

1 MR. SEARS: Judge, this is Mr.
2 Sears. I just want to make sure you can hear
3 me okay.

4 JUDGE GLUCHOWSKI: I can hear you
5 fine. Thank you.

6 MR. SEARS: Thank you, Judge.

7 JUDGE GLUCHOWSKI: Okay. I'm only
8 seeing [REDACTED] up to her nose.

9 Okay. Great. Now, can I ask her
10 to stand up while I swear her in, because I
11 haven't done that yet?

12 Whereupon,

13 [REDACTED]
14 a witness, was called by Counsel for the
15 Petitioner, and having been first duly sworn,
16 was examined and testified as follows:

17 JUDGE GLUCHOWSKI: Ms. Siegel,
18 she's your witness.

19 MS. SIEGEL: Thank you, Your
20 Honor.

21 JUDGE GLUCHOWSKI: [REDACTED] can
22 you see me?

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1 THE WITNESS: Yes.

2 DIRECT EXAMINATION

3 BY MS. SIEGEL:

4 Q [REDACTED] can you just tell the
5 Court what your name is?

6 A My name is [REDACTED]

7 JUDGE GLUCHOWSKI: Excuse me one
8 second, Ms. Siegel. I want to make sure that
9 everybody can hear her. Can you all hear her?

10 MR. LIEBIG: Yes.

11 JUDGE GLUCHOWSKI: Okay. Go
12 ahead. [REDACTED] Okay.

13 BY MS. SIEGEL:

14 Q And would you tell the Court how
15 old you are?

16 A I'm 15.

17 Q And what grade are you in school?

18 A I'm a tenth grader.

19 Q And where do you go to school?

20 A I go to [REDACTED]

21 Q And can you tell the Court where
22 you're currently living?

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1 A I live with my mom at [REDACTED]

2 [REDACTED]

3 Q And besides your mother, does
4 anybody else live there?

5 A My sister.

6 Q What's your sister's name?

7 A [REDACTED]

8 Q Now what's your father's name?

9 A [REDACTED]

10 Q [REDACTED]

11 A Yes.

12 Q Before you lived where you're
13 currently living with your mother, where did
14 you live?

15 A I lived with my mom and dad at

16 [REDACTED]

17 Q And so your father lived there
18 too?

19 A Yes.

20 Q And do you recall when you moved
21 from that address?

22 A Yes. It was July of '07.

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1 Q Now in the house that you lived at
2 [REDACTED] what kind of house was this?
3 Was it a townhouse, single family house,
4 apartment?

5 A It was a townhouse.

6 Q Okay. And how many stories are in
7 the house?

8 A Three.

9 Q Three. And where was your
10 bedroom?

11 A On the top level.

12 Q Okay. And where was your parent's
13 room?

14 A The top level.

15 Q Top level. Okay.

16 Now, your father, when was the
17 last time you've seen your father, [REDACTED]

18 [REDACTED]

19 A I saw him in September of '09.

20 Q And have you talked to him since
21 then?

22 A No.

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1 Q So the last time you've seen or
2 talked to your father was in September of '09?

3 A Yes.

4 Q Prior to September of '09 after
5 you moved out of the home with your father,
6 how many times were you seeing him or how
7 often were you seeing him?

8 A Not very often. Maybe once a
9 month.

10 Q Okay. Now let's go back to when
11 you actually lived in the home with your
12 mother and your father. Did your sister live
13 there also?

14 A Yes.

15 Q Was there anybody else living in
16 the home at that time?

17 A No.

18 Q Okay. Now you said that your
19 bedroom was on the top floor?

20 A Yes.

21 Q And would your father ever come
22 into your bedroom?

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1 A Yes.

2 Q And when would he come into your
3 bedroom?

4 A At night.

5 Q And how often would he come into
6 your bedroom?

7 A Starting off, it was like three
8 times a week. But after that, it was every
9 night.

10 Q And can you tell the Court what
11 your father would do when he came into your
12 bedroom?

13 A He would finger me and make me
14 give him a handjob.

15 Q Now I need you -- and it's going
16 to be hard -- but I need you to tell the Court
17 what you mean by fingering you.

