affirm to
24 tell the truth, the whole truth, and nothing but
25 the truth, so help you God?

Testimony of Savanah Nabors

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1 THE WITNESS: I do.

2 THE CLERK: Thank you. Please take a
3 seat and state your name for the record.

4 THE WITNESS: Savanah Nabors.

5 WHEREUPON:

6 SAVANAH NABORS,
7 after having been sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. BRACKETT:

10 Q Miss Nabors, how do you spell your last name?

11 A N-a-b-o-r-s.

12 Q All right. How old are you, Savanah?

13 A Twenty-five.

14 Q And where are you from originally?

15 A The Williamston/Anderson area in

16 South Carolina.

17 Q Have you lived in South Carolina your whole
18 life?

19 A Yes, sir.

20 Q Where did you go to school?

21 A I started out at Clemson University and --

22 Q High school. Back up a little further than that.

23 A Palmetto High School, and then went up to
24 Clemson University and then Liberty University.

25 Q When were you at Clemson?

- 1 A 2011 through 2012.
- 2 Q How long -- you were only there for a year?
- 3 A Yes, sir.
- 4 Q Why did you leave?
- 5 A I was couriering for the Bannister law firm
- 6 in 2012, doing like a summer break for -- where I
- 7 was going to Clemson. And then in January of
- 8 2013, Alex Stalvey asked me to come work for him
- 9 full time as his paralegal, so I decided to finish
- 10 up my degree online at Liberty University.
- 11 Q You said couriering. Like a courier.
- 12 A Yes, sir.
- 13 Q What's that about?
- 14 A Yes, sir. I took up all the mail for the law
- 15 firm, and just delivered packages where they
- 16 needed to go. Just, kind of, helped all the
- 17 attorneys out to get items where they needed to
- 18 be.
- 19 Q So you left Clemson to go to work full time for
- 20 the Bannister law firm?
- 21 A Yes, sir.
- 22 Q And what was your position, did you say, when you
- 23 went full time?
- 24 A Paralegal.
- 25 Q What does that entail?

- 1 A I basically did a lot of the documents when
- 2 it came to pleadings. I calendared events for
- 3 Alex Stalvey. I helped him with his schedule. I
- 4 took phone calls for Alex.
- 5 Q Who is Alex Stalvey? What does he do there?
- 6 A He's an attorney at the Bannister law firm.
- 7 Q How many attorneys did they have at the Bannister
- 8 law firm?
- 9 A I think there were, like, four or five.
- 10 Q How many employees total?
- 11 A Probably like 15.
- 12 Q Are there other paralegals?
- 13 A Yes, sir.
- 14 Q Who was the youngest paralegal?
- 15 A I was.
- 16 Q What other employees did they have?
- 17 A They had paralegals, a telephone
- 18 receptionist, and then the attorneys.
- 19 Q All right. Do you know the defendant, the
- 20 gentleman seated over here at this table?
- 21 A I do.
- 22 Q How do you know him and where did you first
- 23 meet?
- 24 A I first met him at the Bannister law firm.
- 25 Q Do you remember the year?

1 A It was 2012 into 2013, when was I first
2 started working for the Stalveys and I came in
3 contact with him.

4 Q What did he do for them?

5 A He was their investigator.

6 Q Did you work with him on a daily basis and see hi
7 on a daily basis?

8 A Yes, sir.

9 Q Had you ever met him before that?

10 A No, sir.

11 Q Did you ever babysit for he and his wife?

12 A No, sir.

13 Q Did the defendant come talk to you and tell you he
14 had political ambitions?

15 A Yes, sir.

16 Q And what were those?

17 A He was going to run for sheriff.

18 Q Do you remember about when he first told you that?

19 A It was, like, 2014, I think, when he first
20 started throwing around that idea.

21 Q So you would have been how old then?

22 A Probably 19.

23 Q Okay. And how did -- why was he sharing this
24 information with you? What was the point of telling
25 you that?

Testimony of Savannah Nabors

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1 A He kept saying that he wanted to take me with
2 him as his personal assistant when he got elected
3 for sheriff.

4 Q What did you think about that?

5 A At first, I just thought it was silly. I
6 mean, he said a lot of things all the time. We
7 could never really know for sure what he was going
8 to do and what he wasn't going to do. We just
9 thought it was, kind of, a silly idea. He had
10 really high ambitions. And more often he talked
11 about it. And, you know, when he said he was
12 going to leave the firm to run his campaign for
13 sheriff, I started taking it a little bit more
14 seriously.

15 Q Did he eventually do that?

16 A Yes, sir.

17 Q Do you remember when he first heard that he was
18 filing?

19 A I want to say it was like 2015.

20 Q Did you follow the campaign? After he filed and
21 started running and campaigning, were you involved in
22 this campaign in any way?

23 A No, sir.

24 Q Were you following it?

25 A No, sir. Not really.

1 Q Do you general follow politics?

2 A No, sir.

3 Q Do you recall the actual election in which he was
4 competing against the existing sheriff? Do you recall
5 that?

6 A I just recall what I was told about the
7 election. I didn't, like, watch it on TV or
8 anything like that.

9 Q Do you recall election day?

10 A I recall him calling me once he won the
11 election.

12 Q Did you even vote in the election?

13 A No, sir.

14 Q All right. You said he called you after he won.
15 Can you tell us about that?

16 A I mean, he had thrown around the idea of
17 taking me as his personal assistant. And I had
18 recently left, in 2015, the Bannisters to work for
19 the Department of Social Services and Child
20 Protective Services, and he thought that this was
21 great because he didn't have to pluck me from the
22 Bannisters, were his words, and that he could take
23 me from DSS. And he figured I would be much more
24 up for it than if I were still with the
25 Bannisters.

1 So he had had one or two phone calls before
2 the election day, just kind of making sure I was still
3 on for coming on with him. But I didn't take it
4 seriously until he had won the election and he called
5 me the day after he won, hey, are you still coming
6 with me.

7 Q And what did you tell him?

8 A I asked for a little bit more of a job
9 description and to talk about pay and things like
10 that, but I was very positive about it.

11 Q Okay. Can you tell us what took place over the
12 next couple of months between you and he and this
13 issue?

14 A Right. I had suggested that, you know, he
15 give me a job description, like in text form, like
16 an email form. He just kept saying you're going
17 to be -- you know, you're going to be two steps
18 besides me and two steps behind me. He was just
19 basically telling me I was going to take his
20 calendar events, I was going to answer the phone
21 calls, but he never did put that description in
22 writing. He wanted to meet with my husband,
23 Grant, to make sure he was on board for me working
24 for the sheriff's Office. And he suggested we all
25 go to dinner, he, his wife, Amy, myself, and my

1 husband to talk about things, but that never did
2 occur.

3 Q All right. At some point, did you agree to go to
4 work for him?

5 A Yes, sir.

6 Q Do you remember when that was?

7 A I think it was September or October of
8 2016.

9 Q And had he discussed with you what your pay would
10 be?

11 A Yes. He said that he would double my salary
12 of what I was making at DSS and that it would be
13 roughly around \$62,000.

14 Q Okay. So, at this point, he's got a salary, an
15 offer, a general, sort of, vague job description, and
16 you agree to go to work for him in September, October
17 of 2016.

18 A Yes, sir.

19 Q You're on the same page?

20 A Yes, sir.

21 Q All right. At this point in time, Savannah, tell
22 the jury how much law enforcement experience you had?
23 How many years of experience did you have in law
24 enforcement?

25 A I didn't have any law enforcement

1 experience.

2 Q Had you ever worked for a police agency before?

3 A No, sir.

4 Q What was your involvement in the transition? The
5 time period between the time you said, September
6 October through him taking office in January?

7 A We would have a few command staff meetings
8 where he introduced me to the 12 command staff
9 members, and we would have different meetings at
10 different offices because he didn't have an office
11 yet because he was just the sheriff-elect. And I
12 would take notes on the iPad that he gave me. He
13 gave me a cell phone and told me to never, you
14 know, not have it on me and to answer it at all
15 times.

16 Q When did you decide to -- when did you give DSS
17 notice that you were going to be leaving them and
18 going to work for the sheriff?

19 A I gave them a month's notice around
20 November 2nd or November 5th.

21 Q And do you recall when you actually started
22 working there, on the payroll for Mr. Lewis?

23 A Yes, sir. It was December 5th.

24 Q Okay. When was he sworn in?

25 A January 3rd.

Testimony of Savannah Nabors

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1 Q Where were you operating out of? You're on the
2 payroll, you're working, but where are you working?

3 A He and I shared an office at Greenville
4 County Square.

5 Q Any other people working for the administration,
6 for his new incoming administration at that time that
7 you can recall?

8 A Not other than the command staff members who
9 were still also working for Sheriff Loftis.

10 Q So, were you talking to them at various times?

11 A Yes, sir.

12 Q Organizing how you were going to transition from
13 one sheriff to the next?

14 A Yes.

15 Q Is that pretty much what occupied your
16 assignments?

17 A Yes.

18 Q How you were going to structure -- how the new
19 sheriff was going to structure the new office?

20 A Yes, sir. Correct.

21 Q Were there any events related to his election or
22 campaign events in the month of December?

23 A He had a private induction ceremony at the
24 Poinsett Club.

25 Q Is that here in Greenville?

1 A Yes, sir.

2 Q Can you describe what kind of -- you said a

3 private induction ceremony?

4 A Yes, sir. It was a formal event where he had

5 close friends and family, and I think, like,

6 political people, and he invited myself and my

7 husband, and we all had a big dinner. And then he

8 and his family got up on the stage and did a

9 private induction ceremony?

10 Q Like, pretend swearing in sort of thing?

11 A Yes, sir.

12 Q You said it was a formal affair?

13 A Yes, sir.

14 Q Did you discuss with him, after that event, how he

15 felt about it?

16 A He -- the next day at work, he asked me to

17 step into another office because someone was in

18 our office, and I thought that I was in trouble or

19 I had said something to someone that night that

20 may have been wrong. But he pulled me in and he

21 said, I just want to let you know that the dress

22 that you were wearing made you look really

23 stunning. You looked really gorgeous last night.

24 I think you did a great job, and you're

25 irreplaceable and we're going to be a great

1 team.

2 Q You said he was sworn in on January the 3rd?

3 A Yes, sir.

4 Q Now, describe for the jury, if you can, to the
5 best of your ability, what the job entailed. You're
6 starting January the 3rd. He's sworn in. Now you're
7 at the Law Enforcement Center.

8 A Yes, sir.

9 Q You're out of County Square.

10 A Yes, sir.

11 Q He is installed in office.

12 A Yes, sir.

13 Q Sworn in, and sitting at his desk. What is
14 Savanah's understanding of what her job is based on
15 what the defendant has told you?

16 A Basically, he wanted me to go everywhere with
17 him. He wanted me to ride with him everywhere
18 even though I had a county vehicle, and he wanted
19 a friendship out of this position. And, you know,
20 I considered him a friend because I had known him
21 for several years, so -- you know, he was
22 basically, this is a great thing for us because I
23 can talk to you about anything. And, in this
24 position, you have to be open and honest with me
25 about everything going on in your life and there

1 has to be trust between us.

2 Q Okay. As far as your daily duties?

3 A I would answer emails, he would basically
4 tell people, like, if an email came from myself,
5 then it was like it was coming from him. I would
6 answer emails. I would answer phone calls. I
7 would put events on his calendar. We would go to
8 luncheons. We would have committee meetings at
9 different places.

10 Q To your knowledge, was there like an interview
11 process with multiple candidates applying for this
12 job? Did you ever have to go to an interview?

13 A No, sir.

14 Q Did you even have a resume that you put out?

15 A No, sir.

16 Q And what was your starting pay at the beginning of
17 this?

18 A \$62,000.

19 Q Okay. I'm showing you -- wait a minute -- what
20 has been marked as State's Exhibit 4.

21 MR. WISE: No objection.

22 BY MR. BRACKETT:

23 Q I'm showing what has been marked as
24 State's Exhibit 4 for identification. Do you
25 recognize this document?

1 A Yes, sir.

2 Q What is that?

3 A It's a letter that the sheriff wrote with my
4 salary on it.

5 Q Do you remember why he wrote that?

6 A My husband and I were trying to build a house
7 on some property, and, in order for us to do that,
8 I had to know what my salary was to report it to
9 the lender, the bank, and he gave me that.

10 MR. BRACKETT: Move State's 4 for
11 identification into evidence at this time, Your
12 Honor.

13 MR. WISE: No objection.

14 THE COURT: Without objection.

15 (STATE EXH. 4, Letter; Salary for Nabors,
16 was entered into evidence.)

17 BY MR. BRACKETT:

18 Q In addition to the salary, did you receive any
19 other benefits? Did he outline any other benefits or
20 perks of the job?

21 A He always said -- I got a county vehicle, a
22 phone, an iPad, a desktop computer. And, you
23 know, he always said that I was going to get to do
24 whatever he did. You know, if he went to shoot
25 with SWAT, then I could go shoot with SWAT. If he

1 went to a press conference, then I would be right
2 behind him in the press conference, and that I
3 would go anywhere that he went.

4 Q Was this exciting?

5 A Yes, sir.

6 Q How many people do you know your age like you who
7 get to go do this kind of stuff?

8 A None.

9 Q How about a vehicle?

10 A Yes, sir. I received 2017 Ford Explorer.

11 MR. BRACKETT: (Presents document.)

12 MR. WISE: No objection.

13 BY MR. BRACKETT:

14 Q I'm showing you what's been marked as State's
15 Exhibit 17.

16 MR. BRACKETT: And, Madame Court
17 Reporter, I don't believe this was on your log.

18 COURT REPORTER: Thank you.

19 MR. BRACKETT: It's an asset inventory
20 sheet.

21 (STATE EXH. 17, Asset Inventory Sheet, was
22 marked for identification.)

23 BY MR. BRACKETT:

24 Q State's 17 for identification. There's two
25 documents stapled together. Can you examine those and

1 tell us if you recognize that?

2 A Yes, sir.

3 Q And what is that?

4 A This is where I signed for the vehicle and
5 all the information about the vehicle.

6 Q Okay. And it says, a pursuit, a Ford Pursuit SUV,
7 or Ford Pursuit, what is that?

8 A It's a police package vehicle.

9 Q What model is it typically known as to most people
10 of a Ford?

11 A Explorer.

12 Q Explorer.

13 A Yes, sir.

14 MR. BRACKETT: I move 17 for
15 identification into evidence at this time.

16 MR. WISE: No objection.

17 (STATE EXH. 17, Asset Inventory Sheet, was
18 entered into evidence.)

19 BY MR. BRACKETT:

20 Q Where did you park this car when you went to
21 work?

22 A I had a parking spot. It was like the
23 sheriff and the chief and then myself.

24 Q You were third in?

25 A I believe so.

1 Q All right. Now, did all the employees there have
2 a parking spot?

3 A No, sir.

4 Q Did you find that odd?

5 A Honestly, at the time, I did not.

6 Q Now, in addition to all the stuff you've
7 described, did you receive any police equipment?

8 A He had me fitted for a bulletproof vest and,
9 like, tactical shoes, and things to wear out in
10 the field.

11 Q How did -- the first six weeks on the job or so,
12 how did that go for you?

13 A It was exciting. It was fun. I thought that
14 it was going to be the best job ever.

15 Q For that time period, was it?

16 A Yes, sir.

17 Q What kind of stuff did you get to do?

18 A I got to go to the BMW performance track. I
19 got to rappel with the SWAT team. I got to go
20 onto crime scenes.

21 Q Did you go with the SWAT team to the firing range
22 and shoot?

23 A Yes, sir.

24 Q Ma'am, I'm showing you what has been marked as
25 State's Exhibit 5 for identification. Can you take a

1 look at those three sheets? Each one is distinct and
2 stands alone. Tell us what those are.

3 A These are text messages between Will and I. .
4 He texted me at 4:21 a.m. saying, "Murder, headed
5 in."

6 Q What day was that?

7 A February 6, 2017.

8 Q Okay. And then the next one?

9 A That is me responding saying, "Not too far
10 behind you. Let me know when you know if you will
11 be out there for a while." And let's see. He
12 said on February 7th, "Call the Salvation Army.
13 Tell them we have to reschedule due to a high
14 profile court case."

15 Q Okay. On the next sheet, is there another call or
16 text?

17 A Yes, sir. On February 11th at 2:05 a.m. he
18 says, "Start heading downtown."

19 Q And then on the third sheet, is there another
20 one?

21 A On March 4th at 3:14 a.m. I said, "Leaving my
22 house."

23 Q So these are text exchanges between you and the
24 defendant during this time period?

25 A Yes, sir.

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1 MR. BRACKETT: Your Honor, I move

2 State's 5 into evidence at this time.

3 THE COURT: Any objection?

4 MR. WISE: No objection.

5 THE COURT: Without objection.

6 (STATE EXH. 5, Call out texts (3), was
7 entered in evidence.)

8 BY MR. BRACKETT:

9 Q Now, when you got called out to a crime scene,
10 like the first said "murder," tell us -- you know,
11 give us an idea of what took place when you went to
12 those?

13 A At first, I thought I was going to be taking
14 notes. When I got there, he was -- you know,
15 everybody was just -- kind of had a lot of
16 adrenaline going, and he was like, come on, have
17 you been on a crime scene before. He walked me up
18 to the body and said, have you been this close to
19 a dead body before. Of course I said, no. And
20 he's like, it looks a lot different than it does
21 on Law & Order, and stuff like that.

22 Q Was that typical of what happened when you got
23 called out to crime scenes?

24 A Yes, sir.

25 Q Did you have any other real function or purpose

1 there that you can recall?

2 A No, sir.

3 Q Was it your job to deal with the media or was
4 there a PIO out there? Whose job was it to deal with
5 the media?

6 A They were PIOs.

7 Q Who were they?

8 A I know that Drew Pinciario was a PIO and Ryan
9 Flood. I think there was one more.

10 Q And what is their daily duties?

11 A They specifically deal with the media.

12 Q This was an exciting time for you, wasn't it?

13 A Yes, sir.

14 Q Aside from the work, were there occasions during
15 this time, at least one, that the defendant would,
16 sort of, involve himself in your personal life?

17 A I mean, he would always ask me what I was
18 doing after work. And I know that sometime in
19 February he knew that my husband was away for the
20 weekend because he's in the military and he has
21 drill. And he asked that night what I was doing.
22 I said probably just watching "The Bachelor"
23 because Grant's out of town and, you know, he
24 doesn't like to watch "The Bachelor." And then
25 that same night, it was, like, 10:00 o'clock,

1 10-something, he texted me and said, how is "The
2 Bachelor" and Moscato?

3 Q What is Moscato?

4 A It's a wine.

5 Q What was that to you? Why would he ask you about
6 Moscato?

7 A I mean, I don't know, unless he was just
8 going off of what I drank at certain events.
9 Like, he would order me a Moscato. I mean, he
10 knew that was the type of wine I drank, so he was
11 assuming I was drinking wine while I was watching
12 "The Bachelor".

13 Q I'm showing you what's marked as State's Exhibit
14 13 for identification. Do you recognize that?

15 A Yes, sir.

16 Q And do you see that text on there?

17 A Yes, sir.

18 Q And what was your response?

19 A I didn't respond until the next morning.

20 Q Why didn't you respond?

21 A I just didn't want to get into a conversation
22 at 10 o'clock with my boss.

23 MR. BRACKETT: Move State's 13 into
24 evidence.

25 THE COURT: Any objection?

1 MR. WISE: No objection.

2 THE COURT: Without objection.

3 (STATE EXH. 13, Text; Moscato and the
4 Bachelor, was entered into evidence.)

5 BY MR. BRACKETT:

6 Q Now, what was going on in your personal life
7 around the middle of February, Savannah?

8 A My husband and I had been going to marital
9 counseling since October of 2016, and we decided
10 mid February that we were going to go our separate
11 ways and see other people, and, kind of, move on.
12 We got married when I was 19, very young. Didn't
13 know each other very well, so we just, you know,
14 had some issues that we thought we couldn't
15 resolve.

16 Q What was your expectation of how your marriage was
17 going to end?

18 A I mean, we were on very good terms. I just
19 thought that we were going to see other people and
20 go our separate ways.

21 Q Like a divorce?

22 A Yes, sir.

23 Q I see. Did the defendant have anything or your
24 job have anything to do with the difficulties you were
25 having with your husband?

1 A No, sir.

2 Q Did the defendant even know that you were having

3 difficulties with your husband?

4 A No, sir.

5 Q Did you tell him that you were getting

6 separated?

7 A Yes, sir.

8 Q Was this a formal separation, like you had a

9 lawyer?

10 A Yes, sir.

11 Q Why did you tell the defendant that you were

12 getting separated?

13 A Every time Will would, like, introduce me to

14 someone, the first thing that he would tell them

15 was she's married to a guy in the Army, and it

16 seemed to be very -- like, that was really

17 important to him that I was married. And he made

18 comments that he was glad that I was married

19 because the officers would, kind of, stay off my

20 back and it was a good thing that I wasn't just

21 some single girl going into this job. And he was

22 so adamant that I tell him everything, and that,

23 you know, he be able to trust me. That I felt

24 like if he found out from anybody else, then he

25 would not trust me to be in my position anymore.

1 Q Where and when did you have this conversation with
2 the defendant about separating from your husband?

3 A I think the day after we filed for
4 separation, or I met with an attorney, I was
5 staying with my mom for a couple of days to let my
6 husband get his things together. And Will and I
7 were headed out of the Law Enforcement Center to
8 our vehicles, and he just said, what are you doing
9 for dinner tonight?

10 Q Was this at the end of the day?

11 A Yes, it was at the end of the work day.

12 Q Okay.

13 A I made it like a purpose not to tell him
14 during the day because I didn't want to have a
15 long drawn out conversation about it. And he
16 asked me what I was doing for dinner. And I said,
17 I just want to let you know I'm actually having
18 dinner at my mom's house. Grant and I are
19 separating, but it's not going to affect my
20 ability to do the job. You know, we're okay.
21 We're on good terms, and everything is fine.

22 Q How did he react to this news?

23 A He immediately was like, no, no, no. Get in
24 the car with me. Let's talk about it. Let's talk
25 about it. And that's what I was trying to avoid

1 by telling him at the end of the work day.

2 Q And did you get in the car?

3 A He was going to see his dad at the hospital
4 and asked me to get in the car with him and ride
5 to the hospital to see his dad and talk about the
6 downfall of my marriage.

7 Q Did you do that?

8 A Yes, sir.

9 Q What were his questions and concerns?

10 A He was just asking how he could possibly, you
11 know, want to see anyone else. He was, like,
12 you're 22 and you're the whole package. You know,
13 if I had a 22-year-old like you, there would be no
14 way that I would want anything to do with anybody
15 else.

16 Q How long did you spend with him in the car to the
17 hospital?

18 A It's not a very long drive to the hospital.
19 I think that it was probably like ten minutes to
20 the hospital, and then we sat in the car and
21 talked, maybe, 30 minutes or so. And then on the
22 way back, we talked and stayed in the car for a
23 while, probably like an hour and a half total.

24 Q And then where did you go?

25 A I got in my car and went to my mom's home.

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1 Q Did you hear from him again that night?

2 A Yes, sir.

3 Q About what time?

4 A He called me at, like, eight or nine o'clock
5 at night. And my mom and step-dad were on the
6 couch and I said, oh, my boss is calling, let me
7 grab this. And all of a sudden, there was an
8 out-of-town trip that had come up between him and
9 Joseph Kernell, and he was asking if I would be
10 okay with going out of town for a budget meeting,
11 and asked if I would rather go to Charlotte or
12 Atlanta.

13 Q And what did you say?

14 A I said, if you need me there, just let me
15 know where. I don't have a preference of where to
16 go. It's not my decision to make up my mind.

17 Q Where did you ultimately -- where did they
18 ultimately settle on going?

19 A Charlotte.

20 Q So this is the middle of February, 15th, 16th,
21 17th, somewhere around there?

22 A Yes, sir.

23 Q Do you know when the trip was supposed to take
24 place? When was it all going to take place?

25 A March 7th through the 9th.

1 Q Between the time you told him about being
2 separated -- hold on. Between the time you told him
3 about being separated and the trip to Charlotte, did
4 you notice any change in his behavior towards you?

5 A I noticed that it went from being, like --
6 Will, he's very flirty. And the paralegals at the
7 law firm, you know, warned me. He's very flirty
8 but he doesn't mean anything by it. And so I was
9 used to that. But it went from being, like,
10 friendly to all of sudden he's saying comments.
11 Like, when I'm getting in the car in the middle of
12 night to go to a crime scene, like, hey, cutie,
13 you look really cute in that hat, the sheriff's
14 Office hat. He would say, I can tell you're going
15 to the gym. You got a really nice figure. And,
16 you know, you look really nice in those pants.
17 Just inappropriate comments that I would try to
18 just shrug off.

19 Q Did you have a day trip out of town to Clemson
20 during this time period as well?

21 A Yes, sir.

22 Q And what were you going there for?

23 A It was an event where there were several
24 political speakers. The sheriff from Anderson
25 County, Sheriff Chad McBride spoke. Will spoke.

1 Just different political speakers went to this
2 event to speak.

3 Q Did you have any conversation on the way back with
4 the defendant about that trip?

5 A On the way back, he asked -- or he told me
6 that he told Sheriff Chad McBride that he should
7 get a Savannah. And Sheriff Chad McBride said, Oh,
8 I couldn't get a Savannah because it would get me
9 into trouble.

10 Q Now, at this time, let's say March the 6th, the
11 day before you're supposed to go to Charlotte, did you
12 have any romantic feelings or attraction to the
13 defendant in any way, shape or form?

14 A No, sir.

15 Q How did you view him? What as your -- how did you
16 perceive him and who was he to you?

17 A He was always a big brother to me. I mean,
18 it was -- he could have been like a fatherly
19 figure. He was always looking out for me. He ran
20 a background check on my husband before I even met
21 my husband, but it was, like, the whole law firm.
22 We're protecting you. It was like he took me
23 under his wing and was going to take me with him.
24 He basically said, these are going to be an
25 awesome four years. And when we're done with

1 this, I could get you a job doing what you love to
2 do. So I looked at him like a big brother.
3 Q All right. Turning our attention to the trip to
4 Charlotte. Who planned this trip?
5 A From my understanding, Will, Marcus and
6 Joseph Kernell planned it, and he asked me to book
7 the hotel.
8 Q So you did some of the administrative stuff?
9 A Yes, sir.
10 Q The planning and that kind of thing?
11 A Yes, sir.
12 Q But it was their decision?
13 A Yes, sir.
14 Q And whose idea was the trip in the first place?
15 A I mean, Will called me that night and said, I
16 met with Joseph and we think it would be a good
17 idea to go out of town for the budget meeting.
18 Q I think you said it was supposed to be March 7th
19 through the 9th?
20 A Yes, sir.
21 Q Who all was supposed to attend this trip?
22 A Myself, Will, Joseph Kernell, John Hansley,
23 and Shannon Herman.
24 Q How did you get to Charlotte for this trip? How
25 did you get from Greenville to Charlotte?

1 A He requested I ride with him.

2 Q Tell us about that.

3 A We were working the day of the 7th, and Will

4 said that he was going to go home, have dinner

5 with his family, and he asked me to text him my

6 address and said that he would by to pick me up to

7 drive to Charlotte together.

8 Q I'm showing you what has been marked as

9 State's Exhibit 6 for identification. Do you

10 recognize this text exchange?

11 A Yes, sir.

12 Q Who is that between?

13 A Myself and Will.

14 Q All right. And turning your attention to the

15 parts that are pertinent to your travel to Charlotte

16 and his coming to your house, what does the text

17 exchange reflect?

18 A It just reflects me sending him my address on

19 March 7th at 7:24.

20 Q Okay. And did he -- that address that's depicted

21 there, that was your home address at the time?

22 A Yes, sir.

23 Q And did he come to that address?

24 A He did.

25 Q About how long after you sent that text, do you

1 recall?

2 A I'm not sure exactly how long. Probably an
3 hour maybe.

4 Q Did anything unusual happen at your house when he
5 arrived?

6 A Well, he told me he was going to call me
7 before he left, like when he was leaving his house
8 so that I would know that he was going to be
9 there, but I never received a phone call. I just
10 received a knock on the door. I opened the door
11 and he was just, hey, how you doing, are you
12 ready. I said, let me go grab my things.

13 He said, actually, I have to use the
14 restroom. Can I come in real quick. I said, sure. I
15 pointed him in the direction of the spare bathroom.
16 So if you're walking into the house, there's a spare
17 bathroom on the same hallway as the master bedroom.
18 So I said, here's the bathroom, and I went into the
19 master bedroom to grab my things. And he just kept
20 walking right into the master bedroom, and said, oh,
21 is this where you watch "The Bachelor", and then
22 proceeded to go to my master bathroom so use the
23 restroom.

24 Q Was that awkward for you or odd?

25 A Yes, sir.

1 Q How long was he at the house for?

2 A Not long. I grabbed my bag and was heading
3 out the door when he was using the restroom.

4 Q Okay. Can you describe for the jury what the ride
5 to Charlotte was like? What did you talk about?

6 A He just kept saying he was excited to get
7 there. He couldn't wait to put a ball cap on,
8 throw his feet up and have a beer and not have to
9 wear his sheriff hat all the time, and he couldn't
10 wait to hang out with everybody.

11 Q Who else did you think was going to be there when
12 you got there?

13 A Marcus Davenport.

14 Q And he is?

15 A He was major at the time.

16 Q Do you remember about what time you got there?

17 A I think it was 9:00-something, maybe.

18 Q Okay. What happened when you arrived at the
19 hotel?

20 A He drove up to the hotel where we valet, and
21 he opened the back of the truck and he put a large
22 bottle of liquor in my bag.

23 Q Where did the liquor come from?

24 A The back of his car. And when I asked why he
25 was doing that, he said he didn't want to carry it

1 up in plain sight and that he come get it later.

2 Q And did you actually go in and check in?

3 A Yes, sir.

4 Q Did you take your bag up to your room?

5 A Yes, sir.

6 Q With the liquor in it?

7 A Yes, sir.

8 Q So after settling in, was now Chief Deputy

9 Davenport at the hotel when you arrived? Did you see

10 him there?

11 A Yes, sir.

12 Q After settling in, at some point did the crew from

13 County Administration arrive?

14 A Yes, sir.

15 Q And tell us what happened after they got there.

16 A We were downstairs at the hotel bar when they

17 arrived. Will ordered myself and he a drink. I

18 think Marcus already had a drink -- had his drink.

19 And when the rest of County Administration got

20 there, we all sat at a table to eat some

21 appetizers and chat.

22 Q How long was that, do you recall?

23 A I think that we were there until the hotel

24 bar closed down at the 11:00.

25 Q And where did you go? How many drinks did you

1 have there?

2 A I had one, and he ordered me a second one,
3 and basically said that I was babysitting my
4 drinks compared to everybody else.

5 Q Had you finished your first one when he ordered
6 the second one?

7 A No, sir.

8 Q Where did you go after the hotel bar closed?

9 A We went to an Irish pub, like a couple blocks
10 down the road. I think it was Connelly's.

11 Q When you say "we," who all went?

12 A Will, myself, John Hansley, Marcus Davenport,
13 and Shannon Herman.

14 Q When you got to the pub, what did you guys do?

15 A We were all just celebrating the fact that he
16 was in office, and it had been a great first
17 couple months, and he had accomplished certain
18 things during that time. And so he ordered shots
19 for everybody.

20 Q Shots?

21 A Yes, sir.

22 Q Like what? Like miniature -- like small shots of
23 liquor?

24 A Yes, sir. I think it was called, like,
25 cinnamon toast crunch, some type of rum and

1 Kahlua, or something like that.

2 Q How many rounds of shots were done?

3 A I think two.

4 Q Were other drinks being consumed as well?

5 A Yes, sir.

6 Q Do you remember how many you had in addition to
7 the shots?

8 A I think I only had one other one at the Irish
9 pub.

10 Q Are you a big drinker? You talked about some
11 Moscato earlier.

12 A Just a couple glasses of wine during the
13 week.

14 Q How much do you weigh?

15 A A hundred and twenty pounds.

16 Q Did everybody stay at the bar together the whole
17 time?

18 A Will asked me to step outside on the patio
19 with him at the Irish pub at some point in time.
20 He wanted to -- he basically told me what a good
21 job I was doing and that I was irreplaceable and
22 that he was so proud of me. He wanted to give me
23 a raise. And I immediately said, there's no way
24 I'm taking a raise when there's officers, like,
25 making a whole lot less than me. Because I had

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1 just began to be involved in this budget meeting,
2 and I was just starting to realize that -- you
3 know, the pay difference. I said, just give the
4 raise to the officers. And he said, no, I've
5 already talked to command staff about it.
6 Everybody is good to go. They're fine with you
7 getting a raise. But he didn't specify how much
8 or anything like that. I just, kind of, blew it
9 off and went back inside.

10 Q And this would be a raise on top of your already
11 existing \$62,000 salary?

12 A Yes, sir.

13 Q Up to this point, the first two months and the
14 first week in March, had he had any criticism or any
15 events where he was angry with you or saying anything
16 mean or harsh?

17 A Not to me, no.

18 Q Had you seen him get angry with other people?

19 A Yes, sir.

20 Q And throughout this time, was he giving you
21 feedback on your job performance?

22 A He was always saying that I was doing great
23 and better than he could have ever imagined and
24 that we were going to be a great team.

25 Q How long did you stay at this Irish bar?

1 A I can't remember exactly how long, but it
2 wasn't until closing time, or anything like that.
3 It was maybe an hour or two.
4 Q So sometime between 12 and 1:00, if the -- how far
5 of a walk is it from the hotel?
6 A Not far.
7 Q So, you close the hotel bar at 11:00.
8 A Yes, sir.
9 Q And you said you were at the Irish pub for an hour
10 to two?
11 A Yes, sir.
12 Q And it was a five- to ten-minute walk?
13 A Yes, sir.
14 Q So safe to say you got home between 12:00 and
15 1:00?
16 A Yes, that's when we got back to the hotel.
17 Q On the way back to the hotel after leaving the
18 bar, was there anything unusual that happened?
19 A He tried to, like, pick me up and do like a
20 fireman's carry, like where he would put me on top
21 of his shoulders. And he was so intoxicated that
22 he, like, nearly fell over. And someone, I don't
23 know whether it was Joe Kernell or Marcus, someone
24 caught my head from hitting the pavement, and then
25 he put me down.

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- 1 Q Did he give you any warning that he was about to
2 do this?
- 3 A No, sir.
- 4 Q Where did he grab you to do this?
- 5 A I think it was, like, my ankles. It was like
6 he was picking me up to put me on his shoulders,
7 so like my ankles and maybe, like, my neck area.
- 8 Q Did the group go together back to the hotel?
- 9 A Yes, sir.
- 10 Q And where did you go once you got to the hotel?
- 11 A We all got on the elevator.
- 12 Q Everybody, all six of you?
- 13 A I believe so.
- 14 Q All right. Where did you go after that?
- 15 A Everyone got off the elevator, except Will
16 and myself. And right when I was about to get
17 off, he said, I got to come and get that liquor
18 that I put in your bag.
- 19 Q So where did you go?
- 20 A We went back to my hotel room for him to get
21 the liquor.
- 22 Q Describe for us what happened when you got back to
23 your room.
- 24 A Hmm, he just came right in and got the liquor
25 and said, do you want to have a nightcap, just

1 have a nightcap with me. And, at this point, I
2 didn't feel like I could be like, no, boss, get
3 out of my room. I was like, okay. And he poured
4 two glasses of dark brown liquor and I sat -- he
5 sat down in the recliner. I sat on the couch. He
6 just started flipping through channels on the
7 TV.

8 Q And was he talking at all?

9 A Not that I can remember. I mean, at some
10 point, he started talking about his marriage, and
11 how it was failing, that they were just in it for
12 the kids. And that he didn't really have, like,
13 an intimate partner anymore. So he felt like I
14 could be a really good friend, and that he could
15 talk to me and open up to me about those things.

16 Q Describe what happened next.

17 A At some point, he came and sat down on the
18 couch next to me and he put his arm around me and
19 tried to kiss me. And I got up and said, this is
20 not a good idea. And I basically just, like,
21 tried to bring up Amy, his wife. Like, I tried to
22 make it out to where it wasn't, like, I'm
23 rejecting him. It was just like, this is not a
24 good idea. And he backed off. And then he went
25 into more detail about -- like, their lack of

1 intimacy and how he was really stressed about the
2 job and his marriage.

3 Q How long did all this take from the time you got
4 to the room to him pouring you drinks, sitting there
5 flipping through channels, talking, sitting there next
6 to you, trying to kiss you, and keeps talking and you
7 push back, how long did all that take?

8 A It was a long time. I mean, he was just,
9 like, talking in circles. It was a long time.
10 I'm not sure exactly how long because started to
11 get fuzzy for me.

12 Q Tell us what you can remember happening next?

13 A I remember him, like, just sitting on -- he
14 was sitting on the bed and I standing up in the
15 doorway, and he took off his over shirt. He still
16 had on a white t-shirt. He had, like, a blue
17 long-sleeved shirt that you roll up into a quarter
18 sleeve. And he just, kind of, tossed it back.
19 Basically, just trying to get comfortable.

20 And then I don't remember anything until like
21 5:00 in the morning.

22 Q What do you remember?

23 A I remember waking up with him on top of me.

24 Q What was he doing, Savannah?

25 A He was having sex with me.

1 Q Do you remember how you got into that position?

2 A No, sir.

3 Q Were you dressed, undressed -- how was --

4 A I had my shirt on, maybe. I'm not sure.

5 Q Did he say anything?

6 A He started to giggle.

7 Q And then what?

8 A He finished what he was doing, and said that

9 we needed to go back to his room to rest.

10 Q Do you remember about what time that was?

11 A It was 5:00-something in the morning.

12 Q How do you know?

13 A I looked at my phone.

14 Q What happened next? Where did you? Do you

15 remember?

16 A I just remember waking up again about 7:00 in

17 the morning because it was light outside, and we

18 were in his hotel room, and...

19 Q Do you remember going from your room to his

20 room?

21 A No, sir. I don't think I had shoes on. I

22 don't think I had anything with me but my cell

23 phone, and, I guess, my room key.

24 Q What took place after that?

25 A I just started, you know, gathering, like,

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1 anything that I had, like my phone and everything.

2 I'm going to go back to my room. And he said, are
3 we okay, and then he tried to kiss me and I just,
4 like, gave him my cheek.

5 Q Where did you go?

6 A I went to my room.

7 Q What did you do when you got there?

8 A I took a shower, and just tried to recollect
9 what happened.

10 Q Did you remember?

11 A No.

12 Q How did you feel physically?

13 A I felt sick and weak.

14 Q What were you supposed to do that morning?

15 A Attend a budget meeting.

16 Q What time was this supposed to happen?

17 A From the night before, what I gathered was,
18 we were all just going to, kind of, sleep in and
19 attempt to get together when we could in the
20 morning for breakfast, or something like that.
21 Nobody really set a time that it was supposed to
22 begin, that I knew of.

23 Q You say you got back to your room sometime after
24 7:00?

25 A Yes, sir.

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1 Q Were you in any condition to go downstairs?

2 A No, sir.

3 Q After you took a shower, what did you do?

4 A I just tried to put myself back together and
5 tried to figure out what I did wrong and what I
6 did to allow him in the room and just blamed
7 myself.

8 Q Did you have any idea whatsoever how you got from
9 the last position you remember to on the bed
10 underneath him?

11 A No.

12 Q At this point in time, who were you holding
13 responsible for what took place?

14 A Myself.

15 Q Do you need some water?

16 A Yes, please.

17 Q So you're in your room. It was 7:30 or eight
18 o'clock. You're upset. You're blaming yourself. You
19 have these people that you're supposed to meet with on
20 a budget meeting downstairs. How did you deal about
21 that?

22 A I just put myself back together, and told
23 myself that it was probably -- I just drink too
24 much, or -- that there was nothing, and got a call
25 from Will saying they were going to get coffee and

1 asked if I wanted any coffee.

2 Q And what did you tell him?

3 A I think ordered -- asked him to order some
4 type of coffee.

5 Q Did he say where he was going?

6 A Starbucks, I think.

7 Q Did he call you first to ask you this?

8 A Yes, sir.

9 Q Did you have any conversation about where you were
10 supposed to go or what you were supposed to be doing
11 at that time?

12 A He just said, you can meet us downstairs.
13 I'll bring you coffee, and we'll start the
14 meeting.

15 Q Okay. On that text exchange here that's been
16 marked at State's Exhibit 6 for identification.

17 MR. BRACKETT: I think I moved it in, but
18 if I didn't, I would now.

19 THE COURT: Without objection.

20 MR. WISE: No objection.

21 (STATE EXH. 6, Charlotte Trip Texts, were
22 entered into evidence.)

23 BY MR. BRACKETT:

24 Q Can you look over that and see if there's any
25 information or any discussion in the text exchange

1 about the coffee?

2 A Yes, sir. It's the, ice caramel macchiato

3 with three extra pumps.

4 Q What time was that?

5 A 11:09 and --

6 Q Where did you go when the left the room?

7 A I went downstairs to meet everyone.

8 Q Was that the first time that you had been

9 downstairs?

10 A Yes, sir.

11 Q Were you able to sleep at all between the time you

12 got back to your room and shower and the time you left

13 to go meet those folks downstairs?

14 A No, sir.

15 Q What did do you when you got downstairs?

16 A I brought everyone their notebooks that I had

17 helped prepare for, and I just sat in the meeting

18 like I'm supposed to.

19 Q What were you trying to do?

20 A I mean, I was just trying to hold it all

21 together and pretend like nothing had happened.

22 Q At that point in time, in Savannah's head, had

23 anything happened?

24 A No. I just hashed it up to, you know, me

25 letting him in my room and it was my fault.

1 Q So you put on brave face and went downstairs?

2 A Yes, sir.

3 Q Were you able to hold it together? You're upset
4 now. How were you back then?

5 A I mean, I believe I was able to hold it
6 together. I believe I was.

7 Q Tell us how the day went when you got downstairs.

8 A We met in the lobby of the hotel for about
9 maybe 45 minutes or so about the budget meeting.
10 And then everyone decided to go to lunch, so it
11 was like around two o'clock before went to
12 lunch.

13 Q Do you remember where you went, what kind of
14 restaurant?

15 A I think it was like Roost, or something like
16 that. It was --

17 Q That's not important?

18 A Okay.

19 Q How long were you there?

20 A Maybe an hour.

21 Q Were you talking to people there at the table?
22 Were you able to interact?

23 A Yes, sir, I believe so.

24 Q Did you still feel sick?

25 A Yeah, I wasn't able to each eat my lunch. I

1 was still just trying to.

2 Q Do you think based on how you were acting and how
3 you recollect, do you think people could have noticed
4 something was wrong with you?

5 A I hoped not.

6 Q After lunch, where did you go?

7 A I believe it was everybody's decision to go
8 back to our hotel and everybody go take a nap
9 before we all went out for dinner. We were
10 supposed to be celebrating my birthday, as well as
11 Marcus Davenport's birthday, so everyone
12 anticipated that it was going to be a long
13 night.

14 Q Do you remember what time you were going to meet
15 to go out of dinner?

16 A I think maybe, like, 4:00 or 5:00. I'm not
17 sure.

18 Q What did you do from the time you got back to the
19 hotel until the time you left for dinner?

20 A I just went to bed. Took a nap. Or I tried
21 to take a nap.

22 Q At this point in time, did you have clarity about
23 what took place the night before or were you
24 confused?

25 A I was very confused.

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1 Q Do you remember where you went to dinner, or what
2 kind of restaurant it was?

3 A It was a very, like, a fancy restaurant.
4 Maybe, like, Italian, or something like that.

5 Q Who all went?

6 A Everyone in the group.

7 Q Do you remember about how long you were at
8 dinner?

9 A Maybe another hour or two.

10 Q Were there drinks had with dinner?

11 A Yes, sir. I think everybody mostly had wine
12 at dinner.

13 Q After dinner, where did you go?

14 A Everyone, except for Will, went up to the Tin
15 Roof. It's kind of like a karaoke, like, bar,
16 restaurant. Will told me he was leaving the group
17 to go to CVS, and that he would get back in touch
18 with us and tell us -- so that I could tell him
19 where we were.

20 Q And about how long was he separated from you, do
21 you remember?

22 A It wasn't a long period of time. Long enough
23 for him to, like, go to CVS that was in the
24 area.

25 Q Did he reach out to you at some point to ask where

1 you were?

2 A Yes, sir.

3 Q And on that State's Exhibit 6 in evidence in front
4 of you there, is there a text from him, or from you to
5 him?

6 A Yes, sir. It's from me. "We are at the Tin
7 Roof. A live music joint."

8 Q What time is that?

9 A 8:51 p.m.

10 Q Do you know where he went?

11 A He told me he went to CVS.

12 Q Did he join you there?

13 A Yes. At 8:58 he said, "Here."

14 Q Tell us what happened from about nine o'clock
15 forward once he joins the group at the Tin Roof?

16 A I think that we were all just trying to have
17 a good time and to celebrate my birthday and
18 Marcus's birthday. There were drinks ordered,
19 but, you know, I made sure that I wasn't going to,
20 you know, get incapacitated or anything like that
21 this night. I was very cautious about what I took
22 in because I had blamed myself on the first night
23 and thought that maybe I drank too much. There
24 were drinks ordered.

25 And then, like, a couple of guys were at the

1 bar, and some of the people from the county informed
 2 Will that they were trying to get my number, and,
 3 like, kind of, hit on me. And so Will put his hand in
 4 my back pocket and said, this will keep them away.
 5 Basically, like, I'm going to protect you from them.
 6 Q How long did you stay -- well, did the group stay
 7 together again for the whole night?
 8 A I think a couple of them -- I know that
 9 John Hansley left. I think everybody else stayed
 10 together.
 11 Q Now, there's a picture that's been marked as
 12 Defendant's Exhibit 1.
 13 A Uh-huh.
 14 Q Do you remember that?
 15 A Yes, sir.
 16 Q Who is that fellow in the picture with you?
 17 A Marcus Davenport.
 18 Q Do you like Marcus?
 19 A Yes, sir.
 20 Q Do you think he's a good man?
 21 A I believe so.
 22 Q What were you all doing in that picture?
 23 A We were hanging out at the table, just having
 24 drinks and celebrating our birthdays.
 25 Q Do you remember who took that picture?

1 A I think Will. I think.

2 Q So you think John Hansley left the group at some

3 point?

4 A Yes, sir.

5 Q About how long did you stay at that bar after

6 Mr. Hansley left?

7 A I can't say exactly what time, but probably a

8 little while. I think he left a little earlier

9 than we all did.

10 Q And was the group -- I know you said you were

11 trying to regulate your intake, but was the group

12 continuing to drink?

13 A Yes, sir.

14 Q And so how long did you say -- guesstimate, or can

15 you guesstimate how long you were at the bar after

16 Mr. Hansley left?

17 A Maybe a couple hours.

18 Q All right. Where did you go after that?

19 A We went to some type of club, or like a

20 dancing club in Charlotte in the Epicentre.

21 Q Close to where the Tin Roof was?

22 A Yes.

23 Q How long were you there?

24 A We weren't there long before I think

25 everything started shutting down.

- 1 Q Where did you go after that?
- 2 A We were on our way back to the hotel.
- 3 Q What was your condition at this point?
- 4 A I mean, I had had drinks, but I was able to
- 5 walk back, and I would say I was fine.
- 6 Q Had you been spacing your drinks?
- 7 A Yes, sir.
- 8 Q So the five of you go back to the hotel
- 9 together?
- 10 A Will and I and Shannon and Marcus were the
- 11 only ones walking back to the hotel. So I don't
- 12 know when Joe dropped off. And Will said, let's
- 13 give Shannon and Marcus some space, and tried to,
- 14 like, distance our walk back to the hotel.
- 15 Q All right. Did anything happen? What was the
- 16 conversation along the way from the bar area to the
- 17 hotel? What were you talking about?
- 18 A He pulled a bottle of lubricant out of his
- 19 pocket and said, "Which room, yours or mine?" I
- 20 said, neither.
- 21 Q When you say lubricant, are you talking about a
- 22 sexual lubricant?
- 23 A Yes, sir.
- 24 Q All right. What did he say?
- 25 A He was, like, "Why not? Can't we at least

1 just talk about it?" He wanted to talk about
2 everything.

3 Q What did you say?

4 A I said -- I mean, I'll give you the
5 opportunity to talk about it, but -- you know, my
6 dad always told me, one day you'll have to be able
7 to look in the mirror and, like, be proud of your
8 decisions. And I told him that when I looked at
9 myself in the mirror that morning, I didn't know
10 that I could be proud of myself. And he said,
11 just come up to the room and we'll just talk about
12 it.

13 Q What did you do?

14 A I went to his room, but like I stood in the
15 doorway and made it as clear as I thought I could
16 make it, I'm not staying. Just go ahead and say
17 whatever you need to say. And he began to get
18 really angry and told me how irrational I was for
19 not wanting to just have fun. He was like, you
20 know, you're going through a divorce, and, you
21 know, he talked about, like, how last night only,
22 like, could enhance our friendship, make us work
23 better together.

24 And then he just -- as much as I just kept
25 saying, no, it's not a good idea. No. He got angry

- 1 and started cussing at me.
- 2 Q Had he ever been angry and yelled at you before?
- 3 A At that point in time, not me, no.
- 4 Q How did you react?
- 5 A I got scared and went to the elevator and
- 6 back to my room.
- 7 Q Were you able to get away from him?
- 8 A Yes, sir.
- 9 Q And back to your room?
- 10 A Yes, sir.
- 11 Q What did you do when you got back to your room?
- 12 A I just went to bed. I plugged in my phone
- 13 and went to bed.
- 14 Q Do you remember about what time that was?
- 15 A Maybe 2:30 or 3:00.
- 16 Q All right. What happened next, that you recall?
- 17 A There was a knock on my door.
- 18 Q Were you asleep when the knock came?
- 19 A I think that I had, like, just dozed off,
- 20 yes, sir. I think I received a phone call from
- 21 him first, and I didn't answer. And then the
- 22 knock on the door. And then I received a text
- 23 message that said, "Me," to let me know it was him
- 24 at the door.
- 25 Q Look at State's Exhibit 6. Is there a text

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1 message on there from Mr. Lewis that says "Me"?
2 A Yes, sir.
3 Q What time is that?
4 A 3:55 a.m.
5 Q What did you do?
6 A I opened the door and put he immediately put
7 his hands up in the air and said, "I swear to God,
8 I won't touch you, just let me apologize."
9 Q Okay. How were you feeling at this time,
10 Savannah?
11 A I was tired. I was really tired. I just
12 didn't want to argue, and I didn't want to fight
13 anything. I just let him in to apologize.
14 Q What did he say?
15 A He came in and he said he was so sorry, and
16 he hoped he didn't, like, ruin our friendship.
17 And he began talking about his wife again, and
18 just saying he -- just things weren't right been
19 them and he knew that he would fail at being
20 sheriff at some point in time. He was just, like,
21 making fee me feel really bad because he had
22 messed up. He was just, like, "I'm so sorry. I
23 knew that he would fail." I was just, like, "You
24 didn't fail. It's okay." I was trying to, you
25 know, make him feel better about himself.

1 Q Then what happened?

2 A It was just a long-winded conversation again

3 about how sorry he was. And then he said, "I

4 really don't want to be alone." He said, "Can I

5 stay if I just swear I won't touch you again.

6 I'll just stay."

7 Q What did you decide?

8 A I let him stay.

9 Q Where did he go?

10 A He went into the bed, but promised, like, he

11 wouldn't, like, cross my side. I felt bad for

12 him. I felt like he had really thought he messed

13 up, and he was sorry. And he didn't want to be

14 alone. I just felt bad.

15 Q What did you do?

16 A I think I went to sleep soon after that.

17 Q What did you wake up to?

18 A His fingers were inside me. I said, "That's

19 why I asked you not to stay."

20 Q What did he say?

21 A I don't remember.

22 Q What happened next?

23 A He basically just got on top of me, and...

24 Q Did you fight?

25 A I didn't feel like I had -- I didn't feel

1 like I could.