18 A He would put his hand or fingers
19 in my vagina.

20 Q And you also said that he would
21 make you give him a handjob. Would you tell
22 the Court what you mean by that?

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1 A He would make me put my hands on
2 his penis and go up and down.

3 Q Okay. Now when that was happening
4 and you give him that, what would happen to
5 his body? Can you describe what would happen?

6 A He would come -- like stuff would
7 come out of his penis.

8 Q Now you said that initially he
9 would come into your room three times a week.
10 Can you tell us how old you were when that
11 started?

12 A I was nine when it started.

13 Q Okay. And how long did that go
14 on? When was the last time this happened?

15 A In April before we moved out.

16 Q Okay. So about how many years was
17 that?

18 A About five.

19 Q Now when this would happen when
20 your father would come into your bedroom,
21 where would you be in your bedroom?

22 A I would be in my bed.

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1 Q Were you awake or asleep? What
2 would you be doing?

3 A I was normally asleep.

4 Q Okay. When your father came in,
5 what would he do? Where would he go in your
6 bedroom?

7 A He would go straight to my bed.

8 Q Okay. And do you recall what your
9 father would be wearing?

10 A The lights were off. I don't
11 know.

12 Q Okay. And what would you be
13 wearing?

14 A A nightgown or a two-piece pajama
15 set.

16 Q Now when these things were
17 occurring and your father was fingering you or
18 you were giving him a handjob, were your
19 clothes kept on?

20 A They were until I was 11.

21 Q What happened when you were 11?

22 A He took my pants off all the way.

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1 Q Were you wearing underwear?

2 A Yes.

3 Q And were your underwear removed?

4 A Yes.

5 Q Okay. So you said the first time
6 that happened was when you were 11. After
7 that, how often would that happen?

8 A Every night.

9 Q Okay. He would take your pants
10 off every night?

11 A Yes.

12 Q Okay. Now when these actions were
13 going on when your father was fingering you
14 and making you give him a handjob, was he
15 saying anything to you?

16 A He never said anything during it,
17 only after.

18 Q What would he say after?

19 A He would say I was his special
20 angel, and we should keep it a secret.

21 Q Now, were you afraid of your
22 father?

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1 A I was.

2 Q And why were you afraid?

3 A He threatened me a lot.

4 Q And what would he specifically
5 say?

6 A He said if you tell anybody, I'll
7 hurt you, or even risk your family. And you
8 don't want to destroy the family.

9 Q Now where were you when he would
10 say these things?

11 A I was in my bedroom on my bed.

12 Q So would this happen immediately
13 after?

14 A Yes.

15 Q Now where was your mother when
16 these things were occurring?

17 A Normally her bedroom.

18 Q And do you know approximately what
19 time at night your father would come in your
20 bedroom?

21 A It would be after midnight.

22 Q After midnight. And your mother

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1 would be in her bedroom. Okay.

2 Now, did your father ever show you
3 any pictures?

4 A Yes.

5 Q And can you just tell this Court
6 what types of pictures your father would show
7 you?

8 A Pictures of men and women having
9 sex with a weird facial expressions on them.
10 And he would say maybe you can take pictures
11 and we can get money for them.

12 Q Do you know how many times that
13 occurred?

14 A About two.

15 Q Two times. Now did your father
16 have a computer?

17 A Yes.

18 Q And did you ever see his computer?

19 A Yes.

20 Q And when you lived with your
21 father, what room was the computer kept in?

22 A The lower level.

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1 Q And you said you did see the
2 computer?

3 A Yes.

4 Q Can you tell the Judge what you
5 saw on the computer?

6 A There would be times when I would
7 see pornographic pictures of women in poses
8 showing their private areas, their boobs and
9 their vaginas.

10 Q When you saw these pictures, where
11 was your father?

12 A He was at work.

13 Q So he was not with you when you
14 viewed the images on the computer?

15 A No.

16 Q Now did your father ever talk
17 about sex with you?

18 A No.

19 Q So he never brought up sex in any
20 way to you?

21 A No.

22 Q Did you ever discuss having sex

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1 with other people?

2 A My mother.

3 Q Did you ever tell your mother that
4 these things were going on?

5 A No.

6 Q And why did you not tell her?

7 A I was scared for her.

8 Q And what were you scared for?

9 A I was scared that my dad would
10 hurt her.

11 Q And did you eventually tell your
12 mother?

13 A Eventually.

14 Q And can you tell us when that was?

15 A When all this came out in
16 November.

17 Q Have you talked to anybody else
18 since November about this?

19 A Yes.

20 Q And can you tell us who you talked
21 to?

22 A My best friend, [REDACTED] my therapist

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1 and the new youth leader at my church.

2 Q Okay. Now previous to November,
3 was there ever a time when you were asked
4 about your father sexually abusing you?

5 A Yes.

6 Q And when was that?

7 A That was in June.

8 Q And did you talk to the Department
9 of Social Services at that point in time?

10 A Yes.

11 Q And at that point in time, what
12 did you tell the Department of Social Services
13 had happened?

14 A Nothing.

15 Q And back in June, did you talk to
16 anybody else about this?

17 A No.

18 Q Did you talk to Detective Sansale?

19 A I did. But I didn't tell him
20 about it.

21 Q So prior to November, had you told
22 anybody that this was happening?

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1 A In July was when it all came out
2 at a church camp.

3 Q But when the allegations in June
4 occurred, you told people that nothing
5 happened and you denied that your father had
6 done anything?

7 A Right.

8 Q Can you tell us why you denied it
9 at that point in time?

10 A I was scared. And I wasn't ready.
11 I was still intimidated by him.

12 Q And are you still scared of your
13 father right now?

14 A I am still scared of him.

15 MS. SIEGEL: Okay. I have no
16 further questions for this witness at this
17 point, Your Honor.

18 JUDGE GLUCHOWSKI: All right. Mr.
19 Sears?

20 MR. SEARS: Thank you, Judge.

21 CROSS EXAMINATION

22 BY MR. SEARS:

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1 Q Hi, [REDACTED]

2 A Hello.

3 Q Do you prefer to be called

4 [REDACTED]?

5 A [REDACTED]

6 Q Okay. I'm one of your dad's
7 lawyers. You know that by now I'm sure.

8 A Yes.

9 Q I'm going to ask you some
10 questions --

11 JUDGE GLUCHOWSKI: Mr. Sears?

12 MR. SEARS: Yes, Your Honor?

13 JUDGE GLUCHOWSKI: I'm having a
14 hard time hearing you. I don't know whether
15 the microphone's been moved or what.

16 MR. SEARS: We're doing some
17 shuffling, Your Honor.

18 JUDGE GLUCHOWSKI: It happens all
19 the time. I understand.

20 I just want to make sure I pick up
21 everything in the hearing. We have a court
22 reporter that needs to hear this too.

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1 MR. SEARS: I appreciate that,
2 Your Honor. Can you hear me better now?

3 JUDGE GLUCHOWSKI: Yes, I can.

4 MR. SEARS: Thank you

5 JUDGE GLUCHOWSKI: Can the court
6 reporter hear him? Okay.

7 BY MR. SEARS:

8 Q So as I was saying, I'm just going
9 to ask you some questions, maybe some details
10 about what you've already talked about.

11 And I'm not trying to confuse you.
12 I'm just going to ask you questions.

13 I'm sure you're nervous. I'm
14 nervous. Everyone's nervous. I'll try and
15 get through it as fast as I can. Okay?

16 A Okay.

17 Q You testified just now that this
18 first occurred when you were nine years old?

19 A Yes.

20 Q When was it specifically? Do you
21 remember when the first time happened?

22 A Yes. It was over Christmas break

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1 around December 22nd.

2 Q Okay. Do you know the year by any
3 chance?

4 A Well, it was when I was in fourth
5 grade. '03.

6 Q '03?

7 A 2003.

8 Q Okay. And that was the first time
9 it ever happened?

10 A Yes.

11 Q And that happened in your bedroom?

12 A Yes.

13 Q And I believe you testified that
14 initially when it began, it was about three
15 times a week. Is that right?

16 A Yes.

17 Q And then later it became a nightly
18 --

19 A Yes.

20 Q -- occurrence. Do you know when
21 it changed -- how long into what was happening
22 did it change to a nightly event?