2 Q Where did he go after that?

3 A Back to his room, I think.

4 Q What did you do that morning, Savannah?

5 A I just gathered my things and took a shower

6 and we went down to breakfast, him and myself and

7 Marcus.

8 Q Did you say anything to Marcus about this?

9 A No.

10 Q Why not?

11 A I mean, he and Marcus were best friends. I

12 just -- I had to ride back with him. Like -- I

13 just felt like -- I still felt like it was my

14 fault. I shouldn't have let him in. I shouldn't

15 have done this. I shouldn't have done that.

16 Q How old were you when this was happening?

17 A Twenty-two.

18 Q Do you know how old he was?

19 A Forty-something.

20 Q Was he married?

21 A Yes, sir.

22 Q Kids?

23 A Yes, sir.

24 Q You all right? Do you need to take a break?

25 A I'm okay.

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1 Q Do you remember what time you left Charlotte?

2 A Maybe 9:00 or 10:00 in the morning.

3 Q Do you remember the ride back to Greenville?

4 A Yes, sir.

5 Q What was that like?

6 A It was just very quiet and awkward. I was
7 answering emails. And he just looked at me and
8 said, "What happens in Charlotte, stays in
9 Charlotte, right?"

10 Q Okay. Tell the jury a little bit what happened
11 after you got back from Charlotte, the working
12 environment, and how things were at the sheriff's
13 Office, what you were thinking?

14 A I was just trying to put Charlotte out of
15 mind and go back to work. I just had it in the
16 back of head, I'll never let that happen again.

17 Q How were you dealing with it mentally?

18 A I just acted like it never happened. I just
19 thought it was my fault, and I just said I'll
20 never let that happen again.

21 Q Did he bring it up with you and talk to you about
22 it at any point?

23 A He tried to. He said that Charlotte brought
24 up feelings that he didn't know he had. He tried
25 to get me to reciprocate those feelings, but I

1 wouldn't, like, talk about Charlotte, and I
 2 wouldn't talk about my feelings. I just felt like
 3 that was inappropriate and, like, crossing a line.
 4 And he would become, like, angry and irritated
 5 when he couldn't get something out of me. Like,
 6 how I was feeling, or what I was thinking, and he
 7 just kept asking me how I thought Charlotte went
 8 and I just kept saying I don't remember much.

9 Q Again, did you ever have any romantic or physical
 10 feelings for him or physical attraction?

11 A No, sir.

12 Q In fact, was there someone else that you were
 13 interested in at this time?

14 A Yes, sir.

15 Q And who was that?

16 A His name was Chad Ayers.

17 Q And who was he?

18 A He was a deputy on the SWAT team.

19 Q Did you eventually actually have a relationship
 20 for a short period of time with him?

21 A Yes, sir.

22 Q In the month of March, the remaining three weeks
 23 of it, were there any other inappropriate advances,
 24 physical advances, other than the conversations you've
 25 described, were there any other physical advances by

1 the defendant?

2 A I think it was March 22nd, there was a
3 campaign event that he was having at
4 Palmetto Ale House, and he kept trying to, like,
5 push drinks on me like he did in Charlotte. I
6 just kept saying that I had to drive home from the
7 Law Enforcement Center because we rode together to
8 the Ale House. I said, no, I got to get back in
9 my car and drive home. I don't drink and drive.

10 And we got in the car to go back to the Law
11 Enforcement Center and he said, where else? Where do
12 you want to go next? And I said, I just want to go
13 home. Said it was getting late. And he pulled into
14 the Law Enforcement Center next to my vehicle.

15 Q Was his wife at this event?

16 A No, sir.

17 Q Okay. You pulled into the Law Enforcement
18 Center?

19 A And he just kept asking where I was going
20 next. I was like, I'm not going to drink or
21 anything. I'm going home. He tried to lean in
22 for a kiss, and I finally was just, like, please
23 go home to your wife.

24 Q How did he react?

25 A He was angry.

1 Q What did he do?

2 A He started hitting the steering wheel and
3 just, like, cussing and saying my name. And,
4 like, I'm not going home to her. Like, this
5 isn't -- this isn't what I want to do. Basically,
6 like, they didn't have a relationship together.
7 And I ended up just getting in my car and going
8 home.

9 Q When you went into work the next day, what was it
10 like?

11 A It was hostile. I mean, it was just like he
12 had completely changed. He was rude to me. He
13 excluded me from things that I would usually go
14 to, like a luncheon and things like that. He
15 basically told me to stay in the office when he
16 knew -- he knew that I was going to DSS from the
17 Bannisters to get desk job. I didn't like sitting
18 at a desk from 9:00 to 5:00. And much of DSS was
19 not sitting at a desk. So he knew that that was
20 like -- he used it as a punishment for me. He was
21 like, you're going to sit in the office.

22 Q How long did that go on for?

23 A I think it was a couple of days before we had
24 a talk in his office. And I said, you know, what
25 did I do? Like, what's going on? What's wrong

1 here? He tried to have this long-winded
2 conversation about our relationship, working
3 relationship, friendship. I never really knew
4 exactly what he was referring to. And he said
5 that he could be professional and not, like, be
6 rude to me.

7 Q What was the next event of any significance
8 involving you and the defendant?

9 A I got the flu at the end of March. He knew
10 that I was, like, getting sick, so I texted him to
11 confirm that I had the flu and that I wouldn't be
12 coming to work. And he asked if there was
13 anything that he could, like, bring by. And I was
14 like, no, I'm good. I'm going to, like, get over
15 this flu and I'll be back.

16 And then the next morning, he insisted on
17 coming to bring me some medicine.

18 Q Where did he go? When you said he insisted on
19 bringing it to you, where were you?

20 A My home.

21 Q Did you know he was going to show up that
22 morning?

23 A After he called me and insisted that he was
24 going to bring me medicine, yes.

25 Q And was there also a text exchange?

1 A Yes, sir.

2 Q Between you around this time?

3 A Yes, sir.

4 MR. BRACKETT: State's Exhibit 7.

5 MR. WISE: No objection.

6 BY MR. BRACKETT:

7 Q Let me show you what has been marked as
8 State's Exhibit 7, Savannah. Take a look at that and
9 tell us what that is.

10 A On March 27th, I was texting him, telling him
11 I was running a fever. And he said, "Why are you
12 checking emails if you're sick?" And "What can I
13 do?" And I said, "Be nice to me." He said,
14 "Seriously, what do you need? Can I bring you
15 anything?" And I said, "I have, like five
16 different medications. Hopefully which will kick
17 in and knock it out. I'm seriously good for
18 tonight. If I need anything in the morning, I
19 will let you know. But my ultimate plan is to
20 wake up and the fever be gone so that I can be at
21 work tomorrow."

22 Q Did you want him to come over?

23 A No, sir.

24 Q But he came over anyway?

25 A He said, "Is that a no?" Or am I ignoring

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1 you. This was the night before, I didn't respond.

2 He said, "Sleep, I'll check on you in the
3 morning."

4 Q And it was the next morning when he called and
5 said, "I'm coming."

6 A Yes, sir.

7 MR. BRACKETT: I move State's Exhibit 7
8 into evidence.

9 MR. WISE: Excuse me?

10 THE COURT: State's 7.

11 MR. WISE: Oh, no objection. Excuse me.

12 THE COURT: It's admitted.

13 (STATE EXH. 7, Texts; Flu was entered into
14 evidence.)

15 BY MR. BRACKETT:

16 Q What happened when he arrived?

17 A He had two big, like, grocery bags full of,
18 like, medicines and soup and juices. And he
19 brought it in and just started unpacking it on the
20 counter.

21 Q Was anybody else at the house with you or were you
22 alone?

23 A We were alone.

24 Q What happened next?

25 A I basically just explained that I wasn't

1 happy with the way things were because he was
 2 treating me poorly in front of everybody else.
 3 And, at some point, he got angry. At some point
 4 he left -- or he walked out of the front door but
 5 then he came back. And, ultimately, he determined
 6 that he could -- we could work together
 7 professionally and he wouldn't try to make any
 8 moves. And then he picked me up and carried me to
 9 my bedroom and put me in the bed and, like, tucked
 10 me in like a child.

11 Q Did he stay after that or did he leave?

12 A No, I asked him to leave.

13 Q And did he?

14 A Yes, sir.

15 Q Did things improve in April?

16 A I mean, there would be short spurts of a few
 17 days where he would, like, treat me friendly just
 18 like he did in the beginning and things were
 19 working out great. And then, you know, he would
 20 say something inappropriate or he would try to
 21 make a move, and I would try to reject him without
 22 making him feel rejected. I would always turn it
 23 -- I would always be like, that's not going to
 24 look good for you, that's not -- I didn't want him
 25 to think that I was the one rejecting him because

1 of the way he acted in Charlotte, so I was just
2 trying to keep him at arm's length for the whole
3 month of April.

4 Q You didn't want to lead him on, but you don't want
5 to outright reject him?

6 A Yes, sir.

7 Q So you were trying to find a balance?

8 A Yes, sir.

9 Q And did you ever just say to him, hey, I'm seeing
10 this other guy, Chad. I'm not interested. You know,
11 I'm separated and we're probably going to end in
12 divorce, but now I've got this other guy that I'm
13 interested in and we're starting a relationship?

14 A No.

15 Q Why didn't you tell him that?

16 A He made it clear that I could not date anyone
17 in the sheriff's Office, and that I was not ready
18 to start dating again.

19 Q Was there any concern on Chad's part?

20 A Oh, he was scared to death, yes.

21 Q Of him finding out that he was seeing you?

22 A Yes, sir.

23 Q Did you have more discussions with him during this
24 time without trying to set boundaries and --

25 A Yes, sir.

1 Q -- keep this relationship professional?

2 A Yes, sir. I mean, every day.

3 Q Did he also involve you in his personal life to
4 some extent?

5 A He tried to, yes, sir.

6 Q Who is Bell?

7 A His youngest daughter.

8 Q All right. Was there some event in April?

9 A He wanted me to go to coffee with him and his
10 daughter. And I basically told him, you know, if
11 my dad asked me to go to coffee -- or asked some
12 woman to go to coffee with me and him, like, I
13 would be frustrated. Why don't you all just go.
14 And he was like, no, she wants you to go to
15 coffee.

16 Q Did you want to go with him?

17 A No.

18 Q This is ample of you trying to reject him gently?

19 A Yes, sir.

20 MR. BRACKETT: State's Exhibit 8.

21 MR. WISE: No objection.

22 MR. BRACKETT: State's 8 into evidence,
23 Your Honor, without objection, I believe.

24 (STATE EXH. 8, Texts; Coffee with Bell, was
25 marked for identification.)

1 BY MR. BRACKETT:

2 Q I'm showing you what what's been marked as
3 State's Exhibit 8. Do you recognize that text
4 exchange?

5 A Yes, sir.

6 Q And what is that?

7 A It's basically what I just said. "Are you
8 sure Bell would want me to come because if some
9 woman tried to intrude on my daddy/daughter time,
10 I'd be pissed, lol."

11 Q And what did he say?

12 A "Totally your call. She's fine with it."

13 Q All right. I believe there was another incident
14 you went hiking in April.

15 A Yes, sir. I went hiking with, like, a friend
16 from high school. And when Will found out that --
17 he called me during the hike and I let him know
18 that I was hiking with a friend. And then he,
19 like, started making fun of me for going hiking
20 with this male. And then the next day or two, he
21 basically told me that I was not ready to start
22 dating, and I tried to explain it was not a date.
23 But he just became very, like, territorial.

24 Q How many cell phones did you have?

25 A Two.

1 Q Was one personal and one county?

2 A Yes, sir.

3 Q And the county phone belongs to the company; is
4 that accurate?

5 A Yes, sir.

6 Q And he could see whatever he wanted in it?

7 A Yes, sir.

8 Q Was he interested in your personal phone, as well?

9 A Yes, sir.

10 Q What interest did he take in that?

11 A Multiple times he tried to get me to give him
12 the password to get into my personal phone. I
13 told him that he could look at my county phone
14 whenever he wanted to, but that I was not going to
15 give him the passcode to my personal phone
16 because, obviously, I was seeing Chad and I didn't
17 want him to find out about that. But, also, I
18 just thought that that was -- you know, it wasn't
19 respecting my privacy.

20 And he said that one day he would get into my
21 personal phone because he's good at what he does.

22 Q You were able to stand up to him to some extent;
23 is that accurate?

24 A I think so, yes, sir.

25 Q And then was there another event on Easter,

1 another situation that caused you concern?

2 A I was -- I had had lunch with my mom and my
3 step-dad downtown. And my husband and I, at the
4 time, decided we were going to go have a talk.
5 Have a glass of wine and talk and catch up. And
6 he called me and asked who I was with, and I told
7 him I was with my family. And he just giggled and
8 said, okay, like he didn't believe me.

9 And then the next day, he made it very clear
10 that I was never to lie to him, and that he's good at
11 what he does and he can tell if I'm lying, and it was
12 clear that he knew I was with my husband the night
13 before.

14 Q Did this cause you concern?

15 A Yes, sir.

16 Q Did you know how he knew where you were and who
17 were you with?

18 A No, sir.

19 Q Eventually, Savanah, did this situation reach a
20 breaking point?

21 A Yes, sir.

22 Q All right. I want to turn your attention to
23 April 18th of 2017. Tell the jury what took place on
24 April the 18th?

25 A Will had loaned me a pressure washer for my

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1 husband to come and pressure washing the house
2 because we decided we were selling it. And he
3 told me on the 18th that he wanted to come get the
4 pressure washer from my house after work. I told
5 just let me know when he wanted to come and get
6 it. And he basically -- I made it -- I purposely
7 made it to where I was leaving the house, and I
8 set up for my neighbors to open the garage and let
9 him get the pressure washer, so I wouldn't have to
10 be at home alone, again, with him.

11 And I went into town and I ordered
12 Chick-Fil-A and I ate it in my car just to make sure
13 he had plenty of time to get by my house. I let him
14 know that probably wouldn't be home. I was running
15 errands and he was more than welcome to come and get
16 it. And he told me he would let me know when he was
17 on his way.

18 And then, at some point in time, in the
19 Chick-Fil-A parking lot he called me and he said,
20 where you at? I said, I'm just grabbing a bite to
21 eat. You go ahead, get the pressure washer, the
22 neighbors will let you in. And he said, you're at
23 Chick-Fil-A, aren't you? I looked in my rearview
24 mirror and he was behind me.

25 Q Now, you live where at this time?

- 1 A Spartanburg.
- 2 Q And he lives where?
- 3 A Simpsonville.
- 4 Q So how far were you from your house?
- 5 A Probably like 15 to 20 minutes.
- 6 Q So you were no where close to your house?
- 7 A Right.
- 8 Q Do you have any idea how he knew that you were at
- 9 that Chick-Fil-A?
- 10 A No.
- 11 Q But you looked in the rearview mirror and there he
- 12 was?
- 13 A Yes, sir.
- 14 Q How did you react to that?
- 15 A I started freaking out because I had had
- 16 suspicion that he knew about where I was and who I
- 17 was, but, at that point -- I mean, there was no
- 18 way that he just randomly chose that Chick-Fil-A.
- 19 And that's when I received a phone call from my
- 20 sister.
- 21 Q Okay. Before we get to the phone call from the
- 22 sister --
- 23 MR. BRACKETT: (Hands document.)
- 24 MR. WISE: No objection, Your Honor, to
- 25 either one.

1 MR. BRACKETT: State's 9 and 10 into
2 evidence.

3 THE COURT: No objection.

4 (STATE EXH. 9, Texts from Nabors' personal
5 phone; 4/18 to 4/24, was entered into evidence.)

6 (STATE EXH. 10, Texts from County phone;
7 4/18 to 4/24, was marked for identification.)

8 BY MR. BRACKETT:

9 Q Now, I'm going to show you State's 9 first, and
10 these are text exchange pulled from his phone. Can
11 you see where it says "Will Lewis?"

12 A Yes, sir.

13 Q And he's renamed your phone at the time this was
14 pulled. What does he now call you?

15 A "Lawsuit."

16 Q So what does this -- on State's 9, what does that
17 exchange reflect?

18 A I tell him I'm headed to Verizon. I
19 mentioned because my husband used all the data. I
20 was upset about it. And he said, "I'm headed to
21 Greer to drop off some horse supplies. I'll be
22 around that way. I'll check in before I head out
23 and see where you are."

24 And I said, "I can get the neighbors to open
25 the garage door for you so you can swing by and pick

1 it up." He said, "I'll let you know when I'm close."
 2 And I said, "Okay."
 3 Q Okay. And then on State's Exhibit 10, at what
 4 time was this exchange?
 5 A 7:30, 7:45.
 6 Q On what date?
 7 A On April 18th.
 8 Q Okay. Now, looking at this one on State's Exhibit
 9 10, April 18th at 6:24, take a look at that text.
 10 What does that say?
 11 A "I'm plugging this phone up and taking my
 12 personal to run so call me on that if you can't
 13 reach me."
 14 Q Okay. Had you -- at the time you left, had you
 15 finished charging your county phone back up?
 16 A Yes, sir.
 17 Q And did you have that with you at Verizon?
 18 A Yes, sir.
 19 Q I mean, I'm sorry, at Chick-Fil-A?
 20 A Yes, sir.
 21 Q When you were there?
 22 A Yes, sir.
 23 Q So, that going on a run, when you say "run," you
 24 mean literally like a run?
 25 A Yes, sir. I was running around my

1 neighborhood. I like to run to get things off my
2 mind.

3 Q So you came back got your phone and then went out
4 to get run errands.

5 A Yes, sir.

6 Q And that was around the time you were expecting
7 him to get the pressure washer?

8 A Yes, sir.

9 Q All right. So, you've now found him in the
10 rearview mirror. To orient you to where we were in
11 the questions. He was in the rearview. You don't
12 know how he found out. You're freaking out and your
13 sister calls.

14 A Yes. I tried to, you know, act normal on the
15 phone with my sister. And she immediately picked
16 up, like, my anxiety. Savanah what's wrong.
17 What's happening. And so I just said, my boss is
18 following me. She was like, your boss is
19 following you? I said --

20 MR. WISE: Object to what the sister said
21 as being hearsay.

22 THE COURT: All right.

23 BY MR. BRACKETT:

24 Q As a result of your conversation with her sister,
25 what did you decide to do when you got home? Now, at

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1 this point you said your boss was following you. Were

2 you still at the Chick-Fil-A?

3 A No, I was on my way home.

4 Q And where was he?

5 A He was behind me. He was trying to follow me
6 home to get the pressure washer.

7 Q Okay. So he's following you. He's in the car,
8 you're going there, and you said you were 15 to 20
9 minutes from your house.

10 A Yes, sir.

11 Q So you're on the phone with your sister?

12 A Yes, sir.

13 Q And you expressed to her your concerns that you
14 had?

15 A Yes, sir.

16 Q And, as a result of your conversation, what did
17 you decide to do when you got back to your house?

18 A I decided to start recording him.

19 Q To start recording him?

20 A Yes, sir.

21 Q How were you planning on doing that?

22 A Just recording on my personal phone.

23 Q What kind of phone did you have?

24 A And iPhone.

25 Q It's has like a memo recorder app on it?

- 1 A Yes, sir.
- 2 Q Is that the app you used?
- 3 A Yes, sir.
- 4 Q I'm showing you what's marked as State's Exhibit
- 5 12. Have you had an opportunity to examine the files
- 6 on this thumb drive?
- 7 A Yes, sir.
- 8 Q And what are those?
- 9 A Those are the 11 recordings that I recorded
- 10 of him.
- 11 Q Okay. You said 11?
- 12 A Yes, sir.
- 13 Q And what period of time were these recordings
- 14 made?
- 15 A From the time I got home from Chick-Fil-A
- 16 when he was there at the house collecting the
- 17 pressure washer until a week later. They were
- 18 over various days.
- 19 Q Okay. What day did you resign?
- 20 A April 24th.
- 21 Q The 18th -- the last day recording there, what is
- 22 the last 11th recording of?
- 23 A Of me resigning.
- 24 Q Okay. So over a six-day period, 11 recordings?
- 25 A Yes, sir.

1 Q Now, the first recording was recorded where?

2 A In my driveway.

3 Q All right. Not in the garage, but physically
4 outside the house standing on the driveway?

5 A Yes, sir. I was not going inside the
6 house.

7 Q And what was he doing at this point in time? He
8 was at your house to pick up the pressure washer?

9 A Yes, sir. He was just, kind of -- like, he
10 opened his trunk, or something like that, and he
11 was just, kind of, like, resting like he wanted to
12 have a conversation. Like he wanted to talk about
13 what was going on in his life, personal things.
14 Again, like he always did.

15 Q Does that first recording pick up from the very
16 first moment you walked out of your car?

17 A I was on the phone with my sister until I
18 got -- until I pulled into my driveway. And then
19 I started -- like, started trying to figure out
20 where I was recording right before I start
21 recording, because I didn't have time to do that
22 in my driveway with him there.

23 Q When you say where I was recording, you mean you
24 were trying to find the app?

25 A Yes, sir.

1 Q I see.

2 Okay. Have had you chance to listen to all
3 11 records and verify the file sizes and what those
4 recordings depict?

5 A Yes, sir.

6 Q Are those recordings accurate copies of the
7 recordings that you made from the 18th to the 24th?

8 A Yes, sir.

9 MR. BRACKETT: Your Honor, I move State's
10 Exhibit 12 into evidence at this time.

11 MR. WISE: No objection.

12 THE COURT: Without objection.

13 (STATE EXH. 12, Thumb drive;
14 recordings, was entered into evidence.)

15 BY MR. BRACKETT:

16 Q Now, you said the first recording was in your
17 driveway.

18 A Yes, sir.

19 Q Outside.

20 A Yes, sir.

21 Q Is it nightttime?

22 A Yes, sir.

23 Q You can hear crickets?

24 A Yes, sir.

25 THE COURT: Solicitor, what's your plan

1 now?

2 MR. BRACKETT: I was going to play the
3 recordings.

4 THE COURT: We're going to take a break.

5 MR. BRACKETT: This might be a good
6 time.

7 THE COURT: Ladies and Gentlemen, this
8 tape, I believe, is fairly lengthy, and you've
9 been here for two hours. So let's take our
10 afternoon break at this time and give the
11 Solicitor a chance to cue it up and we'll be ready
12 to go in about 10 to 15 minutes.

13 Just relax. Don't discuss the case
14 amongst yourselves while you're back in the jury
15 room, please.

16 (Jury exits the courtroom at 3:11 p.m.)

17 THE COURT: Let's stand at ease.

18 MR. BRACKETT: I have talked to Miss Nabors
19 that she is not to talk to anybody about her testimony
20 while we're at this break.

21 THE COURT: She can come down. I guess
22 you want her on the stand while they're playing.

23 MR. BRACKETT: If I wish to stop and ask
24 her questions --

25 THE COURT: She should stay on the stand.

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You can get up.

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THE WITNESS: Yes, sir.

THE COURT: Ma'am?

THE WITNESS: Yes, sir.

THE COURT: Just relax. Don't talk to
the lawyers. Just be at ease, okay?

THE WITNESS: Can I use the restroom?

THE COURT: Oh, yeah.

(A break was taken from 3:12 p.m. to 3:25 p.m.)

THE BAILIFF: Remain seated. Court will
come to order. Court is now in session.

THE COURT: Ready to proceed?

MR. WISE: You mentioned about, you know,
my client and his wife passing notes, which they
haven't been doing. We now have a live mic during
this.

THE COURT: A live mic?

MR. WISE: Right here.

THE COURT: Oh.

MR. WISE: Because they're going to play
it through the system.

THE COURT: I see.

MR. WISE: So we are going to refrain
from talking at this point. There may be a note
or two passed, but that's the only reason.

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1 THE COURT: I'm not worried specifically
2 about notes.

3 MR. WISE: Yes, I know.

4 THE COURT: It's the behavior that's a
5 concern.

6 MR. BRACKETT: Your Honor, I have placed
7 up on --

8 THE COURT: I see that.

9 MR. BRACKETT: I've given your clerk --
10 that's a copy of -- or transcripts of each and
11 every recording, but I've provided those to the
12 court.

13 THE COURT: Are you offering them?

14 MR. BRACKETT: They are all in evidence
15 now.

16 THE COURT: Is that correct?

17 MR. WISE: Well, the recordings are in
18 evidence.

19 MR. BRACKETT: Not the transcripts.

20 MR. WISE: Not the transcripts.

21 MR. BRACKETT: The transcripts, under the
22 rules, it's my understanding, and Mr. Wise and I
23 discussed this before you came out. We are
24 allowed to hand the transcripts out to the jury.
25 They can use them for whatever purpose they want

1 to follow along. At the conclusion of playing the
2 recording, we collect them back.

3 And then at some point, Your Honor,
4 instructs them that they are to go over what they
5 -- they are to consider what you heard, not what
6 he they read. These are just to aid them, but
7 they are to rely on their hearing of the
8 recording, not what's on the paper. I think
9 that's --

10 MR. WISE: That's correct. I think that
11 should be said at the beginning of the playing of
12 the recordings.

13 THE COURT: Well, which ones are being
14 played?

15 MR. BRACKETT: One and two, Your Honor.

16 THE COURT: Why not just give them one
17 and two.

18 MR. BRACKETT: I'm just handing out one
19 right now. There's 14 copies, one for each juror.

20 THE COURT: Oh, I thought you were giving
21 them this whole thing.

22 MR. BRACKETT: No, no, no. That's for
23 you. You have all of them, but the jury will only
24 receive one. And then when we're finished playing
25 one, we'll collect that. I'll hand out two and

1 play two.

2 MR. WISE: We should also put on the
3 record, too, Your Honor, that, unlike the ones
4 from Wednesday of last week, these are transcripts
5 that his office actually prepared based upon the
6 tapes or the audios, and they were not prepared by
7 Miss Nabors.

8 MR. BRACKETT: That's correct. These
9 were prepared by Mary Collins.

10 THE COURT: You consent the authenticity
11 of it?

12 MR. WISE: Well, not necessarily the
13 authenticity, but I don't have objections as long
14 as they were prepared --

15 THE COURT: You don't have any objection?

16 MR. WISE: No, not to the jury reading
17 along with them because they were prepared by his
18 office for this trial.

19 THE COURT: All right.

20 MR. BRACKETT: So I would ask that the
21 bailiff place one on each chair.

22 THE COURT: All right.

23 MR. BRACKETT: And hand them out.

24 THE COURT: That's fine.

25 THE COURT: State ready for the jury?

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MR. BRACKETT: State's ready.

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THE COURT: Defense ready for the jury?

MR. WISE: Defense is ready, Your

Honor.

THE COURT: Bring the jury, please.

(Jury enters the courtroom at 3:38 p.m.)

THE COURT: All right. Ladies and
Gentlemen, what you found in your seat are
transcripts of the recording that the State now
plans to play. Those transcripts are for your
purposes of following along because I'm not sure
how the audio is, but they are transcripts that
have been made by the State of this tapes, or
these tapes.

Now, once the tape is played and you
heard it, we will collect the transcripts. In
other words, the transcripts are not evidence.
They're not going to go to the jury room with you.
So you can make notes as you go along. It may be
a little awkward to do so, but just try to pay
attention. You know try to absorb what you hear
at this point in the trial, which is true of all
the evidence.

All right. I think that is
satisfactory.

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MR. BRACKETT: Satisfactory to the State,

Your Honor.

MR. WISE: I would like a clear
instruction that they rely upon what they hear,
not what the transcript says.

THE COURT: Right. Everybody understand?

JURY PANEL: Yes.

BY MR. BRACKETT:

Q Let's just take a moment before we play this and
reorient the jury. You're in your driveway.

A Yes, sir.

Q He's followed you from the Chick-Fil-A?

A Yes, sir.

Q And on the way back, you spoke with your sister
and she said you need to start recording these
things?

A Yes, sir.

Q And so started the recorder on your iPhone at some
point in this -- shortly after this conversation
started?

A Yes, sir.

Q And just so we don't have to stop it right at the
beginning, at the very beginning of this recording,
who is the "Amy" he is referring to in the
recording?

1 A His wife.

2 Q What is he saying is non-reparable and inevitable?

3 A Their marriage.

4 MR. BRACKETT: Your Honor at this time we
5 seek to publish recording number 1 from State's
6 Exhibit 12, I think it is. Is it, yes.

7 THE COURT: You may proceed.

8 (Recording 1 played)

9 THE COURT: Could you explain that's a
10 cricket?

11 BY MR. BRACKETT:

12 Q Are those crickets in the background?

13 A I believe so.

14 Q Was it was nighttime?

15 A Yes, sir.

16 Q You were standing in the driveway?

17 A Yes, sir.

18 MR. BRACKETT: Thank you, Your Honor.

19 (Recording 1 played.)

20 BY MR. BRACKETT:

21 Q That interruption, the jump in the tape, can you
22 explain to the jury what happened with that?

23 A My sister called because she had just told
24 me -- I had just told her I was going to start
25 recording these, and that my boss was following me

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1 Q Did you ever try to reach out to somebody at the
2 sheriff's Office --

3 A Yes, sir.

4 Q -- to discuss this to tell them what had happened
5 to you and what was going on? Who was that?

6 A Ty Miller, Captain Ty Miller.

7 Q When did you do that?

8 A I reached out to her the Saturday that I came
9 back into town from being in Jacksonville with my
10 sister.

11 Q And what were your -- when you reached out to her,
12 what did you tell her?

13 A I just told her that I needed to meet with
14 her in person.

15 Q And did she agree to do that?

16 A Yes, sir.

17 Q Where were you supposed to meet?

18 A Panera.

19 MR. WISE: No objection to State's 11.

20 (STATE EXH. 11, Texts with Miller; 4/22, was
21 entered into evidence.)

22 BY MR. BRACKETT:

23 Q I'm showing you what's been marked as State's 11,
24 which I now move into evidence without objection. Can
25 you tell me what the text exchange represents?

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1 A This is me texting Ty from my personal phone
2 asking her to give me a call when she had a
3 chance. And we basically agreed to meet at
4 Swamp Rabbit, but then we talked about going to
5 each lunch in stead of -- going to eat lunch first
6 and then going over to Swamp Rabbit trail to talk.

7 Q Did you met up with her on that Saturday?

8 A I did.

9 Q And what did you tell you her?

10 A I started to tell her that I was becoming
11 uncomfortable, that some things had happened, and
12 that I needed her opinion because Will was trying
13 to convince me that this was normal for, you know,
14 people to do this in law enforcement. And part of
15 me thought that, hey, maybe it is, maybe I am the
16 crazy one, overreacting about this. Maybe it is
17 normal. And so I wanted to talk to Ty because she
18 has been in law enforcement for so many years and
19 she was a captain, and I wanted to explain to her
20 what happened in Charlotte because she was, like,
21 captain over sex crimes and victims. And I just
22 thought she would be a good person to help me sort
23 through my faults.

24 Q Who is the highest ranking female in the sheriff's
25 Office?

1 A Captain Ty Miller.
2 Q So tell us what happened when you met with her?

3 A We had lunch and didn't discuss much of this,
4 and -- during lunch, because I didn't want to do
5 that in a public place. So we took a walk and
6 that's when I started explaining things. And then
7 I asked her to get in the car so I could let her
8 listen to this recording, recording number 1.

9 Q The one with the crickets? The one on the
10 driveway?

11 A No, I'm sorry. Recording number 2. The one
12 where he's trying to convince me to share a hotel
13 room.

14 Q Is the Ty that he mentions in that the same Ty
15 that you're talking to?

16 A Yes, sir.

17 Q Okay.

18 A And I started playing the recording. And
19 then at some point she said -- she was just like,
20 stop. And she said, he knows that we're here. I
21 was like, what do you mean, he know that we're
22 here. And she said he told me --

23 MR. WISE: Objection to what Ty Miller
24 said, unless --

25 MR. BRACKETT: We are due to bring Ty

1 Miller in.

2 MR. WISE: I'm familiar with all this
3 testimony. As long as he represents that Miss
4 Miller is here.

5 THE COURT: She will be here for
6 cross-examination.

7 MR. WISE: Right.

8 MR. BRACKETT: That is correct.

9 MR. WISE: Very good.

10 THE WITNESS: She was, basically, just
11 telling me that she had to report to the sheriff
12 that we were together, and she was supposed to
13 call him after the meeting to tell him -- to fill
14 him in on what we talked about.

15 BY MR. BRACKETT:

16 Q At that moment, how did that change your mindset?

17 A I shut down. I wasn't going to tell her
18 anymore. I felt like I couldn't trust her because
19 she was reporting to the sheriff that we were
20 having this conversation. And so, I mean, I had
21 already started playing a recording for her, so
22 now she knew I was recording the sheriff, her boss
23 as well. And so I just shut down.

24 Q Did she ask you specifically if you were having a
25 physical relationship with him?

1 A Yes.

2 Q What did you tell her what was the extent of it?

3 A I told her that he tried to kiss me in
4 Charlotte.

5 Q And you did not tell her anything else?

6 A No, sir.

7 Q Had you gone there planning on telling her more?

8 A Yes, sir.

9 Q And, at that moment, you changed your mind because
10 you knew she had spoken to the sheriff?

11 A Yes, sir.

12 Q Was she -- did you end that conversation shortly
13 after that?

14 A Yes, sir.

15 Q And what did you ultimately decide to do?

16 A I decided to turn in my two weeks' notice.
17 He wanted me to turn it in on a Saturday -- he
18 wanted to know my decision on that Saturday night,
19 and I told him that I was not going come in on
20 Saturday night, that I would tell him my decision
21 on Monday morning. He asked me to tell him before
22 his family got home because he didn't want to deal
23 with this when his family got home.

24 And I showed up for work on Monday morning
25 and I turned in my notice.

1 Q Did you have your recorder running the entire
2 time?

3 A Yes, sir.

4 Q And is that recording 10? What does that depict?

5 A Recording 10 is me going into the office and
6 basically turning in my resignation with keeping
7 the door open. I wanted to go into his office and
8 leave the door open, because a lot of times he
9 liked to close the door and have this long
10 conversation. At this point, after being away for
11 a week, I did not feel like that was a good idea
12 and I didn't want him to sway my opinion because I
13 was easily manipulated. And so we had to
14 conversation and I turned off the recordings. I
15 thought we were done. I headed to my office and
16 he followed me there where he shut my door and I
17 turned back on the recording.

18 Q So is that conversation recording 11.

19 A Yes, sir.

20 Q The private conversation between the two of you in
21 your office?

22 A Yes, sir.

23 Q Ultimately, did you tender your resignation?

24 A Yes, sir.

25 Q And you left the sheriff's Office that day?

- 1 A Yes, sir.
- 2 Q Did you have to work the two weeks?
- 3 A No, sir.
- 4 Q What happened to you after you left, quit the
- 5 sheriff's Office?
- 6 A I was in counseling for months in
- 7 Jacksonville, Florida. I moved to Jacksonville,
- 8 Florida to get away. My plan was just to go away
- 9 silently and pretend nothing ever happened. After
- 10 speaking with a counselor, I was advised to hire
- 11 an attorney. I hired an attorney and we conducted
- 12 a civil lawsuit.
- 13 Q Do you remember when that was filed?
- 14 A It was filed in October of 2017.
- 15 Q All right. Were the recordings made any part of
- 16 that complaint?
- 17 A Yes, sir.
- 18 Q And made public?
- 19 A Yes, sir.
- 20 Q Are you familiar with the defendant's press
- 21 conference that he held in later in October?
- 22 A Yes, sir.
- 23 Q Was the press conference after the filing of the
- 24 complaint with the recordings attached?
- 25 A Yes, sir.

1 Q One question I didn't ask you earlier. I looked
2 back over my notes and regret it, but I think it's
3 important to mention it. On the ride back from
4 Clemson after meeting with Sheriff McBride and the
5 other folks, did you come to find out or inquire about
6 whether his wife would be attending the budget session
7 in Charlotte?

8 A Yes. He told his wife -- he specifically
9 told me he was not telling his wife that I was
10 attending the meeting in Charlotte. I told him
11 that that made me feel uncomfortable. I asked him
12 why he would not tell her that I was going to
13 Charlotte.

14 Q What did he say?

15 A He just said that he doesn't want to cause
16 another argument between them about nothing.

17 Q Did that feed into the narrative about the
18 troubles he was having with his wife?

19 A Yes, sir.

20 Q Is your civil lawsuit resolved?

21 A Yes, sir.

22 Q So that's ended?

23 A Yes, sir.

24 Q Do you stand to gain anything at all from this
25 prosecution?

1 A No, sir.

2 MR. BRACKETT: Court's indulgence for a
3 minute. Thank you, Savannah. Please answer any
4 questions that counsel for the defendant may
5 have.

6 THE COURT: Cross-examination.

7 MR. WISE: Your Honor, it's going to be a
8 while.

9 THE COURT: I understand.

10 MR. WISE: Okay.

11 THE COURT: We got time.

12 MR. WISE: All right.

13 CROSS-EXAMINATION

14 BY MR. WISE:

15 Q Miss Nabors, you were upset during a portion of
16 this testimony?

17 A Can you repeat that?

18 Q You were upset during a portion of your testimony
19 when we talked about the incident in Charlotte?

20 A Yes, sir.

21 Q I assume when this happened in Charlotte you were
22 equally upset?

23 A I was upset with myself.

24 Q Right. But you were equally upset then?

25 A I don't know how upset I was then versus how

1 I was upset today. I've been through a lot of
2 emotions in between. I'm not sure.

3 Q Okay. Well, you said that after you all left his
4 room -- after you left his room at 7:00 a.m., you went
5 back to your room and you were so upset you couldn't
6 sleep.

7 A I did not go back to sleep because it was
8 seven o'clock and we were having a budget
9 meeting.

10 Q But you didn't come down to the budget meeting
11 until 11:00?

12 A I took a shower and got myself together and
13 tried to process what I'd been through.

14 Q And it was because you were upset.

15 A Sure.

16 Q And you sat down and thought about -- or laid
17 there in bed and thought about it?

18 A I'm sure I did.

19 Q And thought about what happened?

20 A I tried to think. I tried to remember what
21 happened, yes, sir.

22 Q And did you contemplate, at that time, about
23 calling the Mecklenburg law enforcement?

24 A No, sir.

25 Q Then you went down to Florida with your sister

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1 sometime in April or May to move to -- actually, kind
2 of, move to Florida?

3 A I didn't move to Florida until the end of
4 May, maybe.

5 Q Right. When did you write your blog?

6 A August of 2017.

7 Q August. All right. So somewhere -- I assume you
8 started on it several weeks before it was actually
9 published?

10 A I'm not sure how long it took me to write
11 it.

12 Q Okay. But it took more than a or two?

13 A Sure.

14 Q Okay. So you finally published a blog.

15 A I did.

16 Q In which you accuse Sheriff Lewis of a lot of
17 improprieties?

18 A I didn't accuse him specifically, but I
19 accused the sheriff, yes.

20 Q All right. And your sister had that published?

21 A Yes, sir.

22 Q Is they that caused a stir in the community, did
23 it not?

24 A Yes, sir.

25 Q So when you published the blog accusing the

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1 sheriff of impropriety, did you then decide to call
2 Mecklenburg County sheriff's department and report
3 this incident?

4 A I think SLED reached out to me after.

5 Q I understand. Did you reach out to the
6 Mecklenburg sheriff's department to report an incident
7 with Sheriff Lewis in Charlotte, North Carolina after
8 you published your blog?

9 A I was advised not to reach out to them.

10 Q You were advised what?

11 A I was advised not to.

12 Q And who advised you not to?

13 A My attorney at the time.

14 Q Your attorney at the time?

15 A Yes, sir.

16 Q And your attorney advised you not to report this
17 incident to the Mecklenburg County sheriff's
18 department for what reason?

19 A There was a difference between a criminal act
20 and a civil act, and there were lots of -- they
21 were basically saying that the sheriff's Office is
22 going to have to report it, so you just need to
23 wait to be interviewed.

24 Q But you accused him of a criminal act --

25 A Sure.

1 Q -- in your blog?

2 A Yes, sir.

3 Q But you didn't report it?

4 A No, sir, I didn't.

5 Q And then you filed suit, didn't you?

6 A Yes, sir.

7 Q Okay. So when did -- let me back up a second.

8 When did your lawyer tell you you could, quote, go

9 public with it?

10 A My lawyer told me that if I went public with

11 it --

12 MR. BRACKETT: Your Honor, I'm going to
13 object to if she's being asked to get into
14 attorney/client privilege. I just want to make
15 sure we don't stray into what advice her lawyer
16 may have had.

17 MR. WISE: It's her privilege, and she's
18 the one that volunteered that her attorney told
19 her not to call the Mecklenburg sheriff's
20 department.

21 MR. BRACKETT: She wasn't volunteering
22 it. He's asking it. If she wants to, I don't
23 have a problem. It's up to her.

24 THE COURT: She can waive the privilege.

25 MR. BRACKETT: If she doesn't want to,

1 she can -- it's up to her.

2 BY MR. WISE:

3 Q So when did your lawyer tell you can go public
4 with it?

5 A I had a couple of different attorneys --

6 Q Right.

7 A -- because they had different strategies.

8 Q One attorney said don't go public?

9 A All the attorneys said don't go public.

10 Q All of them.

11 A Yes, sir.

12 Q So no attorney ever told you to go public with it?

13 A No, sir. In fact, they said if I went public
14 with it they would not represent me.

15 Q And every attorney told you that?

16 A I believe so, yes, sir.

17 Q All right. You had a bunch of text messages with
18 Chad, didn't you?

19 A Chad Ayers?

20 Q Is that correct?

21 A Yes, sir.

22 Q I mean, several hundred pages worth.

23 A Yes, sir. We were in a relationship.

24 Q Do you recall a text message to Chad on or about
25 Sunday, August the 22nd at 2:23 p.m.

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1 A I have no idea what I would say.

2 MR. BRACKETT: Can I be shown the
3 evidence before it's shown and published?

4 THE COURT: He knows how to do it.

5 MR. BRACKETT: Yes, sir.

6 BY MR. WISE:

7 Q If you would, read the text message you sent Chad
8 starting with the one at 2:23 p.m., and what does it
9 say?

10 A "Hold on to your britches."

11 Q You posted, hold onto to your britches to Chad,
12 correct?

13 A Yes, sir.

14 Q And what does he respond?

15 A "Why?"

16 Q And what do you respond?

17 A "My attorney just gave permission to go
18 public."

19 Q So your attorneys gave you permission to go
20 public?

21 A If I decide not to be represented by him.
22 And we did cease representation after I went
23 public because I went public.

24 Q What attorney gave you permission to go public?

25 A He -- basically, I thought that the attorney

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1 gave me permission to go public. But he, in fact,
2 said, if you go public, I will not represent you.
3 So I said, okay, and decided not to have a civil
4 lawsuit and go forward with my public testimony
5 because no one would believe me.

6 Q So no attorney gave you permission to go public.
7 That comment was incorrect.

8 A He gave me permission to go public if I
9 agreed not to be represented by him.

10 Q So then you actually filed a lawsuit sometime
11 later, correct?

12 A Yes, sir. With a different attorney.

13 Q A different attorney?

14 A Yes, sir.

15 Q And after the lawsuit was filed, did you then
16 decide to go public with it?

17 A I did. Not after the lawsuit was filed. But
18 before the lawsuit was filed, I went public with
19 it. Yes, sir.

20 Q And then when you went public with it, you still
21 didn't call the Mecklenburg County sheriff's
22 department?

23 A No, sir.

24 Q Did you have a conversation with the WSPA
25 reporter?

- 1 A I'm not sure.
- 2 Q Text messages.
- 3 A Which reporter?
- 4 Q The one you sent the blog to?
- 5 A Then I'm guessing I did.
- 6 Q Let me find the name real quick.
- 7 A Okay.
- 8 Q I believe it is Miss Rodgers. Do you remember
- 9 that name?
- 10 A There were reporters reaching out to me to
- 11 hear my story. I would send them the blog with my
- 12 story in it until an attorney came to me and I
- 13 hired that attorney, and then I no longer spoke to
- 14 media.
- 15 Q I thought I had this better organized. I
- 16 apologize.
- 17 Did the WSPA reporter tell you to make the
- 18 report with the Mecklenburg County sheriff's
- 19 department?
- 20 A I don't remember that.
- 21 Q You don't remember. All right.
- 22 A I'm not saying it didn't happen. I just
- 23 don't remember.
- 24 Q Excuse me?
- 25 A I'm not saying it didn't happen. I'm just

1 saying I don't recall a conversation like that.

2 Q You don't recall. Did you ultimately make a
3 reporter to the Mecklenburg County sheriff's
4 department.

5 A Eventually, I did. Yes, sir.

6 Q And that was sometime in October?

7 A Yes, sir.

8 Q Ten months after the alleged incident.

9 A Yes, sir.

10 Q All right. Now, you testified that you were not
11 overly intoxicated when you got back to the room that
12 night?

13 A Which night?

14 Q The first night.

15 A I do not believe I was.

16 Q Okay.

17 A I was walking back to the room with everyone
18 else. And Marcus and I even looked at each other
19 and, kind of, laughed at Will because he had tried
20 to fireman's carry me, so I felt like I was on the
21 same drinking level as, you know, everybody else
22 that had been drinking because we were the ones
23 staying back looking at Will who was intoxicated.

24 Q And you said he was sitting on the bed and took
25 his shirt off?

- 1 A Yes, sir.
- 2 Q Is that correct?
- 3 A The overshirt, yes.
- 4 Q Right. And you were standing up?
- 5 A Yes, sir.
- 6 Q And then, basically, I don't remember a thing
- 7 after that?
- 8 A Other than him, like, talking about his
- 9 marriage and his wife and things start getting
- 10 blurry to me after that.
- 11 Q He was sitting on the bed the whole time?
- 12 A We were in the living room for some of the
- 13 time.
- 14 Q I understand. I'm talking about when you moved to
- 15 the bedroom area?
- 16 A Yes, sir.
- 17 Q He was sitting on the bed?
- 18 A Yes, sir.
- 19 Q And the conversation with the wife took place in
- 20 the other sitting area?
- 21 A No, that conversation was on the bed as
- 22 well.
- 23 Q It was on the bed as well.
- 24 A He was on the bed, yes, sir.
- 25 Q And did he take his shirt off after the

- 1 conversation about the wife?
- 2 A My shirt?
- 3 Q His shirt.
- 4 A I don't remember.
- 5 Q You don't know. But he was sitting on the bed and
- 6 took his shirt off,
- 7 A He was basically, like, unbuttoning his
- 8 overshirt to get more comfortable. He wasn't just
- 9 taking his clothes off.
- 10 Q Oh, I misunderstood. He was just loosening up the
- 11 shirt. It was a button-up shirt.
- 12 A Yes. He took the overshirt off. He had his
- 13 white t-shirt on.
- 14 Q And he was in there with his -- did he have his
- 15 shoes on?
- 16 A I'm assuming he did.
- 17 Q Did he have his pants on?
- 18 A Yes, sir.
- 19 Q All right. And that's about the last thing you
- 20 remember?
- 21 A I believe so, yes, sir.
- 22 Q I mean, do you remember anything else after that?
- 23 I mean, I can't remember for you?
- 24 A Not sitting here right this moment, no, sir.
- 25 Q Okay. And the next thing you recall is, you wake

- 1 up when?
- 2 A Around 5:00 a.m.
- 3 Q I believe you testified at 5:20?
- 4 A Okay. 5:20.
- 5 Q All right. And I believe you testified you knew
- 6 it was 5:20. And what was the first thing you
- 7 realized when you woke up at that time?
- 8 A That he was on top of me.
- 9 Q All right. And what is the thing you did?
- 10 A I reached over from my phone to see what time
- 11 it was.
- 12 Q You reached over to your phone and your phone says
- 13 5:20?
- 14 A Yes, sir.
- 15 Q Correct?
- 16 A Yes, sir.
- 17 Q And is your phone the type of phone that you have
- 18 to rub it for the thing to come up? Normally, they
- 19 shut down when you lay them down for a while.
- 20 A I'm sure I had to, like, touch my phone to
- 21 see.
- 22 Q So he is on top of you?
- 23 A Yes, sir.
- 24 Q And your first impulse is to grab your phone?
- 25 A Yes, sir.

- 1 Q And it said 5:20?
- 2 A Yes, sir.
- 3 Q And then he asked you if you wanted him to finish.
- 4 A Uh-huh. Because he became aware that I was
- 5 becoming aware of what was happening, and --
- 6 Q Go ahead.
- 7 A Go ahead.
- 8 Q He asked you if you wanted him to finish.
- 9 A Yes, sir.
- 10 Q And you responded, yes.
- 11 A Yes, sir.
- 12 Q You didn't respond, get off of me?
- 13 A No, sir.
- 14 Q You didn't respond, what is going on?
- 15 A I had just woken up and saw my boss on top of
- 16 me. I didn't know how to respond.
- 17 Q And you responded with, yes, he could finish.
- 18 A Because I wanted it to be over with.
- 19 Q All right. And at some point in this
- 20 conversation, and I think you're exactly sure, someone
- 21 might have said, I guess I'm not doing my job, meaning
- 22 you?
- 23 A I'm not sure what you're talking about, sir.
- 24 Q Well, let's go back to deposition at page 129.
- 25 THE COURT: The deposition taken in this

1 case?

2 MR. WISE: The deposition was taken on
3 April the 10th of 2018 at approximately --
4 starting at 9:00 a.m.

5 THE COURT: All right. Ladies and
6 Gentlemen of the jury, counsel has in front of him
7 what's called a deposition. This is merely -- it
8 is a sworn statement taken in front of a court
9 reporter and some lawyers. I don't know who else
10 was there. But he wants to ask the witness
11 something about what she said at a previous time
12 under oath, and you may proceed.

13 MR. WISE: Okay.

14 BY MR. WISE:

15 Q Look at line 12, what is the question that's asked
16 of you and what is your answer?

17 A "Did you ever say to him, I guess I am not
18 doing my job." And I said, "I recall something.
19 Either he told me I said that. I recall that
20 statement, but I don't know if I said it or if he
21 told me I said it."

22 Q So it was said?

23 A No. I don't know whether I said it or if he
24 told me I said it. If he told me I said it, then
25 I'm not sure it was actually said.

1 Q All right. Now, when you got back to the room, he
2 had liquor glasses, correct?

3 A Can you repeat that? He had what?

4 Q When you got back to your room with him, when he
5 came into your room after you all got back to the
6 hotel, the liquor was there?

7 A Yes, sir. It was where he left it.

8 Q How much did you have to drink?

9 A I poured us bot two glasses. They were
10 probably about this tall (indicating,) and I
11 remember having a few sips of it.

12 MR. BRACKETT: Excuse the Court, I'm
13 sorry to interrupt Mr. Wise, I can't see the
14 witness and she's saying "this much" and so forth.
15 I just need to be able see her.

16 BY MR. WISE:

17 Q Well, you said you had a few sips of it, correct?

18 A Yes, sir.

19 Q And that's consistent with what you to --

20 THE COURT: You will have to move around.
21 I'm not going to --

22 MR. BRACKETT: I could move too.

23 MR. WISE: I can move out of way a little
24 bit.

25 BY MR. WISE:

1 Q And that's consistent with what you told SLED in
2 your interview when you said you had three to five
3 swigs?

4 A I believe I said three to five sips.

5 Q In your deposition, do you recall what you said in
6 your deposition?

7 A I'm not sure.

8 Q All right. In your deposition, you said you had
9 an unknown amount of brown liquor; is that correct?
10 Look at question four, read the question and the
11 answer to that one?

12 A "An unknown amount of brown liquor?" "Yes,
13 ma'am" "And you don't think that is a lot of
14 liquor drinking for you?" "I don't think it is
15 enough to make me black out. I have drank more
16 than that before."

17 Q Okay. So in your deposition, you don't know how much
18 you had to drink, correct?

19 A Correct.

20 Q Now, your testimony is, the meeting the next day
21 lasted an hour, hour and a half?

22 A I would assume so, but really don't know how
23 long it lasted. I think I said 45 minutes to an
24 hour.

25 Q Forty-five minutes to an hour?

1 A Yes, sir.

2 Q And that would have been -- the only time you were
3 at the meeting then was from the time you got up about
4 11:00 to roughly -- came back before you went to
5 lunch?

6 A I got a phone call from Will asking me if I
7 wanted coffee, so I went down as soon as I was
8 told that there was anything being had.

9 Q And this man that had abused you the night before,
10 you texted him and asked him to bring you something
11 from Starbucks?

12 A No, sir.

13 Q You didn't?

14 A I did not text him and ask him to bring me
15 something. He asked me what I wanted, and I
16 corrected my order in a text message. I did not
17 ask him to bring me something. He asked me to
18 bring me something.