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1 A It changed around when I was 11.

2 Q Okay. So from nine to 11, you
3 remember it more being three times a week or
4 so --

5 A Yes.

6 Q -- and 11 to 13 every night?

7 A Yes.

8 Q From nine to 13, did it ever occur
9 anywhere other than your bedroom?

10 A No.

11 Q And you were always in the same
12 bedroom?

13 A Yes.

14 Q You never moved to another
15 bedroom?

16 A No.

17 Q Okay. And all three bedrooms in
18 the house were on the same floor, correct?

19 A Yes.

20 Q They're all on the top floor?

21 A Yes.

22 Q And you and [REDACTED] each had your

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1 own room, correct?

2 A Yes.

3 Q And they were right next to each
4 other?

5 A Yes.

6 Q So basically you shared a wall?

7 A Yes.

8 Q Okay. And that was the same for
9 the entire time from nine to 13 --

10 A Yes.

11 Q -- when this was going on?

12 A Yes.

13 Q And your parents slept down the
14 hallway from those rooms, right?

15 A Yes.

16 Q Can you estimate about how far
17 they are in feet -- your parents' room -- from
18 yours?

19 A I don't know.

20 Q Let's talk about nine to 11 first,
21 and then we'll go to 11 to 13.

22 From nine to 11, did you tend to

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1 sleep with the door open or closed?

2 A It was always closed.

3 Q Always closed? And is that the
4 same for the 11 to 13?

5 A Yes.

6 Q So when your dad would come to the
7 room, he would always open the door?

8 A Yes.

9 Q Was there a lock on the door on
10 the inside? Do you remember?

11 A Yes.

12 Q Did you ever lock it?

13 A No.

14 Q I believe you just testified that
15 most of the time you would be asleep and would
16 be woken up when he came in.

17 A Yes.

18 Q Were there other times though when
19 you would be awake when he came in? I was
20 asking if you would always be woken up.

21 A There were times when I would be
22 awake.

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1 Q And I believe you said it would
2 almost always happen after midnight?

3 A Yes.

4 Q Right? About what time did you go
5 to bed in reference to nine to 12?

6 A Around 9:00 --

7 Q 9:00 p.m.?

8 A -- 9:00 p.m.

9 Q Did that stay constant from nine
10 to 11 pretty much?

11 A Yes.

12 Q Did you get a later bedtime 11 to
13 13?

14 A Yes.

15 Q Okay. What was that time?

16 A 10:30.

17 Q 10:30. Would it be fair to say
18 that you had the earliest bedtime in the
19 family at that time?

20 A Yes.

21 Q So you'd be the first one to go to
22 sleep?

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1 A Yes.

2 Q Okay. I know this a little hard.
3 That's why I'm trying to do them now. Okay?
4 And then we'll go on to other things. But I
5 do just want to spend a little time talking
6 about how this happened.

7 Can you kind of describe how it
8 happened when your father came into the room?
9 Did he say something before he started doing
10 anything? Or did he just start touching you?

11 A The first time he came in and he
12 kissed me on the forehead and he said I love
13 you. And then he pulled my pants down and
14 stuck his fingers in my vagina.

15 Q Okay. He didn't announce what he
16 was going to do. He just kind of did it?

17 A Yes.

18 Q Okay. How was he sitting? Was he
19 laying on the bed next to you? Or was he
20 sitting or standing, do you recall? And just
21 the first time. Do you recall?

22 A I don't remember.

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1 Q Okay. What about later times when
2 he did it, was there a regular pattern where
3 he'd always sit kind of in the same spot, or
4 did it change -- if you remember?

5 A It would change. He sometimes
6 would be sitting on the end of the bed.
7 Sometimes he'd be laying next to me. And
8 sometimes he'd be standing up.

9 Q Okay. When he was on the end of
10 the bed, basically are you saying that the
11 majority of his body and his head would be
12 down by your feet?

13 A Yes.

14 Q Okay. And then there were other
15 times when he was laying next to you. And on
16 occasion he'd be standing up.

17 The first time in December 2003,
18 did he ask you to perform a handjob that
19 night?

20 A No.

21 Q Okay. That's something that
22 started later?

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1 Do you recall about how long after
2 it was before he started asking you to do
3 things differently?

4 A Three weeks.

5 Q Three weeks? What would he do as
6 far as would he pull down his own pants?

7 A Yes.

8 Q Okay. And ask you to touch him?

9 A Yes.

10 Q Is it fair to say -- well, just
11 tell me. I don't know if it's fair to say.
12 From then on from the first time he asked you
13 to give him a handjob, was that basically a
14 part of that other time in June during that
15 year?

16 A Yes.

17 Q Were there ever times when he
18 asked you to give him a handjob where he did
19 not finger you? Does that make sense?

20 A Yes. No.

21 Q Okay. Were there ever times where
22 he just did things to you and didn't ask you

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1 to do anything to him?

2 A Yes.

3 Q Okay. And that was the extent of
4 anything that happened between nine and 13 was
5 basically he would be fingering and him asking
6 you to give him a handjob. Is that right?

7 A Yes.

8 Q He never asked to have sex with
9 you?

10 A He never asked.

11 Q Never asked? Did he ever try to
12 have sex with you?

13 A Yes.

14 Q Did you have sex with him ever?

15 A Yes.

16 Q Okay. If you need a break or
17 anything, let me know. Okay?

18 How soon after the handjobs began
19 did he first try to have sex with you -- if
20 you recall? Was it much later or was it when
21 you were still nine?

22 A It was later.

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1 Q Can you put an age on it -- ten,
2 11, 12, 13? Is that possible?

3 A I was 12.

4 Q Twelve? This was in your bedroom?

5 A Yes.

6 Q And after that night of the first
7 time, did he continue to try and do that
8 pretty much every night he came in your room
9 after that?

10 A Yes.

11 Q Can you say approximately how many
12 times your father had sex with you?

13 A No.

14 Q All this ended up stopping when
15 you were 13, correct?

16 A Yes.

17 Q And you and your mom moved out in
18 July. So it was basically between 12 and 13
19 when the sex was happening.

20 Was there anything else other than
21 sex and the handjob that was going on?

22 A We had oral sex.

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1 Q Did you perform oral sex on your
2 dad?

3 A Yes.

4 Q Did he perform oral sex on you?

5 A Yes.

6 Q Was there a progression over time
7 that basically began the first night with the
8 fingering and then it moved on to the handjob?
9 Did it then move onto oral sex before actual
10 sex?

11 A Yes.

12 Q Okay. About how long after -- to
13 the best of your memory -- how long after the
14 handjobs first began did it move to oral sex?

15 A I was ten.

16 Q You were ten? Did it begin with
17 him asking you to perform oral sex on him, or
18 was he asking just to do it to you?

19 A He did it to me.

20 Q Then a few nights later or
21 something, he then began asking you to perform
22 it on him.

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1 Throughout the entire period from
2 nine to 13, did you and your father ever talk
3 at all in the bedroom at night about what was
4 happening?

5 A No.

6 Q Did you ever talk outside of the
7 bedroom about what was happening?

8 A No.

9 Q And you said previously when you
10 were being questioned that he threatened to
11 hurt you and your family?

12 A Yes.

13 Q Specifically, did he make specific
14 threats about how he was going to hurt you
15 guys?

16 A No.

17 Q Did he say anything about using a
18 gun?

19 A No.

20 Q Okay. And you were scared based
21 on the threats he was making?

22 A Yes.

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1 Q Did you know if your father had a
2 gun?

3 A I don't know.

4 Q Did you ever see one in the house?

5 A No.

6 Q Had you ever seen him use one?

7 A No.

8 Q Okay. Do you know if he had
9 access to one?

10 A I don't know.

11 Q I just want to talk a little bit
12 about was your father using any force on you.
13 I mean, did you ever try and resist what he
14 was doing?

15 A Yes.

16 Q Okay. Did you resist the first
17 night?

18 A Yes.

19 Q And how was it that he was able to
20 overcome your resistance?

21 A He held me down.

22 Q With his hand?

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1 A Yes.