19 Q And you said okay?

20 A I did. Yes, sir.

21 Q All right. And you say after lunch everybody went
22 back to the room?

23 A I know I went back to the room. I think that
24 was the plan, everybody would go take a nap. That
25 was -- as far as I remember, that was the plan.

1 Q When was that discussed?

2 A After lunch sometime when everybody got their
3 bellies full.

4 Q During lunch or something?

5 A Sometime after lunch, or during lunch.

6 Q So your testimony is that no one had a meeting
7 that afternoon?

8 A We had a meeting that morning. We went to
9 lunch, and then we all went to take naps.

10 Q Nobody had a meeting that afternoon?

11 A Not that I was involved in. I don't know
12 what everybody else did.

13 Q All right. Now, the next night, you all went out.

14 A Yes, sir.

15 Q And you had something to drink that night?

16 A Yes, sir.

17 Q And it didn't concern you that you were going back
18 out with the man that you say you passed out with the
19 night before and continued drinking?

20 A I didn't think that this man abused me. I
21 had known him since I was 17 years old. I trusted
22 him. He was a friend. He was my boss. I didn't
23 wake up and think I had been abused right away.

24 Q So when you woke up, you were not upset?

25 A I was upset with myself.

1 Q Okay. So you went out the next night drinking
2 too?

3 A Yes, sir. We were celebrating birthdays.

4 Q And I believe you had some four to six drinks that
5 night?

6 A Probably.

7 Q Okay. And you said you got a phone call from
8 Mr. Lewis at 3:00 a.m.?

9 A Yes. There was a text message, yes, sir.

10 Q Was that on your personal phone or the sheriff's
11 phone?

12 A I believe it was the county phone.

13 Q The county phone, all right.

14 A It could have been my personal phone. We
15 have records of if, if we need to --

16 Q Have you sat down with the solicitor here and gone
17 over your phone records to point out that 3:00 a.m.
18 call?

19 A They did not point out that 3:00 a.m. call.
20 I think the attorney -- actually, Will's attorney
21 in the deposition pointed out the 03:00 a.m. call.

22 Q In whose deposition?

23 A In my deposition.

24 Q Was that a phone record introduced in your
25 deposition, or was it text messages that were

1 introduced in your deposition?

2 A I'm not sure. I'm sorry.

3 Q I want to hand you a group of text messages that's
4 listed as Defendant's Exhibit 1 in a deposition. Is
5 this what you saw in your deposition?

6 A I have not seen this, no. I saw these --
7 like, I saw a text message.

8 Q Right. So, what you're saying is that a 3:00 a.m.
9 phone call was shown to you in your deposition. It is
10 available to the prosecutor to show to us today?

11 A I'm not sure about the legal process.

12 Q I understand. Were you shown a phone call at
13 3:00 a.m.?

14 A No, sir.

15 Q Okay. Were you ever asked to go over your phone
16 record with the State to point out a 3:00 a.m. call?

17 A No, sir.

18 Q Now, you say he came by your residence that
19 evening -- or your hotel room that evening.

20 A Yes, sir.

21 Q And I believe you stated you were, quote,
22 devastated it was happening again?

23 A Is devastated that I was going to have to
24 deal with how to say no to my boss and the person
25 I trusted and this job that I loved. Like, I

1 didn't know what to do. I was just in a terrible
2 situation. It was a devastating situation, yes.

3 Q All right. So you went to breakfast the next day.

4 A Yes, sir.

5 Q Did you go to a speech with him the day off you
6 got back from --

7 A Charlotte.

8 Q -- from Charlotte?

9 A Yes, sir.

10 Q Okay. Now, let's go back a moment. You told
11 Chad Ayers -- originally, I think you said you told
12 Chad Ayers everything, but you didn't tell Chad Ayers
13 everything originally, did you?

14 A I told Chad, kind of, what was happening as
15 it was happening about just the sheriff becoming
16 territorial. I mean, I would tell him about our
17 conversations, about how Will would say he didn't
18 want me dating anyone else because that was
19 pertinent to mine and Chad's relationship.

20 Q And you told Chad Ayers that Will Lewis exposed
21 himself to you in that room?

22 A I believe, because he listened to the
23 recording of "You've seen all of me in Charlotte,"
24 and Chad said, what is that.

25 Q Excuse me. Listen to what recording?

- 1 A The recording number 1 or 2.
- 2 Q All right. That doesn't say anything about
- 3 exposing himself, though?
- 4 A It says, "You've seen all of me in
- 5 Charlotte," and Chad said, what does that mean.
- 6 Q And you told him he exposed himself?
- 7 A Yes, sir. In some sort of way. I don't know
- 8 how I told him that, but, yes, sir.
- 9 Q All right. Now, you went and talked to Ty Miller,
- 10 correct?
- 11 A Yes, sir.
- 12 Q And when you went to talk to Ty Miller you already
- 13 knew you were not coming back to work?
- 14 A Not necessarily. I mean, I was all over the
- 15 place mentally about whether I should go back or
- 16 not.
- 17 Q I believe you testified earlier that you
- 18 started -- when you started recording the phone calls,
- 19 you had no intention to go in the next day?
- 20 A That's correct.
- 21 Q So you pretty much knew you were not going to go
- 22 in again.
- 23 A I knew that there was no way I could go in
- 24 the next day because of how hostile he was on the
- 25 phone that evening. That doesn't mean that I knew

1 I wasn't coming back for sure. You will hear in
2 the recordings that I go back and forth. And he
3 goes back and forth about whether I should come
4 back or not.

5 Q So you went to see Ty Miller then with the idea
6 maybe of keeping your job?

7 A I didn't have may sort of idea in my mind. I
8 wanted Ty to help me with that idea.

9 Q I guess that was pretty dramatic when you went to
10 see Ty?

11 A What do you mean? In what sense?

12 Q Well, in the sense that here you are talking to
13 someone who was close to Will Lewis --

14 A Correct.

15 Q -- about something that's delicate to you, to say
16 the least?

17 A Right. Yes, sir.

18 Q So it was, in that sense, a traumatic moment for
19 you, agreed?

20 A Sure.

21 Q All right. And I guess you were concerned what
22 you were going to say to Ty and so forth?

23 A I mean, I was worried about the conversation,
24 yes, sir.

25 Q And you were intent on being serious with her?

1 A Yes, sir.

2 Q And discussing and concentrating on Ty?

3 A Yes, sir.

4 Q And during the time you were talking to Ty, were
5 you sending text messages back and forth with Chad
6 about how your conversation with Ty was going?

7 A Yes, sir, because he wanted to know.

8 Q He wanted to know.

9 A Uh-huh.

10 Q So you're talking to Ty about a serious
11 conversation about your boss giving Chad Ayers a
12 play-by-play commentary about what was going on.

13 A Chad was the one that advised me, Ty would be
14 to good person to talk to about how this happened
15 and what happened. So he said, you need to reach
16 out to Ty and have a meeting with her.

17 So went reached out to Ty, I told Chad that
18 this meeting was scheduled, and he was like, let me
19 know how it goes.

20 So when Ty and I were not having a
21 conversation face-to-face, I may have been talking to
22 him, telling him how the conversation with Ty was
23 going, yes, sir.

24 Q In fact, Chad texted you and asked you if you were
25 going to tell her about exposing his penis?

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1 A I'm guessing he did say that, yes, sir.

2 Q And you responded back by saying that you're going
3 to, do you remember that?

4 A Yes, sir.

5 Q Okay. But you never did?

6 A Yes, sir.

7 Q Never told her about it?

8 A That's correct.

9 Q Never told Ty about it.

10 A I never told Ty because she told me that, you
11 know, he -- that Will knew about this meeting, and
12 that she was going to have to report back to Will
13 what was said in this meeting, so I stopped saying
14 anything altogether.

15 Q So when you went to see Ty, you didn't think that
16 eventually it would get back to Will that you had
17 talked to Ty.

18 A I was looking for anybody I could trust.

19 Q I understand. Ty is in the chain of command,
20 correct?

21 A Yes, sir.

22 Q You understood that she would have to report, at
23 least to her superior, what your conversation was
24 about.

25 A Well, I thought if she understood that it was

1 a sexual and criminal act, that she would not have
2 to report it back to Will, that she could help me
3 do whatever what I needed to do. I had no idea
4 who to go to or who to report to, so I thought she
5 could help me with that because she was over sex
6 crimes.

7 Q I understand. So you thought you could go to Ty
8 and she wouldn't report it to anybody?

9 A No, I thought she would help me report it to
10 the right person.

11 Q All right. Now, going back to a moment ago, we
12 asked about Eryn Nicole, who was a WSPA reporter, do
13 you remember that?

14 A I remember you asking that.

15 Q Did you have a series of text messages with Eryn
16 after you sent her your blog?

17 A Eryn Rodgers, yes, sir.

18 Q Well, it's Eryn Rodgers now. It was Eryn Nicole
19 then?

20 A Correct. Yes, sir.

21 Q And, in that, she asked about listening to the
22 recordings, correct?

23 A I don't remember the conversation between
24 myself and Eryn.

25 Q And she said --

1 MR. BRACKETT: Objection, Your Honor.

2 She said she doesn't remember the conversation.

3 If Mr. Wise wants to publish a document --

4 THE COURT: All right, all right. I
5 understand.

6 MR. WISE: I was getting ready to go to
7 another question.

8 BY MR. WISE:

9 Q All right. Did you ask her, or did you tell her
10 you haven't contacted Charlotte, but you can?

11 A I'm not sure what you're asking.

12 Q Well, do you recognize this starting with that
13 part about your conversation with Eryn Rodgers through
14 text messages?

15 A She's saying that -- I say, "Let me consult
16 with my family about releasing the recordings."
17 She says, "SLED wouldn't have jurisdiction there.
18 You would have to contact Charlotte law
19 enforcement, SBI. He shouldn't have reach over
20 there," because I was concerned about reporting
21 anywhere because he was the sheriff. "But it
22 sounds like he's already reached out to SLED about
23 it." And I said, "Well what does SLED know? I
24 haven't contacted Charlotte, but I can." I didn't
25 know to contact Charlotte.

- 1 Q What does she recommend?
- 2 A "In my opinion, you should. The Sheriff's
- 3 Office says they self reported to SLED the morning
- 4 after."
- 5 Q So she suggested you contact Charlotte?
- 6 A Yes, sir.
- 7 Q And because a WSPA reporter suggested that you
- 8 contact Charlotte, you did?
- 9 A No, sir.
- 10 Q When did you contact Charlotte?
- 11 A When I was -- when I hired a new attorney.
- 12 Q When did you hire a new attorney?
- 13 A Maybe -- I mean, it was right after
- 14 publishing the blog, so the end of August. And
- 15 they told me I could talk with Charlotte and I did
- 16 give a statement in Charlotte.
- 17 Q For the record, these conversations with
- 18 Eryn Nicole was August the 30th?
- 19 A Okay. So then --
- 20 Q Is that correct?
- 21 A Yes, sir.
- 22 Q So about the time your blog was released?
- 23 A Yes, sir.
- 24 Q And it stayed up just a few days and was shut
- 25 down, correct?

1 A That is correct.

2 Q And you took the time and effort to contact Eryn
3 Nicole and send her a copy of her blog too.

4 A I don't know that I contacted her. But if
5 she contacted me, then I would probably send it to
6 her. I was trying to get my story out any way
7 that I could because no one would listen to me.

8 Q All right. You went to see a counselor in May of
9 2017?

10 A Yes, sir, I did.

11 Q And the counselor, you know -- and that was the
12 first time you went at that counselor, correct?

13 A About this scenario, yes, sir.

14 Q Right. Now, let's go back a moment. You know --
15 I believe Terri Coker works at the Bannister firm?

16 A Yes, sir.

17 Q She's been there a number of years?

18 A Yes, sir.

19 Q You and she had a conversation when you accepted
20 the job with Will Lewis, did you not, about the fact
21 that she had also been offered the same job first?

22 MR. BRACKETT: Objection. It calls for
23 hearsay.

24 MR. WISE: I think it calls for --

25 THE COURT: Overruled. Go ahead.

1 BY MR. WISE:

2 Q Did you have a conversation with her about her
3 being offered the job first?

4 A I don't know if I had that conversation with
5 her, as much as it was like rumors saying that,
6 oh, he was saying the same things to Terri that he
7 was saying to you.

8 Q Right.

9 A I'm not sure who had a conversation.

10 Q Let me see if I can refresh your memory.

11 A All right.

12 Q Did you all have a conversation in which you made
13 a comment that he, as you said earlier in your
14 testimony, that Sheriff Lewis said that you are to
15 stay two steps to my right and two steps behind me?

16 A I don't know if I had that conversation with
17 Terri or someone else in the Bannister office.

18 Q All right. But do you know if she was offered the
19 job before you?

20 A I just know rumors and hearsay. I don't know
21 from Terri that he offered her the job.

22 Q On or about July 6th of 2017, all right, did you
23 run across Terri Coker at a Olive Garden restaurant in
24 Greenville?

25 A I'm not sure what the date was, but now that

1 you say that, I remember running across Terri.
2 Q You were with your husband.
3 A Okay. Yes, sir.
4 Q I assume you were at that time. This was in July.
5 A Okay.
6 Q You all had gotten back together by then?
7 A Okay.
8 Q I mean, is that correct?
9 A We were back together by July 2017, yes,
10 sir.
11 Q And I think Miss Coker hadn't seen you in a
12 while?
13 A No, she hadn't.
14 Q And you all exchanged pleasantries, I assume?
15 A I don't really remember. I just remember
16 seeing her at Olive Garden now that you say that.
17 I don't remember that in detail.
18 Q Do you remember telling her that in a few months
19 you're going to have big news?
20 A No.
21 Q You don't remember anything like that?
22 A She -- I'm trying to remember that exact
23 conversation and how that took place. I think
24 that she was wondering why I dropped off the face
25 of the Earth, and I told her I would let her know

1 -- I mean, it would be coming you out soon, but I
2 couldn't talk to her then.

3 Q Okay. The big news would be coming out soon?

4 A I don't know that I said big news. I said an
5 explanation for why I fell off the face of the
6 Earth will come out.

7 Q And you were referring to the fact that you were
8 going to release this blog in August, or go public
9 with it?

10 A No, sir. I was referring -- at that time, I
11 was under counsel and we were going to file a
12 suit. But then when I published the blog, I was
13 no longer represented.

14 Q Did you have a conversation with anyone in
15 February of 2017 about the fact that you wanted to go
16 back and do forensic interviewing and leave the
17 sheriff's Office?

18 A No, sir.

19 Q Okay. Did you have that specific conversation
20 with Martine Helou?

21 A I said I did have that conversation with
22 her.

23 Q You didn't have it with her?

24 A I've always been interested in forensic
25 interviewing. Will said after this four-year

1 term, he could help me get to wherever I wanted to
2 go, so I thought that may be in the works after
3 his four-year term. But I never thought about
4 leaving the sheriff's Office.

5 Q Now, you worked a lot of hours in your position.

6 A Yes, sir.

7 Q A lot of nights?

8 A Yes, sir.

9 Q A lot of weekends?

10 A Yes, sir.

11 Q A lot of time spent in that position?

12 A Yes, sir.

13 Q To the extent that you sincerely believe you
14 earned the money you made?

15 A I mean, when you look back the everyone
16 else's salary and there are police officers
17 risking their lives for \$30,000 and I'm making of
18 \$60,000, no. Did I think I was a great employee,
19 absolutely. And I thought I was irreplaceable
20 because that's what I was being told 24/7.

21 Q You worked more hours than a lot of those
22 officers, too, didn't you?

23 A I don't know about that.

24 Q Well, when you filed your lawsuit, you complained
25 about the fact that you weren't getting paid your

1 overtime wages, didn't you?

2 A I'm not sure about all that.

3 Q I'm going to hand you your complaint. Look at
4 Page 30 and 31.

5 Well, first of all, do you recognize this as
6 the complaint filed -- the date is cut off, I
7 apologize, but it's dated May 16th of 2018, right?

8 THE COURT: Is that the verified
9 complaint?

10 MR. WISE: It's been in the discovery.
11 That's where I got it from.

12 BY MR. WISE:

13 Q First of all, look through that. Do you recognize
14 that complain dated May of 2016 involving your case?

15 A I don't know that I filed a lawsuit until
16 August, so I don't know May would have been right.

17 Q Look at the very last page. Is that your
18 lawyer?

19 A Yes, sir.

20 Q And what's date on it?

21 A May 16th, 2018.

22 Q So you got it in a little earlier than
23 anticipated.

24 A I don't think I had hired Collin and filed by
25 May 16th, so I don't think that's correct. I

1 didn't hire Collin until after the blog was posted
2 in August.

3 Q Well, you recognize this as your complaint?

4 A August of 2017, so this was following May.

5 Q The following --

6 A Yes, sir.

7 Q I apologize. I was confused too. So this would
8 have been what you filed in May of 2018.

9 A Yes, sir. Yes, sir.

10 Q Then look at the cause of action starting with
11 paragraph 81, what are you claiming for relief
12 there?

13 THE COURT: Explain to the jury, this is
14 from a lawyer.

15 MR. WISE: This is her complaint, yes,
16 sir.

17 THE COURT: Filed by a lawyer.

18 MR. WISE: Filed by her lawyer, yes,
19 sir.

20 BY MR. WISE:

21 Q All right.

22 A It's talking about the time I worked for Will
23 between October and December of 2016 as -- on the
24 transition team, I was not paid for any of that
25 time. I was not employed by the county until

1 December 5th. So it's saying that, you know, he
2 owed me wages for the time I worked for him
3 between October and December.

4 Q And you're talking there about 20 hours of
5 overtime while you were working for him.

6 A Okay.

7 Q In December; is that correct?

8 A I'm not sure. Can you point that out? It
9 may be true. It may be correct, I just don't
10 know.

11 Q What you've alleged in this complaint is that it
12 was a willful policy and practice of refusing to pay
13 proper overtime compensation for all hours plaintiff
14 worked in excess of 40 per week. The plaintiff was
15 not paid for at least 20 hours of overtime during her
16 employment; is that correct?

17 MR. BRACKETT: Your Honor, I'm a little
18 bit at a loss here.

19 THE COURT: Well, I don't know -- what's
20 the objection?

21 MR. BRACKETT: I don't know the relevance
22 of this, and I don't know --

23 THE COURT: I understand. You're
24 challenging him on relevance grounds?

25 MR. BRACKETT: Yes, sir.

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1 THE COURT: What's the relevance?

2 MR. WISE: The relevance is, it goes to
3 show that, in addition to her salary of \$62,000 a
4 year, she was asking for more money in overtime.

5 THE COURT: Prior to her being employed?

6 MR. WISE: No, this was after her
7 employment?

8 THE COURT: All right.

9 MR. BRACKETT: Then a subsequent
10 objection --

11 THE COURT: Don't argue, please.

12 MR. BRACKETT: Yes, sir.

13 THE COURT: No speaking objections.

14 MR. BRACKETT: Yes, sir.

15 THE COURT: I'm going to allow it.

16 Continue. You can bring it up on
17 cross-examination.

18 BY MR. WISE:

19 Q So you were asking for overtime.

20 A I was asking for whatever I was owed. The
21 lawsuit was not about money for me, which is why I
22 didn't go with all the other attorneys.

23 Q The point is, you were asking for additional money
24 above and beyond the \$62,000 salary you were paid;
25 would that be correct?

1 A No. I mean, I was asking for the time that I
2 was owed. I mean, if I worked overtime, you
3 know -- I'm not sure.

4 Q All right. When you talked to Ty, you complained
5 to her about the job being too long, working too much.

6 A I may have complained about, like, working in
7 the middle of the night and stuff like that
8 because it was inappropriate when I was talking to
9 Ty, but I don't know that I complained that I
10 didn't like the job because it was too much. I
11 loved my job.

12 Q Didn't you tell it wasn't the job I signed up
13 for?

14 A Yes. Because having sex with my boss is not
15 what I signed up for.

16 Q But you didn't tell her that. You didn't tell
17 her had sex --

18 A You just said I did.

19 Q Well, you didn't tell her you had sex with your
20 boss.

21 A You said that I said that it wasn't what I
22 signed up for.

23 Q Correct.

24 A And the job was not what I signed up for.

25 Q Okay. And you said that Ty Miller said Will Lewis

1 had known you were going to come talk to her?

2 A When did I say this? Can you -- to who?

3 Q Did you tell Ty Miller that? Or excuse me. Did
4 Ty Miller tell you, according to your conversation,
5 that Will had called her saying that you were going to
6 come see her?

7 A I believe so, yes, sir.

8 Q Okay. And do you know how he knew that you would
9 come to see her?

10 A He knew everything I did.

11 Q Okay. Now, when you were talking with Chad
12 Miller -- I mean, also you made a comment about the
13 fact that Will Lewis was listening in on your entire
14 conversation while you all were talking in the
15 Rabbit Trail?

16 A It's Chad Ayers, and I was telling him that
17 he had to have been listening in because Ty was
18 going to report back what the conversation was
19 about.

20 Q And you also later accused Chad Ayers of working
21 undercover for Will, didn't you?

22 A I'm not sure what you're talking about.

23 Q Let me find that one second. Going back to your
24 deposition in your deposition again referred to
25 earlier, please read the question beginning at

1 line 6 through line 8.

2 A Question: "What are you angry about with
3 him?"

4 Answer: "The fact that he may be lying or
5 working undercover for the sheriff towards me?"

6 Q And that was talking about Chad Ayers?

7 A I don't know what the context is around
8 that.

9 Q All right. Well, let's go back then. Let's go
10 back then to the end of 310 at line 23, and you don't
11 have to read these out loud. Just read starting at 23
12 and read them in context.

13 A There was some type of information that Chad
14 was working with the sheriff, and he had multiple
15 conversations with the sheriff. And the sheriff
16 was his boss as well --

17 Q Right.

18 A -- so, of course, he was going to do whatever
19 he told him to do. So I could have been worried
20 about he was lying about this investigation with
21 SLED and not being honest with SLED.

22 Q All right. Now, you and Chad had some
23 disagreements, too, later, didn't you?

24 A I'm not sure. I'm sure we did.

25 Q Let me get the one that I want here.

1 You all eventually broke up over some serious

2 discussions, didn't you?

3 A I don't know that we were ever together. I
4 mean, we broke up for -- we weren't together
5 anymore because he was at the sheriff's Office and
6 I was like the scarlet letter. Nobody wanted to
7 talk to me.

8 Q You all had a physical relationship?

9 A That is correct.

10 Q All right. And the end of June of 2017, you all
11 had a rather heated discussion. See if that refreshes
12 your memory.

13 A Okay.

14 Q Is that correct?

15 A What is your question?

16 Q Let me get the sheet back and I'll ask it more
17 specifically.

18 You accuse him of basically having sex -- you
19 ask him, "Why do you keep having sex with me if you
20 don't feel anything or knew it wasn't going anywhere."
21 And then --

22 MR. BRACKETT: I object to the hearsay,
23 and I would like to see documents before they are
24 published, if I could.

25 MR. WISE: Here.

1 MR. BRACKETT: I object to the relevance
2 of this document.

3 THE COURT: What is the document? Is
4 that -- all right. Just wait a minute. What is
5 this?

6 MR. WISE: This is a statement of her --

7 THE COURT: To who?

8 MR. WISE: This is her statement to
9 Chad Ayers.

10 THE COURT: What is the relevance of
11 that?

12 MR. WISE: I think it's relevant because
13 it shows a pattern in which she broke up with men,
14 kind of similar with what she was going through
15 with Mr. Lewis.

16 THE COURT: I sustain the objection.

17 MR. WISE: Okay.

18 BY MR. WISE:

19 Q Now --

20 MR. WISE: Let me get reorganized, Your
21 Honor.

22 BY MR. WISE:

23 THE COURT: Approach the bench,
24 counsel.

25 (Bench conference off the record.)

1
2 Ladies and Gentlemen. We're going to run to about
3 six o'clock. So maybe counsel can finish his
4 cross-examination. If he doesn't, we'll pick it
5 up tomorrow.

6 BY MR. WISE:

7 Q You've listened to all, roughly, four hours of
8 recordings, have you not?

9 A Yes, sir.

10 Q And I assume you listened to it in preparation for
11 this trial?

12 A Not all of them, no, sir.

13 Q Not all of them but a good many?

14 A I verified for them that those were, in fact,
15 the recordings that I supplied, yes, sir.

16 Q Did you ever -- did you reread any of transcripts
17 in preparation of this trial?

18 A No, sir.

19 Q Do you recall anywhere in the those four hours of
20 recordings your ever saying to Will Lewis anything
21 about improper conduct in Charlotte?

22 A I believe we had conversations over the
23 improper conduct in Charlotte, yes.

24 Q Did you ever ask him at any time to apologize for
25 any improper conduct in Charlotte?

1 A I would never ask Will to apologize for
2 anything. That is my boss. I'm not going to
3 force somebody to apologize to me.
4 Q Now, you also, in recording, I believe, 10 --
5 that's 6. Did you ever make the statement that, "If
6 you're not happy, my day is bad?"
7 A Absolutely, yes, sir.
8 Q And that was done on about the time you quit,
9 right?
10 A Yes, sir. If Will was not happy, no one
11 could be happy.
12 Q And you and Will had some pretty serious
13 conversations in these recordings, didn't you?
14 A Yes, sir.
15 Q I mean, to the extent that you said to him -- in
16 recording 5, he said -- or said at one point, "The
17 hardest part for me is losing a friend. That's the
18 hardest part for me."
19 A He said that, yes.
20 Q Do you remember him saying that?
21 A Yes, sir.
22 Q Do you think he meant it?
23 A I think he was trying to convince me that we
24 were friends and that this relationship was okay.
25 So, I'm sure it was hard for him to lose a friend

- 1 in me when I left, yes, sir.
- 2 Q And then you respond also, "I mean, I've lost a
- 3 friend, too, Will."
- 4 A That is correct.
- 5 Q Did you mean it?
- 6 A Yes, sir. I lost everything and he kept
- 7 everything.
- 8 Q And in those recordings, he does not really -- he
- 9 doesn't cuss you out, does he?
- 10 A He apologizes for cussing me out in front of
- 11 an officer in recording number 9.
- 12 Q And he did it basically because you asked him to.
- 13 A I did not ask him to --
- 14 Q He voluntarily did it.
- 15 A Yes.
- 16 Q You kept saying that you don't want to go
- 17 backwards.
- 18 A That's correct.
- 19 Q And that was on the, I believe, the 18th -- the
- 20 one we heard in the courtroom?
- 21 A April.
- 22 Q 18th of April 2017.
- 23 A Yes, sir.
- 24 Q You didn't want to go backward.
- 25 A That is correct.

1 Q And you comment in that tape about how it had been
2 so good for the last two weeks?

3 A Yes, sir.

4 Q All right. And things had been working well.

5 A Right. There would be periods of time where
6 he would not cross the line and we could work
7 together, be friends together. And then all of a
8 sudden he would cross the line again, and I would
9 have to try to reject him the best that I could
10 without making him feel rejected, and then there
11 was an emotional breakdown.

12 Q But that hadn't happened in the previous two
13 weeks?

14 A I'm not sure.

15 Q Well, you said things have been great for the last
16 two weeks, so I assume it did not happen in the
17 previous two weeks?

18 A It doesn't mean it didn't happen. It just
19 means we recovered quicker than we had before.

20 Q So when you started recording Mr. Lewis, you knew
21 you weren't going back to work?

22 A That is not correct. No, sir.

23 Q Well, did you start recording Mr. Lewis then so
24 that you could have the protection of job security?

25 A No, sir. He was trying to make me feel like

- 1 all of this was okay, and I was beginning to think
- 2 this is how things worked. So I wanted other
- 3 people's opinion, like Chad and Ty, to help me
- 4 understand, if I was having a misunderstanding.
- 5 He kept telling me over and over again, you're
- 6 misunderstanding, you don't understand, this is
- 7 how law enforcement does. So I wasn't necessarily
- 8 not coming back. I just needed to collect my
- 9 thoughts and figure it out for myself, whether
- 10 this was normal behavior for law enforcement.
- 11 Q And you also complained to Mr. Lewis about the
- 12 fact that if you stayed it was going to be on the news
- 13 channel?
- 14 A That is correct.
- 15 Q And yet you put it out to the news media?
- 16 A I did when no one else would listen to me.
- 17 Q You put it out to the news media after you left?
- 18 A I put it in a blog post and the news media
- 19 picked up on it.
- 20 Q Did that surprise you?
- 21 A I mean, I'm not sure if I was surprised that
- 22 the news picked up on that or not.
- 23 Q Okay. The last thing you wrote Will on the 24th
- 24 of April was, "Don't contact me anymore."
- 25 A That is correct.

1 Q Correct. And he didn't?

2 A That is correct. He changed my name to
3 "Lawsuit" in his phone.

4 Q Okay. Did he change it or somebody else change
5 it, or do you know?

6 A I don't know.

7 Q So you don't know if he changed it.

8 A It's changed on his phone records.

9 Q It's changed on the records you have in the
10 courtroom?

11 A That is correct.

12 Q And you don't know who changed it.

13 A I know that is his phone, but I don't know
14 who changed it.

15 Q That's the sheriff's phone?

16 A I think that that's the only thing that
17 prevented him from reaching back out to me. He
18 had to remind himself that he could not speak to
19 me.

20 Q That was the sheriff's phone, wasn't it?

21 A Yes, sir.

22 Q Which he lost when he left office?

23 A I don't know what happened when he left
24 office.

25 Q Okay. You also, when you got on the blog, you

1 started selling t-shirts about this.

2 A I did not sell any t-shirts.

3 Q Your sister did.

4 A She didn't sell one t-shirt.

5 Q But she put them out for sale.

6 A It said, Morgan a Conqueror. It was a
7 spiritual speak-now story about victims that had
8 been through this type of thing before. And they
9 were up for sale. No one was to going to have
10 proceeds for that. And not one t-shirt was sold
11 because we took it down immediately when we
12 thought the public was taking it that way. We
13 never intended to make money off of anything.

14 Q You also talked about pre-selling a book.

15 A I talked about writing a book, yes, sir.

16 Q And you put something out about pre-selling it on
17 the Internet too?

18 A If I did, it wasn't to make money. It was to
19 make people aware that it was coming.

20 Q Now, you were not offended by his comment that you
21 were looking stunning when you went to the swearing in
22 ceremony?

23 A I was not offended by it. A red flag went
24 up, okay, that was uncomfortable. But I wasn't
25 offended by it, no.

- 1 Q Your sister was calling you on your personal
- 2 phone?
- 3 A That is correct.
- 4 Q All right. And you were recording on which
- 5 phone?
- 6 A My personal phone.
- 7 Q And not the -- not the company phone?
- 8 A I was not recording the sheriff on the county
- 9 phone, no, sir.
- 10 Q And over the time after Charlotte, you all went to
- 11 a lot of events together?
- 12 A Several events during the day, yes, sir.
- 13 Q And sometimes in the evening?
- 14 A Not after -- not in the middle of the night
- 15 or anything. Overnight trips, no.
- 16 Q I know you didn't have any overnight trips after
- 17 that. But you all would go out, and if he had a late
- 18 speaking engagement, you would be there, or an
- 19 after-hours speaking engagement.
- 20 A I'm sure I would, yes, sir.
- 21 Q Okay. It was part of your job.
- 22 A Yes, sir.
- 23 Q And, in fact, I think it's accurate to say that
- 24 seldom did you actually get through before eight or
- 25 nine o'clock in the evening?

- 1 A That's correct.
- 2 Q And that's part of the problem that you're talking
- 3 about with all the hours that you worked?
- 4 A Sure.
- 5 Q And if you formerly worked for the lawyer Alex --
- 6 not Alex.
- 7 A Alex Stalvey, yes, sir.
- 8 Q Your job with him was basically keeping him
- 9 organized?
- 10 A That's correct.
- 11 Q And you were a paralegal?
- 12 A Yes, sir.
- 13 Q And that required your getting involved in all the
- 14 files that Alex was handling.
- 15 A Yes, sir.
- 16 Q Knowing what they were about?
- 17 A Yes, sir.
- 18 Q Scheduling his hearings and depositions and
- 19 appointments.
- 20 A Yes, sir.
- 21 Q And that took a lot of detailed work?
- 22 A Yes, sir.
- 23 Q And Will Lewis had seen you at that law office
- 24 handle that job?
- 25 A That is correct.

1 Q And did tell you that's why he thought you could
2 do the job he had in mind?

3 A Yes, sir.

4 Q Because of what you did with Alex.

5 A Yes, sir.

6 Q Is that correct?

7 A That is correct.

8 Q Okay. And you thought you were good at it too?

9 A Yes, I did.

10 Q All right.

11 MR. WISE: Give me just one moment.

12 BY MR. WISE:

13 Q And you enjoyed the extra activities that you got
14 to do?

15 A Yes.

16 Q Well, BMW, stuff like that, the SWAT team?

17 A Yes, I did.

18 Q And in order to do your job while you're not a
19 police officer you had to have some understanding of
20 what police officers do?

21 A Can you repeat that question?

22 Q While you're not a police officer, in order to do
23 your job with the sheriff, you had to understand
24 exactly what police officers do?

25 A I had to understand what the sheriff did.

1 Q Okay. And part of that was the sheriff going to a
2 crime scene you understanding what they did at a crime
3 scene?

4 A I think that most sheriffs don't go out on
5 the crime scene. I think he was just there
6 because he wanted to be in front of the media and
7 the PIOs like could back off. So, you know, part
8 of him being on the crime scene, I was there with
9 him, but I don't know that it was necessary.

10 Q But while you were there with him, you were
11 learning what he did at a crime scene and about crime
12 scenes?

13 A To be honest, I can't tell you what he did at
14 the crime scene other than walk around, so I don't
15 know what exactly I would be learning.

16 Q And after being in the job, you also asked
17 Will Lewis about going into training for different
18 aspects of law enforcement?

19 A We joked around because he said he wanted me
20 to have a gun because I was with him all the time.
21 So anything that could happen to him could happen
22 to me, so he wanted me to have a gun and he
23 thought about sending me to the academy, but then
24 said, never mind, you have to be away for so many
25 weeks. We're not doing that.

1 Testimony of Savanah Nabors
2 MR. WISE: Thank you. That's all.

3 THE COURT: Redirect?

4 MR. BRACKETT: No, Your Honor.

5 THE COURT: All right. You may come
6 down, ma'am.

7 MR. BRACKETT: I ask that this witness be
8 excused.

9 MR. WISE: No objection.

10 THE COURT: You're excused, ma'am. Thank
11 you very much. You're free to go.

12 All right. Ladies and Gentlemen, that
13 concludes the testimony for today. I think the
14 traffic has let up a little bit. So, we'll
15 adjourn for the day. See you at 9:30 in the
16 morning. Again, don't discuss the case over the
17 evening hours with anyone, watch the news, or, at
18 least, at this point, the news is usually over by
19 the time you get home anyway. But please don't
20 avail yourself of that. Respect my request in
21 that regard. And don't discuss the case among
22 yourselves when you return to the jury room.
23 Start fresh in the morning. Moving right along.
24 Thank you.

25 (Jury exits the courtroom at 5:46 p.m.)

 THE COURT: We'll stand at ease until

Testimony of Savannah Nabors
9:30 in the morning.

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MR. BRACKETT: For the sake of planning,
Your Honor, we just -- I think we have maybe 45
minutes of testimony.

THE COURT: How many witnesses?

MR. BRACKETT: Two, maybe three.

THE COURT: Two, maybe three.

MR. BRACKETT: Short. They're not
lengthy witnesses, I don't believe.

MR. WISE: I got two witnesses that can't
be here until 11:00, but I can fill in the time.

THE COURT: I'm sure you can.

MR. BRACKETT: You we're going to -- I'm
just trying --

MR. WISE: We should finish the testimony
tomorrow, yes.

THE COURT: All right. I will tell you,
if we don't finish the testimony before three
o'clock, we're not going to argue the charge until
Thursday morning.

MR. WISE: I would anticipate that's
probably going to be accurate.

THE COURT: I understand you got Thursday
and Friday. I'm just trying to plan for two
counties.

Testimony of Savanah Nabors

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1 MR. BRACKETT: Yes, sir. Somebody's got
2 to handle that, I just need to know what to tell
3 them.

4 THE COURT: That might be wise on your
5 part.

6 MR. BRACKETT: Yes, sir.

7 THE COURT: Although Mr. Thompson is
8 doing a pretty good job.

9 MR. BRACKETT: He certainly is. He
10 certainly is. He always does.

11 THE COURT: So is Miss Robinson.

12 (The proceeding were adjourned at 5:49 p.m.)
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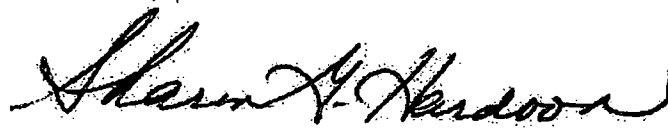
Testimony of Savannah Nabors
CERTIFICATE OF REPORTER

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I, SHARON G. HARDOON, Official Circuit Court Reporter, II for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in General Sessions for Greenville County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

February 17, 2020



Sharon G. Hardoon, CSR
Official Circuit Court Reporter, II

STATE OF SOUTH CAROLINA
IN GENERAL SESSIONS
COUNTY OF GREENVILLE

The State of South Carolina,

Plaintiff,

vs.

Transcript of Record
2018-GS-23-02466A
2019-GS-23-1146A

William D. Lewis,

Defendant.

October 23, 2019
Greenville, South Carolina
Volume III

B E F O R E:

The HONORABLE G. THOMAS COOPER

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

Kevin S. Brackett, Representing the State of South
Carolina

Willy Thompson, Representing the State of South
Carolina

Leslie Robinson, Representing the State of South
Carolina

Rauch Wise, Representing the Defendant,
William D. Lewis

SHARON G. HARDOON, CSR
Official Circuit Court Reporter, II

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1 THE BAILIFF: All rise. The Honorable
2 Judge Cooper presiding.

3 THE COURT: Thank you. Be seated.

4 THE COURT: State ready to proceed?

5 MR. BRACKETT: The State is ready.

6 THE COURT: Is defense ready to proceed?

7 MR. WISE: Yes, Your Honor.

8 THE COURT: Is there any housekeeping
9 matter that needs to be brought before the Court?

10 MR. WISE: He just informed me he was
11 going to call an expert. He previously said there
12 wasn't one. That's fine. It's a technical matter
13 more than a real substantive matter.

14 THE COURT: All right.

15 MR. WISE: It's based upon some
16 questioning I raised yesterday.

17 MR. BRACKETT: Thank you.

18 THE COURT: Ready for the jury? Bring
19 the jury, please.

20 (Jury enters the courtroom at 9:40 a.m.)

21 THE COURT: Good morning, Ladies and
22 Gentlemen.

23 JURY PANEL: Good morning.

24 THE COURT: We're ready to continue with
25 the trial. Solicitor, call your next witness.

1 MR. THOMPSON: May it please the Court,
2 Your Honor, the State will call Drew Pinciario.

3 THE CLERK: Mr. Pinciario, if you will
4 come to the Bible. Please place your left hand on
5 the Bible and raise your right hand. Do you swear
6 to tell the truth, the whole truth, and nothing
7 but the truth, so help you God?

8 THE WITNESS: I do.

9 THE CLERK: Please take a seat and state
10 your name for the record.

11 THE WITNESS: Drew Pinciario.

12 WHEREUPON:

13 DREW PINCIARIO,
14 after having been sworn, testified as follows:

15 DIRECT EXAMINATION

16 BY MR. THOMPSON:

17 Q Mr. Pinciario, I'm sorry if I've been calling you
18 Pinciario for a good while.

19 A It gets butchered all the time.

20 Q Now, Mr. Pinciario, where do you work?

21 A I work for Gallagher. I'm a commercial
22 insurance broker.

23 Q How long have you been there?

24 A A little over two years.

25 Q Now, before you worked there, where did you work?

1 A At the Greenville County Sheriff's Office.

2 Q Did you work at the -- under Will Lewis at one
3 point?

4 A I did.

5 Q And can you tell me, roughly, when it was you left
6 there so we have, kind of, a date in mind?

7 A I left beginning of August of 2017.

8 Q So you've been there from January through August
9 during his administration in 2017?

10 A Correct.

11 Q And what was your position working for him
12 there?

13 A Public information officer.

14 Q Can you tell me what public information officer
15 does, what you did there?

16 A Typically, our daily duties just included
17 dealing with the media. Anytime we had any, say,
18 calls regarding something going on, we would give
19 responses. We deal with the assistant sheriff in
20 any type of speeches or any events that he may go
21 to, and help him prep for those. A lot of times
22 we attend.

23 Q In what way would you help prep for those?

24 A We would write speeches. Maybe write just
25 some notes for him. Just really depending on what

1 he wanted.

2 Q Okay.

3 A And help him prep for whatever event he
4 needed to attend.

5 Q Did you also at times schedule events for him to
6 do with the public?

7 A Yeah, there were times where people would
8 call us, or we would get things passed off us to
9 us and schedule, you know, speeches for him or
10 whatever.

11 Q Now, as a public information officer, you're
12 saying "we," was there another public information
13 officer?

14 A Yes, it was Ryan Flood and I.

15 Q So, when we hear the term P-I-O, that's what we're
16 talking about, a public information officer?

17 A Correct.

18 Q And so the two of you were working there. Did he
19 also work for Sheriff Lewis at the time?

20 A He did.

21 Q And how long had he been there again, at that
22 point, at the end of your time with the sheriff's
23 department?

24 A Total?

25 Q Yes.

1 A Twelve years. Twelve years, yeah.

2 Q So you were a certified law enforcement officer
3 during that entire time?

4 A Uh-huh.

5 Q Okay. So, did you know who Jackie Cooper when you
6 worked there?

7 A I did.

8 Q And who was she?

9 A She formally -- well, still when
10 Sheriff Lewis was there, but she was the secretary
11 or the administrative assistant at the time when
12 Sheriff Loftis was there in previous years.

13 And then when Sheriff Lewis came in, I guess,
14 she remained still doing what she did.

15 Q So she worked directly with the sheriffs?

16 A Uh-huh.

17 Q And can you tell me between -- before I get to
18 that: Savannah Nabors, when did you first meet her?

19 A It would have been when Sheriff Lewis first
20 took office in, I guess, January.

21 Q What was your understanding of what her duties
22 were there at the sheriff's department?

23 A To just essentially be his assistant, to, I
24 guess, fill or supplement what Jackie did, I
25 guess, in a sense.

1 Q All right. And as far as what you saw that she
2 did, can you tell me with you, and Andrew, and
3 Jackie Cooper, the work that you all did together, did
4 you all pretty much, kind of, cover that work prior?

5 MR. WISE: Objection. Leading the
6 witness.

7 THE COURT: Well, don't lead your
8 witness. You can answer the question.

9 THE WITNESS: Prior to Sheriff Lewis,
10 yes, between me, Jackie, and Ryan at the time, and
11 with the other previous PIOs, we handled, you
12 know, scheduling sheriff's events, writing
13 speeches, you know, all that stuff.

14 BY MR. THOMPSON:

15 Q And so did you stop going to public events with
16 the Sheriff at that point when she came on?

17 A No. We still attended some events with
18 him.

19 Q All right. Did you stop writing speeches or
20 anything like that?

21 A Did not, no.

22 Q Did she ever write speeches for him?

23 A No.

24 Q If he asked you to take notes during anything,
25 would you have done that for him?

1 A Absolutely.

2 Q Did you still accompany him to a number of
3 meetings and that sort of thing?

4 A We did.

5 Q And when you accompanied him, would Savannah also
6 be there?

7 MR. WISE: Objection. He's leading the
8 witness. I would object.

9 MR. THOMPSON: I'm not leading, Your
10 Honor. I'm asking yes and no questions.

11 THE COURT: Well, you're asking yes and
12 no questions, there's an indication you're leading
13 the witness.

14 BY MR. THOMPSON:

15 Q When you went to meetings with the sheriff, who or
16 anybody else would be there?

17 A It would be me, Ryan, and usually Savannah.

18 Q And so was that just, kind of -- how would you
19 characterize that? Would that be in addition to what
20 you had already done?

21 A As far as previously?

22 Q Yes.

23 A No. Like, when Sheriff Loftis was there, we
24 still would attend meetings with him. I guess it
25 was nothing different really. We attended events

1 with Loftis as well as Lewis.

2 Q Your job, did it change between the two sheriffs?

3 A No, it remained the same.

4 Q Okay. Now, can you tell me, from what you
5 observed between Savannah Nabors and Will Lewis, what,
6 if anything, can you tell us about how you perceived
7 their relationship?

8 A It just seemed like a big brother, little
9 sister-type relationship.

10 Q Did she address him the same way you addressed
11 him?

12 A Most of the time, it was Will, she addressed
13 him. I mean, depending on the setting, there were
14 times maybe it was the sheriff, but most of the
15 time it was Will.

16 Q And, as a public information officer or a deputy,
17 how would you address the sheriff?

18 A Sheriff.

19 Q Did you ever just address him as Will in the
20 office?

21 A Typically, no. It was usually sheriff.

22 Q Now, can you tell me, during the course of when
23 you were there, is there any time that something stuck
24 out to you as being odd regarding their relationship
25 or trouble with their relationship?

1 A I mean, really, the first, I guess, incident
2 that happened at -- I guess when she left, there
3 was a Spartanburg -- I think it was a Spartanburg
4 County or City officer that died. I don't know.
5 We were attending his funeral that next day, and
6 we had talked the day before about me, Ryan, and
7 Savanah meeting in the back lot with the sheriff
8 and driving together. And she didn't show up that
9 morning and so I asked, like, where's Savanah at?
10 And the sheriff said, oh, she's got to go down to
11 Florida because I think her brother in-law at the
12 time had some medical problems and he said she was
13 going to be down to attend some family issues with
14 him, and so that was that.

15 And then through that whole day, you know, he
16 had remained on the phone with her multiple times and
17 seemed kind of, I guess, distressed or under pressure,
18 or -- you know, he was just acting, kind of, worried,
19 I guess, in a way when he was on the phone with her.
20 That was, kind of, the first, I guess, issue that I
21 saw with their relationship, or anything happening. I
22 was kind of surprised that she wasn't there.

23 Q Okay.

24 A Because everything was fine the day before,
25 that I knew of.

1 Q Okay. And so -- and going back, this was
2 Spartanburg County officer or deputy, or City officer
3 who died in the line of duty?

4 A Yes.

5 Q Is it usual -- is that something you all usually
6 do when an officer passes away?

7 A Especially -- I mean, if it's local, usually
8 all law enforcement pay their respects and attend
9 the funeral. There was a pretty large presence of
10 law enforcement officers at his funeral that
11 day.

12 Q Now, can you tell me, when you all went to the
13 funeral, did the sheriff as he was there with you, did
14 he attend all parts of the funeral with you?

15 A He went in the service, and then when we
16 drove to the grave side, he stayed in the car on
17 phone with Savannah, and then Ryan and I got out
18 and went to the grave side service.

19 Q Did he make it to any of the grave side service?

20 A No.

21 Q All right. What was he doing when you arrived
22 back to the vehicle?

23 A He may have stepped out of the car when we
24 walked back. I can't remember if he was still in
25 the car or if he had, maybe, stepped out of the

1 car because I remember Craig Welch, I think, being
2 there and they may have talked. So he may have
3 stepped out after we got back to the car.

4 Q All right. Did he talk to you about anything
5 regarding Savannah after that?

6 A Not really. I mean, he just said she was
7 going down to the Florida. And then I think it
8 was maybe a day after, a couple days after, he had
9 mentioned she had quit, or was going to quit.

10 I think in the car, he had mentioned about
11 her -- there was conversation about her wanting to
12 quit or something, and, you know, he's like -- he
13 basically said, she's not going to quit on me. I'll
14 fire her-type thing. It was kind of that.

15 And then it was maybe, I don't know, a few
16 days later that she eventually -- or it was known that
17 she wasn't coming back or she had quit.

18 Q What, if anything, while you were in the car or
19 trying to go back and forth to the funeral, did he say
20 about communications, having any communications with
21 Savannah?

22 A It wasn't in the car. It was the day -- I
23 think it was the day after. It may have been that
24 afternoon we got back. It was after the car
25 incident, that he had made a comment to Ryan and

1 I, you know, if I was you guys, I wouldn't talk to
2 her. He didn't tell us not to. He just said, if
3 I was you guys, I wouldn't talk to her.

4 Q And so how did you take that then?

5 A I took it as I'm not going to talk to her or
6 communicate with her.

7 Q Did you communicate with her after that?

8 A No.

9 Q All right. So after that, the day she left, were
10 you actually there the day she left, or the time she
11 left?

12 A When she officially got her stuff?

13 Q Right.

14 A No. I think she came in early that morning
15 and I think Craig Welch may have escorted her out
16 and handled that. I wasn't there when she
17 actually came in.

18 Q What, if any, did she do to try to say goodbye to
19 you or some of the other officers?

20 A She left a note on Ryan's desk just saying,
21 you know, it was great working with you and
22 Drew-type thing. That was about it.

23 Q Okay. And so have you really had any contact with
24 her after that?

25 A No, I've not contacted her one time.

1 Q And is there any point that you started having
2 some red flags or some concerns about what had
3 happened between the sheriff and her?

4 A Yeah. So, like, she eventually, I guess,
5 came and got her stuff, and then it was a couple
6 days -- I guess it was a couple days. I don't
7 remember the exact time frame. She quit.

8 And then it came out that she was getting --
9 or that Sheriff Lewis had got her a job with DSS, and
10 that's what she was going to go do.

11 MR. WISE: I object to that being
12 hearsay. It came out, that's hearsay.

13 THE COURT: Sustained.

14 BY MR. THOMPSON:

15 Q Can you tell me if there was a memo released by
16 the sheriff?

17 A There was a memo released. To my
18 remembrance, I'm -- the memo did state that she
19 was going to DSS, if I can remember correctly. So
20 that came out.

21 And then at some point within that period, he
22 came to Ryan and I again and said, if you guys want to
23 reach out to her, you can. You know, maybe just go
24 see how she's doing kind of type thing. I never did.
25 I mean, from the first time when he said, I wouldn't

1 reach out to you, I wouldn't talk to her, I just kind
2 of -- I'm like, I'm not getting myself involved.

3 Q What, if any, time did you all hang out after work
4 during this period of time?

5 A There was -- there was a couple times. So,
6 like, Live PD was filming during that time.

7 Q All right. Can you tell us just briefly what Live
8 PD is?

9 A Yeah. It's, I guess, kind of like a cop show
10 where they film law enforcement. It's pretty much
11 real time.

12 Q And were they filming that with some of the
13 deputies here in Greenville County?

14 A They were, yeah.

15 Q Okay. Go ahead and explain what he said?

16 A So I don't remember which night was first.
17 One night we were watching Live PD because it was
18 on, like, a 30-minute lag, so we would sit in the
19 conference room, watch the live feed that was
20 coming in. And if there was, obviously, any
21 sensitive information that had to be taken out, we
22 could call Live PD and say, hey, let's not show
23 that.

24 So we were all up there one night doing that,
25 and we were -- Sheriff Lewis and I were walking down

1 the stairwell and he made a comment about, I guess,
2 her quitting or whatever, and said, can you believe
3 she's trying to quit. I've got her salary raised.
4 And, at the time, I thought she was making 55-ish or
5 so. He may have told me 55. I got her a pay raise
6 from, like, 55 to 72,000, and I jokingly said I'll be
7 your assistant for 72,000, you know, and that was
8 that.

9 But, at the time, I thought, if she's
10 quitting, why are you trying to get her a pay raise to
11 72,000 for someone who is trying to quit.

12 So that was, I guess, kind of the first red
13 flag, if you will.

14 Q All right. Was there any others?

15 A And then there was another incident after a
16 Live PD night. Me, Ryan, Lance Sheek, who was the
17 attorney at the time, and Sheriff Lewis went out
18 after Live PD and Sheriff Lewis and Lance were
19 speaking with each other and Sheriff Lewis made
20 the comment to Lance, he's like, what does she
21 have on me, what can she say about me? And Lance
22 said --

23 Q Who are they referring to as "she?"

24 A Savannah.

25 Q Okay.

1 A And Lance said --

2 MR. WISE: Objection to what Lance said
3 as being hearsay.

4 THE COURT: You can't say what somebody
5 else said. Only what the defendant said to you.

6 BY MR. THOMPSON:

7 Q Go ahead. What happened after Lance answered
8 you?

9 A So then Sheriff Lewis responds and says --
10 excuse my language -- he says, I could have fucked
11 her in back of LED in my Tahoe, but, today, I
12 don't know where that bitch's head is.