2 Q Okay. Did he hold it with that
3 one hand on each arm?

4 A Yes.

5 Q Okay. Did he hold you down for
6 the duration of how ever long it lasted?

7 A Yes.

8 Q Did he ever use anything other
9 than his hands to hold you down?

10 A One time he -- I don't know if
11 handcuffs is the right word -- but -- but tied
12 me to the bed -- attached me to the bed.

13 Q Okay. So he somehow fastened your
14 arms to the bed? Okay.

15 Was it metal?

16 A I'm not sure what it was. But it
17 was like a rope like kind of a rope.

18 Q Like a rope? Could it have been
19 like a scarf or something like that? Or do
20 you remember?

21 A It could have been a scarf.

22 Q Okay. And did he tie each one of

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1 your arms separately to the bedposts?

2 A He tied them both to one.

3 Q Did he tie your feet to anything?

4 A No.

5 Q No. And you said that that only
6 happened once from the beginning to the end --
7 the nine to 13 -- from December 2003 to April
8 or May, June, July -- whenever you moved out
9 -- that just happened one time. Did he ever
10 use anything else to tie you down?

11 A No.

12 Q Putting aside that one time for
13 now -- do you want some water?

14 A No. Yes.

15 Q Tell me if you want one.

16 A Yes.

17 Q Okay. Putting aside the rope,
18 would he hold your arms very hard when he was
19 holding you down?

20 A Yes.

21 Q Was it painful?

22 A Yes.

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1 Q Would it hurt while he was doing
2 it?

3 A Yes.

4 Q Would it hurt the next day?

5 A Yes.

6 Q And concentrating initially when
7 you knew what he was going to do, did that
8 hurt when he was doing that?

9 A Yes.

10 Q Would it hurt a lot? And would it
11 hurt the next day as well?

12 A Yes.

13 Q And did you ever receive any
14 injuries that you're aware of? Did it bleed?

15 A I'm not sure because I started my
16 period before this all happened.

17 Q Before you were nine?

18 A Yes.

19 Q Okay.

20 A Started at nine.

21 Q Okay. So you can't be sure. Fair
22 enough.

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1 Did you ever tell your doctors
2 that you know about?

3 A No.

4 Q Did you ever get any bruising or
5 cuts on your hands from your dad holding you?

6 A I believe that little mark up
7 here.

8 Q Okay. And when you say up here,
9 I'm just going to say -- so it will be in the
10 record -- you're holding your arm --

11 A Yes.

12 Q -- between the elbow and shoulder?

13 A Yes.

14 Q Your left arm? I just want to
15 make sure I've got the right place.

16 Is that kind of where he would
17 hold you there as well sometimes?

18 A Yes.

19 Q It wasn't that he just picked one
20 spot and held that all the time, and that's
21 it?

22 A Yes.

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1 Q Okay. Did he ever use any
2 lubrication or anything else to assist in what
3 he was doing to you?

4 A I don't know.

5 Q You don't recall him applying
6 anything?

7 A No.

8 Q And moving on to later when he had
9 sex with you, did that hurt as well?

10 A Yes.

11 Q Would he also hold you down?

12 A Yes.

13 Q He would hold you down?

14 A Yes.

15 Q How did that work?

16 A He would just tell me to lay
17 there. And I did.

18 Q Okay. And you'd be on your back?

19 A Yes.

20 Q And he would lay on top of you?

21 A Yes.

22 Q Did he take your clothes off?

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1 A Yes.

2 Q And did he take his own clothes
3 off?

4 A Yes.

5 Q About how long would it last --
6 would you estimate? But how long would he
7 actually be having sex with you?

8 A It seemed like a long time. But I
9 can't pinpoint how long.

10 Q Okay. Could you say more or less
11 than an hour?

12 A Around an hour.

13 Q Around an hour? Okay.

14 Even if that was only going on for
15 an hour, would he be in your room generally
16 for longer than that?

17 A Yes.

18 Q And after he finished having sex
19 with you, did he stay for a while in the room,
20 or would he leave immediately?

21 A He would leave.

22 Q Okay. Would he repeat threats to

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1 you?