13 Q All right. When he said the LEC, is that Law
14 Enforcement Center?

15 A Yes.

16 Q So that's where the Greenville County Sheriff's
17 Department is located?

18 A Uh-huh.

19 Q And that's where the sheriff's office is
20 located?

21 A Yes.

22 Q What, if anything, did you think at that point in
23 time?

24 A Still at the time, I didn't -- truthfully
25 didn't know that anything was going on between

1 them. I mean, just based off -- obviously, it was
2 a red flag and I, kind of, thought it was kind of
3 odd that he made the comment. But to say that I a
4 hundred percent knew that there was still anything
5 going on between them, I had no idea at the
6 time.

7 Q And now, you had mentioned when you left for your
8 job, did the blog or the lawsuit happen before you
9 left?

10 A No. So it was two weeks after I left. I was
11 in Chicago and Ryan called me and said, hey, did
12 you see the media, or that Savannah released the
13 blog. I said, no. And that's when I found out.

14 Q And describe to us, what were the circumstances of
15 you leaving the sheriff's department, was it amicable?

16 A Yeah. It was -- I had been looking previous
17 to this job really for almost two years prior, so
18 it was a long process.

19 Q So you were trying to be hired by the insurance
20 company for the last couple of years at this point?

21 A Correct.

22 Q So is that when they offered you the job, I guess?

23 A Yeah, they offered me the position in April
24 of '17.

25 Q All right.

1 A So that's when I got my formal offer.

2 Q Okay. So then you went with them and been with
3 them since?

4 A Correct.

5 Q Now, when you were an officer, describe some of
6 the training you had to go through as an officer.

7 A I mean, countless different types of
8 training. I was on the taking care and protection
9 team, so we do a lot of training with the Secret
10 Service on taking care and protection. I've been
11 through PIO training, PIO classes, SWAT training.
12 I mean, just numerous types of --

13 Q Was there ever a time in the line of duty that you
14 were shot at?

15 A There was a call where there was gentleman
16 inside a mobile home and was shooting inside out
17 it -- or shooting inside out and rounds were
18 coming out, and me and another deputy had to
19 retreat. And had we not moved from where we were,
20 where we were standing initially, one of us or
21 both probably would have been hit in the head.

22 Q And can you tell me again how many years total you
23 worked there?

24 A Twelve.

25 Q What was your final rank when you left there?

1 A Master deputy.

2 Q And as master deputy, what was your final salary
3 when you left?

4 A We got a pay raise that year, I think it took
5 effect in July. I was around 40 or 41. And then
6 when the pay raise took effect, it brought me to
7 about 44 or 5 right when I left.

8 MR. THOMPSON: Court's indulgence one
9 moment, Your Honor.

10 Thank you, I have no further cross.

11 THE COURT: Cross-examination.

12 CROSS-EXAMINATION

13 BY MR. WISE:

14 Q So based upon your observation of what Miss Nabors
15 did, you assumed her salary was in the mid 50's?

16 A I thought I heard that. I believe Sheriff
17 Lewis made that comment to me that night we were
18 walking down the stairwell.

19 Q And that didn't overly shock you or anything?

20 A I didn't really think much about it.

21 Q Okay. Now, what hours did you work?

22 A Monday through Friday 8:00 to 5:00, and then,
23 you know, we would be on call.

24 Q All right.

25 A So potentially weekends and nights.

1 Q If a call came in?

2 A Yeah.

3 Q But you were normally out by 5:00.

4 A Typically.

5 Q Did you ever write a specific speech for Will?

6 A I'm sure. Yeah. I don't recall exactly --

7 Q You don't?

8 A -- which feature or bullet points it may have
9 been, but, I mean, we prepared --

10 Q You don't remember which one?

11 A No.

12 Q And when Savannah left, I believe Addie Hampton
13 took her place?

14 A She did.

15 Q Did you know her before?

16 A I did.

17 Q Did you know her before?

18 A I knew her through being a PIO.

19 Q She used to work in television.

20 A Yeah, she did.

21 Q And she stayed -- well, she was there when you
22 left?

23 A Correct.

24 Q And she basically did the same thing that Savannah
25 did as far as the sheriff is concerned?

1 A Yeah.

2 Q Do you know if she went to crime scenes with the
3 sheriff?

4 A Who?

5 Q Addie?

6 A Addie? To be honest, I don't remember. I
7 don't remember her -- I don't remember her being
8 on a crime scene with her off the top of my head
9 and Addie being there.

10 Q Okay, thank you.

11 And when you said that you observed that
12 Savannah and the sheriff were close, it was a mutual
13 closeness.

14 A Again, I didn't know Savannah prior to when he
15 took office, so I just assumed that they knew each
16 other from the past and it was just like a
17 brother/sister-type relationship.

18 Q Did you later learn that they had worked together
19 at the Bannister law firm?

20 A Yeah, I knew that.

21 Q And the closeness you saw was from having worked
22 together for a number of years?

23 A I guess one could assume.

24 MR. WISE: All right, thank you.

25 THE COURT: Redirect.

Honor.

REDIRECT EXAMINATION

BY MR. THOMPSON:

Q You mentioned crime scenes when it came to Addie.
Did Savannah go to crime scenes?

A She'd been to some. I don't remember which
ones, but --

Q Were you there as well?

A Yes.

Q And what do you do as a PIO at a crime scene?

A Typically, our job, and depending on the
crime scene, when Sheriff Lewis was there -- he
was typically out on, I would say, more crime
scenes than Loftis, so typically our
responsibilities when the sheriff was there,
Lewis, was to get the media kind of huddled up,
help him gather the information of what took place
and craft a response to the media, and then he
would usually address them, and that was typically
our duties on a crime scene.

Q Did Savannah help you with those duties?

A No.

Q Do you know what she did at any crime scene?

A I do not.

1 Q Did you see any official capacity for her to be
2 there?

3 A No.

4 Q And speaking of Addie, Addie Hampton, who was
5 hired after Savannah left as you said, tell us a little
6 bit about her experience that you were aware of when
7 she was hired?

8 A Addie's?

9 Q Yes.

10 A She was formerly with WSPA and was a
11 reporter, so I guess her coming in was -- you
12 know, obviously her experience with the media and
13 deal with the media, so that was, kind of, I
14 guess, her background per se.

15 Q So as a public information officer, would you have
16 ever dealt with her?

17 A I did on multiple occasions. That's how I
18 knew her.

19 Q So you all had some relationship with her at that
20 point, at least professionally?

21 A Yeah.

22 Q And had she been doing that for a long time?

23 A I want to say she had been doing it, maybe,
24 three to five years, Addie, at the time.

25 MR. THOMPSON: All right. Thank you. No

1 further questions.

2 MR. WISE: One follow-up.

3 THE COURT: Sure.

4 RECROSS-EXAMINATION

5 BY MR. WISE:

6 Q The civilian ride-along frequently went to a crime
7 scene if the car was called to the crime scene; is
8 that correct?

9 A Like, if there was a civilian ride-along?

10 Q Right.

11 A Correct.

12 Q All right. And, of course, it's not a crime for a
13 civilian to go to a crime scene under those
14 circumstances?

15 A No. Typically, a civilian won't be allowed
16 in a crime scene.

17 Q There's a big difference between going to a crime
18 scene and into a crime scene?

19 A Correct.

20 MR. WISE: Okay, thank you.

21 THE COURT: All right. Sir, you may come
22 down. This witness be excused?

23 MR. BRACKETT: Yes, sir.

24 MR. WISE: No objection.

25 THE COURT: Without objection.

1 MR. BRACKETT: The State would call
2 Lieutenant Britt Dove. Sir, if you would step up
3 to the Bible there and be sworn.

4 THE CLERK: Please place your left hand
5 on the Bible and raise your right hand. Do you
6 swear or affirm to tell the truth, the whole
7 truth, and nothing but the truth, so help you God?

8 THE WITNESS: I do.

9 THE CLERK: Thank you. Please take a
10 seat and state your name for the record.

11 THE WITNESS: My name is David Britt
12 Dove.

13 WHEREUPON:

14 DAVID BRITT DOVE,
15 after having been sworn, testified as follows:

16 DIRECT EXAMINATION

17 BY MR. BRACKETT:

18 Q Where do you work, sir?

19 A I work for the South Carolina Law Encounter
20 Division.

21 Q What do you do for the State Law Enforcement
22 Division?

23 A I'm a lieutenant with the computer crime
24 center.

25 Q All right. And what does the computer crime

1 center do?

2 A The computer crime center does forensics on
3 electronic devices, whether it be mobile devices,
4 towers, servers, vehicles. We also do
5 investigations into computer crimes dealing with
6 -- some dealing with ICAC investigations, other
7 with intrusion investigations.

8 Q Now, when you say forensic investigations into the
9 mobile devices, cut right to the chase, would that be
10 a phone rip?

11 A Yes, sir. It would be a phone or a tablet.

12 Q What, the phone rip?

13 A A phone rip is another way to refer to doing
14 a data extraction from a cell phone. There are
15 several tools that we have in shop that we use to
16 do those extractions.

17 Q When you're doing a data extraction, tell us, what
18 are you getting from the phone?

19 A When we do a data extraction, we get
20 information that's contained on the phone.
21 Depending on the type of extraction that's done
22 are supported, a lot of times, by the software and
23 operating system on the phone, you can get things
24 such as call logs, text messaging, videos,
25 sometimes location information, MMS messages, SMS

1 messages, a lot of different apps run on the
2 phone, we'll be able to see.

3 Q And are you -- have you been trained in how to
4 properly extract this information from a mobile
5 device?

6 A Yes, sir, I have. I'm currently certified
7 with Cellebrite and the CCO, which is Cellebrite
8 certified operator. Of course, I'm also certified
9 by the CCA by Cellebrite, which is a
10 Cellebrite-certified analytics certification. And
11 then the Cellebrite CASA, which is for their
12 advanced logical and their advanced database
13 certification.

14 Q And I believe you've been qualified as an expert
15 in this area in courts in this state?

16 A Yes, sir. In cell phones, I've been
17 qualified twice. And computer forensics, four
18 times.

19 MR. BRACKETT: Your Honor, I believe
20 there's no dispute as to the qualifications and
21 expertise as an expert in cell phone data
22 extraction.

23 THE COURT: Any voir dire or objection?

24 MR. WISE: No voir dire. No, sir.

25 THE COURT: All right. You may

1 proceed.

2 BY MR. BRACKETT:

3 Q All right. Sir, did you have occasion to rip or
4 extract data from the cell phone of Sheriff Lewis in
5 this case?

6 A Yes, sir.

7 Q All right. And I want to ask you, so we've had a
8 number of texts and so forth that have been referenced
9 throughout this trial. Did those come from his
10 phone?

11 A Yes, sir. I believe they did.

12 Q I'm just going to show you a variety of exhibits,
13 State's exhibits that have been put into evidence, and
14 just to give you some idea of what I'm talking about,
15 are those the kind of things you would pull from the
16 cell phone?

17 A Yes, sir, they are.

18 Q And do they reference on there whose cell phone
19 they were pulled from? Do they have a name attached
20 to those at the top and the time and date?

21 A It has a time and date. It has several
22 different names and times on there. It appears
23 that it's under the name Will Lewis for this
24 phone, and then it also has the names of
25 individuals that they were in the text message

1 group with.

2 Q And Will Lewis is the defendant in this case. And
3 you previously testified that you did do a data
4 extraction from his phone; is that correct?

5 A Yes, sir.

6 Q All right. Now, I want to turn your attention
7 away from the text because they're not really the
8 reason for your testimony today.

9 Why don't we have cell phone call information
10 from that phone, that is to say, records of when calls
11 were made and what number to what number.

12 A With Apple what they do is, if an individual
13 has an Apple phone and they go back, it's
14 programmed in. And when you look at your call
15 logs, you're going to only see, when you look at
16 the phone, your last 100 calls made. That's just
17 a programming thing that Apple has.

18 Now, when we do a data extraction, in this
19 case, it was a full file system extraction done on
20 this phone that was offered up. When we do that, we
21 see things that you would be able to see logically as
22 far as looking at the screen, plus additional things
23 you could see on the back side. It's also stored in
24 the databases that you would not be able to see. It's
25 still there. You're not just not able to see it.

1 What happens is, like anything else, once you
2 need space because it would run out of space
3 eventually if you didn't continue to purge that
4 information, that once you get to a certain point, and
5 a lot of it is based off the program of an individual
6 device, whether it's an Apple or an Android device,
7 you hit that threshold, it's going to push out the old
8 information to make room for the new information.
9 That way it just recycles it and continuously allows
10 to have space to hold that information in there.

11 Q So if you were to rip -- this is a new phone, so
12 it doesn't -- if you were to rip my phone a year from
13 now, would you expect to see calls that I may have
14 made today?

15 A No, sir. It could be -- let me clarify a
16 second on that. You could expect to see that, if
17 you didn't make a lot of phone calls. If you're
18 making a lot of phone calls, if it's a business,
19 for instance, like my phone or possibly your phone
20 being a solicitor, you're going have a lot of
21 phone calls that go on throughout the course of
22 your business day. For that reason you may not
23 expect to see something a year back.

24 If it's something, like, my mother for
25 instance, who doesn't make a ton of phone calls on it,

1 then you may expect to see something a year, year and
2 a half back, just because she isn't making that many
3 calls and doesn't need that room to purge over and add
4 new information.

5 Q So it's totally contingent on the number of calls
6 and not the date?

7 A Yes, sir.

8 Q But if I'm doing, say, hypothetically, 50 or 60
9 calls a day on average on my phone, how quickly is it
10 going to turn over at that rate?

11 A You would probably -- what you would be able
12 to see logically, it senses a default for 100
13 calls. If you're making 50 a day, you would start
14 recycling after two days. The old ones would drop
15 off to make room for the new ones.

16 Q So is that why we didn't see phone calls from a
17 year before when we extracted the data from
18 Mr. Lewis's phone?

19 A Yes, sir. Just because of the amount of
20 calls that were being made, it appears.

21 Q Very good.

22 MR. BRACKETT: Thank you, sir. Please
23 answer any questions counsel may have.

24 THE COURT: Cross examination.

25 CROSS-EXAMINATION

1 BY MR. WISE:

2 Q May I borrow these one second?

3 A Uh-huh.

4 Q Thank you.

5 A You're welcome.

6 Q Now -- hang on one second.

7 I'm going to hand you State's Exhibit 9, all

8 right? And you have green and blue markings on there,

9 correct?

10 A Yes, sir.

11 Q All right. The green markings belong to whom?

12 A The person that would be in control of the

13 phone that would be sending the messages.

14 Q And on State's Exhibit 9, that's Will Lewis?

15 A Yes, sir.

16 Q And it has his name?

17 A Yes, sir.

18 Q Who is the person the other message would be from,

19 the person that he's texting?

20 A It appears to say "Lawsuit."

21 Q Correct. But that would be the person that was

22 exchanging texts with Mr. Lewis.

23 A That would be whoever they have saved in

24 their phone under that contact number, whatever

25 name they give them.

1 Q And I'm going to hand you 10, and who were the
2 parties in 10?

3 A It appears to be Will Lewis and Addie
4 Hampton.

5 Q All right. And if Addie Hampton didn't have
6 access to that phone at that time, how would that have
7 come about?

8 A These are messages that appear to come from
9 the phone that has the name Will Lewis on it, and
10 they go to the person they saved in their contacts
11 as Addie Hampton with that phone number.

12 Q Okay. Now, there are other places to get phone
13 call records, aren't there?

14 A Yes, sir.

15 Q And where are they?

16 A You can also get them from the phone
17 companies themselves. You can send legal process
18 to them and obtain call logs from them.

19 Q Okay. And did you do that in this case?

20 A No, sir, I was not asked to.

21 MR. WISE: Thank you.

22 REDIRECT EXAMINATION

23 BY MR. BRACKETT:

24 Q Briefly, Lieutenant Dove, what name does it assign
25 -- it says Addie Hampton. What name -- as you do the

1 extraction, what name does it assign to that text?

2 A To the text with the name on this one, for
3 instance, Addie Hampton, this would be a name that
4 the individual would put in when they enter a
5 contact into their phone. If you have a phone
6 number, you can assign whatever name you want to
7 be the contact for that so that you could just
8 search by name instead of actually having to know
9 the phone number when you call or text.

10 Q If that phone had belonged to someone else six
11 months earlier and they had a different name in there,
12 but then they changed it six months later, would it
13 still be safe to text but then assign the latest name
14 to that text?

15 A Yes, sir.

16 Q So that is simply the name that was assigned to
17 that number at the time you did the data extraction?

18 A Yes, sir.

19 Q Very good.

20 MR. BRACKETT: Thank you, sir.

21 RE CROSS EXAMINATION

22 BY MR. WISE:

23 Q When did you do that extraction, by the way?

24 A This extraction was done, I believe, June of
25 this year.

1 Q Oh, just a few months ago.

2 A Yes, sir.

3 Q Okay, good enough.

4 MR. WISE: Thank you.

5 MR. BRACKETT: Nothing further. I ask this
6 witness be excused.

7 MR. WISE: No objection.

8 THE COURT: You're free to go. Thank you
9 very much.

10 THE WITNESS: Thank you.

11 MR. THOMPSON: Please the Court, Your
12 Honor?

13 THE COURT: Yes, sir.

14 MR. THOMPSON: The State will call
15 Major Ty Miller.

16 THE CLERK: Major Miller, if you would
17 come to the Bible, please. Please place your left
18 hand on the Bible and raise your right hand. Do
19 you swear or affirm to tell the truth, the whole
20 truth, and nothing but the truth, so help you God?

21 THE WITNESS: Yes, I do.

22 THE CLERK: Please take a seat and state
23 your name for the record.

24 THE WITNESS: Major Ty Miller.

25 WHEREUPON:

Testimony of Ty Miller
MAJOR TY MILLER,

521

1
2 after having been sworn, testified as follows:

3 DIRECT EXAMINATION

4 BY MR. THOMPSON:

5 Q Good morning, Major Miller.

6 A Good morning.

7 Q Can you tell the jury, please, where you work?

8 A I work at the Greenville County Sheriff's
9 Office.

10 Q How long have you worked there?

11 A A little over 20 years.

12 Q And obviously we called you major. Tell us how
13 long you've been a major?

14 A I became a major in July of 2017.

15 Q Okay. Is that the highest ranking female officer
16 in the Greenville County Sheriff's Office?

17 A Yes.

18 Q Can you tell me, before that in 2017, in January
19 of 2017, what was your rank then?

20 A I was a captain over specialized
21 investigations divisions.

22 Q And was that still the highest ranking female
23 officer in the sheriff's office?

24 A Yes.

25 Q What is your background with the sheriff's office?

1 What did you originally do and how did it progress
2 from there?

3 A I started my career in the uniform patrol
4 working as a road officer, and quickly went into a
5 cross-training role in crimes against children or
6 sex crimes investigator. I was there and
7 permanently became an investigator in 2001.
8 Moved -- stayed in that line of work for about
9 11 years and then moved as a sergeant over school
10 enforcement division. It went to lieutenant as
11 PIO, and then captain back to specialized
12 investigations.

13 Q Okay. And so, again, how long have you worked
14 there?

15 A A little over 20 years.

16 Q So you worked through -- how many sheriffs have
17 you been working with?

18 A Three.

19 Q Three, okay. And part of your duties, are you
20 part of what's called a command staff?

21 A I am.

22 Q Describe for us what a command staff is with you
23 involved in it?

24 A The command staff is really a leadership
25 team. It's a representative from each division

1 that brings, kind of, issues to the table and
2 manages the sheriff's office overall essentially.

3 Q Okay. Do each command staff officer report
4 directly to the sheriff?

5 A Yes, they do.

6 Q Okay. And you said they manage their division?

7 A Yes. They manage their individual divisions,
8 and then they report to a major. And then the
9 majors work with the sheriff and the captains to
10 accomplish whatever goals are set for the
11 agency.

12 Q And, in January 2017, were you part of the command
13 staff?

14 A I was.

15 Q And what division did you control at that time?

16 A Specialized Investigation's Division.

17 Q How many people are part of the command staff, do
18 you recall, at that time in 2017?

19 A Maybe 13.

20 Q About 13.

21 A Yes.

22 Q And they were all kind of heads of their
23 division?

24 A I believe we had -- at that time, we had a
25 first lieutenant, as well as a sergeant major,

1 which we no longer have those positions.

2 Q And if you were combining the law enforcement
3 experience of each of those people, what would you say
4 the average would be? Best guess of how much law
5 enforcement experience for each person they had
6 there?

7 A Anywhere from 15 to 30 years.

8 Q All right. So if you added that up, you'd be in
9 the hundreds of years?

10 A Yes, absolutely. Sure.

11 Q Do you all have regular meetings as a command
12 staff?

13 A We did.

14 Q And what were the purpose of those meetings?

15 A To address any issues that are brought
16 forward in each division, personnel issues, or
17 policy issues. Just to -- basically, day-to-day
18 operations at the sheriff's office.

19 Q And would the sheriff attend those meetings as
20 well?

21 A He did.

22 Q Did he usually conduct those meetings?

23 A He did.

24 Q And so I guess management-wise, is this where you
25 had to report back to the sheriff and get feedback

1 from him and, kind of, make determinations as to what
2 happens?

3 A Yes.

4 Q Now, when did you first meet Savannah Nabors?

5 A I met Savannah when we started our transition
6 a few months before Will Lewis took office.

7 Q Okay. And what do you mean by transition? What
8 was that?

9 A So a team was started that was a transition
10 team, and what we did is, we had meetings a few
11 months up until the point where he took office to
12 determine what the structure was going to be and
13 who was going to manage different units, and just,
14 kind of, how we were going to move once he took
15 office.

16 Q And who put that team together?

17 A Will Lewis.

18 Q All right. So you all said you all kind of
19 planned. Did you all meet together?

20 A We did.

21 Q Prior to him taking office?

22 A We did. We had periodic meetings and that
23 was where I initially met her. He had brought her
24 and said that he was bringing her on as his
25 personal assistant.

1 Q Where did you all usually meet? Was it one place
2 or was it multiple?

3 A It was several places. I recall several
4 offices, attorney's offices in town that we would
5 meet in their conference rooms.

6 Q Now, eventually did Will Lewis actually begin
7 working for the county prior to being sworn in in
8 January?

9 A Yes, he did. I believe they hired him in,
10 maybe, November or December.

11 Q Okay. Where was he located at that time point in
12 time?

13 A His office was in County Square, which is not
14 part of the Law Enforcement Center. It's a
15 separate building where you go and pay your taxes.
16 Where all the county divisions are.

17 Q Is that also where the county manager's office
18 is?

19 A Yes.

20 Q And all the divisions of that?

21 A Yes.

22 Q Where was your physical office in January of 2017?
23 When Will Lewis started as sheriff, where was your
24 physical office?

25 A My office was also actually at County Square.

1 County Square houses our Specialized
2 Investigations Division. Because we deal with
3 crimes against children and you have child victims
4 in and out, we put them in that office to avoid
5 any potential contact with any suspects.

6 Q So that office is, kind of, away from where the
7 Law Enforcement Center is?

8 A Yes, it is.

9 Q All right. Explain to me how big this County
10 Square is?

11 A It's really big. If you've ever been over to
12 pay your taxes, it's huge. You can -- there's
13 hundreds of different county offices in there.

14 Q Is there a lot of space to be able to use there in
15 the county offices?

16 A I don't know about free space. I mean, we do
17 -- we use their conference rooms pretty regularly
18 for meetings and such. So, yes, there's plenty of
19 space.

20 Q Are there multiple conference rooms there at
21 County Square?

22 A Multiple, yes.

23 Q And, as you said, that's kind of away from the
24 Law Enforcement Center?

25 A Yes.

1 Q Going on, can you tell what, if anything, you
2 noticed about the relationship between the defendant
3 and Savannah Nabors after he took office?

4 A So, we had never had a sheriff that had a
5 personal assistant. We also had a sheriff
6 secretary, which was Jackie Cooper. But this was,
7 kind of, new and different. We didn't know what
8 to expect from it.

9 We initially noticed she conducted his
10 scheduling and he had introduced her to me as a really
11 good of friend of his, had been friends of the family
12 for years, babysat his children. So he had brought
13 her, kind of, under him to do his scheduling and to,
14 kind of, make sure she kept him on track.

15 Q All right. And how would you describe, kind of,
16 how they interacted with each other?

17 A Initially, it was a little surprising just
18 because it was, kind of, giddy and silly, and she
19 felt very comfortable around him. And so I -- she
20 would call him Will, and he was the sheriff, so
21 that was a little strange. But you also, kind of,
22 justified it in your mind because she's a close
23 family friend that that was just the relationship
24 that they had.

25 Q What, if anything, did he tell you regarding how

1 you should treat things that she says or does to
2 officers?

3 A He said that anything that came from her was
4 just as if it came from him. So if she spoke, I
5 guess, a rule or an order or something that he
6 would support her.

7 Q Did you find that unusual?

8 A Yeah. Because she was civilian assistant,
9 that was strange.

10 Q All right. Have you ever had anybody in any
11 administration tell you that about a civilian
12 employee?

13 A No, sir.

14 Q In the sheriff's department, kind of, tell me how
15 the ranks from beginning top to bottom or bottom to
16 top?

17 A Okay. So you start off as a deputy one until
18 you get out of field training. Then you become
19 deputy two. And then from -- the next promotion
20 up would be master deputy, then sergeant, then
21 lieutenant, then captain, and then major, chief
22 deputy and the sheriff.

23 Q And is it unusual for someone who has a lower rank
24 to be able to order someone around who has a higher
25 rank?

1 A Yes, that would not be normal or typical.

2 Q Now, did you notice anything -- any special
3 treatment with Savannah as far as things that she was
4 provided or given as part of her employment?

5 A Initially, when she started, she was provided
6 a new car, which was a little contentious
7 throughout the office because we struggle with
8 providing cars, and there are times when you might
9 go through your whole career without having a new
10 car.

11 So she was provided a new car, as well as
12 a cell phone. We have lieutenants and sergeants
13 with flip phones, so they were not providing those
14 things and she did have that. But it was
15 justified that she was doing his work and
16 scheduling and emails, so she needed that.

17 She had a parking spot up next to the
18 sheriff, which that's the initial parking spot at the
19 sheriff's office for her coming on staff. But it was
20 really clear that they were a team. That they were
21 together and that one came with the other, so she bore
22 a lot of that responsibility.

23 Q What, if anything, did you notice about her as far
24 as things she got to do?

25 A I knew -- I didn't find out a lot of this

1 until after the fact. I mean, she did tell me
2 that she rappelled. I think it was Bi-Lo Center.
3 And I also knew that she had attended a BMW
4 driving school with the sheriff. And so -- but I
5 didn't know that at the time. I just found that
6 out a bit later.

7 Q Have you ever actually done those things as part
8 of your job?

9 A Never rappelled. I went to the driving
10 school many, many years ago.

11 Q And can you tell me, what was the perception, kind
12 of, around the office -- I guess your perception,
13 we'll stick with -- when you saw these perks and other
14 things?

15 A When I saw what, I'm sorry?

16 Q When you saw the perks and other things she was
17 receiving?

18 A Oh. Again, because it was a new position, we
19 didn't really know what to expect with that. And
20 that was all, kind of, put into place before my
21 office moved over and I turned into a major. So
22 being out of the billing, I wasn't part of those
23 decisions. So I know that it stirred -- it was
24 tough on morale. That is an issue.

25 Q What, if anything, did the sheriff tell you about

1 instructions he had given to other officers regarding
2 Savannah?

3 A All he told me was -- he said, look out for
4 her. I, being a female and Savannah being female,
5 we're, kind of -- I tried to mentor, kind of, take
6 her under my wing when I had the opportunity. He
7 said to me, just watch out for her. I've already
8 told the guys she's off limits to them.

9 Q All right. Did he say anything else regarding a
10 description of her at that point?

11 A Just that she was a pretty young girl and he
12 had already made it clear that she was off
13 limits.

14 Q Now, can you tell me, is there ever a time that
15 you became aware of anything regarding Savannah at a
16 crime scene?

17 A Yes.

18 Q Describe that to me.

19 A We had an officer-involved shooting. And
20 part of the protocol for officer-involved at that
21 time were, in order to support what -- you know,
22 an officer when they have to take somebody's life,
23 it's extremely traumatic. So the command staff
24 will go and respond in the evenings, or whenever
25 the shooting is, in order to support and show,

1 look, we're going to make sure that everything is
2 handled correctly and that you're -- we just show
3 the support of that.

4 So we had an officer-involved shooting in
5 Simpsonville and it was in the middle of the
6 night, or it was late. I remember I was woken
7 from it, so it was in the middle of the night, so
8 I responded.

9 As I was standing on the scene, I heard a guy
10 behind me say, what is going on? And I turned to
11 look, and I saw Will Lewis pull up in his Tahoe with
12 Savanah in his car.

13 Q What time of day was that?

14 A I believe it was in the middle of the
15 night.

16 Q Okay. Was this an actual crime scene where
17 someone had been killed?

18 A Yes, it was an officer-involved shooting.

19 Q You said at the crime scene. Were you actually in
20 the crime scene?

21 A No, no. I was near the command post. So we
22 put a large command post up, and that's where
23 everybody, kind of, gathers and makes sure if SLED
24 needs anything, we provide that to them, or just,
25 kind of, there as a support role too.

1 Q You mentioned SLED, what is the protocol in an
2 officer-involved shooting as far as SLED goes?

3 A So, we -- SLED is the support role for us in
4 officer-involved shootings, and so we request
5 their assistant whenever that occurs. And,
6 ultimately, the ultimate goal to make sure that
7 that scene is secured and as few people go into it
8 as possible.

9 Q And in an officer-involved shooting, who
10 ultimately does those investigations in Greenville
11 County?

12 A SLED does. We ask SLED to take those for us.

13 Q So it's kind of, I guess, more professional
14 responsibilities type thing?

15 A Yes. We are internal affairs, or what we
16 refer to as Office of Professional Standards,
17 responds -- that works the civil end of it. And
18 then on the other end of that, SLED will take the
19 criminal side.

20 Q So the officers from the Greenville Sheriff's
21 Office would have to respond first because there's
22 been a shooting. What is their role then to
23 transition it to SLED? What, if anything -- do they
24 limit anything? Do they do anything extra?

25 A So, our uniform patrol will tape off the

1 scene. And then anybody going into the scene for
2 any reason is documented, typically. And that way
3 the scene is controlled and you know who goes in
4 and out of that scene every day.

5 Q But I mean, as far as the transition to SLED, do
6 you all, like, process the crime scene yourself?

7 A No. After the incident takes place, the
8 scene is secured. We notify SLED. SLED responds,
9 and SLED's forensics is the one that actually
10 processes that scene.

11 Q So, basically, you all set up, I guess, the
12 perimeter and then wait for SLED to come and take
13 over?

14 A Yes.

15 Q So, in that situation, is it normal for officers
16 or other people just to come and show up and go in the
17 crime scene that are not with SLED?

18 A No, that's not normal.

19 Q Now, you were describing to us she showed up that
20 night. What else do you recall about that incident?

21 A So she showed up and it had got my attention
22 because it got somebody else's attention, and I
23 didn't see them for the rest of the evening. And
24 then somebody later had told me --

25 MR. WISE: Objection to what somebody

Testimony of Ty Miller
told her. It would be hearsay.

THE COURT: Sustained.

BY MR. THOMPSON:

Q What did you do as a result of what somebody told you?

A I confronted the sheriff at a later time in regards to allowing her on the crime scene.

Q Do you recall what time of year this occurred?

A I think it was around March.

Q Would it have been early March or late March?

A Early March.

Q 2017?

A Yes.

Q And it have been how close from the incident to the time that you actually confronted the sheriff about it?

A I didn't confront him that evening, so it was probably a couple days later, or maybe the next day.

Q All right. And tell me about that. What was the conversation you had with him?

A So I asked to have a private conversation in his office, and I went and the door was closed and I said to him that I was really, really concerned about the fact that he had taken -- brought

1 Testimony of Ty Miller
2 Savannah to the scene and that I was really
3 concerned about the perception. I think my words
4 were, I didn't fall off the turnip truck
5 yesterday. I don't know what's going on, but the
6 perception of what's going on is not good. And so
7 you need to limit this contact. She had no reason
8 to show up to a crime scene in the middle of the
9 night. And then I later found out that he took
10 her in the crime scene. And said, how do you
11 explain an assistant or a civilian walking into a
12 crime scene.

13 Q Did he admit to you that he had taken her into the
14 crime scene?

15 A He did. He said that he wanted to expose her
16 to our world, and that he didn't -- he took what I
17 was saying into consideration and that he
18 admitted, I probably shouldn't have done that, and
19 he said he would create distance. He understood
20 my concerns. I don't remember. I felt like he
21 was, kind of, placating me. And he said, well,
22 I'll consider your concerns and I'll try to create
23 some distance, you know, moving forward.

24 Q And tell me again, you said you related to him the
25 perception of what was their relationship?

 A Yes. I mean, the person behind me was like,

1 Testimony of Ty Miller
2 what is that? And here she is in his car. Let's
3 say it's 2:00 in the morning. I don't remember
4 exactly what time it was. But there was just no
5 reason for her to be there, and in his car at that
6 time of day. And there had already been buzz in
7 the office about --

8 MR. WISE: Any objection to any buzz in
9 the office being hearsay.

10 THE WITNESS: We had already noticed --
11 BY MR. THOMPSON:

12 Q Let's do it this way: Tell me what you told him
13 regarding this, regarding the perception?

14 A I told him that it was concerning, that
15 perception, you know, was reality and that we
16 needed to make sure the office was professional.
17 And if something was going on that it needed to
18 stop. He never admitted to anything at that
19 point. He just said he understood how I felt.

20 Q Now, do you recall when this happened in
21 relationship -- in relation to when the defendant took
22 Savanah to Charlotte along with Marcus Davenport?

23 A I believe they left, maybe, a couple days
24 later. I didn't know that they were going. I
25 knew they were going to Charlotte. I didn't know
 Savanah was going.

1 Q Okay. How did you find out Savannah went?
2 A So they had gone to Charlotte to negotiate

3 raises with the county administrator and the
4 county personnel. So it was supposed to be a
5 budget meeting.
6

7 And so on the way back, he called. And I
8 don't remember why he called, but he called me for
9 something and he said, oh, my gosh, poor Savannah, she
10 got hammered last night, or sloshed or something. He
11 indicated she had way too much to drink, and she was
12 having a hard day. And then he stopped himself and
13 he's like, oh, my God. I'm sorry. You think, he's
14 like, please don't repeat that. I said, what? I
15 said, Savannah went to Charlotte? And he said, look,
16 you weren't supposed to know that. And he told me,
17 please go upstairs and tell the girls in the office.
18 He said, they're already upset because she does things
19 they don't get the opportunity to do and so I just ask
20 that you keep that between us.

21 Q Did you find that unusual?
22 A Yes.

23 Q Was it unusual that you wouldn't have known who
24 had gone with him?

25 A I just didn't see a need for her to go. It
 was later explained that she was taking notes.

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1 Q Now, at some point, I believe you actually were
2 prompted to talk to Savannah. Can you tell me about
3 that, the conversation you had with her when she
4 confided in you?

5 A Sure. On April 22nd, I received -- it was a
6 Saturday, and I received a phone call -- or a text
7 message, actually, from Savannah Nabors asking me
8 to contact her just saying, hey, I want to talk
9 about something. Well, it was a Saturday and I
10 had already been made aware that there was a tiff
11 or something going on between she and the sheriff
12 because she had just left abruptly and gone to
13 Florida. And he kept saying, I need to know if
14 she's coming back. I need to know. I'm going to
15 have to replace her. I need to know. And so I
16 knew they were on the outs about something. And I
17 knew -- my perception of that was they were just
18 fussing friends, so to speak.

19 So I was, like, oh, Lord, I'm getting drug
20 into the middle of this debacle. And so she said, you
21 know, can we meet? So I said, sure. And then we
22 agreed to meet at Panera Bread for lunch, and then we
23 were going to go walk in the park.
24 Q I believe it's State's Exhibit 11. It's already
25 entered.

1 A Yes.

2 Q Maybe you can look on that. It's going to be one
3 of these up here.

4 A Are you referring to the text with Savannah?

5 Q Yes. Here it is. State's Exhibit 11.

6 A Okay.

7 Q Do those appear to be the texts that went back and
8 forth between you and Savannah?

9 A Yes, they are.

10 Q And that describes what?

11 A She just is reaching out from her personal
12 phone asking me to give her a call. I must have
13 called her and later responded, hey, you want to
14 go for a walk on the Swamp Rabbit. I walk the
15 Swamp Rabbit pretty regularly, so I had already
16 planned to go walk. And she said, yeah, I already
17 got my gym clothes on. And I said, we'll meet at
18 Panera to eat and we'll go walk afterwards.

19 Q So you said you were kind of worried you were
20 going to get in the middle of some kind of squabble
21 and you didn't want to do that?

22 A Yes.

23 Q As a result of feeling that kind of uncomfortable
24 situation, what did you do?

25 A So I contact my supervisor, which is Marcus

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1 Davenport at the time and I said, can you tell me
2 what's going on? Savannah is reaching out to me on
3 Saturday to meet, and can you fill me in on what
4 the deal is? He said, no, I don't know. But you
5 might want to let the sheriff know that you're
6 going to be meeting with her because, you know,
7 she's probably going to let him know and you don't
8 want to get in the middle of this squabble. And
9 so, I reached out to Will and I said, hey, look,
10 Savannah is calling me on a Saturday, you know, can
11 you tell me what's going on. He said, well, I
12 don't know. Just reach out. Go meet with her,
13 whatever. And he said, just let me know, you
14 know, if she's coming back. I just need to know
15 if she's coming back, and so I did.

16 Q After that, did he contact you any more while you
17 were trying to meet with Savannah?

18 A On my way to meet with her, he sent me a text
19 message.

20 Q What did he say in that text message?

21 A He said, whatever you do, don't offer her a
22 position under you. I think this is basically a
23 lack of understanding of what we do in
24 law enforcement, and so -- I agreed with him at
25 the time. All I thought was that she disappeared

1 to Florida and not told anybody if she's going, if
2 she's coming back, and, you know, they're
3 squabbling. Like, this is really unprofessional.

4 And so maybe we don't need to -- I agreed with
5 him. Maybe if she wants to leave, we should just
6 let her go.

7 Q So he literally said there was, I guess, a lack of
8 law enforcement understanding on her part?

9 A These texts are right here if you want me to
10 reference those.

11 Q Yes, please.

12 A Okay.

13 Q If you'll tell me what State's exhibit that is.

14 A This says 10. Maybe not.

15 Q I don't believe there is --

16 A That's must not be it.

17 MR. THOMPSON: Madame Court Reporter, if
18 you'll mark number 18 for me, please.

19 MR. WISE: No objection.

20 (STATE EXH. 18, Text; from Lewis to Miller,
21 4/22, was marked for identification.)

22 BY MR. THOMPSON:

23 Q Agent Miller, if you'll look at State's Exhibit 18
24 and, kind of, identify that for us, please?

25 A Okay. So, he sent me a text on 4/22/17 at

1 11:44 a.m. It says, "Whatever you do, don't put
2 any ideas in her head about moving to a job under
3 you. If she asks, put everything back on me. I
4 think this is where the breakdown is. I don't
5 think she is versed in the law enforcement field
6 enough to make sense of this stuff."

7 And then my response, "I won't. I agree. I
8 think her lack of understanding could be a huge
9 problem."

10 Q All right. And what did you take it to mean when
11 he mentioned, don't give her anything under you, what
12 did that mean?

13 A Just simply, don't make her any -- don't move
14 her. Don't make her any counteroffers. Whatever
15 the issue is, put it back on him. That he said
16 she --

17 Q Because you were a captain.

18 A Yes.

19 Q Over at County Square?

20 A Right.

21 Q He's saying, don't give her a job under you?

22 A Right, right.

23 Q Now, when you arrived then to talk with Savannah,
24 where did you all meet again?

25 A We initially met at Panera Bread for lunch.

1 Q Did you eat lunch there?

2 A We did.

3 Q Did you eat inside or outside?

4 A We ate outside, I believe, on the patio.

5 Q Okay. And how did the conversation go at that
6 point?

7 A So, she just began to tell me that she
8 separated from her husband and that she said,
9 there's some things I want to talk to you about.
10 You know I separated my husband. I said, no, I
11 had no idea. She said, I thought you knew. I
12 said, no, I didn't know that. So she said that
13 they had been separated, and that there were other
14 things that she wanted to talk to me about, but
15 she didn't feel comfortable talking to me there.
16 I said, well, that's fine. We'll talk about it on
17 the walk.

18 Q Did she talk to you about any other things there,
19 I mean, while you were still outside? Anything about
20 any problems she was having at that point?

21 A Other than -- no, just other than --

22 Q Other than the separation.

23 A The separation, right.

24 Q So, what did you do after that, after you all ate?

25 A So we ate and we went to walk. I believe I

1 rode in her car. I think that I rode in her car
2 down to the Swamp Rabbit. We pulled in down at
3 the park, and she said to me, well, what I want to
4 talk to you about is about Will. And I remember
5 at the moment thinking, okay, she's just told me
6 she separated from her husband. And I started
7 putting pieces together, and I said, oh, my God,
8 are you sleeping with him? And she's like, no,
9 no, no, no. She's like, but we kissed. And I
10 said, okay.

11 And I knew at that point, in management, if
12 they're having a tiff it could create a hostile work
13 environment if she continued to work under him, so I
14 began to see immediately that we had a pretty
15 significant problem.

16 Q So tell me, if you're looking at this as a
17 manager, then, at that point, did you do --

18 A Yes. We have a general order 109 that says
19 basically, harassment or hostility or if you're in
20 a situation where you're uncomfortable, it's our
21 responsibility to report that to a supervisor and
22 they can make the appropriate moves.

23 Q Okay. And so you were trying to make those moves
24 then at that point in time; is that right?

25 A Yeah. Throughout the walk, we talked some

1 more and she played a tape for me at that time in
2 the car, and I, kind of, got a bigger picture of
3 what was really going on. I think that's when I
4 really understood the bigger picture.

5 Q And tell me what -- was that the tape that
6 discusses going to Reno?

7 A Yes.

8 Q And so she played that for you? You got to hear
9 it?

10 A She played a clip of the tape, which talked
11 about going to somewhere in Reno, and that he --
12 that she would probably have to stay in a hotel
13 room with him, and that that was normal. That
14 that was -- like, women in law enforcement just
15 did that. That we undress in front of men in law
16 enforcement, our beat partners. That we go to the
17 bathroom in front of our beat partners. I mean,
18 it was shocking.

19 And, as she played it for me, I began to
20 think, what? Like, this is pure manipulation. And
21 she said, well, I'm just starting to feel real
22 uncomfortable because he's telling me this is normal.
23 Is this normal? Because he says that, you know, in 20
24 years -- she began to say that there were things that
25 I did when I had a beat partner who was my training

1 officer, actually, and that that was normal behavior,
2 and he could tell her that I did those same things.

3 Q What did you tell Savannah about that?

4 A I told her absolutely not and that she was
5 being manipulated.

6 Q How did it make you feel to have heard this?

7 A Really inappropriate.

8 MR. WISE: I object. That's not
9 relevant.

10 THE COURT: I'll allow it. Go ahead.

11 THE WITNESS: I was really angry, and I
12 felt incredibly disrespected.

13 BY MR. THOMPSON:

14 Q And, at that point, as a manager, what are you
15 thinking?

16 A Well, I understood now what he meant when
17 didn't want me to move her. And that was my plan,
18 to make sure that she didn't work underneath him
19 any longer.

20 Q Did you obey the command of don't put her under
21 you or offer her anything outside of Will Lewis?

22 A No. I offered her, during that walk -- we
23 continued to talk for a while, but during that
24 walk, I offered her to move. I would move her
25 position over to County Square, and I would deal

1 with the fallout with him at a later time.

2 Q Did you consider this to be a violation of the
3 conduct that you talked about for harassment in the
4 office?

5 A A violation, yes.

6 Q Now, what else happened as you were walking? Is
7 there any point that you told her that you talked to
8 the sheriff?

9 A I did, yes. So we got out of the car after
10 the tape was played and we began to walk. I think
11 I was just really overwhelmed with how much --
12 this was so different than what I thought it was.
13 So when we began to talk, I said, Savannah, please,
14 put this in perspective for me. So you didn't
15 baby-sit his children, and you didn't -- you
16 aren't friends with his wife, and you're not a
17 long-time family friend? And she said, no.

18 And a lot of the friendliness that had been
19 going on in the office was justified, in my mind, by
20 the fact that she had been in their family for so many
21 years. And it was -- so you fight the instinct to say
22 this is really abnormal by, well, she's been in the
23 family for years. It's just like a daughter to him.

24 And so when all this unraveled and we began
25 to walk -- and I let her know I was really, really

1 unhappy with just the fact that he had put her in this
2 situation, I felt like it wasn't fair. I have a son
3 her age. And I looked at her as more like an innocent
4 kid, like, just a -- she wasn't a child, but she was
5 really vulnerable, and really impressionable. And I
6 thought, at that point, that she had got caught up in
7 something that was just too big for her, and she felt
8 trapped.

9 And so she was saying to me that she thought
10 that she was going to quit, and that -- she said, I
11 know, because of my long history in child protection
12 and because that's where she came from, she had
13 previously worked for DSS, she said, do you have any
14 contacts that would have a job opening, or that you
15 know of a job opening that would consider me for an
16 interview in a job opening. And I told her that I
17 would reach out and I would ask. And if that's what
18 she wanted to do, then I would help her in any way
19 that I possibly could.

20 Q All right. You mentioned things about Savannah --
21 your understanding of Savannah being friends with the
22 defendant's wife and having baby-sat the kids, is that
23 something that the defendant told you about?

24 A Yes.

25 Q So he had related those ideas to you before?

1 A Yes.

2 Q So now is the first time you're finding out --

3 A That none of that was true.

4 Q Okay. And, again, going back to -- did you relay
5 to her that you would talk to the sheriff about your
6 having a conversation with her?

7 A Yes. So while we were walking, I said to
8 her, he knows that I'm here. I called him and
9 told him. I didn't know what this was about. And
10 I told her, I called him and told him I was
11 meeting with you. And she was like, oh, my God,
12 you did? I said, yeah, I did. And she's like,
13 well, I'm going to quit Monday anyway.

14 So I told her -- I said -- I told her, well,
15 I don't want you to feel like you have to quit. If
16 you want to come over to County Square, I can get --
17 you know, arrange a position for you there. We can
18 move your position there. And she said, no, I don't
19 want to do that. I just want -- and I understood.
20 You any, I didn't really understand at the time, but,
21 looking back, I can see -- she still worked for him.
22 Even though she was in County Square, she still fell
23 under his leadership. I was going to try to protect
24 her as much as I could, but I knew that was a
25 significant loss for her. She talked about, you know,

1 she was making a lot of money, and that was -- she was
2 losing a lot of that, but she was willing to give that
3 up just to go back into child protection.

4 And I understood that, because that's -- when
5 you do that line of work, you love it and you miss it
6 when you're not doing it. She expressed that the
7 hours were long, and there were other things too that
8 she didn't -- the reason she didn't want to stay,
9 so...

10 Q And you had mentioned, having listened to the
11 tape, what, if anything, can you tell us? Are sure
12 about who was on that tape? Was it clear to you who
13 was speaking?

14 A It was very clear it was Will Lewis and
15 Savannah Nabors talking on the tapes.

16 Q And, again, when you heard those tapes, as an
17 administrator, as someone who has to deal with this
18 type of thing, what was your -- from what you heard on
19 the tape, what was your impression of what the
20 defendant was asking her to do regarding their
21 relationship?

22 A I felt like that he was -- of course, at that
23 time, I didn't know of any sexual relationship,
24 but I felt he was grooming her for that. Why he
25 would tell her that she would have to stay in a

1 hotel room with him, I mean, we don't ever stay in
2 a hotel room with a male. We just don't. That's
3 not proper or appropriate and I would never put
4 somebody in that position. So I felt like that he
5 was manipulating her into bullying and to move her
6 in that direction.

7 Q So the trip to Reno, do you know anything about
8 this trip? Were you aware of all that it was?

9 A No.

10 Q And your impression from, again, listening to the
11 tape, what would have been payment, or how this would
12 have been paid for?

13 A So if he was going to a sheriff's school in
14 Reno, then there would be no reason for her to go.
15 Those are all funded through our funding and
16 travel monies. It would be, you know, taxpayer
17 money.

18 Q So, in other words, public funds?

19 A Yes.

20 Q Now, when is it that you found out that there had
21 been a possible sexual relationship at this time
22 between the two of them?

23 A When the blog hit. When Savannah Nabors
24 posted a blog online.

25 Q All right. Did you ever talk to defendant about

1 that?

2 A He called me at my office and said, are you
3 here? I said, yes. He said, can you come down to
4 my office? And I said, yes. And when I walked
5 down. And him and the chief, maybe Lance was
6 there, I can't remember everybody that was there,
7 but he said, guess what, Savannah Nabors is
8 accusing me of raping her.

9 Q Did he deny having any encounter with her at that
10 point?

11 A Yes.

12 Q And, after that, did you have any more discussions
13 about his relationship with Savannah Nabors?

14 A We did. At a later time -- it was common for
15 myself and the attorney Lance Sheek and Marcus
16 Davenport to talk about, you know, whatever was
17 going on in the office, whatever issues that we
18 had. And during that conversation, he later
19 admitted that he did have one sexual encounter
20 with her. And we just talked through that.

21 I said to him that was really important that
22 he get with Amy, his wife, and that they get ahead of
23 this, get ahead of the media, get ahead of the public,
24 and just be transparent and be honest about what
25 happened. And I felt like -- that if he was just open

1 and honest about it that we might be able to get
2 through the hurdle of what was -- it was going to be
3 ugly either way.

4 He looked at me. He became angry. He looked
5 directly at me and he said, I am not doing that
6 because my wife will leave me.

7 Q So, in that scenario, he's actually then, at that
8 point, admitted to you all that he's had the affair?

9 A He admitted to an encounter, yeah.

10 Q An encounter. And so he admits to an encounter at
11 that point, and you advised him on how to handle it.

12 A I tried to get to just be upfront about it.

13 Q Did the others join with you on that?

14 A Sure, yes.

15 Q And he said no.

16 A I said absolutely not. He said he thought
17 his wife -- he knew his wife would leave.

18 Q How long after that did the press conference
19 happen?

20 A Maybe a couple -- I don't know. I would be
21 guessing on the time frame, but we had had a
22 command -- we didn't know anything about the press
23 conference that he was going to do. We were
24 having a command staff meeting and got a call that
25 he was doing a press conference in, like, ten

1 minutes or fifteen minutes. And we were over at a
2 County Square meeting independently to try to
3 figure out if the command staff, aside from what
4 was going on with the sheriff, if we were going to
5 -- if we were going to present a statement to the
6 public, about how this affected the office, and
7 what our plans were to move forward.

8 At that command staff meeting, we were told
9 that he was having a press conference. I had already
10 asked him before he did a press conference, that, if
11 he had considered that, that, please, he meet with the
12 deputies who worked for our agency and give them the
13 respect of telling them what was going on, and being
14 honest and upfront with them first before he shared
15 that news with the public because I felt like they
16 deserved that.

17 They had been -- you know, when you answer a
18 call and somebody says, oh, what's going on with your
19 sheriff? That's hard. And they were answering those
20 calls every day and with very little explanation. We
21 were very surprised when all of a sudden we were
22 having a press conference.

23 Q So that happened -- what you asked him to do,
24 never happened, announcing it to the sheriff's
25 department first?

1 A No. Not to my knowledge.

2 Q And did you have occasion to be able to see the
3 press conference, whether it was live or afterwards?

4 A I think I watched it afterwards.

5 Q Okay. And in that press conference, what, if
6 anything, did he admit to?

7 A He admitted to having an affair or a sexual
8 encounter with Savannah Nabors.

9 Q Now, just going back for a moment to when you're
10 on the trail with Savannah Nabors and you all were
11 talking, how did that kind of wrap up?