2 A Yes.

3 Q Would he threaten you almost
4 nightly?

5 A Yes.

6 Q Is it fair to say he repeated a
7 threat every time he went into your room to
8 have sex with you?

9 A Yes.

10 Q Okay. Was there ever a gap of
11 time of a few weeks or a month or longer when
12 the abuse just stopped and then picked up
13 again later? Or was it consistent through the
14 whole time?

15 A It was consistent.

16 Q Okay. And once he began coming
17 every night, is it fair to say it was very
18 rare that he did not come into your room?

19 A Yes.

20 Q And when you say every night, you
21 mean every night?

22 A Yes.

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1 Q You're not exaggerating. That's
2 what it was?

3 A Yes.

4 Q Okay. I think you answered before
5 -- I think I already asked -- but I might get
6 an objection. You said it never occurred
7 anywhere else other than at the house?

8 A No.

9 Q In your bedroom?

10 A Yes.

11 Q Did you ever hear anybody else in
12 the house walking around while this was going
13 on?

14 A No.

15 Q And you never told your sister
16 about it?

17 A No.

18 Q And you never told anyone before
19 this all came out?

20 A No.

21 Q Did you ever confront your father
22 about it?

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1 A No.

2 Q You and your mom moved out in July
3 '08. Does that sound right? July 2008?

4 A '07 or '08. I think it was '08.

5 Q Okay. I think it was '08.

6 And you, your mom and your sister
7 moved out?

8 A Yes.

9 Q And what was the reason you moved
10 out?

11 A My parents were getting a divorce.

12 Q Okay. Was the reason you moved
13 out because people found out about what was
14 going on between you and your dad?

15 A No.

16 Q And did the abuse go on up until
17 about when you moved out?

18 A Yes.

19 Q Okay. If it was in June, it went
20 up until June. If it was July that he
21 actually left, it went up to about when he
22 left?

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1 A Yes.

2 Q There was no break between when
3 you left and a few months before that? I
4 don't think that was a very good question.

5 Was there a gap in time where it
6 stopped and then you moved out? Or it went
7 right up to the end?

8 MS. MILLER: Judge, I'm going to
9 ask if he can re-phrase that. I think it's
10 too compound.

11 MR. SEARS: I don't know why I'm
12 having such a hard time, Judge. I'm going to
13 try again.

14 BY MR. SEARS:

15 Q Did the abuse stop for a few
16 months prior to your moving out in July?

17 A Yes.

18 Q It did, Okay. Do you remember
19 about how long before you moved out when it
20 stopped?

21 A About a month and a half.

22 Q Okay. And do you know why it

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1 stopped?

2 A No.

3 Q And there's been no sexual abuse
4 since you moved out, is that right?

5 A Yes.

6 Q You have been alone with your dad
7 since you moved out, correct?

8 A Yes.

9 Q And there was a trip specifically
10 to Ocean City. Do you remember that trip?

11 A Yes.

12 Q And everyone was supposed to meet
13 up there, and you and your father got there
14 first.

15 A Yes.

16 Q And I think you spent two nights
17 there?

18 A Yes.

19 Q Did he ever try to do anything to
20 you that night?

21 A No.

22 Q Were you in the same bedroom

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1 there?

2 A No.

3 Q You slept in different bedrooms.
4 And that was before the rest of the people
5 came?

6 A Yes.

7 Q Okay. Do you have a pretty good
8 memory about all these things that we're
9 talking about?

10 A Yes.

11 Q And you haven't exaggerated at all
12 when you're telling what happened?

13 A No.

14 Q I just want to talk about two
15 things before we quit.

16 You had mentioned that your father
17 had mentioned something to you one of the
18 nights when he was around about trying to take
19 pictures and make some money?

20 A Yes.

21 Q Did he ever try to do that? Or
22 did he just talk about it?

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1 A He just talked about it.

2 Q Okay. Did he talk about it a lot
3 or a few times, one time?

4 A A few times.

5 Q Did he ever bring a camera into
6 the room and try to take pictures of you?

7 A --

8 Q I know you said you'd seen some
9 pornographic pictures on the computer
10 downstairs. Did he ever show you any in your
11 room?