12 He -- oh, as we walked, you know, she
13 knew that I had told him that she was there. She
14 said she was going to quit Monday. And I offered
15 her, I said, I don't want you to go in there
16 alone. I offered to go with her. She said, no,
17 that she wanted to go alone. I said, look, I'm
18 concerned. I think you need a witness in there.
19 And I also offered her -- I was concerned at that
20 point, because of what I had heard, that this had
21 gotten really ugly. And there was probably things
22 that I didn't know, and I felt like she was needed
23 to -- I was afraid he would sabotage her career
24 moving forward if she just up and quit.

25 And so I offered her to come to County Square

1 for two weeks, just to give a two weeks' notice so she
2 could say that she did, that I would protect her from
3 that, and that -- she said, no, I'm going in Monday
4 morning and I'm going to quit. So...

5 Q Did she give her two weeks' notice when she came
6 in, to your knowledge?

7 A No, she did not. My understanding is that
8 she went in on that Monday and that she quit. I
9 never heard anything after that.

10 Q Were you there that Monday when she came in?

11 A No, I was at County Square. And I checked on
12 her after, and just, you know, sent her a text
13 message and told her that I was thinking about
14 her. I felt sorry for her because I felt like she
15 was this little young girl who got caught up in
16 something that just so much bigger than she was.

17 Q Now, you had mentioned, you know, your background
18 as a sexual assault investigator, and that you had,
19 kind of, been looking at this as almost HR -- not
20 someone who's worried about management issues when you
21 first hear this.

22 A Right.

23 Q Of course, you did not know of a relationship, as
24 you had said. If you would, tell us, if you were to
25 put on your investigator's cap as a sexual assault

1 investigator, now looking back after the revelation
2 that there was an encounter between the two of them
3 prior to that, what if anything, would you have done
4 differently in dealing with Savannah at that time?

5 A Well, as a sexual assault investigator, you
6 get a report that a crime has occurred, so you
7 know the end is that something terrible has
8 happened and it's your job to work that case
9 through the facts of the case.

10 At this point, I had no idea that something
11 terrible had happened. And, if I would have known, of
12 course, I would have been much more guarded with my
13 words. I think when I said, "Oh, my gosh, are you
14 sleeping with him," that probably automatically put
15 her on the defensive because, if she had been -- had
16 too much to drink --

17 MR. WISE: I object to this as being
18 somewhat speculative.

19 THE COURT: Ask the question again.
20 Focus it.

21 MR. THOMPSON: Reask the question?

22 THE COURT: Please.

23 BY MR. THOMPSON:

24 Q Now knowing that there had been sexual
25 relationship of some sort, or sexual contact of some

1 sort of from the sheriff's admission, had you known
2 that at the time that you talked with Savannah, looking
3 at it through the eyes of your background in sex
4 crimes investigation, what, if anything, would you do
5 different?

6 A I would have been more guarded with my words
7 and how I approached that, because sleeping and
8 being forced into a sexual situation are two very
9 different things, and I could see where that might
10 have automatically put her on the defensive.

11 MR. WISE: Again, that's the objection
12 that I have.

13 THE COURT: Strike that line from the
14 record.

15 Go ahead.

16 BY MR. THOMPSON:

17 Q Going back then, again, in you're talking with
18 Savannah, and I guess the best way to say it is, would
19 you have handled it differently?

20 A Knowing what I know now --

21 Q Yes.

22 A -- with the facts, absolutely.

23 Q Is there anything that you did, looking back on it
24 now, that you think could have had a chilling effect
25 when talking to Savannah --

1 A Yes.

2 Q -- as far as her answering honestly to you?

3 A Yes, yes.

4 Q And I think I would have to leave it at that from
5 the judge's rulings.

6 A I think essentially she knew that I was -- I
7 worked closely with the sheriff. She knew that I
8 called him and told him I was there. So that in
9 itself probably put risk there.

10 Q And, I guess, looking at that aspect of it, you
11 are also very high ranking in the sheriff's
12 department?

13 A Yes.

14 Q But the sheriff is still your boss too?

15 A Sure.

16 Q And you then are, as you said, required to report
17 to the sheriff?

18 A Yes.

19 Q As a matter of fact, did you report back to the
20 sheriff after you talked to Savannah?

21 A I did. I let him know that I had met with
22 her, and that she had told me that they had
23 kissed. I was really concerned about it. I
24 offered her -- I believe I told her that I had
25 offered a position at County Square, and that -- I

1 remember his words to me were, I just need to
2 know, is this relationship salvageable. And I
3 said, no, just leave it alone.

4 Q Now, after all that occurs, did you become
5 involved then with -- after Savannah had left, did you
6 become involved with the hiring of another person?

7 A Yes.

8 Q To take Savannah's place?

9 A Yes.

10 Q Tell me about that.

11 A So, in hiring a replacement for her, we put
12 out, you know, the position and were considering
13 different candidates. And essentially Addie
14 Hampton and several others were interviewed and
15 Addie Hampton received the position.

16 Q All right. Who did the sheriff ask to help in
17 that selection at that point in time?

18 A Myself and Marcus Davenport, and I believe
19 Jackie Cooper was involved as well.

20 Q So the three of you together?

21 A Yes.

22 Q So I guess you were interviewing -- did you do a
23 group interview?

24 A Yes, yes.

25 Q Now, were you all involved at all in the hiring of

1 Savanah?

2 A No.

3 Q As far as you know, was anyone from the sheriff's
4 department involved in that?

5 A No, that was handled before he came in, I
6 guess at County Square. She was hired, also,
7 before January.

8 Q All right. Was that a new position?

9 A Yes.

10 Q Have you ever seen that position before?

11 A No.

12 Q Under any sheriff you worked with?

13 A No.

14 Q And did anything stand out to you in the
15 interviews that you did or the applications that
16 you've had for the next person in line?

17 A He had -- there was a friend of his, a blonde
18 Tennessee beauty queen that he said had worked in
19 food service or something, and he was wanting to
20 consider her for the position. And he pulled her
21 pictures out and showed her, you know, and said
22 that he -- I guess he had told her that the
23 position was open. I don't remember the name of
24 this person, and I don't even know that she
25 actually really applied. My immediate reaction

1 was, absolutely not. We're -- perception was
2 already bad and we don't need a Tennessee beauty
3 queen coming in and following him around.

4 Q Now, you said pictures. He had more than one
5 picture he showed you?

6 A I think it was just a picture. I don't
7 remember. I remember he said, this is her, she's
8 really smart. She's like the total package. She
9 can come. I was like, oh, God. No, no, no, no.
10 We can't. No, we can't do that.

11 Q Did you actually see the application for her?

12 A No.

13 Q Did any of the other applicants that were there,
14 did you have photos of any of them?

15 A No.

16 Q And was that the consensus among you and Marcus
17 and Jackie to, kind of, nix that?

18 A Yes.

19 Q And what, if anything, can you tell us about
20 whether the sheriff discussed a raise for Savannah?

21 A You know, I don't have a lot of information
22 about that.

23 Q Okay. So he never discussed that with you as far
24 as --

25 A No, I don't recall a conversation about

1 that.

2 Q Now, in the sheriff's department I believe you all
3 have, kind of, an ethics code that you go by; is that
4 correct?

5 A Yes.

6 Q And does that stress integrity?

7 A Yes.

8 Q Can you tell me the importance of integrity with
9 the sheriff's department?

10 A Integrity is everything in our job.
11 Everything. The public puts complete trust in us
12 to do -- and we're not perfect people. But
13 without integrity, you know, how do you sit on a
14 stand, or how do you -- you know, the
15 responsibility of what we do to take, you know,
16 people's liberties is huge. And so, integrity --
17 if you have no integrity, you shouldn't be in law
18 enforcement.

19 Q And what, in your estimation, has happened to the
20 integrity of the sheriff's office in regard to what
21 Will Lewis has done?

22 MR. WISE: I'll object to that, Your
23 Honor. I don't thing that's property.

24 THE COURT: I'll allow it. Go ahead.

25 THE WITNESS: We have lost a lot of

1 credibility over poor decisions from Will Lewis
2 and the fallout, and I think it's going to take
3 many, many years to recover.

4 MR. THOMPSON: Beg your indulgence one
5 moment, Your Honor.

6 Before I let you go, Your Honor, if we
7 could move State's Exhibit Number 18 in for
8 evidence. I don't think I moved it in.

9 MR. WISE: No objection.

10 THE COURT: Without objection.

11 (STATE EXH. 18, Text; from Lewis to Miller,
12 4/22, was marked for identification.)

13 THE COURT: Cross-examination.

14 CROSS-EXAMINATION

15 BY MR. WISE:

16 Q Miss Miller, when you first talked to Savannah
17 Nabors, I believe she said something about the hours
18 were too long.

19 A She did.

20 Q And the job was too demanding.

21 A Yes.

22 Q And the job was not what she signed up for?

23 A Yes.

24 Q And she didn't like being married to the job?

25 A Yes.

1 Q And that she was going to Clemson -- or thinking
2 about going to Clemson and signing up for forensic
3 interviewing courses.

4 A Yes.

5 Q All right. Now -- and that she was talking about
6 resigning because the job wasn't what she thought it
7 was?

8 A Yes.

9 Q Okay. Now, she never told you the kiss was
10 unwanted?

11 A She just said that we kissed.

12 Q That's it?

13 A Yes.

14 Q Didn't say he forced to kiss on me, or anything
15 like that?

16 A No.

17 Q All right. And before you even met with her on
18 April 22nd, I believe when she came to work there, you
19 actually had gone out to lunch with her on a couple of
20 occasions.

21 A Yes.

22 Q To just build a rapport with her.

23 A Yes.

24 Q You thought it was a good thing to do.

25 A Sure.

1 Q Yeah. And you think that's one of the reasons she
2 reached out for you?

3 A I think so. I mean, there's not a lot of
4 females in law enforcement in general, and so --
5 in administration. And plus, we had both come
6 from a child protection background, so we had that
7 in common.

8 Q And she knew that under the hierarchy, so to
9 speak, if something came out, you would have to report
10 it to Sheriff Lewis?

11 A Yes.

12 Q There's not any question about that, correct?

13 A Sure.

14 Q And you said originally, when she first started
15 there, there were no real problems. She seemed to
16 have handled the scheduling and everything fine?

17 A Everything in the beginning seemed fine.

18 Q They were mutually overreacting -- mutually overly
19 friendly with each other?

20 A Yes.

21 Q And it was both ways?

22 A Yes, sir.

23 Q And one of the reasons when -- she mentioned he
24 kissed or they kissed, your reaction was, you're
25 sleeping with him because they were friendly with each

1 other?

2 A Well, I think my initial reaction was because
3 she had just told me she left her husband, they
4 were friendly in the office, he had taken to
5 Charlotte -- well, no. That was afterwards,
6 wasn't it. So, I mean, it was just putting all
7 those pieces together. I think that was my
8 initial reaction, oh, my God, are you sleeping
9 together?

10 Q It seemed a logical conclusion based upon your
11 observation?

12 A Right.

13 Q Is that a way of putting it?

14 A Right.

15 Q And then she said no, correct?

16 A She said no to what?

17 Q That she wasn't sleeping with him?

18 A Oh, yeah, she said no.

19 Q And I think you asked her if she was afraid of
20 him, and she said she wasn't afraid.

21 A Right.

22 Q That was a concern of yours too. Are you afraid
23 of him?

24 A Right.

25 Q And she said no?

1 A Right.

2 Q Now, I think it's no secret, I don't want to get
3 too political with this, but you weren't a supporter
4 of Will Lewis. You were a supporter of Sheriff
5 Loftis?

6 A I was not supporter of Will Lewis?

7 Q Right.

8 A No, I was not.

9 Q And when sat down with the transition team, I
10 think he told you a statement at one time of, I put
11 you in a place where you will not let me fail.

12 A Yes.

13 Q Do you know what he meant by that?

14 A I felt that -- and Will Lewis was really
15 good, initially, to come into the office and to
16 bring any problems, any -- we were known to be
17 polar opposites. And he said he recognized that,
18 and that he wanted me to be -- you know, I was
19 free to speak. And he said, you'll call me out.
20 If I'm making a decision, you won't let me fail.

21 Q So he basically said you wouldn't be a "yes"
22 person?

23 A Right.

24 Q And he knew that?

25 A Right.

1 Q And he kept you on and promoted you, in fact?

2 A Yes, he did.

3 Q Basically because of that?

4 A I would hope there were other reasons, but he
5 promoted me. But I think he found that a valuable
6 thing to have that kind of accountability.

7 Q Okay. As a result of that, when you saw he and
8 Savannah come to the officer's shooting scene, you felt
9 free enough to go sit in his office the next day and
10 confront him with it?

11 A Right.

12 Q Because you, kind of, figured that's what he
13 expected you to do?

14 A What he expected me to do, right.

15 Q And he didn't discourage you from meeting with
16 Savannah?

17 A No, he did not.

18 Q Not at all. Now, during the transition team --
19 when you were on the transition team, you all could
20 have met at the sheriff's office, couldn't you?

21 A I don't remember why. We were told where the
22 meetings were supposed to be, and -- I mean, the
23 sheriff's office shares a conference room with the
24 city as well, so -- space is really, really
25 limited at the Law Enforcement Center.

1 Q And on the trip to -- the March trip to Charlotte,
2 you understood the salaries were being discussed?

3 A Yes.

4 Q Which were ultimately achieved?

5 A Yes.

6 Q How many on the command staff today?

7 A I'm sorry?

8 Q How many people are on the command staff today?

9 A I should have probably counted, but I'm
10 guessing 13. I don't know why that number is
11 sticking in my head.

12 Q Is it more today than under Will, or do you
13 know?

14 A Oh, actually on command staff, yes. The
15 lieutenants were not on command staff under
16 Will Lewis. And now lieutenants have been added
17 to command staff.

18 Q And is there a salary increase with being on
19 command staff?

20 A No.

21 Q And do you know why lieutenants were taken off?

22 A I think it was just less people to be
23 involved in policymaking. I think it was just
24 optimize communication amongst the captains and
25 the challenge that were throughout the office.

1 Q Now, you said that Will had said at one time, you
2 know, if he gets a memo from Savannah, treat it as if
3 it came from him, or words to that effect.

4 A Yeah. I mean, he had said that several times
5 around the office.

6 Q And, to some extent, that makes sense, doesn't it?
7 If he calls in and tells her to send this memo out,
8 they should treat it as if it's coming from him?

9 A Sure.

10 Q So that isn't that strange in that context?

11 A If he has -- I mean, if he has her put
12 together a memo in regards to some policies or
13 whatever, he usually signs it, or Jackie will sign
14 it and put it to everybody.

15 Q What I'm saying is, if he had something that had
16 to be done in a hurry for some reason, he was out of
17 the office and she was in the office, and he ordered
18 her to tell everybody something, it wouldn't make
19 sense that they should accept that as coming from
20 him?

21 A She could relay a message from him. Hey, you
22 know, Captain So-And-So, the sheriff just called
23 and asked you to do this. That would be
24 appropriate.

25 Q And that's kind of like if it comes from her,

1 treat it as if it's coming from him.

2 A Depending on the context of what was said.

3 Q I agree. And context is everything in many
4 cases?

5 A Right.

6 Q And did she ever directly give you an order that
7 clearly didn't come from the sheriff, or do you
8 know?

9 A No.

10 Q Okay. Hold on one second.

11 And you also mentioned, I believe, in your
12 deposition, too, what is sexual harassment really
13 depends on a lot of factors.

14 A I mentioned that in my deposition?

15 Q Well, let me just ask you this question.

16 A Okay.

17 Q What is sexual harassment depends on a lot of
18 factors?

19 A It's line of contact.

20 Q If it's consensual, it's arguably not sexual
21 harassment?

22 A At that point -- it may start consensual, but
23 the point it become unwanted, then it becomes a
24 violation.

25 Q But if starts out consensual, that part is not?

1 A Right. It's not appropriate.

2 Q Not a good idea --

3 A Right.

4 Q -- but certainly not appropriate.

5 A Yes. Amen to that.

6 Q And there have been, I guess, in your career,
7 numerous officers that, unfortunately, have had sexual
8 affairs in their career?

9 A I'm sure there are people everywhere with
10 that.

11 Q Okay.

12 MR. WISE: Thank you.

13 THE COURT: Redirect.

14 MR. THOMPSON: Just briefly.

15 REDIRECT EXAMINATION

16 BY MR. THOMPSON:

17 Q He asked you about sexual harassment. Is there a
18 difference if -- is one of the factors when it's
19 between a superior and a subordinate?

20 A Absolutely. That doesn't -- that is a huge
21 factor.

22 Q Is another prong of sexual harassment when it
23 creates a bad work environment or --

24 A Hostile?

25 Q A hostile work environment?

1 A Absolutely.

2 Q And you had mentioned that was something you were
3 definitely concerned about at this point?

4 A That was my greatest concern. I figured it
5 had become so contentious between the two of them
6 that it was going to be a constant battle. And
7 she could not work under him. He had too much
8 power over her.

9 Q In your opinion, as a manager who's done this for
10 many years, and has trained in this area as far as
11 hostile work environment, knowing that they had a
12 sexual relationship that he admitted to in some sort,
13 whether he says it's consensual or not, and then what
14 you heard on that tape and what you heard from
15 Savannah, is that a hostile work environment?

16 A Yes.

17 Q So that would be sexual harassment?

18 A Yes.

19 MR. THOMPSON: Thank you.

20 MR. WISE: Just a couple questions.

21 RECROSS-EXAMINATION

22 BY MR. WISE:

23 Q When you heard the tape, did you assume that the
24 job was over?

25 A Did I assume the job was over?

1 Q Her employment was going to be over.

2 A She had not shared that with me yet until
3 later on in the walk.

4 Q What I'm saying is: Do people normally tape their
5 boss if they're going to keep their job?

6 A I've never seen that before. That's a
7 first.

8 Q That was the first time you'd seen that?

9 A Yeah, I've never seen anything like this.

10 Q You have no clue what her motivation was for
11 making the recordings?

12 A I didn't at the time.

13 Q And today you don't know?

14 A Well, there was a civil suit, so...

15 Q Right.

16 MR. WISE: Okay, thank you.

17 THE COURT: You may come down. Thank you
18 very much. Can this witness be excused?

19 MR. BRACKETT: I ask that the witness be
20 excused, Your Honor.

21 MR. WISE: No objection.

22 MR. BRACKETT: Your Honor, the next
23 matter is going to be what's been marked as
24 State's Exhibit 15 for identification. We move
25 this into evidence by agreement with counsel.

1 MR. WISE: Okay.

2 MR. BRACKETT: This is a video -- a copy
3 of the press conference that was held, I believe,
4 October 19th.

5 MR. WISE: 19th. October 19th.

6 MR. BRACKETT: October 19th of 2017, the
7 press conference that was given by defendant.

8 THE COURT: '17.

9 MR. BRACKETT: '17. On the 19th of
10 October in the year 2017, yes, sir. So we move
11 State's Exhibit 15 into evidence at this time and
12 move to publish.

13 THE COURT: You may publish.

14 (STATE EXH. 15, Press conference video;
15 10/19/17, was entered into evidence.)

16 (Video played in its entirety.)

17 MR. BRACKETT: Your Honor, if it pleases
18 the Court, counselor, pending a review of the
19 exhibits to confirm that all the exhibits that
20 were tendered and intending to introduce are, in
21 fact, in evidence, the State would rest its
22 case.

23 THE COURT: All right.

24 All right. Ladies and Gentlemen of the Jury,
25 the State rests. That's all the evidence you will

1 hear from the State. Now, as I told you earlier in my
2 opening remarks, the defendant now has the opportunity
3 to present a defense. He's under no obligation to do
4 so.

5 So, at this time, there are a number of
6 legal matters that I do need to take up with the
7 attorneys. It's a good time to take our morning
8 break, so I'm going to ask you to go to the jury
9 room and we'll call you as soon as we're ready.
10 Don't discuss the case amongst yourselves while
11 you're in the jury room. Thank you very much.

12 (Jury exits the courtroom at 11:28 a.m.)

13 THE COURT: All right. Let's take a
14 short break after which I'll be glad to entertain
15 any motions either party has. Stand at ease for
16 about ten minutes.

17 (A break was taken from 11:28 a.m. to
18 11:50 a.m.)

19 THE COURT: All right. Counsel approach
20 the bench, please.

21 (Bench conference off the record.)

22 THE COURT: Any motions?

23 MR. WISE: Yes, Your Honor. On the
24 misconduct in office, the common law charge, I
25 would call to the Court's attention to

1 State vs. Hess. In this case, they define
2 misconduct in office occurs when duties imposed by
3 law have not been properly and technically
4 discharged. There's been no testimony in this
5 trial of any duty imposed by law upon Mr. Lewis
6 that would justify that charge going to the jury.
7 Imposed by law doesn't mean some county
8 regulation, it doesn't mean society's moral
9 opinion. It's literally a law, either a statutory
10 law or a common law, and there's been no action,
11 no testimony in this case that anything that
12 occurred in this case was a violation of any law.

13 And as a result, there's no basis to
14 allow this misconduct in office charge to go to
15 the jury.

16 THE COURT: You're talking about the
17 common law charge?

18 MR. WISE: Common law charge, yes, sir.

19 THE COURT: Not the statutory charge.
20 The State's position?

21 MR. BRACKETT: Your Honor, will be
22 instructed on the law by the Court, and so I
23 believe that the evidence is overwhelming involved
24 as to the breach of this defendant's duties to
25 appropriately manage and use the resources -- the

1 public resources provided to him by the County of
2 Greenville for the purposes for which they have
3 been given to him, which is ensure the safety of
4 the public here.

5 The testimony about his behavior in
6 office, about how he treated Miss Nabors, the
7 purpose of the treatment, and the purpose that he
8 gave her, the way that he would take her into
9 crime scenes, the harassment, all of these are
10 different aspects of duties that are imposed on
11 him to manage the resourced given to him
12 appropriately according to the law, which there
13 are laws against sexual harassment.

14 So these are all ample evidence, I
15 believe, to justify this charge going to the
16 jury.

17 THE COURT: Well, I've read the Hess case
18 several times since this trial started, and
19 Justice Lewis noticed it -- correctly noticed that
20 South Carolina has no cases applying to common law
21 of misconduct in office, and then he cites to the
22 New Jersey cases. Misconduct in office occurs
23 when duties imposed by law have not been properly
24 and fully discharged. That's your point.

25 MR. WISE: Yes, sir.

1 THE COURT: But they go on to say, "The
2 existence of a duty owed to the public is
3 essential, or, otherwise, the offending behavior
4 becomes merely that of private misconduct of one
5 who happens to be an official. The jury
6 instruction of the trial court in this case
7 satisfactorily stated the rule which follows
8 misconduct includes any act, any omission, any
9 breach of duty of public concerns by persons in
10 public office provided the act is done willfully
11 and dishonestly." That's the New -- that's the
12 Weleck case out of New Jersey.

13 I think that the duty to the public is
14 what the State has attempted to prove here, and
15 that the duty has been violated. I don't think
16 they have to prove there is a statute. I assume,
17 I've never read it, it states the juris -- I
18 mean -- yes. The jurisdiction and statutory basis
19 for the sheriff's duties. I don't think that the
20 State has to prove what the statutory duties are.
21 I think the Court can take judicial notice that
22 the sheriff had certain duties and
23 responsibilities under whatever statute defines
24 the office the sheriff, and the duties of
25 responsibilities and jurisdiction and powers of a

1 sheriff.

2 So on that ground, I respectfully deny
3 your motion.

4 MR. WISE: And, secondly, then we deal
5 with the statutory violation and the grounds that
6 misconduct of a public official by performing
7 official misconduct, official negligence,
8 corruption, fraud or oppression, you know,
9 frankly, I don't know how we define official
10 misconduct, however it is defined, certainly not
11 habitual negligence, corruption, certainly not
12 fraud, and I don't know how we define oppression,
13 to be frank with you. So I don't think it's a
14 basis for the statutory violation to go to the
15 jury, in addition to previous argument allegations
16 are so overly broad that it's difficult to know
17 what conduct is prohibited by those terms.

18 Secondly -- well, we'll get to that in a
19 second.

20 THE COURT: All right. What did you say?

21 MR. WISE: I've got one other issue we
22 can deal with them -- I've got one other issue
23 with both charges, but we'll do that after we get
24 this.

25 THE COURT: All right. I'm reading --

1 what's the State's position. I'm looking at
2 8-180. It's right in front of me. What is the
3 State's position as to the misconduct of a public
4 officer under section 8-180?

5 MR. BRACKETT: That the defendant did
6 commit acts of official misconduct, that is that
7 he would use his office inappropriately and he did
8 not conduct himself according to what the
9 expectations of the law are, that he would -- that
10 there was corruption, fraud, or oppression.

11 THE COURT: Tell me what you think
12 oppression means.

13 MR. BRACKETT: Well, in the common,
14 everyday sense of the word, it's to deprive
15 another person of their rights or to prevent them
16 from the proper and lawful exercise of their
17 rights.

18 THE COURT: Okay.

19 MR. BRACKETT: To try to keep them --

20 THE COURT: That's fair enough.

21 MR. BRACKETT: And that he did all this
22 with the corrupt purpose of pursuing and
23 facilitating an adulterous relationship, which is,
24 again, the corruption. That he was using his
25 office to obtain a personal benefit for himself.

1 A sexual relationship with an employee, a
2 subordinate, whose primary purpose was to be his
3 mistress, and that was what he was intentionally
4 hiring her for, what he intended to ultimately
5 have her do. She may have had some other
6 legitimate functions, but if one of them was to
7 provide him sexual gratification in exchange for
8 salary and pay that he was providing as the
9 purpose and excitement of the job then that would
10 be a corrupt purpose and would constitute official
11 misconduct under Title 8.

12 THE COURT: All right. I think there's
13 evidence that goes beyond mere conjecture or
14 suspicion, and that evidence, either direct or
15 circumstantial, or some combination of both which
16 reasonably intends to prove the guilt of the
17 defendant, or from which that guilt might be
18 logically and reasonably deduced, if that evidence
19 is taken in the light most favorable to the State,
20 so as to your second motion, I must respectfully
21 deny that motion also.

22 MR. WISE. Thank you.

23 And I'm not sure if this is the
24 appropriate time necessarily, but I think it needs
25 to be addressed sooner or later, I hate to cite a

1 case I lost but I will. State vs. Greene watered
2 down Easler. And what we have here, in essence,
3 is a somewhat lesser included under the statutory
4 violation because, as they pointed out earlier,
5 the mens rea is different. The same facts are
6 used for both charges.

7 And if the Court reads State vs. Greene.
8 It's State vs. Stephanie Greene. It was decided,
9 I think, two years ago in May. It talked --

10 THE COURT: You got a copy?

11 MR. WISE: I don't have a copy. I
12 apologize for that.

13 THE COURT: I can get it.

14 MR. WISE: I can get you one. I keep
15 forgetting.

16 THE COURT: State v. Greene.

17 MR. WISE: State v. Greene. But it
18 watered down Easler, because in Greene a defendant
19 was accused -- was convicted of homicide by child
20 abuse, was convicted of an almost -- a lesser
21 included of involuntary manslaughter, and a lesser
22 included of unlawful conduct toward a child. And
23 the Court said, no, you have one, basically, death
24 of a child and you can only have one conviction
25 for it, and that was -- they sustained the

1 homicide by child abuse and dismissed the other
2 two on grounds that they would violate double
3 jeopardy, which I think is equivalent here. I
4 think eventually the jury is going to have to be
5 instructed they can't convict on both.

6 THE COURT: All right. Miss Robinson
7 argued that point in the past, but what's the
8 State's position?

9 MR. BRACKETT: I stand on Miss
10 Robinson's --

11 THE COURT: No. Put it on the record
12 now.

13 MR. BRACKETT: Well, I believe that State
14 vs. Easler, which was a case from the
15 South Carolina Supreme Court adopting the
16 Blockburger as the test for double jeopardy in
17 South Carolina allows for the prosecution on
18 offenses which may be very similar. However, if
19 each offense contains an element that the other
20 offense does not contain, then concurrent
21 prosecution on both charges is appropriate.

22 Or, if the legislature -- there's another --
23 in fact, and that's not appropriate, but if the
24 legislature were to say that subsequent prosecution is
25 appropriate, even if there wasn't another element in

1 one, like they do in the possession with the intent to
2 distribute within a half mile of a school, if its
3 intent is to allow for a successful prosecution then
4 it's appropriate as well.

5 The double jeopardy argument that has
6 been made, this is the third appearance that it's
7 made in these proceedings --

8 THE COURT: It would probably make
9 another one too.

10 MR. BRACKETT: Yes, sir. I'm sure it
11 will. But I believe it's been argued, and we
12 don't have Greene either in front of us, so I'm
13 not prepared to speak to any distinctions that may
14 exist with Easler, but I believe that each of
15 these charges, as the Court has found in the past,
16 contains an element that the other one does not
17 contain, and, therefore, double jeopardy does not
18 apply and this man can be prosecuted and convicted
19 on both charges.

20 THE COURT: All right.

21 MR. WISE: Just to respond quickly, Your
22 Honor, if you read Blockburger carefully, it is a
23 same -- it is a different fact case, not a different
24 element case. Blockburger uses the word element in
25 the opinion one time, one time. And then they talk

1 facts that have to be proven that are different in
2 each charge. And Blockburger involved a distribution
3 of -- a selling the drugs without a prescription and
4 selling drugs, I think, not in the proper container.
5 And they pointed out that each charge contained a fact
6 that was different from the other one to be proven.
7 And that was what kept it from violating double
8 jeopardy, not the fact that it contained different
9 elements.

10 Secondly, the legislature in 18-something
11 when they passed the statutory violation didn't
12 remotely suggest that these they were accumulative
13 punishments. I don't think that can even be
14 remotely argued. And unless the legislature
15 argues accumulative punishment in their law, then
16 it's double jeopardy.

17 Now, having said that, I often
18 questioned, I haven't had a good case to argue on
19 appeal yet, but I often question how can the
20 legislature intend to violate double jeopardy and
21 that doesn't violate it is beyond me. But it
22 seemed to me, if they intend accumulative
23 punishment, it fairly means an attempt to violate
24 double jeopardy.

25 THE COURT: You have to say it's

1 accumulative to the common law.

2 MR. WISE: Well, in this case, that
3 would. Yes, sir. That's correct. And there's no
4 discussion at all about accumulative punishment.

5 THE COURT: Even Hess says that.

6 MR. WISE: Excuse me, sir?

7 THE COURT: Even Hess says that. At that
8 time, there were no Reporter cases.

9 MR. WISE: Right.

10 THE COURT: All right. Let me do this,
11 open the lunch hour, I'll get Greene and Easler
12 and review them, and I'll let you know after
13 lunch.

14 MR. WISE: Okay. And I think it's
15 obvious now that we're not going to be finishing
16 today. I can't see --

17 THE COURT: Well, depending on your
18 case.

19 MR. WISE: Right. You know more about it
20 than I do.

21 MR. WISE: I think we would -- I just for
22 planning purposes --

23 THE COURT: For planning purposes, I'd
24 like to finish the evidence today.

25 MR. WISE: That will be done and argue

1 the charge in the morning.

2 MR. WISE: That will definitely be
3 done.

4 THE COURT: All right. I'd like to speak
5 to your client.

6 MR. WISE: Okay.

7 THE COURT: Mr. Lewis?

8 MR. LEWIS: Yes, sir.

9 THE COURT: At this time, I'm going to
10 explain to you -- let me say this before -- just
11 remain standing.

12 For the record, are there any impeachable
13 offenses that might be used for impeachment
14 purposes should Mr. Lewis take the stand?

15 MR. BRACKETT: No, Your Honor. He has no
16 convictions.

17 THE COURT: All right. Mr. Lewis, at
18 this time, I'm going to explain to you, sir, your
19 rights. If you don't understand anything I say,
20 please let me know. If you want me to explain
21 anything in more detail, please let me know. Do
22 you understand?

23 MR. LEWIS: Yes, Sir.

24 THE COURT: We have now reached the stage
25 of the trial where you may present your defense.

1 You have the right to claim the protections given
 2 to you by the Fifth Amendment of the Constitution
 3 of the United States. This amendment states in
 4 part, "No person shall be compelled in any
 5 criminal case to be a witness against himself."
 6 This means that you cannot be required to testify
 7 in this case. You have the right to testify on
 8 your own behalf. However, no one can make you
 9 testify. This is a personal right. No one can
 10 waive this right except you. If you decide to
 11 testify, you will subject to the same rules that
 12 govern other witnesses, and you may be examined
 13 and cross-examined on any relevant issue in this
 14 case.

15 In addition, if you have any convictions
 16 involving dishonesty or false statement or crimes
 17 punishable by imprisonment for than one year and
 18 this court determines that the probative value of
 19 admitting this evidence outweighs its prejudicial
 20 effect to you, the solicitor will be able to
 21 introduce that record to attack your credibility.

22 If you decide to testify, this decision
 23 on your part must be freely, voluntarily and
 24 intelligently made and with knowledge of the
 25 protections given to you by the Fifth Amendment to

1 the Constitution and the consequences of your
2 decision to testify.

3 If you decide not to testify, I will
4 instruct the jurors that they cannot give the fact
5 that you did not testify any consideration
6 whatsoever, and that there is to be absolutely no
7 prejudice to you because you did not testify.
8 It's left entirely up to you whether or not you
9 testify.

10 You may talk with your attorney, family,
11 and friends, or anyone else, but the final
12 decision will be left entirely up to you.

13 Do you understand what I've explained to
14 you?

15 MR. LEWIS: Yes, sir, Your Honor.

16 THE COURT: Do you have any questions
17 about what I've explained to you?

18 MR. LEWIS: No, sir.

19 THE COURT: Have you discussed with your
20 lawyer whether you should or should not testify?

21 MR. LEWIS: We have.

22 THE COURT: Do you wish to talk to your
23 lawyer any more about this at this time?

24 MR. LEWIS: No, sir.

25 THE COURT: Do you wish to testify?

1 MR. LEWIS: Yes, sir.

2 THE COURT: All right. Thank you very
3 much.

4 MR. LEWIS: Yes, sir.

5 THE COURT: All right. We'll take a --
6 anything further? Lunch break until 1:30.

7 MR. WISE: We'll just come back at 1:30.

8 THE COURT: 1:30, and I'll let you know
9 my decision at that time.

10 MR. WISE: Thank you.

11 (A break was taken from 12:11 p.m. to 1:28 p.m.)

12 THE BAILIFF: All rise. Honorable
13 Judge Cooper presiding.

14 THE COURT: All right. Be seated.

15 All right. Counsel, I've reviewed the
16 Easler and Greene case over lunch. The Greene
17 case gives me some concerns, solicitor, because
18 they make it pretty clear that -- I have to find
19 the language. They say the defendant, in those
20 cases, cannot be convicted and punished when the
21 charges are as they are in this case, two separate
22 indictments for the same behavior. In other
23 words, both indictments in this case charge
24 misconduct in office and misconduct by a public
25 officer. But, in essence, they both charge

1 misconduct in office. And the problem is, in my
2 mind, that the events that allegedly consist of
3 the misconduct in office are the same events in
4 both cases, and the Court says we can't convict
5 and sentence the two that are almost identical.

6 I realize that, under 8-180, there are
7 other elements of that statute. I don't think
8 they apply in this. We haven't talked about
9 habitual drunkenness. I think it's a -- at a
10 minimum, raises the questions -- would raise
11 questions in the jury's mind as to how to separate
12 the two.

13 Since the actions that had been testified
14 to, there is no differentiation between one
15 indictment or the other indictment.

16 At this point in time, I'm not going to
17 grant the defense's motion. But at the end of the
18 trial and before the matter is submitted to the
19 jury, depending on what evidence the defendant
20 produces, I may ask you if you wish to elect. I
21 will do that. I'm not making you do that this
22 morning, because all the evidence is not in.

23 MR. BRACKETT: Yes, sir.

24 THE COURT: So I'm denying the
25 defendant's motion at this time. If it's made

1 again and nothing changes -- we'll see what
2 happens.

3 MR. BRACKETT: May I?

4 THE COURT: Absolutely.

5 MR. BRACKETT: Because I did have Greene
6 previous to our leaving the courtroom and now over
7 the break have had an opportunity to obtain a copy
8 of Greene --

9 THE COURT: Yes.

10 MR. BRACKETT: -- and to review it, I
11 would like to point out a few things to the Court
12 since I have a better understanding.

13 THE COURT: Sure.

14 MR. BRACKETT: This is actually a case,
15 I'm a little confused why defense argued this case
16 in Supreme Court, and I wondered why because he
17 got a vacated -- one of them vacated.

18 THE COURT: Right.

19 MR. BRACKETT: So he, kind of, won. It
20 wasn't a perfect victory.

21 MR. WISE: Actually, it was two. Twice.

22 MR. BRACKETT: Twice. But I think just a
23 couple of points that I would like to make from my
24 reading of the opinions and the facts presented in
25 this case.

1 was responsible for the death of an infant because
2 she had consumed a number -- a large quantity of
3 opiates, that those opiates polluted and tainted
4 her breast milk to the point that when the child
5 consumed the breast milk, they overdosed. So
6 there's only one theory under which the jury could
7 conclude that this woman was guilty of a homicide.
8 Now, whether it was homicide by child abuse or
9 involuntary manslaughter is irrelevant, because
10 there was only one that the jury could conclude
11 she was guilty. They had to believe that. And,
12 if they believed that, then the one homicide, one
13 punishment rule kicked in. This is not that case.

14 And here's why: There were two
15 indictments, one common law and one statutory, and
16 they allow for different things.

17 The common law is a broader statute that
18 applies to many different public officials. It
19 could apply to an elected official who is elected
20 for a specific term in office, or it could apply
21 to the guy who operates the State Highway
22 Department and overseas the equipment, and then
23 takes it out at night to do private jobs and make
24 money on the side using State equipment. That
25 would be --

1 THE COURT: I still think it has to be a
2 public official.

3 MR. BRACKETT: He would be a public
4 official in that he is a public employee. And I
5 think that is an example that has actually been
6 used, but I've convicted clerks in magistrate's
7 offices for stealing money, you know, a variety of
8 clerks -- you know, people who are not elected.
9 It does not have to be an elected official.

10 THE COURT: I understand that.

11 MR. BRACKETT: It just has to be a public
12 official.

13 And that in order to accommodate the fact
14 that a public official in those cases under the
15 common law has not taken an oath of office,
16 they've made no promise to the public, assured
17 them of nothing. They have simply accepted a job.
18 But they have still have obligations to the public
19 because of the nature of the job they've
20 undertaken and their access to public resources.

21 So this is a broader statute which
22 requires willful conduct on the part of the actor,
23 as opposed to the statutory which is specifically
24 limited to elected officials for a specific term
25 of office, and it doesn't require a willful act

1 because that person has made an oath and they have
2 warranted to the public under that oath that they
3 will commit themselves to certain courses of
4 conduct, that they will accept certain obligations
5 and certain duties and they will discharge those
6 duties faithfully.

7 So they are two distinct changes. That's why
8 they can exist at the same time.

9 THE COURT: I would agree with you if the
10 behavior, the violation that we've heard about,
11 for three days, was not the exact same in both
12 cases.

13 MR. BRACKETT: Yes, sir, except we do
14 have different theories of liability here.

15 THE COURT: The facts that support those
16 theories are the same both for the statutory and
17 the common law.

18 MR. BRACKETT: No. In Greene, they
19 specifically say, the reason that Easler doesn't
20 apply is because the State ultimately elected to
21 pursue a single theory of liability. Not that the
22 facts were the same, but that there is a
23 difference in that there are several theories of
24 liability depending on which charge you're looking
25 at.

1 For example, under the common law, in
2 pursuing the affair, used public money. That's
3 one theory of liability. Sexually harassed
4 Savanah Nabors, or tried to hide the acts
5 breaching the duty of accountability that they owe
6 to the public, because he tried to conceal from
7 other people that she was being taken to
8 Charlotte, for example. They could a conclude
9 that that simple act, in and of itself, if they
10 believe that fact, is enough to convict him of the
11 common law.

12 Under the statutory --

13 THE COURT: If the jury believed
14 everything that's been testified to as of up to
15 today, could they not convict the defendant on
16 both charges?

17 MR. BRACKETT: They could under several
18 theories of liability. They could conclude that
19 he's guilty because he tried to oppress her and
20 tried to restrict her access to other people,
21 stalked and harassed her.

22 THE COURT: That's not pled in either
23 indictment.

24 MR. BRACKETT: Well, one is willful and
25 the other isn't. So once we get past -- the

1 initial argument was designed to separate the two
2 in so far as double jeopardy. So it doesn't
3 matter. These are two distinct offenses. And the
4 same facts can prove two distinct offenses. The
5 same facts going into a convenience store, pulling
6 a gun, "give me the money" to the clerk, and then
7 shooting the clerk and taking the money is armed
8 robbery and murder. It's the same act. I proved
9 the same act, but they two different offenses.

10 Here, these are two different offenses as
11 well, and the same facts can prove two different
12 offenses because they are distinct under Easler --
13 well, under Blockburger.

14 THE COURT: I think you better think
15 about it because, in the event -- I guess I have
16 to look at it somewhat in what an appellate court
17 would do, and...

18 MR. BRACKETT: Well, I would just -- one
19 final thing, because I went through the theories
20 of liability for the common law. The theories of
21 liability under statutory, which don't exist in
22 common law, they could believe that he committed
23 fraud, that he oppressed her, and those are unique
24 to that charge. They could believe on the one
25 hand that he oppressed her, but not believe the

1 financial part. But then turn around and say he
2 sexually harassed her, so he's guilty of common
3 law and statutory under two distinct theories of
4 liability, which is the deciding factor in Greene.
5 That is why the Supreme Court in Greene decided to
6 say that Easler is overruled to the extent
7 because, in Greene, they had -- there is only one
8 factual theory that the jury could conclude guilt
9 from, and that is that the mother provided tainted
10 breast milk to her child resulting in the child's
11 death. There were no other theories of her being
12 responsible for that death and that death being a
13 homicide.

14 Here we have several theories under which
15 the jury could reach that conclusion, and we can't
16 put ourselves in the position of saying, well,
17 here's what the jury is probably going to find
18 out. We don't know what they're thinking. And
19 our job is to ask ourselves the question, could
20 they come to this conclusion on this charge and
21 this conclusion and that charge under two
22 different theories of liability? And if they can,
23 then both convictions can stand under separate
24 indictments.

25 THE COURT: All right. Anything further?

1 Ready for the jury?

2 MR. WISE: We're ready for the jury, Your
3 Honor.

4 MR. BRACKETT: State's ready.

5 THE COURT: Bring the jury, please.

6 (Jury enters the courtroom at 1:46 p.m.)

7 THE COURT: All right. Mr. Wise, you may
8 present your defense.

9 MR. WISE: We call Chad Ayers.

10 THE CLERK: Mr. Ayers, if you'll come to
11 the Bible. Please place left on the Bible and
12 raise your right. Do you swear or affirm to tell
13 the truth, the whole truth, and nothing but the
14 truth, so help you God?

15 THE WITNESS: I do.

16 THE CLERK: Thank you. Please take a
17 seat and state your name for the record.

18 THE WITNESS: It's Chad Ayers.

19 WHEREUPON:

20 CHAD AYERS,
21 after having been sworn to tell the truth,
22 testified as follows:

23 DIRECT EXAMINATION

24 BY MR. WISE:

25 Q Mr. Ayers, were are you presently employed?

1 A Proactive Response Group.

2 Q Say again?

3 A Proactive Response Group.

4 Q Okay. And how long have you been there?

5 A Four years.

6 Q And before that, where did you work?

7 A Well, I was working there part time, but at

8 the Greenville County Sheriff's Office.

9 Q I thought that was -- so you've been where you are

10 now --

11 A Full time four years.

12 Q Four years including part time. And you worked

13 there part time while you were at the sheriff's

14 department?

15 A That's correct, sir.

16 Q And how long were you at the sheriff's

17 department?

18 A Twelve years.

19 Q Twelve years. So you were there in 2017 when this

20 issue arose.

21 A Yes, sir.

22 Q Did you get to know someone that worked there

23 named Savanah Nabors?

24 A Yes, sir.

25 Q And what capacity was she working there?

1 A She was the sheriff's assistant.

2 Q All right. Eventually, you got to know her pretty
3 well?

4 A Yes, sir.

5 Q And about when would you say you all started going
6 out together?

7 A I don't know the exact date. It was after
8 she informed me that she was legally separated.

9 Q Okay. And if she informed people she was legally
10 separated in February, middle of February, it would be
11 sometime after the middle of February?

12 A Yes, sir.

13 Q And, eventually, you had some lengthy discussions
14 with her about Sheriff Lewis?

15 A Yes, sir.

16 Q Did she ever reach a point when she accused you of
17 spying on her, in essence?

18 A I remember a text message.

19 Q All right. I'll hand you, first of all, this text
20 message and ask you if you recognize it.

21 A Yes.

22 Q Okay.

23 MR. WISE: I move to introduce this
24 one.

25 THE COURT: Any objection?

1 MR. BRACKETT: No, Your Honor.

2 THE COURT: Without objection.

3 (DFT. EXH. 2, Text message, was marked
4 and entered into evidence.)

5 BY MR. WISE:

6 Q I'm going to show you Defendant's Exhibit 2 and
7 ask you to read the text message you got from her in
8 that one?

9 A You asked me to read the top one, sir?

10 Q Yes, sir.

11 A "You're undercover for him getting all the
12 scoop, but he doesn't know that I made you fall
13 for me so now you're trying to decide if it's
14 really worth the 30 grand because he is a scumbag
15 and I'm your dream woman."

16 Q Do you know where that message -- the concept
17 behind that message came from?

18 A I have no idea.

19 Q Was there any conversation you had with her that
20 led up to anything like that?

21 A No, sir.

22 Q Had you ever had any conversation with her about
23 getting paid by Will Lewis?

24 A Me being paid?

25 Q Right.

1 A No, sir.

2 Q Is there any truth to the fact that you got paid
3 by Will Lewis?

4 A Absolutely not.

5 Q And were you spying on her on behalf of
6 Will Lewis?

7 A No, sir.

8 Q All right. And then later in October -- let's
9 see. In October, I believe this was before this one.
10 Did you have this? Do you recognize that email --
11 that text message?

12 A This was actually -- it was after this.

13 Q This was after that?

14 A Yes, sir.

15 Q You know them better than I do.

16 A Yes, I do.

17 Q And this is a text message between you and
18 Savannah?

19 A That's correct, sir.

20 MR. WISE: I'd like to introduce this.

21 MR. BRACKETT: No objection.

22 MR. WISE: I'll introduce this as
23 Defendant's 3.

24 (DFT. EXH. 3, Test message, was marked and
25 entered into evidence.)

1 BY MR. WISE:

2 Q You are welcome to put a blank for one word in
3 that text message, but could you read this text
4 message to the jury? And I think you know which word
5 I'm talking about.

6 A Are you referencing the one you have an
7 asterisk here?

8 Q Right.

9 A "You piece of (blank), I have every text you
10 ever sent and I'm getting it all over about you
11 calling Will a stalker and everything."

12 Q Do you know where that came from? Do you know
13 anything that led up to that one?

14 A Without knowing the exact timing, the only
15 thing I could assume from this on that date would
16 be referring to one point when I met Sheriff Lewis
17 at the time and informed him that Savannah and I
18 had dated for a short period of time.

19 Q And her reaction to that was to call you that
20 name?

21 A That's what it says, yes, sir.

22 Q All right. After that last text message, did the
23 relationship really continue?

24 A No, sir. The actual relationship had ended
25 probably several weeks, if not a month, prior to

1 that.

2 MR. WISE: Thank you very much.

3 THE WITNESS: Yes, sir.

4 CROSS-EXAMINATION

5 BY MR. BRACKETT:

6 Q All right, Chad. You and I have spoken, right?

7 A Yes, sir.

8 Q You came and talked to me a few times --

9 A Yes, sir.

10 Q -- about what you know about this case, right?

11 A Yes, sir.

12 Q Okay. So, first of all, let's go to this spy
13 controversy and let's read all that stuff in context,
14 because the truth is, this was a joke, wasn't it?

15 A Yes, sir.

16 Q This spy?

17 A Yes, sir.

18 Q She didn't really think you were a spy for
19 Will Lewis?

20 A I don't think so.

21 Q As a matter of fact, there are all kinds of smiley
22 and laughey emojis around there, although she says at
23 the start of it, "Chad, I'm scared," and that's the
24 earlier text at 11:24. And then the next day, May 4,
25 2017, "Are you a secret spy? Just tell me the truth,"

1 with, like, spy emojis; is that right?

2 A Yes, sir.

3 Q Those emojis you wrote back, "LOL, Shut up." "I
4 knew it. You are," she says, right?

5 A Yes, sir.

6 Q And then you say, "Ugh, stop." And she says,
7 "Deny it, LOL," "I am denying it," you said. And
8 then there's funny pictures going back and forth. So
9 this was a joke?

10 A Yes, sir.

11 Q And she concluded that exchange by saying, "Bye,
12 secret spy," at 11:57 a.m. with a little picture of a
13 spy person?

14 A Yes, sir.

15 Q Okay. So was there ever any serious accusation
16 that you were a spy?

17 A No, sir.

18 Q All right. Now, the time period of March and
19 April of 2017, you had a relationship that either was
20 underway or just starting at sometime in early March,
21 late February, somewhere around there.

22 A Yes, sir.

23 Q Is that accurate?

24 A Yes.

25 Q So you knew her when she was actually working for,

1 this man?

2 A Yes, sir.

3 Q And it's fair to say that she was genuinely scared
4 during this time period. Is that accurate?

5 A I would say that it gradually got to that
6 point. When I first met Miss Nabors, no, but
7 towards the end.

8 Q It ramped up and reached a point --

9 A The way that I perceived it was, she was
10 scared, yes.

11 Q All right. You were aware of what he was doing as
12 she was reporting it to you, right?

13 A I was aware of some of the details. I was
14 not aware of all the details.

15 Q She did not tell you about the situation in
16 Charlotte, except in a limited fashion? She described
17 it as what?

18 A The Charlotte?

19 Q Yes.

20 A I was told that he had attempted to kiss her
21 in Charlotte. I was not told about any type of
22 sexual nature.

23 Q Okay.

24 A At that time.

25 Q And then as time went on and into March and then

1 into April, she became and more and more concerned
2 about the level of control he was trying to exert over
3 her life?

4 A Yes.

5 Q Is it fair to say that she felt intimidated?

6 A Yes.

7 Q Is it fair to say that she felt like he was
8 attempting to manipulate her?

9 A She portrayed to me that.

10 Q That that's what she felt.

11 A That's what she felt.

12 Q Did she feel that she was being oppressed?

13 A Yes.

14 Q Was there discussions back and forth between you
15 and Savannah about him following her?

16 A Yes.

17 Q And coming by her house?

18 A Yes, sir.

19 Q Unwanted intrusions into her personal life?

20 A It was portrayed to me that it was unwanted,
21 yes.

22 Q Okay. And, in fact, you, too, were similarly, I
23 guess, for lack a better word, oppressed in your
24 relationship with her, weren't you?

25 A That's correct.

1 Q Because you could not openly go out. You could
2 not walk down the middle of the hallway at the
3 sheriff's office holding hands with her, could you?

4 A No, sir.

5 Q Would that have happened?

6 A No, sir.

7 Q Why not?

8 A First, I wouldn't have done that
9 professionally anyway in the environment, but it
10 had been brought to our attention that we were not
11 going to have anything to do with Miss Nabors.

12 Q It had been brought to your attention by who?

13 A Captain McConnell.

14 Q And did the defendant ever indicate that she was
15 to be left alone too?

16 A I was told that that's where the order came
17 from.

18 MR. WISE: Objection to what he was told
19 by hearsay.

20 THE COURT: Okay.

21 BY MR. BRACKETT:

22 Q When you were seeing her, did you feel free to go
23 out in public with her?

24 A No.

25 Q When you went to her house, did you just park your

1 car on the street in front of her house?

2 A No, sir.

3 Q Where did you park it?

4 A In her garage.

5 Q And closed the door?

6 A Yes, sir.

7 Q Why did you do that?

8 A I felt like if anyone at the sheriff's office
9 found out about it, it could get back to the
10 sheriff.

11 Q And if it got back to sheriff, what would that
12 mean for Chad Ayers?

13 A Probably would not be good.

14 Q Towards the end, Chad, was her distress about her
15 work situation -- was she convincing in showing you
16 that she was distressed and upset about the way things
17 were playing out at work, towards the end before she
18 resigned, the last week or so?

19 A Towards the end, yes.

20 Q And she actually left and went to Florida,
21 basically, to hide out, isn't that right?

22 A Yes, sir.

23 Q Because she felt like the sheriff wanted more out
24 of her than she was willing to give?

25 A I can't testify to that.

1 Q Well, didn't she tell you that?

2 A I would have to see a message.

3 Q Here we go.

4 MR. WISE: Okay, that's fine.

5 MR. BRACKETT: I ask that this be marked
6 as State's Exhibit 19, I believe.

7 (STATE EXH. 19, Text message, was marked for
8 identification.)

9 BY MR. BRACKETT:

10 Q I'm showing you a text exchange that takes place
11 right around the time she's leaving as she talks about
12 and you talk about the reason she's leaving. Can you
13 take a look at that and refresh your memory?

14 In there you're discussing -- she's talking
15 to you about whether or not she should tell the
16 sheriff in advance that she's going to be leaving, and
17 then she ultimately says, I'm just going to wait. And
18 you go back and forth and talk a little bit. And,
19 ultimately, you say, he's going to be in a bad mood
20 all next week, talking about him, the sheriff.

21 A That's what she says.

22 Q She's in blue.

23 A "God, he's going to be in a bad mood all next
24 week." Yes, in response to what she said, yes,
25 sir.

1 Q So talking about him leaving -- or her leaving.

2 A Yes, sir.

3 Q And that that's going to put the sheriff in a bad

4 mood all next week.

5 A Yes, sir.

6 Q And she says, "Sorry," with a frowning emoji face.

7 And then you say, "Shit, it don't affect me. The more

8 I think about it, the more I believe that people are

9 going to pick up on the reasons why you are leaving,"

10 right?

11 A Yes, sir.

12 Q And she goes, "You think so?" And you say, "Yup,

13 he has made his bed. Make him sleep in it," right?

14 A Yes, sir.

15 Q Because he's the one that's caused these problems,

16 right?

17 A Yes, sir.

18 Q And then she goes, "Well, honestly, I hope they

19 do. I hope they realize I'm the bigger person and I'm

20 not going to be a whore secretary," right?

21 A Yes.

22 Q Because that's what he wanted, isn't it?

23 A What is that?

24 Q A whore secretary.

25 A I can't testify to that.

1 Q Well, that's what she felt, isn't it, in your
2 discussions at the time?

3 A Yes, sir.

4 Q And you said, "I respect you a lot for I know it's
5 not easy."

6 MR. BRACKETT: This is State's evidence
7 19. We ask that it be admitted. I believe it's
8 without objection.

9 (STATE EXH. 19, Text message, was entered
10 into evidence.)

11 MR. BRACKETT: Nothing further.

12 MR. WISE: Just a few things to those
13 questions.

14 REDIRECT EXAMINATION

15 BY MR. WISE:

16 Q In late June, I believe, 2017, do you recognize
17 these text messages from Savannah?

18 A Yes.

19 MR. WISE: All right. I move to
20 introduce these.

21 MR. BRACKETT: If it pleases the Court,
22 I, A, question the relevance, B, it exceeds the
23 scope of my cross-examination. I'll show it to
24 you, but I don't think that this is relevant to
25 anything in this case. And, secondly, it is not

1 proper.

2 MR. WISE: Well, I don't think it exceeds
3 the scope because he went into their relationship
4 through text messages, and I got another opinion
5 of it.

6 THE COURT: What is the blue?

7 MR. WISE: He went into their
8 relationship --

9 THE COURT: Wait. Just, what's the blue?

10 MR. WISE: The blue is Savannah Nabors,
11 and the one without a thing around it is him.

12 THE COURT: Okay.

13 MR. WISE: He went into their
14 relationship.

15 MR. BRACKETT: Object. If we can --
16 rather than read it out --

17 MR. WISE: I'm not going to read it
18 out.

19 MR. BRACKETT: But, I mean, even
20 explaining it. It speaks for itself. But if we
21 need to discuss it, we can do that in camera. I
22 don't see the relevance and it does exceed the
23 scope.

24 THE COURT: I'm going to allow it.

25 MR. BRACKETT: Very good, sir.

Testimony of Ty Miller

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1 THE COURT: This adds to the -- all
2 right.

3 (DFT. EXH. 4, Text message, was marked
4 and entered into evidence.)

5 BY MR. WISE:

6 Q So, in June, what kind of conversation did you all
7 have?

8 A So she was asking me why I wanted to be with
9 her and, kind of, went through a questioning of
10 our relationship.

11 Q All right. Was she trying to manipulate you?

12 A In that moment, yes.

13 Q Okay. That would not have been surprising to you
14 based on your relationship?

15 MR. BRACKETT: Object as leading.

16 THE WITNESS: I'm sorry. Could you reask
17 that, sir?

18 MR. WISE: Well, if he's going to object,
19 I'll withdraw it.

20 BY MR. WISE:

21 Q And you and Will had multiple conversations after
22 you came to him about your relationship with
23 Savannah?

24 A Yes, sir.

25 Q And they were pleasant conversations?

1 A Yes.

2 Q Nothing yelling, screaming, anything like that?

3 A No, sir.

4 Q Okay. And he didn't fire you?

5 A No, sir.

6 Q Didn't discipline you?

7 A No, sir.

8 Q All right. I think you even told Will. And this
9 was after you and Savannah had broken up, I assume?

10 A When I spoke to the sheriff?

11 Q Right.

12 A Yes, sir.

13 Q And you told him, up front, that you had called
14 him virtually every name in the book?

15 MR. BRACKETT: Object to leading again.

16 MR. WISE: Excuse me. I'll rephrase
17 it.

18 BY MR. WISE:

19 Q Did you tell him -- what did you tell him about
20 name calling in any of those conversations?

21 A Sir, I can't recall exactly he and I's
22 conversation. I vaguely remember it was just in
23 the back lot of the sheriff's office, and I was
24 just forthcoming with I dated Savannah, and I don't
25 remember exactly how much detail I went into with

1 him.

2 Q Did you ever have a conversation with Sheriff
3 Lewis based on your experience about Savannah Nabors's
4 stability?

5 A I can't recall that.

6 MR. WISE: Thank you.

7 BY MR. WISE:

8 Q Oh, one other thing. One other thing.

9 Do you recognize this one from July 24th of
10 2017?

11 A Is that her in blue?

12 Q Yes.

13 A Yes, sir.

14 (DFT. EXH. 5, Text message, was marked and
15 entered into evidence.)

16 BY MR. WISE:

17 Q And those text messages were relatively friendly?
18 And you can read them.

19 A It says, "Thinking about you today. Hope
20 you're doing well." I respond back, "Wow, you
21 okay." She said, "Yeah. What's the wow for?" I
22 said, "Can you call?" She said, "Yeah." I said,
23 "Then call." She said, "Don't be bossy." I said,
24 "That's enough of that."

25 Q And do you remember if she ever called you back in

1 late July?

2 A I have no idea.

3 Q I didn't think so. That was, though, many months
4 after you all had ceased having a relationship?

5 A That would have been shortly after.

6 MR. WISE: Okay. All right. Thank
7 you.

8 MR. BRACKETT: Nothing further.

9 THE COURT: All right. You may come
10 down. Can this witness be excused?

11 MR. WISE: He may be excused.

12 THE COURT: Without objection.

13 Next witness.

14 MR. WISE: Oh, excuse me.

15 Martine Helou.

16 THE CLERK: Please place your left hand
17 on the Bible and raise your right hand. Do you
18 solemnly swear or affirm to tell the truth, the
19 whole truth, and nothing but the truth, so help
20 you God?

21 THE WITNESS: I do.

22 THE CLERK: Please take a seat and state
23 your name for the record.

24 THE WITNESS: Okay. I'm Martine Helou.

25 WHEREUPON:

Testimony of Martine Helou
MARTINE HELOU,

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1

2

after having been sworn, testified as follows:

3

DIRECT EXAMINATION

4

BY MR. WISE:

5

Q Thank you. Miss Helou, where are you employed presently?

6

7

A I employed in several different places. I'm the executive director for Palmetto Foundation for Prevention and Recovery, and I'm also employed part time by the Greenville Police Department, and I'm also employed by an international company as a consultant.

10

11

12

13

Q And back in January 2017, did you take a position?

14

15

A Yes.

16

Q What position did you take?

17

A The community relations and correspondence director for the Greenville County Sheriff's Office.

18

19

20

Q Was that an existing position or a new position?

21

A New.

22

Q Who created it?

23

A Will Lewis.

24

Q And what was your starting salary?

25

A My starting salary was around 60,000, 61,000.

1 Q Low 60's.

2 A Yes.

3 Q What exactly did you do with them in that
4 position?

5 A Well, I had the privilege of being hired to
6 serve the people of Greenville County. The main
7 facets of my job was to create programs for the
8 citizens of Greenville, residents of Greenville,
9 to be more proactive about the outreach of the
10 sheriff's office and to basically get to know more
11 about what the community's needs were, and how we
12 could, as a law enforcement, more proactively
13 address those needs.

14 Q Did you set up any programs while you were in that
15 position?

16 A Yes, I did.

17 Q And could you name a couple of them?

18 A Sure. One of the programs that I'm really
19 proud of, that I was given the opportunity to set
20 up, was called the voice program, and this was a
21 proactive way for the law enforcement agency,
22 Greenville County Sheriff's Office, to reach out
23 and address the opioid crisis in Greenville. So,
24 basically, it was the first ever, sort of, program
25 at the time in the country where I formed a

1 partnership between the FBI and the DEA, the
2 Greenville County Sheriff's Office and the
3 Greenville County School District, and that
4 program is now being emulated in other places in
5 the country, and I used that methodology for that
6 program to do what I do now, Palmetto Foundation,
7 and now I do that all over the state of South
8 Carolina.

9 Q And what was the other position that you -- or
10 programs that you established?

11 A Another really good one that we established
12 was 23 Heart. So we wanted to, sort of, curve the
13 panhandling issue that we have here in Greenville
14 County.

15 Q What issue?

16 A Panhandling.

17 Q Okay.

18 A The homeless. Because we see a lot of
19 transient homeless coming to Greenville, but we
20 also knew that we had to help them in the right
21 way. So I came up with a program -- or I proposed
22 a program to Will. And I will have you know that
23 I had to propose everything to Will before I would
24 implement it. So he approved the program, and
25 what that was was, we were going to educate the

1 residents of Greenville County that, you know, if
2 people ask you for money, that it's best for you
3 give them help and not necessarily money.

4 So we came up with this program called
5 23 Heart where we made a hotline, and on that hotline
6 it would list all of the services, like shelter, food,
7 and medical care available in Greenville, so we tried
8 to promote that to the residents of Greenville to say,
9 instead of giving them money, give them something
10 that's more valuable, which is real help to get them
11 out of their situation.

12 And then another program that we did that was
13 really good -- number 1, I loved the Adopt-A-Cop
14 program that was started by Will Lewis. And the other
15 thing that I really liked that was never implemented
16 was -- what was important to the administration that I
17 was working for was transparency and also to really
18 understand what the public's perception of the law
19 enforcement agency was. So I worked really hard and
20 was able to get a partnership formed.

21 Q Let's go back and talk about transparency.

22 A Yes.

23 Q How did that concept, or that problem --
24 addressing that problem come about?

25 A That was just one of the things that Will --

1 when he was interviewing me long before he had
 2 gotten elected, he said that's one of the very
 3 important things for him. And so I think that --
 4 I would hope to say that he thought that I had the
 5 capability of taking ideas that he had or goals
 6 that he wanted to achieve and to come up with good
 7 ways to do that, programs and also just being the
 8 communicator or the bridge between the law
 9 enforcement agency and the people.

10 So that was one of the things that he asked
 11 me. Can you think of ideas and ways that we could
 12 communicate better with the public and be more
 13 transparent. A law enforcement agency's legitimacy is
 14 very important when it comes to the public, so that's
 15 what we were doing. And I worked with the
 16 University of Chicago to come up with a first-ever
 17 survey on how to gauge how the residents of Greenville
 18 were perceiving the agency.

19 Q A survey of whom?

20 A Well, basically, it's, any time anybody would
 21 get serviced by a law enforcement agent from the
 22 sheriff's office they would be given a card and on
 23 it was going to be a number that they would remain
 24 completely anonymous and they would fill out an
 25 online survey, and all of the data and all the

1 results were not by us, it was by another agency,
2 just to see the feedback of people and what they
3 were -- how they were experiencing the agency.

4 Q Did you enjoy your job there?

5 A I loved my job.

6 Q Okay. Did you have occasion to meet
7 Savannah Nabors while you were working there?

8 A Yes.

9 Q And when did you first meet her?

10 A When I first met Savannah, I think it was in a
11 group meeting where we were all together where I
12 was introduced to her, and just basically, hi,
13 this is Savannah, this is what she's going to be
14 doing, she's my administrative assistant. If you
15 have anything that you would like to share with
16 me, please go through Savannah to keep things
17 better coordinated.

18 Q Did you have contact with her over the course of
19 the time you were there?

20 A Yes.

21 Q Did you have a conversation with her sometime in
22 February of 2017 about her employment?

23 A Yes, I did.

24 Q And how did that -- what was the gist of that
25 conversation?

Testimony of Martine Helou

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1 A Actually, it was very impromptu. I happened
2 to be at County Square working on a project and I
3 saw her, and I said, oh, hi, how are you? She
4 said, fine. And I said, so how are you liking
5 your work? And she said, oh, I love my job. And
6 I said, oh, that's great. I said, are you going
7 to, you know, continue, because I knew that there
8 was something to do with transition and she was
9 there for the transition, so I wasn't sure if she
10 was going to stay, but she made it clear to me in
11 that conversation that she did not want to stay at
12 the sheriff's office, and that she was only there
13 for the transition period. That she was looking
14 forward to going back eventually to her dream job,
15 she said, at DSS.

16 Q And she did say how long she was going to remain
17 on the job?

18 A Well, she made it clear that it's better
19 sooner than later that she would like to leave.

20 Q A few months, not a few years?

21 A Correct. Definitely.

22 MR. WISE: Thank you.

23 THE WITNESS: You're welcome.

24 MR. WISE: Answer any questions the State
25 my have.

Testimony of Martine Helou
CROSS-EXAMINATION

631

1

2 BY MR. BRACKETT:

3 Q Good afternoon. How are you?

4 A I'm doing well.

5 Q I'm Kevin. How are you doing?

6 A Excellent.

7 Q All right. So tell me a little bit about your
8 background.

9 A Okay. So where would you like for me to
10 start?

11 Q Well, what did you do before you started at the
12 sheriff's office?

13 A Okay. Right before I started the sheriff's
14 office, I was a co-host of a show on 9.45 WGTK.

15 Q Okay.

16 A Political Talk Radio. It was basically
17 political talk and also community issues.

18 Q Okay. And I hate to do this, but I have to do it.

19 A Sure.

20 Q How old are you?

21 A Oh, my goodness.

22 Q I know. I'm sorry. How old are you?

23 A I'm 41.

24 Q So you're a little older than Savannah?

25 A Yes.

1 Q So in the time period that -- when did you start
2 in the working world? Like, leave school -- did you
3 go to college?

4 A Yes.

5 Q And when you left college, when did you join the
6 working world?

7 A Actually, I joined the working world when I
8 was 15 and a half years old.

9 Q Okay. And when did you do it, like, full time?

10 A Full time, oh, gosh. Full time, that's right
11 at 20.

12 Q 20, 21, somewhere in there?

13 A Uh-huh.

14 Q What did you do? How did your career go?

15 A I worked in sales at first for a finance
16 company here in Greenville. And then I was hired
17 by a company that was based here in this area, but
18 they also had a company in Japan, so I worked in
19 Japan for a while, and then was moved to New York
20 City to be the sales marketing director for a line
21 that that company was bringing to the United
22 States.

23 Q How long did all that go on?

24 A That went on for about two or three years.

25 Q Okay. Did you move on to some other sales and

1 marketing?

2 A Sales and marketing, that's correct.

3 Q In an international capacity?

4 A Yes.

5 Q And when did you come to Greenville?

6 A Well, actually, I came to Greenville at first
7 when I was a child.

8 Q Okay.

9 A I went to high school here. Went to college
10 here. Furman is where I graduated from.

11 Q All right.

12 A And then traveled around New York and I went
13 to back to my home in Lebanon.

14 Q Okay.

15 A And I was there for about nine years.

16 Q Not Lebanon, Pennsylvania?

17 A No. Lebanon, Beirut.

18 Q Lebanon, Beirut.

19 A That's correct.

20 Q Middle East Lebanon.

21 A Yes.

22 Q And so when did you move to Greenville back to
23 Greenville after your international travels?

24 A That was back in 2014.

25 Q Okay.

1 A The summer of 2014.

2 Q So that was before the defendant ran for
3 sheriff?

4 A Yes.

5 Q How did you meet him?

6 A There was an interview that all the sheriff's
7 candidates at that time were coming to interview
8 at WGTK on my show.

9 Q Okay.

10 A So I met pretty much all of the candidates
11 there.

12 Q All right. And how did you come to talk to him
13 about a job?

14 A Actually, what I said was, I'm so glad that
15 someone is running that has a different vision,
16 because I familiarized myself, of course, with the
17 interview, and I was happy to see that someone was
18 forward thinking, thinking of new projects, a new
19 way to, basically, interact with the community, or
20 have the law enforcement agency do that, and I
21 just said, you know, if you're ever in need of
22 someone who can be good at working with the
23 community, I'd be happy if I would be considered
24 for that.

25 Q Okay. How long did you -- when did you actually

1 start working for him?

2 A My hire date was 12/15, December the 15th of
3 2016.

4 Q Okay. The December the 15th of '16?

5 A So right before he -- yes.

6 Q So did you start with the County like Savannah did,
7 and then transition to the sheriff's office?

8 A That's correct.

9 Q So you were, like, in the transition period as
10 well?

11 A That's right.

12 Q And then when did you leave?

13 A When did I leave?

14 Q The sheriff's office.

15 A The sheriff's office, this past Memorial Day
16 weekend of this year.

17 Q '19?

18 A Yes.

19 Q And so you maintained that position through that
20 period of time?

21 A That's correct.

22 Q Okay. Now, the sheriff told you that transparency
23 was critical to his vision for the office?

24 A Right.

25 Q Have you heard these tapes --

1 A Yes, I have.

2 Q -- that are the subject of this? Okay. And you
3 know that he was talking about, people don't need to
4 know, we don't need to tell people that. It's a
5 hassle when people find out things.

6 A Yes. Unfortunately, that was not the
7 Will Lewis that I was familiar with.

8 Q Yeah. Certainly, not the Will Lewis that the
9 voters hoped that they were electing. Is that
10 accurate?

11 A I don't know if that's accurate. I don't
12 know what the voters had in their mind, but I know
13 what I did in that administration and I enjoyed my
14 work and did good work.

15 Q I'm not questioning that you were committed and
16 passionate about your part of it.

17 A Yes.

18 Q But that was an appointment, was it not?

19 A (Witness nods head up and down.)

20 Q One moment, please.

21 A Okay.

22 MR. BRACKETT: Nothing further. Thank
23 you very much.

24 THE WITNESS: You're most welcome.

25 MR. WISE: Just a couple questions on

1 redirect.

2 REDIRECT EXAMINATION

3 BY MR. WISE:

4 Q Did you have any law enforcement experience before
5 you took this position?

6 A No.

7 Q And why did you leave Memorial Day this past --
8 this year?

9 A I did not leave.

10 MR. BRACKETT: What is the relevance of
11 this?

12 THE COURT: I don't know. I'll overrule
13 the objection.

14 THE WITNESS: I did not leave the
15 sheriff's office. I asked to leave the sheriff's
16 office.

17 BY MR. WISE:

18 Q Was your position eliminated?

19 A Yes, my position was eliminated.

20 MR. WISE: Thank you.

21 THE COURT: Anything else?

22 MR. BRACKETT: No, sir.

23 THE COURT: You may come down. Thank you
24 very much.

25 MR. WISE: I ask the witness be

1 excused.

2 MR. BRACKETT: No objection.

3 THE COURT: You're free to go, ma'am.

4 Thank you very much.

5 MR. WISE: Miss Coker.

6 THE CLERK: Miss Coker, please place your
7 left hand on the Bible and raise your right hand. Do
8 you swear or affirm to tell the truth, the whole truth
9 and nothing but the truth, so help you God?

10 THE WITNESS: I do.

11 THE CLERK: Thank you. Please take a
12 seat and state your name for the record.

13 THE WITNESS: Terri Coker.

14 WHEREUPON:

15 TERRI COKER,
16 after having been sworn, testified as follows:

17 DIRECT EXAMINATION

18 BY MR. WISE:

19 Q Miss Coker, where are you employed?

20 A I work for the law firm Bannister, Wyatt &
21 Stalvey.

22 Q And how long have you been there?

23 A Seven years.

24 Q You were there in 2012 when Will Lewis was working
25 there?

1 A Yes, sir. I started there in May of 2012.

2 Q I believe he started to February?

3 A Uh-huh.

4 Q So he was there about as long as you were?

5 A Well, I'm still there.

6 Q You're still there. Okay.

7 A He was there the entire time -- I was there
8 while he was there, yeah.

9 Q The entire time, all right.

10 Did you have occasion to discuss with him
11 employment with the sheriff's department after he
12 obviously was going to back sheriff.

13 A He asked me if I wanted to work for him when
14 he came to the sheriff's department.

15 Q And what would that position be?

16 A As his assistant.

17 Q All right. Did he describe the duties to you?

18 A Basically that I would be with him or on call
19 24/7, and that I would be at his right at all
20 times taking notes and recording.

21 Q Did he have a way of expressing being at his right
22 at all times?

23 A He sure did.

24 Q And how was that?

25 A It was two steps to the right and two steps

1 back.

2 Q And you had to be with him, basically, every time
3 he was out on official duty?

4 A Yes, sir.

5 Q All right. Did you all get around at that point
6 in discussing the salary?

7 A No.

8 Q Did you take the position?

9 A No, sir.

10 Q Why not?

11 A I like what I do at the law firm.

12 Q All right. And does your work at the law firm
13 require any nighttime work?

14 A No, sir.

15 Q Would this job have required you to be out at
16 night?

17 A Yes, sir.

18 Q Did you want to make that sacrifice?

19 A No, sir.

20 Q Did you also have a conversation with
21 Savanah Nabors after she was offered the job?

22 A Yes, sir.

23 Q And do you recall some conversation you all had
24 that was rather humorous about --

25 A Yes, sir.

1 Q What was that?

2 A Well, we kind of compared notes a little bit
3 as to the job description and what would be
4 required of us as his assistant. And there were
5 some things that he said to me that he said
6 exactly the same to her, and so -- and one was
7 being the two steps to the right and two steps
8 back.

9 Q All right. When you -- Savannah Nabors worked
10 there while you were there, too, right?

11 A Yes, sir.

12 Q What was her final job there?

13 A She was a paralegal to Alex Stalvey.

14 Q And what does a paralegal encompass?

15 A Well, it means that you work under the
16 direction of an attorney. You may, you know,
17 draft legal pleadings, contact with clients, and
18 court.

19 Q Keep the attorney on the schedule?

20 A Well, yes.

21 Q And be familiar with all the files?

22 A Yes, sir.

23 Q What degree of responsibility does that job
24 entail?

25 A For a paralegal?

1 Q Right.

2 A It's a great deal of responsibility. There's
3 a lot to keep up with and there should be a
4 significant amount of professional training and
5 education that would, you know, give you
6 qualifications to do the job.

7 Q And it's a job in which the -- what's the trust
8 relationship between the lawyer and the paralegal?

9 A It's vital that they have trust with one
10 another, particularly for the attorney to trust
11 his paralegal.

12 Q What about concept of confidentiality?

13 A That is first and foremost. It's the most
14 important thing as a paralegal.

15 Q And how did she do at that job?

16 A You would have to ask Alex.

17 Q Okay, we will. She didn't work directly under
18 you?

19 A No.

20 Q She worked directly for Alex.

21 A Uh-huh.

22 Q Did you have a chance to see her in an Olive
23 Garden on or about July 6th of 2017?

24 A It was actually July the 8th, 2017.

25 Q Okay. And tell us about that conversation?

1 A When I went in the door, her husband was
2 there, and I didn't see her. I saw him first.

3 Q You knew him?

4 A Yes. And he called my name, and I went to
5 him and we chatted for a second and he told me
6 that Savanah was there and that she just -- she
7 would be back.

8 And when she came through the restaurant,
9 I was waiting to see her. I was excited to see
10 her.

11 Q Had you seen her in a while?

12 A I had not seen her since about -- it would
13 have been about a year or so. It had been a long
14 time.

15 Q Okay, go ahead.

16 A And when she approached, she was happy to see
17 me. I was happy to see her. We hugged. She told
18 me that she was going to have some really big news
19 that was coming out. And I asked her if she was
20 pregnant because I thought that would be the news,
21 and she said no, and it would explain why she had
22 disappeared. And it was just a general, you know,
23 good-to-see-you thing, and we went our separate
24 ways.

25 Q Do you have any idea what that was at the time?

1 A None at all.

2 Q Did you later find out?

3 A Oh, yeah.

4 Q Okay.

5 MR. WISE: Thank you. Answer any
6 questions that the State may have.

7 THE COURT: Cross-examination.

8 CROSS-EXAMINATION

9 BY MR. BRACKETT:

10 Q Miss Coker?

11 A Yes, sir.

12 Q And you work at Bannister, Wyatt & Stalvey?

13 A Uh-huh.

14 Q And you are a paralegal too?

15 A Yes, sir.

16 Q And which attorney are you a paralegal for?

17 A To Bill Bannister.

18 Q The senior Bannister?

19 A Senior.

20 Q Kind of the senior guy in the firm, the daddy?

21 A Yes, sir.

22 Q You like your job?

23 A I love my job.

24 Q And you like Mr. Bannister?

25 A I love Mr. Bannister.

1 Q You respect Mr. Bannister?

2 A I do, yes.

3 Q He takes care of you?

4 A He does.

5 Q Treats you with respect?

6 A He certainly does.

7 Q That's very important in a working relationship?

8 A Yes, sir.

9 Q Does he try to control you, where you go, when you
10 go there?

11 A No, sir.

12 Q Get in your personal life?

13 A No, sir.

14 Q But he takes a healthy interest. If you needed
15 something, you could call him.

16 A Yes, sir.

17 Q Because he's that kind of man?

18 A Yes.

19 Q Now, that's a full-time job, isn't it?

20 A Yes, sir, it is.

21 Q But is -- your offer that Mr. Lewis made to you,
22 how much did he say he was going to pay you?

23 A He just told me that I would make more than I
24 made then, the income I made then. I didn't ask
25 for a dollar figure.

1 Q He told you you would make more than the
2 Bannisters were paying you?

3 A Yes, sir.

4 Q Okay. But you make more than just what the
5 Bannisters pay you?

6 A Yes, sir.

7 Q Because you have another job as well?

8 A Yes, sir.

9 Q Okay. Now, what is that other job?

10 A It's freelance paralegal work for a company
11 called Paramax.

12 Q What kind of work is that?

13 A They do title searches and deed
14 preparation.

15 Q Okay. And how much of your income comes from this
16 other job?

17 A About a third.

18 Q Significant amount of your income?

19 A Yes, sir.

20 Q So if you made \$75,000 total in a year, about 25
21 would come from that?

22 A Yes, sir.

23 Q I'm making these numbers up to give some
24 perspective.

25 A Yes, sir.

- 1 Q Savanah did a good job there, didn't she?
- 2 A As far as I know, she did.
- 3 Q And everybody liked her?
- 4 A Yes.
- 5 Q She is friendly and bubbly and personable?
- 6 A Yes.
- 7 Q And she was the youngest of the paralegals, isn't
- 8 that right?
- 9 A Yes, sir.
- 10 Q So all you all, kind of, looked out for her a
- 11 little bit?
- 12 A Yes, sir.
- 13 Q As a matter of fact, when she told everybody that
- 14 she was going to get married to some soldier who was
- 15 stationed in Italy, everybody kind of went, hold on,
- 16 how well do you know this guy? You're going to go
- 17 over to Italy to meet this guy? Everybody, kind of,
- 18 rounded -- you know, got around her a little bit and
- 19 mother-henned her a little bit, is this a smart
- 20 decision because she was young.
- 21 A Yes.
- 22 Q And naïve, like most young people are and their
- 23 decision-making isn't always the best.
- 24 A Right.
- 25 Q Okay. So you all looked out for her and cared

1 about her.

2 A Yes.

3 Q And she generally cared about you all?

4 A Yes.

5 Q When she left to go to work for DSS, she was
6 excited about that, right?

7 A She was.

8 Q Because even though she loved you all, her heart
9 is really in helping children, isn't it?

10 A That's exactly right.

11 Q And she's got a passion for that?

12 A Right.

13 Q So to her that was exciting?

14 A Uh-huh.

15 Q Did you talk to her at all around the time that
16 she went to work with the defendant?

17 A Yes, sir.

18 Q And around that time, did you know she was going
19 to go to work for him as an assistant?

20 A Yes, sir. Not while she was at DSS.

21 Q Not while she was at DSS, but afterwards.

22 A Uh-huh.

23 Q So you all were aware of that. And how deep into
24 conversation did you get with Mr. Lewis about actually
25 taking the job? Was it more on his part and less on

1 yours?

2 A Well, yeah, because I didn't know what would
3 be the job description. I've not had any
4 experience in law enforcement, so it was his
5 description. It was basically one-sided.

6 Q Okay. But he had worked at Bannister?

7 A Yes, sir.

8 Q And he knew you?

9 A Yes, sir.

10 Q And he knew Mr. Bannister?

11 A Yes, sir.

12 Q And he knew that you all were close and that this
13 was a tight-knit little family there at Bannister,
14 Wyatt?

15 A I would think so, yes.

16 Q So he kind of knew there was very little
17 likelihood you were going to leave?

18 A I don't know what he knew.

19 Q Fair enough. Fair enough.

20 Did you talk to him about the extra money
21 that you were making?

22 A I don't know that -- it was brought up,
23 yeah.

24 Q So he knew that you had this extra money, but,
25 obviously, you have to do that work, sort of, after

1 worse hours on your own time?

2 A Yes, sir.

3 Q The Bannisters aren't going to pay you to go do
4 paralegal work for this other outfit?

5 A Correct.

6 Q So you had to make that up on your time?

7 A Yes, sir.

8 Q Would that have fit in with his description of the
9 job? Would you have been able to do all that extra
10 outside work and be on call for him whenever he needed
11 you?

12 A No.

13 Q So you wouldn't have been able to do that?

14 A No.

15 Q And he knew this as well, didn't he? You told
16 him.

17 A Well, yeah.

18 Q He knew that you needed that money?

19 A I would assume he knew I needed the money. I
20 don't work for free.

21 Q I understand that. None of us do.

22 But he knew that because he also was aware
23 because he has a connection with Paramax, doesn't, he,
24 this other company?

25 A Yes, sir.

1 Q Who owns that company?

2 A As far as I know, the person that I contact
3 to do the work is Brenda Lewis.

4 Q Who is that?

5 A That's Will's mother.

6 Q The defendant's mother?

7 A Yes.

8 Q Are you still working there?

9 A Yes, sir.

10 MR. BRACKETT: Thank you very much. I
11 appreciate it, Miss Coker.

12 MR. WISE: Just a couple questions.

13 REDIRECT EXAMINATION

14 MR. WISE:

15 Q So did Mr. Lewis know you had another job besides
16 at the Bannister law firm?

17 A Yes, sir.

18 Q All right. When he was talking about increasing
19 your salary, was he -- do you know what he had in mind
20 about both of them?

21 A I do not.

22 Q Did you all get that far in your discussion?

23 A No, sir.

24 Q Was he there when Savannah got married?

25 A Yes.

1 Q And he was part of this group that, kind of,
2 gathered around her and talked about it?

3 A I would imagine that he was in the room when
4 it was being discussed.

5 Q And while he was there, did ever notice anything
6 inappropriate about their relationship?

7 A No, sir.

8 Q Did they get along?

9 A Yes, sir.

10 Q Thank you.

11 A Yes, sir.

12 MR. BRACKETT: One more question.

13 THE COURT: Yes, sir.

14 CROSS-EXAMINATION

15 BY MR. BRACKETT:

16 Q Because he raised the issue, how much do you make?
17 I hate to do that, but what is your salary at
18 Bannister?

19 A At Bannister, it's around \$50,000 a year.

20 Q Thank you.

21 A You're welcome.

22 THE COURT: You're free to go, ma'am.
23 Thank you very much.

24 MR. WISE: Alex Stalvey.

25 THE CLERK: Mr. Stalvey, if you would

Testimony of Terri Coker

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1 come to the Bible, please. Place your left hand
2 on the Bible and raise your right hand. Do you
3 swear or affirm to tell the truth, the whole
4 truth, and nothing but the truth so help you God?

5 THE WITNESS: I do.

6 THE CLERK: Thank you. Please take a
7 seat and state your name for the record.

8 THE WITNESS: Alexander Rollinson
9 Stalvey.

10 WHEREUPON:

11 ALEXANDER STALVEY,
12 after having been sworn, testified as follows:

13 DIRECT EXAMINATION

14 BY MR. WISE:

15 Q Mr. Stalvey, where are you employed?

16 A Bannister, Wyatt & Stalvey.

17 Q How long have you been employed there?

18 A About 10 years.

19 Q All right. Did you have a paralegal at one time
20 named Savanah Nabors?

21 A Yes, sir.

22 Q How long was she a paralegal for you?

23 A Roughly, three years.

24 Q All right. Tell us what that job entails?

25 A Drafting letters, correspondence, working on

1 my schedule, communicating with clients, just

2 general administrative work and paralegal work

3 Q All right. Keeping up, making sure you're in the
4 right court at the right time?

5 A Yes, sir.

6 Q All right. How responsible is that job?

7 A Very responsible.

8 Q All right. How important is confidentiality in
9 that job?

10 A Very important.

11 Q How important is, basically, I guess, work
12 ethic?

13 A Very important.

14 Q How was she?

15 A She did a good job.

16 Q All right. For the three years she was there?

17 A Yes, sir.

18 Q And left to take a job with the Department of
19 Social Services?

20 A Yes, sir.

21 Q And I believe Will Lewis was also working there at
22 that time?

23 A Yes, sir.

24 Q And you got to know him?

25 A Yes, sir.

1 Q And did you know about the position that she was
2 offered by Mr. Lewis?

3 A I didn't really know any of details of it.

4 Q Okay. In the time that they were there, how did
5 Mr. Lewis and Miss Nabors interact with each other?

6 A Professionally.

7 Q Anything inappropriate that you observed?

8 A No, sir.

9 Q Thank you very much.

10 A Yes, sir.

11 CROSS-EXAMINATION

12 BY MR. BRACKETT:

13 Q Afternoon, Mr. Stalvey.

14 A Good afternoon.

15 Q How are you?

16 A I'm doing well.

17 Q You're an attorney.

18 A Yes, sir.

19 Q And attorneys don't like to be in the witness
20 chair. You'd rather be on this side of the rail,
21 wouldn't you?

22 A I'm fine with whatever you all need.

23 Q Okay, I understand. You're not used to be over
24 there. This is where you're used to practicing?

25 A That's correct.

1 Q Okay. You work at Bannister, Wyatt & Stalvey for
2 10 years, is that what you said?
3 A Yes, sir.
4 Q And Savannah did a great job for you?
5 A Yes, sir.
6 Q She did. And she was always responsive?
7 A Yes.
8 Q Professional?
9 A Yes, sir.
10 Q Ever do anything untoward?
11 A No, sir.
12 Q Do you think she was an honest and ethical
13 person?
14 A Yes, sir.
15 Q Do you trust her?
16 A Yes, sir.
17 Q Would you hire her back?
18 A When she left, I would have hired her back.
19 Q Okay. This creates some problems?
20 A I don't know enough about this to answer that
21 question.
22 Q You don't know enough about this?
23 A No, sir.
24 Q All right. But she never gave you any question to
25 question or doubt her work, her honesty, her integrity

1 or her ethics?

2 A Correct.

3 Q She kept the confidences because that's important
4 to a lawyer.

5 A Yes, sir.

6 Q It's an essential part of our oath?

7 A Yes, sir.

8 Q So somebody tells you something under that
9 privilege, it's got to be kept confidential?

10 A Correct.

11 Q And you trusted her to do that?

12 A Correct.

13 Q And she never let you down?

14 A No, sir.

15 Q All right. I think I have just a few more
16 questions your wife wanted me to ask you while you
17 were under oath.

18 Thank you very much, Mr. Stalvey?

19 A Yes, sir.

20 THE COURT: Witness be excused?

21 MR. WISE: Yes, sir.

22 MR. BRACKETT: Without objection.

23 THE COURT: You are free to go. Thank
24 you very much.

25 THE WITNESS: Thank you.

Testimony of Alexander Stalvey

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1 MR. WISE: Your Honor, the next witness will
2 be lengthy if you want to take a break for the
3 afternoon.

4 THE COURT: All right. Let's take about
5 a 15-minute break. The next witness I believe
6 might be the defendant, so that's going to be
7 somewhat lengthy and just relax for a few minutes
8 and take of whatever business you have to take
9 care of. Don't discuss the case among yourselves
10 while you're in the jury room.

11 (Jury exits the courtroom at 2:45 p.m.)

12 THE COURT: Stand at ease until 3:00.

13 (A break was taken from 2:45 p.m. to 3:04 p.m.)

14 THE BAILIFF: Remain seated. Court is
15 now in session.

16 THE COURT: State ready to proceed?

17 MR. BRACKETT: State is a ready, Your
18 Honor.

19 THE COURT: Defense ready.

20 MR. WISE: Defense is ready, Your
21 Honor.

22 THE COURT: All right. Bring the jury,
23 please.

24 (Jury enters the courtroom at 3:04 p.m.)

25 All right. Mr. Wise, you may continue.

Testimony of Alexander Stalvey
MR. WISE: The defense calls

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Will Lewis.

THE CLERK: Mr. Lewis, please come to the Bible. Please place your left hand on the Bible and raise your right hand. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, ma'am.

THE CLERK: Please take a seat.

THE WITNESS: Yes.

THE CLERK: And state your name for the record.

THE WITNESS: Yes, ma'am. William Lewis.

WHEREUPON:

WILLIAM LEWIS,
after having been sworn, testified as follows:

DIRECT EXAMINATION

BY MR. WISE:

Q Mr. Lewis, when did this controversy first arise, so to speak?

A With a blog post we found in October.

Q Okay. October or August?

A August. Sorry.

Q What did you do immediately upon that blog post coming out in your capacity as sheriff of

1 County?

2 A I directed my chief deputy and legal counsel
3 at the sheriff's office to contact the South
4 Carolina Law Enforcement Division because there
5 were allegations in there that, obviously, were
6 allegations of a criminal nature.

7 Q Okay. And did SLED talk to people in your
8 office?

9 A They did.

10 Q Did they ever ask to talk to you?

11 A They never asked to talk to me. SLED never
12 spoke to me. The solicitor's office never spoke
13 with me regarding this case.

14 Q Tell us, if you would, a little bit about your
15 background?

16 A Graduated high school in 1994. I tried
17 college for about a semester, which was not my
18 thing. Went into the United States Air Force.
19 Left the United States Air Force in the latter
20 part of 1998, I believe, and then transitioned to
21 law enforcement. I left the Air Force a little
22 bit early to go into law enforcement. Started my
23 career in Greenwood City where my wife was
24 attending college at the time. And went from
25 there to the Greenville City Police Department

1 because she graduated and we wanted to move back
2 to Greenville.

3 Came back to Greenville and went to the
4 Greenville City Police Department. And then left
5 Greenville City and was kind of transient there for a
6 little bit between Greenville city and Pickens County.
7 I had a good friend in Pickens County and went to work
8 with him. Left Pickens County and came back to the
9 Greenville County Sheriff's Office.

10 In, I believe, 2009, I resigned from the
11 Greenville County Sheriff's Office. Started back to
12 school full time for a short period of time and took a
13 job with the Bannister, Wyatt & Stalvey law firm.

14 And then shortly thereafter, I was -- it
15 came about that there was an opportunity for me to
16 run for sheriff, so I took that opportunity.

17 Q When did you start at the Bannister law firm?

18 A February, I believe, of 2012. I believe the
19 latter part of 2012.

20 Q And you worked there until when?

21 A 2015. I believe the beginning of 2015.

22 Q And while you were working there, did
23 Savannah Nabors work there?

24 A She did.

25 Q And what was her job there?

1 A She was paralegal for Alex Stalvey.

2 Q And did you have a chance to observe her working
3 ability with Alex Stalvey?

4 A I did.

5 Q What was your opinion of it?

6 A She was very -- she was very astute for
7 someone her age. She did a really good job
8 keeping Alex on track. Alex, he's a great guy,
9 but he's pretty scattered. He's a little
10 difficult to keep up with. He was -- it was
11 difficult to Alex on schedule. So with Savannah
12 being able to keep him on schedule, she had a
13 demeanor about her -- an almost demanding type of
14 demeanor, authoritative demeanor that kept Alex in
15 line.

16 She did all of his legal papers for him. She
17 did his scheduling for him. She did his client
18 contacts. All of those things together. Keeping up
19 with that all while going to school at the same time.

20 Q When did you make a decision to run for the office
21 of sheriff?

22 A Probably, it was a conversation in progress,
23 so I would say around mid 2015.

24 Q And was there any particular reason you decided to
25 run for sheriff?

1 A After working at the sheriff's office in such
2 an extensive period of time, there was some major,
3 major deficiencies in leadership. The leadership
4 of Greenville County, at the time, lacked a human
5 element, one that would allow the deputies an
6 opportunity to speak with administration or
7 command staff. There was necessarily a level of
8 fear, but amongst the deputies, if you crossed
9 someone or you did something wrong, it was just
10 easier to cut your head off and send you back than
11 try to address the situation or something along
12 those lines. Those deputies didn't need to work
13 in fear of that kind of stuff, so I was -- I
14 thought that I could probably do a better job.

15 Q Did you have some ideas or concepts about how to
16 revise positions at the sheriff's department?

17 A Yes.

18 Q And what were they?

19 A It's a pretty extensive list.

20 Q Don't get too extensive, but we'll hear a few?

21 A We developed multiple programs. One of the
22 programs was the Office of the Sheriff. It was a
23 brand-new program, a brand-new concept. Where law
24 enforcement -- and it gave a division of the
25 sheriff's office an opportunity to reach back out

1 to the community. They were in depth. They were
2 in the communities. They were comprised of
3 civilians and also certified law enforcement
4 officers. They didn't wear uniforms. They would
5 go out -- they didn't police or patrol --

6 Q Let me interrupt you one second.

7 A Yes, sir.

8 Q When you say Office of the Sheriff --

9 A Yes.

10 Q -- everybody assumes there's always an Office of
11 the Sheriff?

12 A That was always --

13 Q Exactly what is Office of the Sheriff?

14 A That's confusing. The Office of the Sheriff
15 is an actual separate division of the sheriff's
16 office that is an community outreach program. It
17 is not the office of the sheriff, like, my office.
18 It is an actual group of people that worked
19 together to basically make the sheriff's office
20 more transparent to the community. Determined
21 what programs need to be done, and specific
22 communities, maybe underserved communities, or
23 something along those lines, higher crime
24 communities, things like that, and develop
25 programs for those.

1 You heard some of the programs earlier that
2 Martine was able to develop. The 23 Heart program,
3 the Adopt-A-Cop program fell under that where the
4 community was allowed to basically adopt a law
5 enforcement officer. And schools were adopting law
6 enforcement officers. Kids were adopting law
7 enforcement officers. They would send them just
8 gifts. You know, bags of candy, or thank you notes,
9 or something along those lines.

10 It resonated extremely well. We're going
11 back around where deputies had multiple adopted
12 families. They would show up to those families. Show
13 up to those classrooms, talk to the people. Thanks
14 for adopting me. You know, it was not an uncommon to
15 see them having dinner with somebody that adopted them
16 or something along those lines. Yes, sir.

17 Q So when did you first start planning your staff
18 for this job?

19 A Well, I spoke with -- during the course of
20 the election itself, I was trying to identify
21 people who were predominantly good figures, good
22 speakers, people that I thought would work well
23 within the sheriff's office.

24 There were -- I guess, probably starting
25 around the time that I started to run for office, I

1
2 Q And what kind of people were you looking for and
3 for what position?

4 A Well, I knew that I was going to need a
5 community director for the Office of the Sheriff
6 Program. That's was one. Martine ultimately took
7 that.

8 Q Did that position exist before?

9 A No, sir.

10 Q In the whole --

11 A No, sir. That position existed after. I
12 created many, many positions within the sheriff's
13 office.

14 Q Okay. And what about -- what else do you
15 recall?

16 A I was looking for people who were educated,
17 go-getters, who were driven. I was looking for
18 people who did not lack in ideas. People who were
19 outside-of-the-box thinkers. I was really looking
20 -- because law enforcement had this bad, stale
21 atmosphere at the time where everybody thought law
22 enforcement was occupying military force, and we
23 were trying to really, kind of, get away from
24 that. More of a group of people that were there
25 to help.

1 Q And what did you look for in an administrative
2 assistant?

3 A Well, prior to me --

4 Q That was a bad question. Why did you think one
5 was needed?

6 A Well, okay. Prior to my winning the
7 election, my predecessor, Mr. Loftis, he -- there
8 were multiple complaints within the sheriff's
9 office and the command staff that he would not
10 meet with people throughout the agency. He let
11 his other people make all of these decisions that
12 he never heard. He would not respond to emails,
13 phone calls. We pulled his actual identification
14 card during the course of the election. I think
15 he showed up for work 77 days the year before the
16 election, so he never went to work. He never kept
17 up with anything.

18 Jackie Cooper was his administrative
19 coordinator at the time. And it was evidently clear
20 that Jackie could not do the job or that
21 Sheriff Loftis did not listen to her. I don't know
22 which one it was.

23 So I knew that going into that position, as
24 high energy as I was, that it was going to be
25 difficult for me to get myself out of one office to

1 the next office to meet with people, to talk with
2 people, to engage with people in the community. So I
3 needed somebody to keep me on track for that. I knew
4 that the sheriff received a ton of emails a day. I
5 would say -- I would say it would not be an
6 understatement to say a hundred emails a day from
7 people. You know, from whether somebody trying to
8 sell, events that you were invited to. Somebody had
9 to keep that for you. Somebody had to open those
10 emails and check those because I was a very -- I was
11 very out-there sheriff. It was not uncommon for me
12 just to get up and leave the office at ten o'clock in
13 the morning and run down the road to start answering
14 calls.

15 Q So, what people did you start looking for or
16 looking to for administrative assistant?

17 A I was looking for someone who had
18 flexibility. Someone who was very capable of
19 being on call. It was not going to affect their
20 personal life. It was not going to affect their
21 family life. Somebody who was smart enough to
22 hold the position. Someone who was also very put
23 together in the sense that they could, you know,
24 again, scheduling, calendar. It was really,
25 really necessary because this person was going to

1 be taking notes for closed-door meetings sometimes
2 that were of a pretty personal nature involving
3 employees, maybe they had some issues or problems,
4 medical issues, or just different things and they
5 were private nature, HIPAA, that kind of stuff.

6 So I needed somebody who was there to document
7 those incidents, those things that went on. So
8 somebody that could take dictation was necessary.

9 Q Could you tell us who you first started looking
10 at, some various people?

11 A During the election, I identified one man.
12 His name was Patrick Estephano. Patrick was a guy
13 who was a real go getter. He was young. He was a
14 college graduate. He was very capable of doing
15 the job as a -- I don't mind telling you, as a
16 football fan, the fact that he had been on a
17 couple of ACC championship teams didn't hurt my
18 feelings either. He was a real go getter.
19 Patrick ultimately, before the election came
20 through, hooked up with another campaign and ended
21 up moving to Washington D.C.

22 So another guy I was looking at, he was here
23 local. He was a local graduate and had done a few
24 things here locally, jumped on a couple of campaigns
25 and really helped out. I look at him. He ultimately

1 took a position that was elected and was working as
2 his chief of staff, or communications director, maybe.

3 After that, I moved to the paralegal-type of
4 position because it had all the qualifications that I
5 needed. Terri Coker was my first pick.

6 Q And you had seen -- obviously, you had seen Terri
7 at work?

8 A I had seen Terri at work, yes.

9 Q And knew her she worked?

10 A Yes, absolutely.

11 Q Did you have a discussion with her?

12 A I did.

13 Q The problem there was?

14 A Terri didn't want to give up her evening
15 hours. That's not something she wanted to do.
16 She had a great job. A fairly great job. And
17 Terri didn't want to give up the time that she was
18 able to spend with her grandchildren.

19 Q Did you explain to her that there would be evening
20 work?

21 A She was exactly right when she said my
22 response was two steps behind and two steps to the
23 left. Actually, that is exactly how I put it.

24 Q Okay. And then you talked to Savannah?

25 A I did. I talked to Savannah about it. I ran

1 into her in the back parking lot of the Bannister,
2 Wyatt & Stalvey law firm. I would go by and check
3 on those guys on occasion, and I ran into her in
4 the back lot and we discussed it.

5 Q Did she ultimately accept it?

6 A She ultimately accepted.

7 Q And started to work when?

8 A She started to work during the transition. I
9 would say started showing up to meetings sometime
10 around November for the transition meetings around
11 20 -- what is that, '16.

12 Q Now, did you know anything about the budgeting
13 process for the sheriff's department?

14 A Very limited.

15 Q Where did you go for guidance on that?

16 A County administrator.

17 Q And who was that?

18 A Joe Kernell.

19 Q And did you see Mr. Kernell after you got elected?

20 A I did.

21 Q All right. And what did you discuss with him
22 about funding these positions?

23 A I told him there were multiple positions that
24 I wanted to created, that I wanted to start.

25 Q Let me back up. Did he explain to you about the

1 budget process with the County and the sheriff's
2 office?

3 A A limit amount. I had some limit discussion
4 with him about the budget, at the time. We had,
5 you know, kind of, just perused it a little bit.

6 Q So, how was salaries determined?

7 A The salaries at Greenville County Sheriff's
8 Office were several pay scales that the sheriff's
9 office does no have. That pay scale was
10 established by the County of Greenville.

11 Q That was for the regular offices.

12 A That's for everything.

13 Q How about the new positions that you were trying
14 to create?

15 A So if we were creating a position, it would
16 have to fit within the parameters of a pay scale
17 for the county government.

18 Q And how would they determine what the pay scale
19 was or what -- and so forth?

20 A By title. By job title. So whatever the job
21 title was was indicative of a specific pay
22 scale.

23 Q And did you -- how many new positions do you think
24 you created?

25 A Mr. Wise, I do not remember. I created a

1 good number of positions to the point where I was
2 told that you can create no more positions. You
3 can't do anymore.

4 Q And the pay scale was discussed with whom? The
5 range was discussed with who?

6 A Joe Kernell.

7 Q What you did you find out about the pay range for
8 various positions?

9 A I don't remember all the pay ranges, what
10 they were. I remember that there were certain pay
11 ranges that covered -- you know, like an
12 administrative assistant would cover between here
13 and here, and the administrative coordinator would
14 cover between here and here, and then I'm sure
15 there were position above that. I just don't
16 remember.

17 Q And what did Savannah Nabors's position fall
18 into?

19 A Administrative coordinator.

20 Q And what was that pay range?

21 A If I recall correctly, it was between 58- and
22 72,000.

23 Q What about Martine?

24 A The same.

25 Q And she was a -- what title did she have, or what

1 position did she hold?

2 A Martine was a -- she'll have to get back out
3 here again. It was communications director, or
4 something along those lines for community
5 outreach.

6 Q Who gave you those pay ranges?

7 A Joe Kernell.

8 Q Now, the budget money for, I assume, the sheriff's
9 ace office had been allocated for the year 2017 when
10 you took office?

11 A Yes, sir. I believe it ran until July of
12 that year.

13 Q So how would a new position be able to be created
14 with a budget that's already been set?

15 A Joe Kernell would have to basically
16 reallocate a position or assign a position to us
17 at the sheriff's office so that we could fund it,
18 so we could have it because the salaries are
19 already set for the remaining portion of the
20 sheriff's office from the previously budget.

21 Q Now, there was also talk about you and Savannah
22 being hired, actually, before you were sworn in?

23 A That's correct.

24 Q And you were, technically, then working for
25 whom?

1 A I was working for County of Greenville as an
2 administrative coordinator.

3 Q And Savannah was working --

4 A For the County of Greenville as an
5 administrative coordinator.

6 Q Okay. For those, roughly, a month, month and a
7 half?

8 A Yes, sir.

9 Q Now, how did the idea of, I guess, getting a car
10 and so forth come about?

11 A Any position that is an on-call position at
12 the sheriff's office has a vehicle. If your
13 subject to call out after hours of normal duty
14 hours as a civilian employee, you will have a
15 vehicle assigned to you.

16 Q Okay. And was Martine an on-call position.

17 A Martine was an on-call position and Martine
18 had a car.

19 Q So how do you go about getting automobiles for, at
20 least those two, if not others, with a budget that's
21 already set?

22 A So, they went to --

23 Q You say "they..."

24 A They being -- okay. So, I'm not exactly sure
25 who went and ordered the cars, but someone from

1 the command staff ordered the vehicles for the
2 on-call employees.

3 Q You didn't put in a request for a specific type
4 car?

5 A No, sir.

6 Q All right. So, things come around and you get
7 sworn in?

8 A Yes, sir.

9 Q And you create new positions?

10 A Yes, sir.

11 Q And how are things going early on?

12 A Things were going well. There were going,
13 you know, during a transition, as smooth as they
14 could. Prior to me, 40 consecutive years of
15 incumbency. That regime had been there for
16 40 years. I was the first person in my lifetime
17 for knock that off for the sheriff's office.
18 There were a lot of changes to be made because
19 everything had become stagnant and stayed that way
20 for so long. There were just a lot of changes to
21 be made.

22 Q Now, it's been mentioned that you told Ty Miller
23 that basically I'm keeping you because you will keep
24 me in my place, or words to that effect?

25 A Ty was unique. Ty was -- Ty and I did not

1 get along. We never really personally gotten
2 along. And we're polar opposites in almost every
3 single way. Ty was a person who strongly opposed
4 me getting elected. She did not like me
5 personally. She did not like me professionally.

6 But I thought it would be a really good idea
7 to, not only keep Ty, but put Ty in a position
8 that would be a leadership position because she would
9 be in such a place that she could offer a counter
10 balance to my strong personality when it came to law
11 enforcement.

12 Q Was she a "yes" person?

13 A Absolutely not.

14 Q All right. So, you're working, and then the idea
15 of the budget comes up. What was the concerns with
16 the budget?

17 A Over the course of -- I don't even know now
18 how long. The Greenville County Sheriff's
19 Office's budget was take last year's budget and
20 add two percent or 2.17 percent, or whatever the
21 inflation rate is currently. That was not getting
22 anything done. You could not get anything done
23 with that. The deputies were still underpaid.
24 The command staff -- there were people on command
25 staff levels that had been there forever who were

1 completely underpaid. There were vehicles that
2 had upwards of 250- to 300,000 miles on them. The
3 equipment was outdated. There were all kinds of
4 major, major issues with the equipment. Not just
5 for the deputies themselves, but also the radio
6 systems that affected the entire county. Just all
7 kinds of things. That two percent just wasn't
8 cutting it.

9 Q So did you have plans about requesting more
10 money?

11 A I did.

12 Q First of all, I think it's been testified to
13 about, as sheriff, you don't raise money?

14 A No, sir.

15 Q Directly as such.

16 A No, sir.

17 Q So your funding has to come from where?

18 A The funding has to come from the County of
19 Greenville.

20 Q And your salary is determined by whom?

21 A The County of Greenville.

22 Q You don't have any control over what they decide
23 to pay you?

24 A No, sir.

25 Q Or your deputies?

1 A No, sir.

2 Q All right. So, you see these problems. How
3 much -- did you even have an idea as to how much more
4 money you would need?

5 A With the administrative captain and a few
6 other people, we put together some numbers, and
7 what we were trying to do is start by bringing
8 everyone up to level. At least bring them pretty
9 close to where they, at least, should be making
10 what the average was throughout the country. We
11 were able to put some of those together to bring
12 those -- to bring all that up. We started with
13 the command staff. There were captains that were
14 making \$50,000 a year when they started becoming a
15 captain. We increased their salaries to \$85,000 a
16 year, per. Since, they've been raised to, like,
17 90, or somewhere around in there. We were able to
18 bring the lieutenant's pay up. I don't remember
19 how much it was, but we were able to bring them up
20 to a pretty solid salary. At least try to
21 somewhat come close to what the rest of the
22 country was doing. Greenville County was so far
23 below everybody else, we just were trying to make
24 it comparable.

25 Q How did the idea of a budget meeting out of town

1 come about?

2 A Joe Kernell and I talked multiple times. We
3 tried to get together or we tried to sit down, we
4 tried to find times on our schedule. It just
5 wasn't working. I mean, there were three people
6 from the county that needed to be involved. It
7 was Joe, John Hansley, and Shannon Herman. I
8 needed Marcus there with me. I needed Savannah
9 because Savannah collected all of the information
10 from all of my division commanders. I asked her
11 to go out and tell them that we needed what's
12 called a wants and needs list. What is it that
13 you absolutely have to have to function, and what
14 is it that you want so that we can prepare for
15 future goals.

16 Q What about Jackie Cooper who had been the
17 budgeting for the sheriff's department?

18 A To my knowledge, Jackie had never done any
19 budgeting for the sheriff's office. I had never
20 known Jackie Cooper to do any budgeting for the
21 sheriff's office.

22 Q Do you know of anybody who did do real budgeting
23 for the sheriff's office?

24 A You're qualifying that by saying "real
25 budgeting." Yeah, nobody ever did any real

1 budgeting for the sheriff's office. There was
2 never any real budgeting. There was just a two
3 percent they added every single year.

4 Q All right. I can't remember the lady who
5 testified earlier about doing the raises at two
6 percent.

7 A Linda Cobb.

8 Q Linda Cobb. That's who I was talking about. What
9 about her?

10 A Linda is doing -- does really good for what
11 she does, which is to process paperwork. Linda
12 has no knowledge of what the deputies in the
13 sheriff's office do every single day. That is
14 just not -- that's just not something that she has
15 a whole lot of knowledge of.

16 Q So you propose this idea of going to Charlotte.

17 A It was proposed. I recall it differently. I
18 remember Joe saying, hey, we need to go out of
19 town to do the budget meeting. What's that I
20 recall.

21 Q And did you volunteer to make the arrangements?

22 A We did. He asked if Savannah could make the
23 arrangements for us to get out of town. We had
24 decided on either Atlanta or Charlotte.

25 Q Now, did you know Joe Kernell before or

1 Mr. Hansley before this?

2 A No, sir.

3 Q Had you met either one of them?

4 A Briefly, I met Joe Kernell over lunch shortly
5 after I was elected, but that was probably like a
6 45-minute meeting. John Hansley, I had seen in
7 passing, and spoken, hey, hello, but that's pretty
8 much it.

9 Q So this was finally arranged over a period of how
10 long?

11 A You mean from the inception of the idea?

12 Q Right.

13 A A few weeks.

14 Q And so you all finally picked a date. Was there
15 any particular reason you picked during the week as
16 opposed to the weekend?

17 A No, sir. I don't remember how the day got
18 picked.

19 Q So you all arrange this meeting in Charlotte,
20 right?

21 A We did.

22 Q And who all was going?

23 A It was myself and Marcus Davenport, who was
24 soon to be the chief deputy, and Joe Kernell, and
25 John Hansley, and Shannon Herman.

1 Q And so it would be six of you, total?

2 A There would be six of us, yes, sir.

3 Q You agreed to drive Savannah?

4 A I did.

5 Q Any particular reason that Marcus Davenport didn't
6 ride with you?

7 A Marcus went up earlier that day. I don't
8 know why he went up earlier that day. I stayed
9 back that evening. I thought that I had gone to
10 the county counsel that night, to the best of my
11 recollection, but it was said that I was at dinner
12 that evening. I was with my wife, so I don't
13 remember.

14 Q So you went and picked Savannah up?

15 A I did.

16 Q There's been some talk about the liquor bottle.
17 Tell us about it.

18 A When I go out of town, if I'm going to drink
19 when I go out of town, sometimes I don't like to
20 pay the bar prices, or something like that. So
21 it's not uncommon for us to take a bottle of wine
22 or a bottle of liquor, or something like that, if
23 we're going out the town for a stock.

24 Q Is this a big or small bottle?

25 A The bottle, I think, was the 750 milliliters,

1 but it was in a large tin container.

2 Q Would it fit in your suitcase?

3 A No, sir.

4 Q So how did it come about -- where was -- when you
5 picked Savannah up, where was the liquor bottle?

6 A In the back of the car.

7 Q Okay. And the back meaning?

8 A The rear -- the rear trunk area space.

9 Q All right. And where was your luggage?

10 A In the rear truck area space.

11 Q Okay. So when you picked Savannah up, where did
12 her luggage go?

13 A In the rear truck area space.

14 Q Did you go ahead and use the restroom when you
15 picked her up?

16 A I did.

17 Q Did you use in her room, her bedroom or
18 something?

19 A I don't remember that. I remember going to a
20 restroom. I don't remember going through her
21 bedroom or to a master bathroom, or anything like
22 that.

23 Q So you all take off to Charlotte?

24 A Yes, sir.

25 Q You get to the hotel. Tell us about the situation

1 then?

2 A We get to the hotel in Charlotte and Marcus
3 is there. We check in and --

4 Q Let's go back before you check in, when you're
5 getting the luggage out of the car?

6 A Getting the luggage out of the car, the hotel
7 staff told us when we pulled in there was a
8 parking garage that's attached to the hotel
9 itself. Pulling into the parking garage, there
10 was a valet. The valet is the one who checked us.
11 We got our stuff out of the back of the car.

12 I knew that I wasn't going to be driving
13 anymore for the next couple of days. We were going to
14 be doing our meetings right there onsite, so I --
15 instead of leaving the bottle of liquor in the car and
16 having the valet bring it back around having to tip
17 the valet, and then have him send the car back up, I
18 took the bottle of liquor out with me. When I took
19 the bottle of liquor out of my car, I laid it on top
20 of Savannah's bag. I did not lay it --

21 Q Describe her bag.

22 A It was one of those clothe -- what my kids
23 would describe as a Vera Bradley-type bag. It was
24 a cloth bag with handles that was on top, so if
25 you set something on top, it just, kind of, closes

1 itself.

2 Q Was it shut in any way?

3 A I do not recall her bag being open.

4 Q Well, what I mean is, the bag, when you say you
5 put it on top of it, what do you mean?

6 A I literally put it on top of a zipped bag.
7 Her bag was there. I laid it on top of the bag.

8 Q Okay. Did anybody put it in the bag?

9 A I never saw anybody put it in the bag.

10 Q You could carry it --

11 A I did not put it in the bag.

12 Q You could carry it with the handles?

13 A Once you picked the handles up, the bag would
14 just enclose around it so you could pick it up and
15 carry it.

16 Q And the liquor bottle would go with it?

17 A Yes, sir.

18 Q So you go check in, correct?

19 A Yes, sir.

20 Q And what happened after that?

21 A We checked in. And we went to our rooms and
22 dropped off our luggage. Came back downstairs for
23 appetizers and drinks.

24 Q I think your room was, what, 1310, or do you
25 remember?

1 A I don't. I don't remember.

2 Q Was there anything done about arranging where the
3 rooms would be in the hotel, like all of you
4 adjoining, all of you separate, or anything like
5 that?

6 A No, sir. Not to my knowledge.

7 Q The instruction was, what, just get rooms?

8 A Yeah, just get the rooms.

9 Q Okay. So you come down that evening?

10 A Yes, sir.

11 Q And you all have some appetizers and drinks in the
12 hotel?

13 A No, sir.

14 Q Do you remember about what time John Hansley and
15 the administrative crew got there?

16 A No, sir. But it wasn't long after we were
17 there.

18 Q All right. And you all sat down there for a
19 while?

20 A We did.

21 Q When you checked in, do you recall whether or not
22 the -- you didn't reserve the room -- did you have a
23 County credit card at that time?

24 A I don't believe I did. I'm not a hundred
25 percent sure, but I don't think I did at that.

1 time.

2 Q When you checked in, did they ask for credit card
3 for incidentals?

4 A That's protocol. I don't remember giving
5 them a credit card for incidentals, but it could
6 be protocol.

7 Q You know what I'm talking about, when you normally
8 check in?

9 A Yes, sir.

10 Q Do you happen to recall one way or the other?

11 A No, sir.

12 Q Okay. So you all drink for a while and go out to
13 eat?

14 A We did. No, sir. No, sir. We drank and ate
15 at the same place. We were in the hotel bar for
16 appetizers and drinks.

17 Q Okay. You all had your appetizers.

18 A Yes, sir.

19 Q And then you all went where?

20 A We left the bar, and I believe we went to
21 maybe an Irish pub or some type of pub.

22 Q Okay. And did you drink there?

23 A We did.

24 Q All right. That was all six of you?

25 A Yes, sir.

1 Q Obviously, this was the first time -- had you been
2 out to drink with Joe Kernell before?

3 A I never hung out with Joe Kernell socially,
4 or, quite, frankly, any of the others socially.

5 Q Okay. So then what did you do after the pub?

6 A We left the pub. Did you say "at the pub?"

7 Q After the pub.

8 A After the pub, we left. I don't think we
9 went anywhere else. I think we came back to the
10 hotel.

11 Q Anybody excessively intoxicated?

12 A No, sir.

13 Q I assume theoretically anybody that had anything
14 to drink they're intoxicated, but you notice anybody
15 having trouble?

16 A No.

17 Q Do you remember an incident with Savannah when you
18 were coming out of the pub?

19 A I do.

20 Q And tell us about that?

21 A Being silly, I reached down and told Savannah
22 I could put her in a fireman's carry. I grabbed
23 Savannah to throw her over my shoulder in a
24 fireman's carry and I was apparently not as strong
25 as I thought I was, and started to lean forward.

1 Stumbled a little bit and caught myself, caught
2 her, and that was it.

3 Q Okay. So you come back to the hotel.

4 A Yes, sir.

5 Q And what did all of do you then?

6 A We all went back to our rooms.

7 Q All right.

8 A Or we got on the elevator to go back to our
9 rooms.

10 Q Do you recall today what floor anybody was on?

11 A I do not.

12 Q Okay. So the people, I assume, when they get to
13 their floor would get off?

14 A Yes, sir.

15 Q Ultimately, you and Savannah were on the elevator?

16 A We were.

17 Q All right. Was that due to simply the location of
18 the rooms?

19 A Yes, sir.

20 Q Okay. So what happens when you get up to her
21 floor?

22 A We got up to Savannah's floor. I was going
23 down to her room to retrieve my liquor bottle. I
24 was going to have a nightcap and go to bed.

25 Q What happens then?

1 A I went into Savanah's room, asked her if she
2 wanted a drink before we knocked off for the
3 evening. She said that was fine. And then I
4 poured two cups, the little tumbler glasses that
5 are in the hotel room. I poured two of those
6 little tumblers of some drink.

7 Q Do you remember what the liquor was that you
8 had?

9 A Jack Daniel's.

10 Q Jack Daniel's?

11 A Yes, sir.

12 Q All right. You all started having a
13 conversation?

14 A We did. The conversation was pretty limited.
15 But I was -- I sat down on the couch that was in
16 Savanah's room, and then I immediately turned the
17 television on because it was spring training, or
18 coming up basketball and I was watching
19 basketball.

20 Q And then what happened?

21 A Savanah sat down next to me and we started to
22 have just a general conversation. There wasn't
23 anything that was out of the ordinary about the
24 conversation. And then -- you know.

25 Q Then what?

1 A Then, I mean, that was -- I mean, within a
2 couple minutes, I had my arm stretched out on the
3 couch. Savannah -- Savannah, kind of, nudged up a
4 little closer to me. And when she nudged up a
5 little closer to me, we were talking pretty
6 closely, and we kissed.

7 Q All right. Did it surprise you?

8 A It surprised me, yes, sir.

9 Q Were you expecting it?

10 A No, sir, I was not.

11 Q Then what happened?

12 A Hmm, after Savannah and I kissed, the kiss
13 became a little more hot and heavy, passionate,
14 and then we moved around to the bed area, at which
15 point Savannah and I engaged in intercourse.

16 Q Who took whose clothes off?

17 A Savannah was undoing my shirt and took a
18 portion of my shirt off. And then she -- to the
19 best I can recall, she undid her pants and started
20 pushing them down and I pulled them off the rest
21 of the way and we engaged in intercourse.

22 Q Was there anything done without her consent?

23 A No, sir. Nothing.

24 Q Do you recall her -- she testified about the
25 conversation earlier that was had toward the end of

1 this episode, do you recall that conversation?

2 A I recall her conversation. She was on -- she
3 was positioned on top of me and made the comment
4 that she must not be doing her job. And I asked
5 her, at that point, if she wanted me to finish,
6 and she said yes.

7 Q At any time was she unconscious?

8 A No, sir.

9 Q Any doubt in your mind about it?

10 A No, sir. No doubt in my mind.

11 Q What happened after that?

12 A A million things went through my head. I
13 knew, at that point, that I had -- I had violated
14 my vows with my wife. As I said earlier, I was
15 very, very bothered by the fact that I had cheated
16 on my wife.

17 Q What happened as far as what you did and what she
18 did? And by then it was what time?

19 A I don't recall. It was early morning
20 hours.

21 Q Okay.

22 A I got up shortly there after and left, and
23 went back to my room.

24 Q Did she go to your room?

25 A No, sir.

1 Q The next morning, what happened?

2 A The next morning, we got up. We had the
3 budget meeting.

4 Q What time did you go to the budget meeting?

5 A 8:30-ish probably. We started the budget
6 meeting. We left -- while we were down there at
7 the budget meeting, the initial portion, we
8 discussed a few things. I was a little unprepared
9 because Savannah had all the materials that were
10 necessary and she was not present. She wasn't
11 there.

12 Q Now, when you say Savannah had all the materials,
13 what materials were those?

14 A Pamphlets that were gathered. They were put
15 together. Each division from the sheriff's office
16 had submitted -- each captain had submitted the
17 wants and needs lists that we talked about
18 earlier. Those wants and needs lists were
19 submitted for the purpose of asking for what we
20 needed from the budget, and that's -- she had all
21 of that material in her room.

22 Q Who had would put all that material together?

23 A Savannah put all the material together.

24 Q Okay. So the first portion of the morning was --
25 do you recall what you were discussing during the

1 first portion of the morning?

2 A It seems that we were just, kind of, talking
3 about -- that was really, kind of, my first
4 introduction into how the budget actually worked.
5 How it actually was formed, how things were put
6 together, and then how it was actually made, what
7 the county administrators did to get it passed by
8 counsel and things like that.

9 Q And later you all broke for coffee?

10 A We did. It was a short while later, but we
11 left to go up and get some coffee at Starbucks.

12 Q Did you call Savannah at that point?

13 A I did call Savannah at that point because we
14 were about done with what we could discuss without
15 the rest of the material that we needed. So I
16 called Savannah to check in, hey, what's going on?
17 You all right? I said, we're running to get some
18 coffee, and she said -- I said, do you want
19 anything? And she texted me -- I believe she told
20 me what she wanted, and when we hung up -- during
21 the course of the conversation I asked her to text
22 it to me because I don't do the whole Starbucks
23 different things.

24 Q You got a text from her describing what you were
25 to get?

1 A Yes.

2 Q I believe you got two?

3 A I recall one text message. I recall the one
4 that was the iced -- it's embedded in my brain.
5 The ice caramel macchiato with however many pumps,
6 and then the two little emoji laughing faces.

7 Q So, you go get the coffee and you're coming back.

8 A Yes.

9 Q And you find Savannah catches up with you then?

10 A She's walking up the street toward us when we
11 were walking back toward the hotel.

12 Q Did she get her coffee?

13 A I believe so.

14 Q And you walk back to the hotel?

15 A We did.

16 Q You continue your discussions?

17 A We did.

18 Q All right. And you discussing -- at this point
19 you had her material?

20 A At this point she had brought the materials
21 down and we were able to go ahead and start with
22 our requests.

23 Q And this was -- I assume this specificity of this
24 discussion compare to the earlier one was what?

25 A I'm sorry. I couldn't hear you.

1 Q The discussion you have after the coffee break
2 about the budget, how specific was it compared to what
3 you had before the break?

4 A Very. It was very specific. We went into
5 detail about the things that we needed that we
6 were requesting. I don't remember exactly what
7 the numbers are or what all the wants and needs
8 were in the budget. I had a pamphlet that was
9 submitted. I haven't seen them in almost two
10 years.

11 There were -- I know that one of the major,
12 major points that they were hitting on was salaries.
13 The other thing we were hitting on was the vehicles
14 and equipment. I knew the radio system was a major
15 issue, major component, major problem between the
16 Polek 800 that they referred to earlier and roll
17 system, or whatever the old system was, and we
18 discussed about that.

19 Q So, what were you planning to do with the vehicle
20 that hadn't been done before?

21 A So we going to ask for more money for
22 vehicles up front and put them on a rotation,
23 where, ultimately, instead of having to spend, you
24 know, 1.2, \$1.8 million every two to three years,
25 we were going to ask for a rotation of vehicles

1 that would allow us to basically replace cars that
2 came to a certain mileage before they became a
3 problem or an issue.

4 By doing that, it was going to lower some of
5 our costs because we weren't going to have such an
6 upfront hit. We were going to change vendors on the
7 vehicles currently. At the time, they were
8 spending -- the vehicles were painted blue, which you
9 guys have probably seen, the blue and yellow striped
10 cars. Those cars, because of the specialized paint
11 that was on those vehicles for a period of time,
12 cost -- I want to say there was maybe \$2000 more per
13 car because of the specialized paint. We are going to
14 ditch that paint, go with just a standard flat color,
15 do a wrap on the vehicle instead that costs less money
16 than having the striped paint up the cars. We were
17 going to move from the old equipment that was in the
18 cars to the newer equipment. And one of the things
19 that we complained about multiple times was the
20 expense at the vehicle service center. It was another
21 county entity. It was 20 percent up charge for
22 everything that we did over there, when we could have
23 it done by someone else cheaper. So we were trying to
24 save money in multiple different areas with the
25 vehicles.

1 Q Were these things you discussed with Joe Kernell
2 and John Hansley?

3 A I did. I discussed it with John, Joe, and
4 Shannon.

5 Q This was done at the meeting?

6 A That is correct.

7 Q So then did you all break for lunch?

8 A We did. We went to some little place. It
9 had a -- it was like a pub kind of thing not too
10 far to the hotel. Marcus is a pretty picker
11 eater, so we, kind of, went for, you know,
12 something that was like a burger, kind of, joint.

13 We went there. Had some lunch. The whole
14 time we were walking to the lunch, we had broken off
15 in groups where they -- you know, Marcus and Shannon
16 may be talking. And John and Joe and I, or John and I
17 Savannah and Joe. We were discussing -- at least in my
18 conversations, I was discussing the budget with
19 everyone, and exactly, you know, what we were going to
20 do, and how did we think we were going to get it done
21 kind of thing.

22 Q So the budget discussions continued during
23 lunch?

24 A Continued through lunch.

25 Q Did you go back to the hotel?

1 A We left from lunch. We went back to the
2 hotel. We got back to the hotel and resumed our
3 position in the corner of the front lobby, which
4 was a pretty big area. And we sat there and
5 talked for a good while about more of the budget.
6 It was a pretty relaxed atmosphere. We were able
7 to really, kind of, get in our groove where we
8 could freely and openly discuss some things.

9 Q Let me ask this: If Joe Kernell agreed to your
10 proposal, was that the end of it?

11 A No, sir.

12 Q What would happen after that?

13 A Joe Kernell would have to -- with any
14 major -- it was my understanding that with any
15 major increases in salaries or any major increases
16 in equipment or vehicles or anything like that,
17 Joe Kernell had to agree with that -- or have
18 County Council approve that. I'm sorry.

19 Q So there was another set once you got his
20 approval?

21 A To my understanding, yes, sir. That's the
22 way it was.

23 Q Would County Council ever hear it if you didn't
24 have his approval?

25 A No, sir. The only way they would have ever

1 heard it is if it was a slotted event meeting with
2 County Council.

3 Q So you get back from out to lunch and you continue
4 about what time?

5 A It was early afternoon, 1:30-ish, 2:00-ish
6 maybe when we got back.

7 Q What time -- you all went back to the same
8 location?

9 A We went back to the same location in the
10 hotel, sat back down in the corner, and started
11 back in the budget meeting.

12 Q And how long did that session last?

13 A When you're talking about putting me in a
14 seated position for a period of time, it seems
15 like it lasted for hours. I'm just on the go.
16 So, I mean, it seemed like it lasted forever. I
17 remember breaking later on in the afternoon when
18 we decided that we were going to go back shower
19 up.

20 Q About how long -- even excluding lunch, about how
21 long do you think you all met and discussed the budget
22 issues?

23 A From the beginning when I got there?

24 Q Right.

25 A Let's just conservatively say nine o'clock in

1 the morning, so from 9:00 to maybe noon, minus
2 lunch, and then that afternoon, without lunch,
3 seven hours maybe.

4 Q And you discussed it during lunch?

5 A Yes, sir.

6 Q And that was about how long?

7 A Forty-five minutes to an hour and 15
8 probably.

9 Q So you're getting close to how many hours there?

10 A That would have been probably eight hours,
11 again conservatively.

12 Q So you break up late afternoon. What was the
13 understanding on how you all decided to do it?

14 A We were going to go back to the rooms, shower
15 up, get ready and go to dinner. We -- I don't
16 remember what time we agreed to meet. It was
17 early evening.

18 Q And what did you do? Where did you all go then?

19 A We came back downstairs. We all gathered
20 together. I don't specifically remember us
21 determining where we were going to go. I think we
22 just, kind of, walked until we found a nice place
23 to stop and get something to eat. I remember --
24 it had an Italian, kind of, feel, the place we
25 stopped. And we went in. I think we went

1 upstairs to eat dinner.

2 Q Okay. And did you all discuss any business at
3 dinner?

4 A The budget meeting continued from the time
5 that we got back in the lobby again. We just, you
6 know, started talking about it. While we were
7 walking, we were talking. When we got to where we
8 were going, we were talking about it.

9 Intermittent conversations about where we were
10 going to stop and eat. And then we continued into
11 the conversation throughout that dinner.

12 Q Did anybody ever make a comment about the
13 budget?

14 A Joe finally said, at one point later in the
15 evening -- I mean, it was well past dark -- Joe
16 said, I'm done talking about the budget. That's
17 enough for today. We're finished. I don't want
18 to talk about it anymore.

19 Q Was that during the meal?

20 A That was during the meal.

21 Q Okay. So where after that?

22 A We left there and went to -- I believe we
23 went to the Epicentre. The Epicentre in
24 Charlotte.

25 Q Okay. You all have drinks there?

1 A We did. I broke off from the group for a
2 minute and went to the CVS.

3 Q What did you go to CVS for?

4 A Same thing I go to CVS for every time I'm in
5 a hotel, and that is Advil.

6 Q Okay. How long were you away from the group?

7 A Not very long.

8 Q Did you know where they were going?

9 A I had no idea.

10 Q Did you ultimately receive a text message from
11 Savannah?

12 A I did.

13 Q All right. And what was the -- do you remember
14 the location?

15 A She told me where they were. It was like a
16 Tin Roof for music, or something. Tin Roof
17 maybe.

18 Q And did you respond back to that text message?

19 A I did when I got there. I said, here. It's
20 not a small place.

21 Q When you walked in, did you see them?

22 A I did.

23 Q Okay.

24 A I think. Yeah, I did.

25 Q All right. So, you were there. Was that -- do

1 you recall any guys, kind of, being flirty with
2 Savannah at one of the places, or was that the place,
3 or another one?

4 A I do not recall anybody being flirty with
5 Savannah anytime we were up there. You know, I
6 recall the conversation. I had left to go to the
7 restroom. And when I came back from the restroom,
8 Joe, you know, said something about some guys were
9 hitting on Savannah. And then Joe proceeded to
10 tell one of the guys at the party to, you know,
11 hey, watch out. That's the sheriff of Greenville
12 County. You all better be careful kind of
13 conversation. I didn't see the guys.

14 Q Okay. So you all leave there?

15 A Yes, sir.

16 Q Where was the last place you all went?

17 A I don't remember.

18 Q All right. All of you still in the group or did
19 John leave?

20 A I did not realize that John had left until we
21 started walking back. And when we started walking
22 back, I realized we were minus one, and I was
23 like, where's John? And Joe or someone told me
24 that he had went and gone back to the room.

25 Q So who all -- position-wise, do you remember how

1 people were walking back?

2 A We were all grouped up together. I mean, it
3 was the five of us. We were walking within -- I
4 mean, feet -- you know, a number of feet from
5 each. Maybe three or four feet. It was just like
6 a group of people walking down the street, like
7 with your friends.

8 Q Did you ever pull a tube of lube out?

9 A No.

10 Q If you had done such an act, would it have been --
11 were other people in a position to see it?

12 A Yes.

13 Q So you all eventually go back to the hotel?

14 A Yes.

15 Q Then what happens?

16 A We went back to the hotel and I went to my
17 room.

18 Q Did you ever go to Savannah's room?

19 A No.

20 Q Did you ever call her on your phone?

21 A No.

22 Q There's a text message in there at 3:55 a.m. that
23 says, quote, "Me." Do you remember that?

24 A No.

25 Q Would there have been any reason for you to be

1 texting her if you were in the room?

2 A No.

3 Q So the next morning, what happens?

4 A Was that the final day that we were there.

5 Q Right.

6 A The next morning we get up and we packed. If
7 I recall correctly, we checked our bags with
8 the -- I think it's called a bellhop up front as
9 we were going to check out. We went -- "we" being
10 myself, Marcus, and Savannah went to a little small
11 diner. It was like a 50s, kind of, diner that was
12 within walking distance. We had breakfast. We
13 sat in a little corner booth, and then we left and
14 came back.

15 Q Did you all have any discussion about how the
16 meeting went?

17 A We did. I don't recall specifically what it
18 was about. I just remember it being about the
19 meeting.

20 Q How did the meeting go?

21 A I think it went pretty well. I mean, we
22 received a lot of what we were asking for. I
23 think it went pretty good. We got raises for the
24 deputies. We got raises for -- you know, we got
25 raises for the deputies, and we got a lot of new

1 equipment and some new cars.

2 Q And what, you got a lot of new equipment
3 meaning?

4 A Well, I mean, one thing I specifically
5 remember was, I think we bought 66 cars that year,
6 which was unheard of. We were normally kept on
7 pace to buy about 30, which didn't put us ahead of
8 anything. We ended up buying 66 cars because we
9 were afforded a little bit more money so we could
10 put our vehicles on that rotation so we wouldn't
11 have to do that in the future.

12 Q And had you put them on rotation?

13 A Yes.

14 Q And then everybody leaves?

15 A From Charlotte, yes, sir.

16 Q Right, right. On the way back, did you recall
17 calling Ty Miller?

18 A I never called Ty Miller.

19 Q Now, would you have ever said in front of Savannah
20 what was said -- she claims you said on that route?

21 A Absolutely not. I would have never said
22 that. I did not call Ty, because I don't call Ty.
23 I did not call Ty unless it was a work-related
24 issue or something that we need to discuss about
25 work. Like I said earlier, Ty and I have merely a

1 professional relationship. We did not have a
2 perfect relationship.

3 Q After you get back to Greenville, how are things
4 with Savannah?

5 A Fine.

6 Q Do you have any problems?

7 A No, sir.

8 Q Do you have any problems with the working
9 relationship?

10 A No, sir.

11 Q At that point?

12 A No, sir. Not at that point.

13 Q Did the incident in Charlotte ever get mentioned
14 again?

15 A You know, I mean, it was talked about
16 briefly, but more in the context of -- you know,
17 more in the context of shame for me.

18 Q Okay. Shame for you, but in April what are you
19 talking to her about?

20 A In April, when we get back around and we
21 start talking about other things, I felt like -- I
22 don't know, it was stupid. I started -- you know,
23 I pursued. On audio, I mean, it's evidently clear
24 that I was just dumb in, you know, pursuing a
25 relationship with a girl that was not my wife.

1 Q Did you ever create a position with Savannah Nabors
2 for the purpose of having sexual relations with her?

3 A Absolutely not.

4 Q What was the purpose of creating that position?

5 A The purpose of creating that position was to
6 make sure that I had someone there, like I said
7 earlier, that got me where I needed to be. They
8 were able to do a lot of administrative details
9 that needed to be done. Like I said, that
10 position was lacking for so long in that agency.
11 I mean, the agency is large. There's a lot of
12 people to call. There's a lot of people that need
13 things. There's a lot of people that do things.
14 It would be really difficult for me to keep up
15 with those things.

16 Q Let's go to those recordings with Savannah. She
17 talks about how great things have been the past two
18 weeks. Do you remember that?

19 A Yes, sir.

20 Q Had they been great for two weeks?

21 A Yes, sir.

22 Q Had they been great for longer?

23 A Yes, sir.

24 Q Do you know where -- and this was, I believe, on
25 the 18th. The first recording was on the 18th.

1 A Okay.

2 Q Prior to that, is there any indication at all that
3 she was remotely considering leaving the position?

4 A No, sir.

5 Q Had she had any discussion with you about any work
6 with you?

7 A No, sir.

8 Q Anything like that?

9 A No, sir. It was actually just the opposite.
10 Savannah's conversation leading up to that day
11 were, you know, I kind of wish she probably would
12 have said, you know, I can't work with you. I
13 don't want to work with you, because it probably
14 would have prevented me from continuing to pursue
15 her.

16 At that point, I just felt like it was -- I
17 mean, the relationship was good. We consistently talk
18 about being friends and being able to trust each
19 other.

20 Q So, you call her up and ask her about going to
21 Reno?

22 A No, sir. I said that in her driveway.

23 Q Excuse me?

24 A In her driveway.

25 Q In her driveway, that's right. And did she ever

1 say anything about what happened in Charlotte in
2 relation to that comment?

3 A No, sir. She never mentioned Charlotte.

4 Q And what was her initial response about going to
5 Reno?

6 A If I recall, she said something to the fact
7 of, yeah, I want to go to Reno.

8 Q And then you all had discussion about the room
9 arrangements?

10 A We did.

11 Q Did she ever definitively say anything like, we go
12 to Reno, we're not sharing a room?

13 A She never definitively said, if we're going
14 to Reno, we're not sharing a room.

15 Q Did she make comments that, at least from the
16 words expressed, concern your reputation?

17 A She did.

18 Q So, and all of a sudden after that conversation,
19 what happened to the relationship?

20 A It turned into a -- it was almost like a
21 boyfriend/girlfriend squabble, like back in high
22 school. All of our conversations turned into
23 that. It was just a back and forth.

24 Q Did you see any of that type of conversation
25 coming?

1 A No, sir. I never saw that coming.

2 Q So, you had numerous conversations with her and
3 they were recorded. You heard all of them.

4 A Yes, sir, I heard them.

5 Q Did you ever discuss the Charlotte incident with
6 you?

7 A No, sir.

8 Q Didn't bring it up at all?

9 A She never brought up Charlotte.

10 Q So what ultimately happened -- well, where did she
11 go right after the 18th, which is the day before the
12 funeral of the officer in Spartanburg?

13 A I'm sorry. Can you ask me that again?

14 Q What did she do after the 18th, and the 18th being
15 the day before the funeral of the officer in
16 Spartanburg?

17 A What did she ultimately do?

18 Q Right.

19 A I mean, we had a conversation about -- I
20 mean, she left. She left that day.

21 Q And where did she go?

22 A She went to Florida.

23 Q And she does have a -- does her sister's husband
24 have needs?

25 A Her sister's husband was a paraplegic and she

1 had been discussing with me for multiple weeks
 2 prior to that how he had been having some pretty
 3 significant problems. He had been involved in an
 4 auto accident at an early age, and it caused him
 5 some major issues. Her sister took care -- she
 6 was the primary caretaker for her husband and she
 7 needed Savannah's help.

8 Q Did you understand that?

9 A I understood that.

10 Q In the -- I think in some of the conversations,
 11 you asked her and she indicated she was going to quit
 12 or might quit, or what?

13 A She alluded, I believe, to it. I can't
 14 remember specifically what was said by her at that
 15 point. I was definitely under the impression that
 16 Savannah was not comfortable working there anymore.
 17 So, I mean, if she didn't want to work there,
 18 then -- you know.

19 Q Do you recall getting a call from Ty Miller on
 20 Saturday the 22nd, I believe?

21 A Ty called me on the 22nd and said that
 22 Savannah had called her and wanted to talk to
 23 her.

24 Q And did you discourage Ty in any way?

25 A No, I believe I encouraged her.

1 Q Did you have any idea what it was about?

2 A No.

3 Q So what happened after Ty talks to Savannah? Does
4 she call you?

5 A I don't remember if Ty called me back or
6 not.

7 Q Did you subsequently see her?

8 A The next time I remember seeing Ty was the
9 following Monday.

10 Q Let me back up a little bit to before you all went
11 to Charlotte. Ty testified about a meeting in your
12 office where she talked about you and Savannah coming
13 to an officer shooting early one morning, or late one
14 night. Do you remember having that conversation?

15 A I don't remember Ty talking to me about that,
16 but it would not be uncommon if Ty thought I was
17 out of line with something for her to talk to me
18 about it.

19 Q Well --

20 A I very specifically remember the actual
21 shooting, and I do remember what Ty was
22 referencing. It was the first time I heard that.
23 The shooting was actually on Scuffletown Road. It
24 was a good ways down Scuffletown Road, and there's
25 no parking down there because the residence was

1 actually on the road.

2 Savannah, I had contacted her, to let her know
3 that we had an officer-involved shooting. And she
4 came to meet me at Bealls Crossing Outlet, which is
5 right there on Scuffletown Road. She met me at Bealls
6 Crossing, parked her car at Bealls Crossing, and then
7 we drive in my car down to the shooting scene on
8 Scuffletown Road.

9 Q Why did you think it was important for Savannah to
10 come to a crime scene case like that?

11 A Savannah did not have a law enforcement
12 background. I think any civilian and that works
13 in law enforcement, if they're going to work
14 around law enforcement officer that work in that
15 area, that arena, they need to have a concept or
16 an idea of what goes on. They need to have an
17 idea of what we do every single day.

18 I think it was pretty important for Savannah
19 to get to know that, especially working in the
20 position she was working in being assistant to the
21 sheriff. If people were going to be asking her
22 questions, people were going to be talking to her, you
23 know, sidebar conversations and things like that, she
24 needed to be engaged. She needed to know.

25 Q And did she get called out on any others?

1 A Savanah was. If I was called out after
2 hours, I would normally reach out to Savanah no
3 matter what the call was.

4 Q And up until the 18th of April, what hours did she
5 work?

6 A There were no set hours. She worked -- I
7 mean, she could be there at 6:00 in the morning
8 until, you know, 6:00 or 7:00 at night. It could
9 be -- a lot of times she would ask, hey, do you
10 care if I go to the gym before I come in today.
11 So she would go to the gym, maybe come in around
12 9:30 or 10:00, work until later on that evening.
13 I mean, it was not uncommon for her hours to range
14 anywhere from -- you know, to be 10, 15 hours a
15 day.

16 Q And you mentioned -- she mentioned in her
17 testimony that she worked until 8:00, nine o'clock at
18 night, would that be correct?

19 A Yes, sir. And past that as well. Especially
20 when we were doing the Live PD that some of the
21 guys referred to earlier. That would run -- I
22 think it ran until midnight. So sometimes she
23 would come in and watch how that whole thing
24 worked.

25 Q So, you get a call from Ty, or have a conversation

1 with Ty about her conversation with Savannah. And then
2 Savannah comes in the following Monday?

3 A It seems like that. Shortly thereafter.

4 Q And you have a long talk with her.

5 A I did. The doors were open to the office and
6 she was -- she said that she had decided that she
7 didn't want to -- she was going to tender her
8 resignation, two weeks' notice, and that's it. I
9 mean, that's what I recall.

10 Q In the -- on the audio that we heard, you know,
11 there was a comment in there about -- I think it's
12 actually another one. You made a comment that, I lost
13 a friend.

14 A Yes.

15 Q What did you mean by that?

16 A Exactly what I said. I lost a friend.
17 Savannah and I were friends. And, you know, after
18 the encounter, you know, having the affair, it was
19 obvious that the -- I mean, emotionally, I knew
20 myself internally, emotionally, there was no way
21 that I could continue down that path. I knew at
22 some point I was going to have to tell my wife.
23 And I knew, you know, that I could not continue to
24 be with Savannah at that point, and even in a
25 working relationship. So I felt like I had lost a

1 friend and, quite frankly, my right hand because
2 she did so much work for me.

3 Q And did she respond she's lost a friend too?

4 A I believe so. She referred to me quite
5 commonly as her friend.

6 Q Did it appear to be sincere?

7 A It did to me.

8 Q And in those audios that you got, did you ever
9 cuss her out?

10 A No, sir. I've got a foul mouth, but I don't
11 remember cussing her out.

12 Q Did you ever -- I mean, some of the -- do any of
13 the conversations have an increased volume, so to
14 speak?

15 A You know, when she agitates me with that
16 bickering boyfriend/girlfriend, back and forth
17 kind of thing, yeah, juvenile. It's just a
18 juvenile conversation. I raise my voice at some
19 point.

20 Q Did you threaten her in any way?

21 A Absolutely not.

22 Q If she had wanted to remain in your employ, you
23 think it could have worked out?

24 A I mean, looking, knowing what I know now,
25 looking back at the situation, there's -- no.

1 Q Let me rephrase it then. At the time she left,
2 did you think it could be worked out?

3 A I think I probably had hopes that it would.

4 Q Okay. So Savannah leaves, and you're without a
5 personal assistant for a while?

6 A A short period of time, yes.

7 Q And who was responsible for hiring the
8 replacement?

9 A Ty Miller, Marcus Davenport, and Jackie
10 Cooper.

11 Q Okay. You didn't have any input in it?

12 A I mean, if I ran into someone or something
13 along those lines and mentioned it, but I didn't
14 have any input into it.

15 Q Do you ever recall --

16 A Let me back up. Obviously, I did have some
17 input into it, but they were the ones that were
18 going through the selection process.

19 Q All you can do is what?

20 A Just simply acknowledge it, you know, and
21 agree to it.

22 Q Do you ever recall mentioning, talking about
23 anything like a beauty queen from Tennessee?

24 A I don't recall that.

25 Q When this thing broke, did they seize your

1 phone?

2 A They did.

3 Q Seize your computer?

4 A They did.

5 Q Cease your personal phone?

6 A They did.

7 Q Were any pictures of anybody from Tennessee found
8 on that phone?

9 A Not to my knowledge.

10 Q Have you heard of any name of anyone from
11 Tennessee?

12 A No, sir.

13 Q A town in Tennessee?

14 A No, sir.

15 Q Who ultimately was hired to do this job?

16 A Addie Hampton.

17 Q And did you know Addie before she was hired for
18 this position?

19 A I knew Addie in a limited capacity from her
20 work at a local news station.

21 Q And that was it?

22 A Yes, sir.

23 Q What salary did she receive for this job?

24 A She received \$68,000 a year.

25 Q Was that more than Savannah?

1 A Yes.

2 Q Did Addie have a little more qualification?

3 A The added qualification that Addie had was
4 her media relations portion, as that position
5 required media relations, public information.

6 Q Did Addie go out to the crime scenes?

7 A Addie did the exact same job as Savannah
8 Nabors.

9 Q Did she go to crime scenes?

10 A She did.

11 Q Do you know about how many?

12 A I specifically remember -- I think four that
13 she went to.

14 Q Did she have a vest?

15 A She did.

16 Q A bulletproof vest?

17 A She did. Actually, Major Ty Miller is the
18 one that took her to get her fitted for that vest.

19 Q Do you know much about Addie's background?

20 A Addie was a -- Addie was a beauty queen from
21 Georgia. She was actually Miss Georgia. And then
22 Addie went to the University of Georgia, which was
23 her only fault that I could find. I'm sorry.
24 After she graduated from Georgia, she went to work
25 in, I believe, Florida for a little bit. She left

1 Florida. I believe she was a journalist down
2 there. She came up here and worked for a period
3 of time.

4 Q All right.

5 A And that's about all I know.

6 Q Did you and Addie become friends?

7 A Oh, yes, sir.

8 Q Did you socialize together?

9 A We did.

10 Q I believe she actually met your general counsel?

11 A She did. She -- and, you know, very happy to
12 say that they are married as of this week. She
13 met the general counsel from the sheriff's office
14 while at the sheriff's office and they were
15 married this past Friday. We were invited to the
16 wedding.

17 Q And they're on their honeymoon now?

18 A They are. Addie also -- I think it's
19 important to note, that the relationship with
20 Addie was one that she would interact with my
21 children. My daughter was a high school beauty
22 queen. Addie would help her during her pageants,
23 getting set up for those kinds of things, and
24 Addie ran a side business that did that. Addie
25 volunteered her services to help my daughter as

1 well do those kinds of things.

2 Q How long did she stay in that position?

3 A Until the day that I left.

4 Q And the position -- and why did she leave the day
5 you left?

6 A She may have stayed for another week or two
7 after I left, after I was indicted, but the
8 position was, to my understanding, dissolved.

9 Q Was that?

10 A Dissolved.

11 Q Dissolved. So there was no position for her to
12 stay there.

13 A Correct.

14 Q Who has vests in law enforcement on the civilian
15 side?

16 A Oh. Well, as far as civilians go, they are,
17 first and foremost, the chaplains, because the
18 chaplains respond to crime scenes. Not all
19 chaplains wear uniforms. Some of them have vests
20 we call a turtle shell that just have chaplain
21 across the front in velcro. They would have
22 bullet proof vests, no guns. They would -- let's
23 see. Anybody that was going to be ultimately at a
24 number of crime scenes would have issued a vest.

25 One of the things that we did is, we had a

1 ride-along program at the Greenville County Sheriff's
 2 Office, and when you are able to -- you can submit
 3 your paperwork and it's a very limited amount of
 4 paperwork. It's just, I want to ride-along and you
 5 put on there that you're not currently under
 6 investigation or something along those lines. They
 7 run a criminal history, and then you're assigned to
 8 ride with a deputy for however long you want to ride,
 9 either a full shift or half a shift, or something like
 10 that. We had gotten to the point to where we were
 11 actually giving the ride-alongs vests.

12 Now, they were vests that had been turned
 13 back in from deputies who had either resigned or had
 14 been terminated, or whatever, but those vests were
 15 transferred to the ride-alongs and those ride-alongs
 16 were given vests.

17 Q Did Savannah ever ask you to send her to the
 18 academy?

19 A She did.

20 Q Was there a need for her to go to the academy?

21 A There was no need for Savannah to go to the
 22 academy.

23 Q Did she go?

24 A No, sir.

25 Q What about things like rappelling, and SWAT team,

1 and stuff like that?

2 A. That was one of those things where I, kind
3 of, encouraged people to, again, interact with the
4 deputies and civilians to, kind of, get to know
5 them. Most of the people did not want to do that.
6 Most of the people wanted to just, kind of, stay
7 in their comfort zone, which is fine. There was
8 no problem with that.

9 Savannah wanted to go out. She wanted to go
10 rappelling with the SWAT team. She wanted to go
11 shooting with the SWAT team. She wanted to go and --
12 you know, go to the ICAC events. She wanted to go the
13 takedowns, and those kinds of things. We would not
14 let her go to the actual takedown that was actually
15 transpiring, but she was allowed watch things either
16 via video or a secured location, or something like
17 that. So she got to do a lot of that. But she asked.
18 So, I mean, there were multiple text messages saying,
19 hey, if you don't care, I'm going to go to the range
20 this morning and shoot.

21 Q And you mentioned that she was a frequent of the
22 gym?

23 A She was.

24 Q So was she in -- what was her concern -- or what
25 was her attitude toward staying in shape athletically,

1 stuff like that?

2 A I mean, she stayed -- she stayed in the gym.
3 I mean, it was pretty constant. She would go, you
4 know, several days a week. She would talk about
5 coming in from the gym or whatever. She would go
6 downstairs to the locker room to shower before she
7 came upstairs.

8 I will tell you one other thing that I
9 remember, too, by about the civilians. There was a
10 major that worked in the sheriff's office prior to
11 coming here that I released after I got there. His --
12 I still have the pictures. His six-year-old son, or
13 maybe eight-year-old son was rappelling with the SWAT
14 team from the Greenville Drive stadium. Six to eight
15 years old, rappelling with the SWAT team.

16 Q Do many people who work at the sheriff's
17 department that are civilians participate in these
18 activities?

19 A Not many.

20 Q Were there any rules that prohibited them if they
21 requested it?

22 A Absolutely not. I encouraged it. I wanted
23 them to do it.

24 Q Why was that?

25 A Again, I think it's very important for a

1 civilian employee to get to know the law
 2 enforcement officers that are out there every day,
 3 get to know what their job is and get to see what
 4 they do. Instead of going out and, you know,
 5 getting shot at, or, you know, having to work at
 6 three o'clock in the morning and eating greasy
 7 food for breakfast. You could actually not have
 8 to go through the bad stuff and enjoy the good
 9 stuff, which I thought was a good perk, good bonus
 10 for them.

11 Q Did other employees, civilian employees at the
 12 sheriff's department occasionally get time off that
 13 wasn't technically preplanned?

14 A I'm sorry. Ask me that again.

15 Q Did other civilian employees of the sheriff's
 16 department while you were there, get time off that
 17 wasn't arranged ahead of time?

18 A Absolutely.

19 Q How would that work?

20 A So, I mean, if it was a rough week or a busy
 21 week or something, you know, I would let all of
 22 the admin staff, the ladies in admin go maybe on
 23 Friday at three o'clock or something like that. I
 24 would let them go.

25 I remember very specifically that there were

1 some situations where Miss Cooper was having some
2 family issues and she needed to take some time off.
3 It wasn't scheduled. She always felt it necessary to
4 schedule it with me. I told her, you know, Jackie,
5 just go. I trust you.

6 I was very different. I was very lenient
7 with my people. I mean, they knew what their job was.
8 If they did their job and they came to work and they
9 did their job between the hours that they were
10 supposed to do them, or whatever, law enforcement is
11 not a 9:00 to 5:00, Monday-through-Friday job. If they
12 could perform their duties within the time they were
13 prescribed there. Whenever they chose to be there, as
14 long as they gave me a good full day's work, I
15 didn't -- I wasn't a slave driver. I just didn't -- I
16 didn't think that was necessary.

17 Q And while you were there, what was the situation
18 concerning raises of deputies that you were initially
19 seeking in March?

20 A Well, unfortunately, I subscribe to the
21 theory now that Rome wasn't built in a day. It's
22 not something that you can do overnight. We were
23 able to get a lot of the new incoming people and
24 transition people exactly where we wanted to be,
25 or pretty close.

1 So during my transition, the entire
2 transition team were afforded significant hefty
3 raises. Like I said, up to \$85,000 apiece. And I
4 know that all of them, maybe except for one, received
5 a raise and they were already at a certain pay scale.

6 The new civilian positions that we created,
7 they were already put in place so that we would not
8 have to get name raises. That they would be able to
9 stay where they were. As we saw that those positions
10 were becoming more demanding, we -- the civilian
11 positions, because they were knew, we have been able
12 to give them a raise.

13 The administrative staff upstairs, and I
14 think Miss Cooper testified to this, but what she
15 didn't testify to, she was not the only one that
16 received a raise upstairs. The entire administrative
17 upstairs, all of the ladies that worked in admin
18 coordinator position or the assistant position, all of
19 those ladies received a salary raise, and it brought
20 them up to pretty much level. Everybody was pretty
21 much equal at that point.

22 Q Did you ultimately get a County credit card?

23 A I did.

24 Q Do you know what the procedure is for charging
25 things to it?

1 A So, when I would use my County credit card
2 for something, I would actually process the card,
3 take a receipt. I would write on my receipts, you
4 know, who was present during the meeting, if I was
5 buying a lunch meeting or something like that, who
6 was present, what it was for, the conversations
7 that took place pretty detailed, and then I would
8 submit that to Linda Cobb who would process it and
9 then approve it. And then once it was approved,
10 she would send it to the County finance
11 department.

12 Q Did you have any rejected?

13 A Never had anything rejected.

14 Q Is there in a County policy that you know of about
15 alcohol being charged on the County card?

16 A I don't know if it's a County policy, but I
17 subscribe to the theory that we wouldn't put
18 alcohol on credit cards.

19 Q Do you know if it's on your room bill?

20 A I believe -- yeah, I found it was on my room
21 bill.

22 Q Did anybody write you and say, you need to
23 reimburse us for that?

24 A Nobody ever wrote me. I didn't find out
25 until maybe at the beginning of this week, or

1 maybe two weeks ago. Sometime in the last
2 probably week or so --

3 Q Okay.

4 A -- that alcohol was charged to my room.

5 Q Did you have an occasion to spend your personal
6 money on the sheriff's business?

7 A I wouldn't call it occasionally. I think I
8 spent \$5,000 plus in the first couple of months of
9 my own personal money on things that I was just
10 not sure that I could bill to the County.

11 Q When the blog came out, it created a controversy,
12 needless to say.

13 A Yes, sir, it did.

14 Q Did the County conduct any audits on your
15 office?

16 A They did. There was a County Council meeting
17 that immediately stood up and, you know, said if
18 he's cheating on his wife, he must be stealing
19 money from the sheriff's office. So he called for
20 an audit and once he called for the audit --

21 MR. THOMPSON: Your Honor, I object to
22 the testimony regarding the audit. I don't recall
23 talking about an audit. The sheriff doesn't have
24 anything to do with that.

25 THE COURT: What's the relevance?

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1 MR. WISE: I think it's relevant because
2 they're accusing him of misconduct in office and
3 there's nothing after -- if the audit shows
4 nothing, I think it's relevant to that issue.

5 THE COURT: All right. Go ahead.

6 THE WITNESS: The audit was conducted.
7 Once the audit was conducted, I received a letter
8 from County Council, or from the County
9 Administrator's Office that said the audit had
10 been completed and that there were no finding of
11 any fault -- or any misuse of money. That was
12 for -- that audit was conducted on the foundation,
13 on the Sheriff's Foundation, on the Greenville
14 County Sheriff's Office, and I believe on the
15 narcotics funds that we had as well that the
16 County had access to.

17 And it was actually found that, due to the
18 foundation, that the County Government, I believe,
19 owed us a certain amount of money back, that they
20 never paid us for passive alcohol sensors they were
21 using.

22 Q Any report ever given to you that you had
23 improperly spent a dime of County money?

24 A Never.

25 Q Now, there was some testimony today about -- I

1 forgot the last name.

2 A Pinciario.

3 Q Pinciario. Did he ever write a speech for you?

4 A Drew Pinciario never wrote a speech for me.

5 Q What was his function in your scheme of things?

6 A Drew's position was -- he was an extra public
7 information officer when I got there. My
8 predecessor, Mr. Loftis, had a couple of PIOs.

9 Drew would -- drew would occasionally put a bullet
10 point statement together for me. Never wrote
11 speeches. I don't have speeches. I never had
12 speeches for me. I always spoke from the cuff.

13 I remember at one point somebody tried to
14 write a speech for me. It didn't go very well. So I
15 didn't do speeches. I would just, kind of, speak off
16 the cuff. The -- you know -- I mean, Drew's position
17 was necessary under my predecessor. But when Drew
18 left the sheriff's office, we did not fill his
19 position.

20 Q And he left when?

21 A I don't recall, exactly. It was within a
22 couple of months.

23 Q Did you ever intentionally, inadvertently, or even
24 accidentally, spend any inappropriate money on
25 Savannah Nabors?

1 A No.

2 Q What did that incident do for you?

3 A It gave me an opportunity to reflect on a lot
4 of things, one of which, and the most important,
5 was my relationship with God.

6 Secondly, and probably the 1-A, was my family
7 and my wife. It took a lot for me to come to grips
8 with what I had done. It took a lot for me to come to
9 grips with I had cheated on my wife. Somebody got up
10 on the stand, and although I wasn't expecting it,
11 John Hansley called me arrogant, conceited, and
12 braggadocious. And at the time I knew John, I could
13 probably see that. I could see how that could be me.

14 Humility -- don't get me wrong, I am far from
15 perfect, but, man, I'm sure trying to be a better
16 person. I'm trying to be a better husband.

17 Q How did you run the day-to-day operations of the
18 sheriff's department?

19 A After this happened?

20 Q Before and after this happened, up until the blog
21 and all this.

22 A Well, I believe we ran it really well, and I
23 cannot take full credit for that either. You
24 know, Savannah kept me on track from the beginning.
25 The leadership team was right there with us. We

1 continued to move forward. We continued to make
2 huge strides.

3 There was a point -- I specifically remember
4 somebody from, I believe, it was WSPA that called for
5 some numbers that we had done. And we had lowered our
6 response times to crimes, and that's a significant
7 thing. We put more deputies on the road. We had put
8 more deputies out there for the community to see and
9 reduce crime.

10 I remember specifically numbers that they
11 were told to me, I don't remember the exact number,
12 but I think in some areas of the county, we had
13 dropped crime almost 30 percent. In other areas, we
14 had dropped it 19 percent. In other areas, we had
15 dropped it 10 percent. It was a significant drop
16 across the board. The response times were down.

17 And I'm going to tell you one thing, that I'm
18 most proud of, that we did was, we were able to, from
19 January of 2017 until April when I indicted, we had, I
20 believe, we had zero murders in Greenville County.
21 And that was the implementation of what the men and
22 women were doing. It had nothing to do with me
23 specifically. It had everything to do with the team
24 as a whole. You know, thinking about that, we may
25 have had one, like, the December 1st to January 1st.

1 Maybe there was a murder that night. But for the
2 entire full month of January all the way through
3 April, I don't remember any murders. That was a
4 testament to how good the men and women were doing.

5 This was after the blog came out. This was
6 after the blog came out. These men and women, all of
7 them had to face down the barrel of all of my
8 indiscretions, and people asking them questions every
9 day, there's no doubt about it, they got asked
10 questions about it, they did still did their job, and
11 they did it really, really well. I'll always be proud
12 of them, always.

13 Q How hard was it to make the decision to do the
14 press conference we saw earlier?

15 A It was -- you know, I remember being numb. I
16 remember being, like -- at that point, you know,
17 Amy knew, my wife knew. You know, we had talked
18 about it. I told her that I did not want her in
19 that room with me when I gave that press
20 conference because I was not going to be the guy
21 who was holding -- you know, having his wife
22 standing them next to him while he was trying to
23 explain an affair. That wasn't fair to her, and I
24 didn't like the idea. She offered to come. I
25 declined. But it was very difficult, very

1 difficult.

2 Q Aside from the affair with Savannah Nabors, did you
3 fulfill your duties as sheriff of Greenville County?

4 A Absolutely, I did. Every day.

5 Q Thank you. Answer any questions Mr. Brackett may
6 have?

7 A Yes, sir.

8 THE WITNESS: Could we take a restroom
9 before we get started? I'll be fine.

10 THE COURT: You need a break?

11 THE WITNESS: Yes, sir, I think so.

12 MR. THOMPSON: We can take a short
13 break.

14 THE COURT: Do you need a break? The
15 jury want a break?

16 Looks like they're on the edge of their
17 seat.

18 THE WITNESS: Rock and roll, Judge.

19 CROSS-EXAMINATION

20 BY MR. THOMPSON:

21 Q Mr. Lewis, you were telling us what the salary
22 range was for administrative assistant. Would you
23 tell us what that salary range is again?

24 A No, sir. I was telling you what the salary
25 range was for administrative coordinator.

1 Q Okay. Well, administrative coordinator. Tell us
2 what the salary range is for administrative
3 coordinator when you started?

4 A Like I said, I don't know specifically. But
5 if I recall correctly, it was probably between 58-
6 and 70-, maybe 72-.

7 Q However, you heard the testimony that, for
8 instance, Jackie Cooper, an administrative
9 coordinator, correct, she was paid less than 58-. So
10 that can't be the salary range, can it?

11 A Well, I believe Miss Cooper was an
12 administrative assistant before she was an
13 administrative coordinator.

14 Q But she was administrative coordinator when you
15 came into office?

16 A I don't know. I remember her describing
17 herself as an administrative assistant.

18 Q And, in fact, the administrator coordinator
19 position starts much further down, somewhere around
20 30,000 or less and only goes up to about 64- to
21 65,000, isn't that true?

22 A I have no idea. The salary range I gave you
23 for administrative coordinator is the one that was
24 explained to me.

25 Q So when you started off Savannah Nabors at \$62,000,

1 she was near the cap of what an administrative
2 coordinator can make?

3 A If your numbers are correct, but I don't know
4 that they are.

5 Q All right. We got a lot to cover here. Let's,
6 start with a couple of things. Let's start with
7 Joe Kernell.

8 Now, you said you had started at County
9 Square first, correct?

10 A Yes, sir.

11 Q And Mr. Kernell actually set you up with a spot
12 for you to work, and also a spot -- you shared that
13 spot with Savannah Nabors at that time, right?

14 A He offered me an office, yes, sir.

15 Q So you worked in an office in County Square?

16 A Yes, sir.

17 Q In fact, you would meet with Joe Kernell regularly
18 to talk to about things, wouldn't you?

19 A I wouldn't right there with me. I think he
20 testified earlier, County Square is big.

21 Q It is big, but it's the same building.

22 A Yes, sir.

23 Q It's one complex.

24 A Yes, sir.

25 Q So you could just walk over to Joe Kernell's any

1 time you'd like to talk to him?

2 A No, sir, that was not correct at all.

3 Q As a matter of fact, you had a decent friendship
4 that had grown up between you and Joe Kernell.

5 A I don't think so.

6 Q As you were getting into office, correct?

7 A No, sir. We were acquaintances. I wouldn't
8 say we had a friendship.

9 Q You didn't work with him much in any way as you
10 were making the transition?

11 A Maybe small conversations here and there.

12 Q And, as a matter of fact, you had ultimately
13 become such friends that by March, you took him to the
14 BMW driving school, performance driving school,
15 right?

16 A No, sir. Marcus Davenport is one that set
17 that up.

18 Q For you, at your request, correct?

19 A No, sir.

20 Q So Marcus just said, Sheriff, I'm inviting you to
21 come to the BMW driving school?

22 A Actually, what Marcus testified to was they
23 were his connections that he used over there. He
24 used his contacts.

25 Q Right. But Marcus doesn't just do things on his

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1 own. He's under your command. He did things for
2 you?

3 A No, sir. Marcus did things for himself, just
4 like he did for everybody else.

5 Q But he did not invite Savannah to that, did he?

6 A I don't recall that.

7 Q You invited Savannah to that?

8 A I did, yes, sir.

9 Q And, in fact, I believe your attorney had talked
10 about with Joe Kernell, one of the good things about
11 going to Charlotte was, you could kind of get to the
12 side with him and talk to him and that would be a
13 benefit to you, correct?

14 A Absolutely benefited the sheriff and the
15 administrative coordinator, or the
16 administrative -- Joe Kernell's position to be
17 friends.

18 Q And the BMW driving school, that takes pretty much
19 all day, doesn't it?

20 A Yes, sir.

21 Q And when you took Joe Kernell to the BMW driving
22 school, you didn't drive with Joe Kernell, did you?

23 A I did not take Joe Kernell.

24 Q You were not paired with him. You all were there
25 together, taking the classes together, right?

1 A Correct.

2 Q You paired yourself with Savannah, didn't you?

3 A Yes, sir. We were paired together.

4 Q All right. And you decided to pair yourselves
5 together?

6 A We decided to pair ourselves together, yes,
7 sir.

8 Q When you could have paired yourself with
9 Joe Kernell and maybe built that relationship even
10 more, but you decided not to do that, didn't you?

11 A I decided not to do it, no, sir.

12 Q But you decided to pair with Savannah?

13 A Savannah and I decided to pair together, yes,
14 sir.

15 (STATE EXH. 20, Text message from Lewis
16 phone, was marked for identification.)

17 BY MR. THOMPSON:

18 Q Mr. Lewis, I'm going to have you look at
19 State's Exhibit Number 20. This is a set of text
20 messages, I believe, from your phone.

21 A Correct.

22 Q If you would look, just so I can orient you, It
23 starts at the bottom and goes up. It doesn't go down.
24 The time the goes up.

25 A Correct.

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1 Q So there's one listed in 1499, as far as the
2 number of texts. I ask you to look at that one first
3 and tell me what that says, what that indicates. It's
4 down towards the bottom.

5 A And you want me to read up from there?

6 Q Right, that text. And then the next text is
7 actually not a response to that. The text that's a
8 response to that is, like, one or two steps up.
9 Maybe I can help orient you along just a little bit.

10 A From here to here.

11 Q Right here to there. And I believe this says
12 Kernell, Joe, it's an incoming call -- or incoming
13 text?

14 A Okay. Incoming text to Joe Kernell,
15 "Congratulations..."

16 Q From Joe Kernell to your phone. This is your
17 phone.

18 A Okay. This is to my phone. "Congratulations
19 again, Will. I look forward to you taking law
20 enforcement to a whole new level in the coming
21 years, and I look forward to working with you to
22 make Greenville County a better place." Shortly
23 thereafter I get a message from someone else, you
24 want me to read those as well?

25 Q No, just the ones -- your message back to him.

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1 A My message back to Mr. Kernell was, "So
2 thankful to you and what you've done for me in the
3 past few months, and thankful for the newfound
4 friendship. And, like you, I think we can do
5 great things in this county. Thank you very
6 much."

7 Q And the date on those?

8 A 1/2 and 1/2.

9 Q So January 2nd. That's in 2017, right?

10 A Correct.

11 Q So actually the day before you were actually
12 officially sworn in as sheriff?

13 A Yes, sir.

14 Q Okay. And so, that's confirming -- you're
15 confirming in this text that you worked with him for
16 several months?

17 A Confirming in that text that I have been
18 employed by the County for three months between
19 October, November and December, and that's what
20 that's about.

21 Q And you're saying, "I'm so thankful for you and
22 what you've done for me in the past few months."

23 A Absolutely. He give me a job because
24 Steve Loftis wouldn't let me transition the
25 agency.

1 Q "In the past few months," you just testified,
2 though, that you really didn't have a friendship with
3 him. This confirms you did have a friendship with him
4 going over the past few months and had worked with him
5 already a fair amount?

6 A No, sir.

7 Q That's not what that indicates?

8 A No, sir.

9 Q On January 2nd?

10 A No, sir.

11 THE COURT: I'd like to place this into
12 evidence, please.

13 MR. WISE: No objection.

14 THE COURT: Without objection.

15 (STATE EXH. 20, Text message from Lewis
16 phone, was entered into evidence.)

17 BY MR. THOMPSON:

18 Q Now, being familiar with how large County Square
19 is, I think you just told us it was very large, you
20 could have done your meeting that you ultimate did in
21 Charlotte in County Square, couldn't you? There's
22 plenty of places to meet in there.

23 A We could have.

24 Q And it wouldn't have cost the County anything?

25 A Time, that would have been it.

1 Q And time is what the job is, right? You work and
2 take time?

3 A Yes, sir.

4 Q And you could have ordered in lunch?

5 A We could have.

6 Q You could have turned off your cell phones.

7 A We could have.

8 Q And you could have just set that aside and it
9 wouldn't have been a problem?

10 A We could have.

11 Q Now, one of the things -- if you could, if you
12 tell me, kind of, the duties that Savanah had. What
13 were her duties that you required of her to do? Spell
14 those out for us.

15 A Savanah's job description, like I said
16 earlier, was to keep track of emails, keep track
17 of scheduling events, text messages. She answered
18 my cell phone, if we were out. If we were out
19 doing things, she would answer my cell phone. If
20 I was out on call or something like that, she
21 would answer those. She would take dictation and
22 notes in every meeting. Oftentimes, confidential
23 meetings that would take place. Savanah would
24 take notes at command staff. If we were out
25 somewhere and Savanah was with me, I would say, I

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1 need to be reminded to do this. As she would walk
2 with me down the hallways, if something happened,
3 or ran into us, if I find out that somebody was
4 sick, or that someone was hurt, someone's wife,
5 you know, injured or something, I would get
6 Savannah to remind me to send me a letter or a
7 note. We would continue, again, out and about, if
8 we were at a crime scene, she would -- she would
9 normally stage or help stage the meeting. She
10 would do -- when it was time for me to do certain
11 things at a crime scene, if I needed to give
12 statements, or anything like that, Savannah would
13 pull me off to the side. If there was something
14 specific that went wrong at the crime scene, or if
15 we saw how things could be done better, she would
16 annotate how those things could be done better,
17 bring them up again at the next command staff.
18 She would basically take all my notes for the
19 command staff. We didn't have weekly command
20 staffs. We had bi-weekly command staffs. So I
21 would have two weeks of notes put together before
22 we went. Those kind of things.

23 Q So your public information officers wouldn't be
24 the ones staging the meeting at crime scenes?

25 A The public information officers would do

1 that, yes. They that job prior to me being there,
2 and they continued to do that while I was there.

3 Q And she had no training for doing that, did she?

4 A It doesn't take any training to tell the
5 cameras where they need to be.

6 Q She has to training for crime scenes, does she?

7 A She had never been on a crime scene, to my
8 knowledge, before.

9 Q She had no training for any law enforcement
10 activity?

11 A Civilian employees don't have training for
12 law enforcement.

13 Q But you're telling us you relied on her for law
14 enforcement type of work?

15 A I relied on Savannah as my administrative
16 assistant, a person who could help me to get my
17 job done on a daily basis. I did not rely on
18 Savannah to answer calls. I did not rely on
19 Savannah to do things that were of a, quote, law
20 enforcement nature. She would be responsible for
21 assisting me in my law enforcement capacity.

22 Q Wouldn't staging the media at a crime scene,
23 wouldn't that be a law enforcement capacity thing to
24 do?

25 A Staging the media at a crime scene has

1 nothing to do with law enforcement capacity.

2 Q Really? Law enforcement has control of the crime
3 scene.

4 A It is the exterior of the crime scene where
5 the cameras are. The cameras are not in the crime
6 scene itself. They are outside of crime scene
7 area, which is where Savannah would go to.

8 Q And you're making sure they don't get inside the
9 crime scene, right?

10 A We are ensuring that people do not get inside
11 the crime scene from the media, that's correct.

12 Q But you literally did take Savannah into some crime
13 scenes, didn't you?

14 A Savannah is not with the media.

15 Q But she is a civilian and not an officer.

16 A Civilians can go into the crime scenes, or
17 the chaplains, medical examiners, ride-alongs,
18 people like that. The ones we described
19 earlier.

20 Q You're telling me you would take a ride-along into
21 an officer-involved shooting crime scene?

22 A We never had a ride-along, I believe, that
23 was involved in an officer-involved shooting.

24 Q Because you would take them even if someone was
25 involved. You would stop them. They would not go

1 into a crime scene of that nature?

2 A Hopefully, the ride-along was actually given
3 instructions prior to arriving to the scene to
4 where if there were shots being fired, that they
5 would just stay in the car.

6 Q So it's a little not quite right to say that you
7 would have the civilians in ride-alongs always going
8 to crime scenes?

9 A It is absolutely correct. Civilians go to
10 crime scene because they respond to the scene.

11 Q Civilians in ride-alongs, you take them into the
12 crime scenes? That's the question. Is that what you
13 do?

14 A Sir, give me a second. You asked me a
15 question. I'm glad to answer it for you okay?

16 Q Then please answer.

17 A I was in the process of doing that.

18 The civilians in crime scenes, when we go to
19 crime scenes, civilians do go there if they're in a
20 ride-along. If they're in a ride-along capacity, they
21 actually go. Oftentimes, the deputy will go up to the
22 door, the civilian may be with them. That's why
23 they're issued vests when they go up there.

24 Q So you're willing to risk the safety of civilians
25 in crime scenes, is that what you're saying?

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1 A They're given bulletproof vests and they sign
2 waiver documents before they go to say they
3 understand the risk of what they're doing when
4 they go --

5 Q Do you log them into the crime scenes?

6 A -- when they go for a ride through the
7 program.

8 If there is a crime scene that has an actual
9 log, a crime scene log, then they are logged into it.
10 I hope. There's supposed to be.

11 Q Now, you said, if there's a crime scene log.
12 Whenever there's a cording off a crime scene, there is
13 a crime scene log, is there not?

14 A Not every time you cord off a crime scene
15 there's a crime scene log. Most of the time,
16 there should be. That's the best practices, best
17 protocol. But not every crime scene has a crime
18 scene log.

19 Q And that is the sheriff's department's protocol to
20 have a crime scene log?

21 A The sheriff's office's policy or protocol
22 should be to have a crime scene log when you go.

23 Q And, as a matter of fact, officer-involved crime
24 scenes are treated differently, are they not?

25 A Officer-involved crime scenes are different

1 than most crime scenes in certain ways, yes.

2 Q And, as a matter of fact, as we heard earlier,
3 they're ultimately turned over to SLED to investigate,
4 correct, when there's an officer-involved shooting?

5 A It's currently the policy of the Greenville
6 County Sheriff's Office to contact SLED. However,
7 that's not necessary. We can conduct our own
8 investigation, or we can call someone else in from
9 a mutual aid agency to do that for us.

10 Q And in the crime scene they you took Savannah in
11 where there was a dead person that you took her by, in
12 that crime scene, you did call SLED to have come and
13 investigate that, did you not?

14 A When the crime scene -- I don't know which
15 one it was. But if Savannah was at a crime scene,
16 the one on Scuffletown Road, the suspect was in
17 the backyard and was shot at a distance and we had
18 to walk out through a field, kind of, area, a
19 large backyard field, kind of area, to get to
20 where he was, and Savannah did come with me.

21 Q And you took her to see the dead body, correct?

22 A I walked over to see where the suspect had
23 been shot. I didn't walk over there to take
24 Savannah to see a dead body.

25 Q But she did go and see it, didn't she?

1 A She did go see a dead body.

2 Q An, again, that crime scene was ultimately turned
3 over to SLED, was it not?

4 A I believe so. I believe SLED conducted the
5 investigation.

6 Q And part of the reason for that is because you
7 want an independent agency to look at it to show
8 there's no wrong doing on the sheriff's part.

9 A Some agencies in the state of South Carolina
10 elected to do their own investigations into their
11 own officer-involved shootings.

12 Q I didn't ask you what other ones do. I'm asking
13 what you what you did in this, and what the policy was
14 that day.

15 A Some agencies in South Carolina actually use
16 their own investigators to do their own
17 investigation into it. We, at that time, were
18 using SLED.

19 Q Okay. And so it was improper for you to take her
20 into the crime scene at that time, because, really, it
21 should have been held to be turned over SLED.

22 A It was not improper, because, as the sheriff
23 of Greenville County, I had the authority to walk
24 into a crime scene that's within my jurisdiction,
25 check on my deputies, also check on the suspects,

1 make sure there's no issues, make sure there's no
2 problems. So, as the sheriff, I had the authority
3 to do that.

4 Q But there was no legitimate reason to bring her
5 into the crime scene?

6 A As my assistant, again, with notes and things
7 like that, it was Savannah's responsibility to take
8 those notes. So if something went down or
9 something was wrong and I need to make note of it,
10 Savannah needed to be the one that was there to
11 take those notes.

12 Q You can't make note of something if it's wrong
13 yourself.

14 A Savannah's responsibility was to do that. I
15 absolutely could take notes on my own, yes, sir.

16 Q Now, one of the things -- you had mentioned the
17 command staff, and I think, at one point, the
18 leadership team. How many people are on the command
19 staff team? How many people were on the command staff
20 when you were sheriff?

21 A When I was sheriff, I think we had somewhere
22 between 11 and 12.

23 Q And they basically govern their own departments
24 under you, correct?

25 A They have autonomy to run their own divisions

1 as they saw fit.

2 Q So these people were important people to you
3 because they help you run your office better?

4 A Those people were important people in their
5 divisions and they were important to the function
6 of the Greenville County Sheriff's Office as a
7 whole.

8 Q All right. And each one of these people are
9 people who have been in law enforcement a fairly long
10 amount of time, correct? You don't have someone just
11 two or three years in that's running the division.

12 A You don't. No, sir.

13 Q So, between all of these people working there, you
14 have a hundreds of years of experience of law
15 enforcement working in your command staff, correct?
16 At least a hundred or two?

17 A I don't know if it's a hundred years or so. I
18 don't know the extent of time that those guys
19 have. Some had 30, some had, maybe, 15.

20 Q Okay. So on the bottom end, maybe around 15?

21 A I would say that.

22 Q So if there's 11 of them, well, over a hundred
23 years of experience. Plus you had the 30, so probably
24 around 200 years of experience ultimately.

25 A Sounds good.

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1 Q Are they different than the leadership team?

2 A The leadership team was the command staff.

3 Q So that's the same thing when we hear that's
4 interchangeable.

5 A Yes.

6 Q They're the same thing?

7 A Yes.

8 Q Again, with their experience, that includes a lot
9 of training for each person in the command staff,
10 correct?

11 A Ask me that again, sir.

12 Q Including their experience, they also have a lot
13 of training as a member of the command staff?

14 A It depends on what division that they
15 encompass. Some may have specialized training in
16 certain areas. Others may just have the academy
17 training, plus their time in law enforcement.

18 Q And your command staff basically are the cream of
19 the crop to some extent as far as being able to have
20 worked the roads, going up through the ranks, and now
21 able to help and administer and run different
22 divisions under you, correct?

23 A I don't know that I would use the term "cream
24 of the crop," but they were very good at what they
25 did. They were beneficial to the divisions that

1 they were given. They were absolutely good to
2 manage those divisions.

3 Q And the things that made them good at that are the
4 fact that they had all the experience and the
5 training, right?

6 A Most of them were assigned to areas that they
7 had specialized training and they had been there
8 for a while, yes, sir.

9 Q But with Savannah, she didn't have very much
10 experience or training. She's only 22 years old and
11 you decided she's going to be your right-hand
12 person?

13 A Yes. Savannah's experience and training came
14 from the Department of Social Services and from
15 being a paralegal. She fit well within the
16 parameters of everything that I needed for a
17 person to fill that position as far as dictation,
18 as far as note taking, as far as email checking,
19 scheduling. She was a DSS agent. She was able to
20 keep case files. All the case files that she was
21 able to keep. She knew the importance of security
22 in the conversations that would happen. And, like
23 I said before, a lot of times we would have
24 conversations behind closed doors with personnel
25 you had some issues that didn't need to get out,

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1 and that was one of the most important things.

2 Q I'm going to play you a clip from the fifth
3 recording of a conversation you had Savannah. I
4 believe it's already in evidence at this time.

5 MR. THOMPSON: If you could play clip 5
6 for me.

7 THE WITNESS: Would you mind if I got a
8 copy of the transcript while you played that?

9 MR. THOMPSON: Sure.

10 MR. BRACKETT: I believe your attorney has
11 one.

12 MR. WISE: Yeah, I don't know if I got it
13 out.

14 THE COURT: What are you looking for?

15 MR. THOMPSON: Recording 5.

16 MR. BRACKETT: We have one. This is our
17 copy with notes. Your Honor has one.

18 THE COURT: Let's move on.

19 THE WITNESS: Thank you, sir.

20 THE COURT: This was not distributed to
21 the jury.

22 MR. BRACKETT: Your Honor, I believe it's
23 in evidence, but not yet been played.

24 THE COURT: Right, that's what I'm
25 telling them.

Testimony of William Lewis
(Recording 5 played.)

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BY MR. THOMPSON:

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Q So despite all the years of experience of the command staff, somewhere the area of 200 if you add it all together, you would trade all of them for Savannah?

7

A What's your question?

8

Q That's what you said.

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A I did. I said that. Again, not my shining moment. But, I mean, there's some context to that. And the context is that Savannah and I had a very close personal working relationship. And, unfortunately, at the time, I had had the affair with Savannah. And I think a lot of that was, you know, a combination of having had the affair and a close personal working relationship.

Q And in telling her that, you're even trying to continue the affair with her, are you not?

A I'd like to say no, but it sure does sound like it. That's the unfortunate part about it. It sounds like I'm still pursuing her.

Q And it not only sounds like it, but it sounds like it because you were pursuing the affair, correct?

A You know, again, I would like to say no. I don't know what my mindset was at that given

1 moment. But, you know, I'm not going to run from
2 the fact that I had the affair. I'm not going to
3 run from the fact that I had these audios come
4 out. I'm not running from it, man. I made a
5 horrible, horrible decision, and I made the
6 decision to pursue a woman who was not my wife.
7 And that is -- I can only ask for forgiveness for
8 that.

9 Q All right. Now, one of things -- one of things in
10 law enforcement, or one of the things that you would
11 certainly, I believe, agree with is that when officers
12 are going into a call or going into a scene, they have
13 to caution, correct?

14 A Sorry?

15 Q When officers are responding to any type of call,
16 they always have to use caution?

17 A Yes.

18 Q And, in addition to that, if a situation is
19 getting volatile or that sort of thing, you're trying
20 deescalate that situation. In other words, bring
21 things down so they don't get worse?

22 A That's a good attribute to have, yes, sir.

23 Q All right. And they would also try to avoid any
24 unnecessary confrontations. If you don't have to
25 fight someone or be in a bad situation where people

1 are drawing guns on you, you try to not get into that
2 situation in the first place. You look for ways to
3 avoid that, correct?

4 A We would hope so.

5 Q Now, of course, there are some times they can't,
6 but they try to, because -- I guess, in other words,
7 you don't put yourself in a dangerous situation if you
8 don't have to?

9 A No, sir. I disagree with that. Sometimes
10 you have to put yourself, as a law enforcement
11 officer, in a dangerous situation in order to
12 resolve the situation.

13 Q That's what I said. You don't do it unless you
14 have to.

15 A Okay.

16 Q So, I mean, there are times you have to, no doubt.

17 A Okay.

18 Q But you don't do it unless you have to.

19 But you started from the beginning putting
20 yourself in a dangerous situation, didn't you, by
21 getting a pretty, naive, 22-year-old girl to be
22 constantly at your side all times of the day and
23 night, didn't you?

24 A She was not naive. She was pretty. She was
25 young, but she was not naive.

1 Q But you put her by your side and you smothered her
2 with special perks, did you not?

3 A She did not get smothered with special perks
4 that any other person that was in her position
5 would not get.

6 Q So administrative coordinators like Jackie should
7 have gotten the same things?

8 A It would have been really nice to be able to
9 get Jackie a car. It would have been really nice
10 to be able to get Jackie a phone. Jackie told me
11 at one particular point that she did not want
12 Savannah's position because she liked the position
13 she was in. She didn't think she could do what
14 Savannah did because she didn't think she could
15 keep up with her.

16 Q Because she didn't want to have to go out after
17 hours, correct?

18 A Correct.

19 Q And so, she wasn't getting -- she was getting
20 perks more so than what other people were getting,
21 wasn't she?

22 A Who?

23 Q Savannah was?

24 A She was getting perks beyond what people --

25 Q What other people who were administrative

1 coordinators were getting?

2 A She got to do things that other people did
3 not get to do, yes, sir.

4 Q All right. And you said -- you talked about the
5 rappelling. You were saying other people did
6 rappelling too. That is still a perk. That's
7 something that not everybody does.

8 A No, not everybody does that.

9 Q And, again, you've already mentioned the car,
10 another perk that not everybody does, especially with
11 civilians, it's rare.

12 A That's not correct. The civilians that are
13 on call have vehicles.

14 Q Civilians rarely have vehicles, though, correct
15 for the sheriff's department.

16 A No, sir. Civilians that are on call have
17 vehicles, period.

18 Q I know you're qualifying it. But the civilians in
19 the sheriff's department as a whole, rarely have cars.

20 A My apologies. I thought you were qualifying
21 it, so I was clarifying it. I don't think --

22 Q I'm just saying civilians in the sheriff's
23 department. I'm putting no other qualifying on it.
24 You added the qualifying.

25 A Civilians within the sheriff's department --

1 Q -- rarely have cars.

2 A Rarely have government-issued vehicles.

3 Q Correct.

4 A Correct.

5 Q And, in reality, Savannah rode everywhere with
6 you?

7 A No, sir. That's not correct.

8 Q Other than when maybe you had to meet up in the
9 middle of the night when you had to go to a crime
10 scene. But, other than that, during the day, if, you
11 went somewhere, she was with you in your car, wasn't
12 she?

13 A Oftentimes, Savannah would meet me. You know,
14 if we were going to a lunch and she had to go
15 somewhere else, so, no, sir. That's not correct.

16 Q Sometimes there were, but the majority of the time
17 she rode with you, didn't she?

18 A If we were going to the same place and we
19 were together leaving the office, she absolutely
20 would ride with me.

21 Q You also smothered Savannah with constant praise,
22 did you not?

23 A I'm sorry? What word did you use?

24 Q You smothered her with constant praise.

25 A I would not say I smothered her with constant

1 praise, no.

2 Q You praised her often?

3 A Absolutely.

4 Q And you would tell her that you couldn't do this
5 job without her.

6 A That is correct.

7 Q That you couldn't be an effective sheriff without
8 her being in that position?

9 A I don't ever remember saying that I could not
10 be an effective sheriff without her in that
11 position. We were definitely a team.

12 Q Okay. But you would agree that you said you
13 couldn't do the job without her?

14 A I absolutely said that I could not do the job
15 without her, yes, sir.

16 Q And but when she left, you were still able to do
17 your job, were you not?

18 A I was able to do my job very well because I
19 hired someone right after Savannah left.

20 Q Now, as sheriff, certainly you do many meetings
21 and things of that nature. But, really, your
22 after-hours stuff, are you trying to tell us that
23 every day you had to work after hours and Savannah had
24 to stay with you during that time?

25 A I am telling you that every day that I worked

1 after hours, Savannah elected to stay with me.

2 Q But you would ask her to stay with you, wouldn't
3 you?

4 A No, sir.

5 Q So she didn't have to?

6 A No, sir.

7 Q All right. So, her job wasn't necessarily as
8 demanding as you're telling us because she didn't have
9 to stay after hours. That was something she chose to
10 do.

11 A She elected to stay after hours. There was
12 always something for Savannah to do. But,
13 oftentimes, I felt like Savannah was working a lot
14 of hours at the office and she young. She did
15 have her own life. So there some times when I
16 would leave the sheriff's office, ride around the
17 block because I knew that she would leave, and I
18 would come back to work and finish up. But there
19 were a lot of times personnel issues that I needed
20 to take care of, opinion initially issues that I
21 need to do take care of. Personnel issues that I
22 needed to take care of.

23 Q But the reality of it is, she didn't really have
24 to work long hours if she didn't want to, right?

25 A She -- there were a lot of hours that Savannah

1 needed to be there, yes. There were a lot of
2 hours that she was there that she probably didn't
3 need to be there, but she kept herself busy.

4 Q Now, you had mentioned one of the things that you
5 did in Charlotte -- well, before I get to that.

6 Putting yourself in this situation, you
7 basically set yourself up for failure, did you not?
8 You set yourself up to have an affair.

9 A Looking back on it, absolutely that's what
10 happened. At the time, I did not see it. Because
11 I would not have hired Savannah if I knew that I
12 was going to have an affair with her.

13 Q And Ty Miller even had a conversation with you
14 warning about what the perception was between the two
15 of you, correct, back when she talked to you about the
16 crime scene and taking Savannah to a crime scene?

17 A Ty said that she had that conversation. It
18 would not -- again, I'll be perfectly honest, I
19 don't remember the conversation, but it would not
20 shock me at all if Ty Miller had that conversation
21 with me.

22 Q You wouldn't recall a conversation where she
23 confronted with you with something like that?

24 A The conversation that I remember specifically
25 talking -- confronting me about with Savannah was

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1 the one where she asked me if I had sex with
2 Savanah the Monday after she met Savanah on the
3 Swamp Rabbit Trail.

4 Q And you told her you did not?

5 A That is completely incorrect. I told
6 Ty Miller that I did. And she looked at me in
7 shock and said, oh, my God, she told me all you
8 did was kiss. That was the conversation between
9 Ty and I that Monday.

10 Q But you denied to other members of the sheriff's
11 department that you had had the affair, correct?

12 A No, I denied that I had sexually assaulted or
13 raped Savanah.

14 Q Now, didn't you have a time when you called
15 together a group of people in the sheriff's department
16 to tell them that there was no truth to any of these
17 allegations, that you did not have any -- as they said
18 when you walked out, "I did not have sexual relations
19 with that woman?"

20 A There was a time when I called different
21 groups together from different divisions. I
22 didn't call everybody together at the same time. I
23 went to different areas and had conversations with
24 people.

25 I never asked -- and I specifically remember

1 this because I'm not going to get into attorney/client
2 conversations, however my attorney was very specific
3 in telling me, do not deny having sex with Savannah.
4 Don't say that. But you can deny the rape. You can
5 deny the sexual assault. And I denied of both of
6 those. So I very specifically remember it and was
7 very clear and pointed in how I said it.

8 Q So you're telling us that there was never a time
9 that you gathered any of your people at the sheriff's
10 department together and told them, I didn't do this, I
11 didn't have any sexual relations with that woman?

12 A I never told them I did not have sexual
13 relations with her. I told them I did not rape
14 her and I did not sexually assault her.

15 As a matter of fact, on leave --

16 Q I'm not talking about your press conference. I'm
17 talking about when you met with people of your own
18 office.

19 A Correct. I very specifically remember a
20 conversation shortly thereafter with one of my
21 captains who said when he found out that Savannah
22 and I had had sex, he said, you know, I knew you
23 did. And I said, how did you know? He said,
24 because you didn't deny having sex with her. He
25 said, you denied sexually assaulting her or raping

1 her. And he said, but I knew at that point that
2 you had had sex with her. So that is one very
3 specific way that I remember that because I
4 remember that conversation.

5 Q You have a very interesting memory.

6 Do you recall then telling people within your
7 department that what Savannah says, take it as if it's
8 coming from me. When Savannah sends you something or
9 she sends you an email, take it as if it's coming from
10 me, she's an extension of me.

11 A If she sends and email, if she sends a text,
12 if she calls and asks you for something, of if she
13 tells you that I said something, it was like it
14 was coming from me, I did say that.

15 Q Now, within the sheriff's department you had a
16 code of ethics, correct?

17 A We do.

18 Q And in that code of ethics, it stresses the
19 importance of integrity and keeping officers having
20 integrity and the sheriff's department -- and keeping
21 the integrity of the sheriff's department in tact.

22 A I'm sorry. Ask me that question again.

23 Q It stresses the importance of integrity.

24 A I haven't seen the code of ethics in a while,
25 but I'm sure it probably does stress something

1 about integrity.

2 Q All right. And part of integrity is truthfulness,
3 right?

4 A Yes.

5 Q But, you, in your position, should be the one with
6 the most integrity and the most truthfulness, correct,
7 because you're the head of the whole department?

8 A It would have been nice if I would have
9 been.

10 Q And you stressed trust and truthfulness when you
11 talked to Savannah, correct?

12 A I did. A trusting relationship was important
13 to the position that she had, because, again,
14 there was a lot of secured information that was
15 going around, and I didn't need her to be out
16 talking about it with deputies and things like
17 that.

18 Q And you didn't just necessarily lie about whether
19 you had a sexual encounter with Savannah. You like
20 about a number of things, did you not?

21 A The only person that I lied to about having a
22 sexual encounter with Savannah is my wife. I did
23 not lie to anyone at the sheriff's office.

24 Q There was no one in the sheriff's department that
25 you denied that you had any sort of sex with Savannah?

1 A I do not ever recall, once this blog post
2 came out, denying that had sex with Savannah.
3 Actually, before it, again, Ty Miller approached
4 the Monday after Savannah approached her on the
5 Swamp Rabbit Trail and asked me in a very explicit
6 way if I had sex with Savannah, at which point I
7 said, yes, but I just assumed that Savannah had
8 told Ty that we had sex. And Ty Miller's response
9 was, oh, my God, I can't believe that. All she
10 told me was that you kissed. And that's -- that
11 was the beginning of the people that asked me
12 anything about it.

13 Q And, basically, lying destroys the trust that
14 people have in you, correct?

15 A If you lie, it absolutely does.

16 Q And it also, therefore, hurts the integrity of the
17 office?

18 A I don't think one person is bigger than the
19 office. I think that the office stands alone.
20 Those men and women have proven that they stand
21 alone, and that they're capable of moving forward
22 with or without a specific person.

23 Q When that one person is the leader of the office
24 and the most important law enforcement officer in
25 Greenville County, it does affect the entire office,

1 does it not?

2 A Oh, it does, absolutely affects it. They
3 have to answer questions for things that I did.
4 They shouldn't have to answer questions for it.

5 Q And it hurts their integrity.

6 A I'm sorry. How does it hurt their integrity?

7 Q As being members of the office, the office that's
8 run by the man that's lied to everyone.

9 A Their integrity is still intact, solely and
10 wholly, based on whatever decisions that they
11 make. My integrity was the one that's in
12 question.

13 Q But it hurts the office itself.

14 A It hurts the office in that they have to
15 answer questions for what I did.

16 Q And it hurts the integrity of the office, doesn't
17 it?

18 A I don't think I know what you're getting at.
19 It doesn't -- what you're saying doesn't make a
20 lot of sense to me. What I'm saying is that I
21 lied to my wife about having an affair.
22 Specifically to my wife. That does not jeopardize
23 the integrity of the men and women of the
24 Greenville County Sheriff's Office that I had an
25 affair. It did not jeopardize their integrity.

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1 Those men and women still have their integrity
2 intact.

3 Q Do you recall that you said, coming back from
4 Charlotte with Savannah, what happens in Charlotte
5 stays in Charlotte?

6 A I did say that.

7 Q Because you wanted to cover up what you had done,
8 did you not?

9 A I wanted to cover up for my wife, absolutely.
10 What happens in Charlotte stays in Charlotte. I
11 did not want my wife to find out that I had an
12 affair.

13 Q As a matter of fact, you never told your wife that
14 you were taking Savannah to Charlotte, did you?

15 A I don't remember not -- specifically not
16 telling her. I can't recall if I did or not. But
17 obviously, I did not. Based on the conversations
18 that she and I have had since. I obviously did
19 not tell her that.

20 Q All right.

21 MR. THOMPSON: I ask to play another
22 recording at the moment. It's going to be 11.1.

23 MR. WISE: So it will be number 11.

24 (Recording 11 played.)

25 BY MR. THOMPSON:

Testimony of William Lewis

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1 Q That may be difficult to hear some of that. So I
2 will I read it so the jury can understand as well.
3 You told Savannah when she said she felt manipulated,
4 "I have in no way manipulated you or tried to. My
5 manipulation is very, very different. It's devious
6 and it's evil. I manipulate people and I do that for
7 the advantage of myself only, not for a relationship.
8 Whether it's work or whether it's something else, I'm
9 completely capable of manipulating you. I choose not
10 to. Okay? All right?" And then Savannah says, "I
11 feel sick."

12 The truth is, Mr. Lewis, you were
13 manipulating Savannah at this point in time, were you
14 not?

15 A No, sir.

16 Q You were manipulating her to try to get her to go
17 to Reno with you?

18 A No, sir. This recording was well after the
19 Reno conversation. This was a conversation where
20 I was trying convince Savannah to stay with the
21 office. I knew at this point that, no matter what
22 happened, there was going to be a fallout. My
23 wife was going to find out. This is the part
24 where I get just, you know, to the point to where
25 I'm grasping straws to try and save my marriage at

1 this point.

2 Q Well, what you're describing is your great ability
3 to manipulate people, correct?

4 A In law enforcement, there are tactics for
5 manipulating suspects in very various areas trying
6 to get them to confess or say certain things. So,
7 yeah, that is exactly right. I said that I could
8 manipulate and I could.

9 Q I'm not talking about this day that you were
10 manipulating her to Reno. When you had the first
11 conversations with her, that first day on her driveway
12 and then when you were in your car, you were trying to
13 manipulate her to go to go to Reno, weren't you?

14 A I was trying to convince her to go to Reno,
15 yes, sir.

16 Q And you were trying to manipulate her to go to
17 Reno.

18 A I was trying to convince her to go to Reno.

19 Q Through manipulation.

20 A I don't know if it was through manipulation,
21 but I was definitely trying to convince her to go
22 to Reno.

23 Q Let's walk through the convincing of her to go to
24 Reno.

25 MR. THOMPSON: If you would, play -- go

1 to the second tape, 2.1. I'm sorry. 2.0, please.

2 (Recording 2.0 played.)

3 BY MR. BRACKETT:

4 Q All right. And part of her telling that was so
5 that you could get her to go out there so that you
6 could carry on an adulterous relationship with her,
7 correct?

8 A Yes, sir, to carry on an adulterous
9 relationship. I would say that was probably what
10 I thought was going to happen.

11 Q Okay. And that's why you told her ultimately that
12 there was a high probability that you would stay in
13 the same room, correct?

14 A I did tell her that.

15 Q And that when she was saying no, you tried to
16 convince her through telling, well, you know,
17 everybody has female partners at some port. You know,
18 you gave the whole story about how Ty Miller would do
19 that, and there was nothing about changing or being in
20 the same room, nobody thought anything of it in law
21 enforcement, correct?

22 A Well, that's not a hundred percent true,
23 but --

24 Q You said that to her, though, correct?

25 A I said that, yes. It is a hundred percent

1 true that I said that.

2 Q All right. And what's not true is that's really
3 not what law enforcement does. That's not an
4 acceptable practice in law enforcement.

5 A That is not an acceptable practice in law
6 enforcement, but it does not mean that, on
7 occasion, it has not happened. It is not
8 excusable, and I should never, in any way, have
9 discussed it or tried to use that as a convincing
10 factor for Savannah.

11 Q So you would agree with me that you were, in that
12 instance, trying to manipulate her to see things in a
13 different way so that she would agree to come?

14 A To see things in a different way, that would
15 be fair.

16 Q Now, the sheriff's conference in Reno, you had
17 already told, through text, another Sheriff that you
18 weren't going to go to that, correct?

19 A He refreshed my memory of it. I didn't
20 remember that conversation, but he refreshed my
21 memory of it.

22 Q And so that is correct. You decided, when you
23 asked him about it, that it wasn't worth it?

24 A At the time I spoke with Sheriff Wright via
25 text messages about going to Reno, Martine,

1 actually, that was here earlier was trying to
2 change my mind and convince me to go back out
3 there. Either way, it would have been irrelevant
4 because we, "we" being my wife and I, already had
5 a scheduled event to go out of town. So it was
6 already paid for, so we were not -- no matter
7 what, I was not going to Reno.

8 Q Okay. This is something new. But yet you're
9 trying to convince Savannah to go to Reno with you.
10 And if she would have said yes, you would have gone to
11 Reno, wouldn't you?

12 A No. Actually, if Savannah said yes, knowing
13 the -- knowing that -- I can't remember if it was
14 the Disney cruise or the -- or my wife's reunion,
15 but either way, we had them both scheduled, and we
16 were either slotted to go to the French Quarter,
17 which we already had reservations for in
18 Charleston, or we were going on the Disney cruise.
19 I don't remember which one it was, but there is no
20 way that I was going to go Reno. My wife would
21 have cut my head off if I would have gone to Reno.

22 Q But yet, you went to great lengths to try to
23 convince her to go to Reno with you. So you're
24 telling us you weren't going to go? Is that
25 believable?

1 A It should be very believable when I tell you
2 my wife is going to cut my head off if I don't go
3 with her. That's exactly what's going to
4 happen.

5 Q Would it be fair to say your wife might cut your
6 head off if you had an affair? You did anyway, right?

7 A That was definitely my fault. I did have an
8 affair. I did have an affair.

9 Q So all of this constant convincing of her to go to
10 Reno was for nothing? Is that what you're trying to
11 say?

12 A Yes, sir.

13 Q Now, you gave sworn testimony in a deposition in
14 this case, correct? Through another aspect of this,
15 correct?

16 A Let me clarify something for you. It may
17 help you a little bit. At the time that this
18 conversation went down with Savannah -- at the time
19 this conversation went down, I did not know. I
20 did not know the event was scheduled because I
21 didn't keep my calendar. Savannah kept my
22 calendar. I didn't know that.

23 Q So you fully intended that you would be going --
24 when you're talking to her, you're thinking that you
25 would be going to Reno?

1 A When I was taking to her, I was thinking we
2 are going to Reno, yes.

3 Q All right. And when you're talking with her,
4 you're thinking you're going to be paying for this out
5 of the sheriff's fund to pay for Reno, correct?

6 A I thought that we would be able to get one
7 room compensated by a local company, and that one
8 room would go to the County bill.

9 Q And the local company was B, or Brandon, he was
10 your friend that once worked with you at the sheriff's
11 department, right?

12 A That is correct.

13 Q And, as a matter of fact, when you were elected,
14 you brought him back briefly, correct?

15 A No, that is not correct. Brandon did not
16 work at the sheriff's office.

17 Q Were you working towards helping him get some sort
18 of retirement benefits, or some sort of benefits?

19 A Brandon wanted to come on as a civilian
20 employee with the sheriff's office because he was
21 making more money where he was at, traveling and
22 doing his new job. He liked the perks of his new
23 job, but he did ask if he could come back as a
24 civilian employee.

25 Brandon wanted to be able to use the

1 credentials as a current law enforcement officer if he
2 went somewhere because it would bolster his current
3 job position that he had. Brandon was a retired
4 deputy and Brandon's position as a retired deputy
5 didn't always give him the credentials that he thought
6 he needed when he went to other places.

7 Brandon and I had discussed the option of
8 bringing him in as a civilian personnel that
9 instructed -- the company that he was with is a
10 company that does tactical medical work, and we had a
11 tactical medical unit on our SWAT team, so he was
12 going to be able to assist with those guys and do
13 certain things with his SWAT experience. But it was a
14 civilian. It was an non-paid position.

15 Q And you were seeking to get a comp room from him,
16 right?

17 A We talked about a comp room, yes.

18 Q But other room would be paid for through the
19 sheriff's department's travel fund.

20 A That's correct.

21 Q And the plane flights would be paid for by the
22 sheriff's department's travel fund.

23 A That would be correct.

24 Q Any meals you had there would be paid for by the
25 sheriff's department's travel fund.

1 A If we took per diem, yes.

2 Q All right. And even if you didn't take per diem,
3 you could charge meals and then bring them back off of
4 your sheriff's department credit card, right, and have
5 it paid?

6 A Or a personal card. Either one, yes, sir.

7 Q All right. So all those things would have been
8 paid for by the sheriff's department's travel fund?

9 A If I did not elect to pay for them with my
10 personal funds, the meals, yes, sir.

11 Q But you had no intention for paying with your
12 personal funds for the flight or the one hotel room,
13 correct?

14 A No, sir. I probably would not have done
15 that.

16 Q Now, you said you hired Abby after -- what's
17 Abby's last name again.

18 A Are you saying Abby?

19 Q Abby, yes.

20 A Addie.

21 Q Addie. I'm sorry.

22 A Yes, sir.

23 Q What is Addie's last name?

24 A Now, it's Sheek. It was Hampton.

25 Q Addie Hampton at the time. And you had hired her

1 to replace Savannah, correct?

2 A That is correct.

3 Q But you were telling us that you weren't making
4 the decision on that. You had the other three making
5 the decision for you?

6 A I did.

7 Q So this most important position, your right-hand
8 person, you wanted someone else to make the decision?

9 A At the time, I trusted Marcus and Ty and
10 Jackie to make that decision. Jackie saw from an
11 administrative perspective what the position
12 entailed because she was able to see Savannah on a
13 day-to-day from an administrative perspective. Ty
14 and Marcus were able to see Savannah on the outside
15 when she went places and did things. So I thought
16 that was a great perspective to have for a person
17 to come take that position.

18 Q So you were just basically there to finally
19 approve who they chose?

20 A Ultimately.

21 Q And you made the suggestion, though, of this girl
22 from Tennessee, the name Sidney Salati?

23 A Sidney Salati?

24 Q Uh-huh.

25 A Sorry.

1 Q You don't remember that name?

2 A No, sir.

3 Q Do you remember providing a picture of a pretty
4 young woman to them?

5 A No, sir.

6 Q Now --

7 A Do you have a picture or anything to show me?

8 Q I'll be asking the questions. Did you show them a
9 picture?

10 A No.

11 Q Okay. Did you ever suggest to anyone that Savannah
12 should get a raise after she had been there for a
13 short time?

14 A I suggested it at the -- I believe the first
15 night that they were in Charlotte, before Savannah
16 and I had slept together, I suggested to Joe that
17 Savannah get a raise because she had been working
18 in that position a lot, many, many hours.

19 Q And you thought it was appropriate for her to have
20 a raise even though she had just been working for a
21 matter of a few months?

22 A I thought it was appropriate for her to have
23 a raise, because, again, the position was
24 brand-new and we didn't realize how much people
25 were going to be working until we actually started