12 A Yes.

13 JUDGE GLUCHOWSKI: Can I interrupt
14 just a second here?

15 MR. SEARS: Yes, Your Honor.

16 JUDGE GLUCHOWSKI: I think,
17 [REDACTED] on the question as to whether he
18 ever brought a camera into the room, you were
19 shaking your head. And for the sake of the
20 court reporter, you were shaking your head no.
21 So --

22 MR. SEARS: Thank you, Judge. I

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1 appreciate that.

2 JUDGE GLUCHOWSKI: So go ahead to
3 your next question.

4 MR. SEARS: I should be catching
5 that myself.

6 JUDGE GLUCHOWSKI: Yes. [REDACTED]
7 you have to say yes or no. Okay? Because we
8 do have a court reporter here.

9 THE WITNESS: Okay.

10 JUDGE GLUCHOWSKI: I can see you
11 shaking your head. But we do have a court
12 reporter.

13 THE WITNESS: Okay.

14 JUDGE GLUCHOWSKI: Thank you.

15 MR. SEARS: Thank you

16 BY MR. SEARS:

17 Q I think I asked if he ever showed
18 you pornographic pictures. And I think you
19 said yes.

20 A Yes.

21 Q Was that one occasion or did it
22 happen a lot?

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1 A Twice.

2 Q Twice. Okay. And was that the
3 beginning of when things started happening,
4 middle, end?

5 A Beginning.

6 Q Beginning. Okay. When you say
7 beginning, was that before it escalated to you
8 touching him?

9 A Yes.

10 Q Okay. So probably in the first
11 few weeks when he started?

12 A Yes.

13 Q Okay. Now the pictures you saw on
14 the computer, you testified that your father
15 was not home when you saw them, correct?

16 A Correct.

17 Q Were they just already on the
18 screen when you came down to the computer?

19 A Yes.

20 Q Okay. So whoever had been on the
21 computer last had left these pictures on the
22 screen?

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1 A Yes.

2 Q Okay. And do you know what a
3 screen saver is on a computer?

4 A Yes.

5 Q Did you have to move the mouse or
6 something before you could see the picture?
7 Or was it ready to see right as you came
8 downstairs?

9 A I had to move the mouse.

10 Q Okay. And did this happen a lot
11 that you'd go downstairs and find these
12 things, or just a few times?

13 A A lot.

14 Q Moving right along. Okay.

15 You testified that you were
16 approached in June by someone from the County
17 -- Child Protective Services.

18 A Yes.

19 Q And they asked you about whether
20 you'd been abused by your father. I'm
21 assuming that's what they asked.

22 A Correct.

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1 Q And you told them that he hadn't.
2 That was not true.

3 A Correct.

4 Q Had you ever been asked by CPS
5 prior to that -- prior to June?

6 A No.

7 Q Okay. There wasn't a time in
8 April when you were asked, do you recall?

9 A I don't remember.

10 Q At the school?

11 A That was the time.

12 Q That was the June --

13 A That was the June.

14 Q Okay. So the June time, someone
15 from CPS met you at the school.

16 A Yes.

17 Q Took you to a room.

18 A Yes.

19 Q And basically the opportunity to
20 let them know whether it's true or not?

21 A Correct.

22 Q And you told them it was not?

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1 A Correct.

2 Q Since that June time at school,
3 have you ever since then denied that anything
4 happened between you and your dad?

5 A No.

6 Q So back in the June time -- okay
7 -- I think you testified that you hadn't told
8 anyone. As of June 2009, you hadn't told
9 anyone about what happened?

10 A Correct.

11 Q Is that right? And the first
12 person you told was [REDACTED]?

13 A Correct.

14 Q Okay. And that was in July,
15 right?

16 A Correct.

17 Q So at the time you were
18 interviewed in June, you hadn't told anybody
19 about anything?

20 A Yes.

21 Q Okay. And let me just say it.
22 The first person you told was [REDACTED].

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1 Can you describe what the
2 situation was when you told [REDACTED] when you first
3 reported it?

4 A We were at church camp. And we
5 both had -- had testimony. It was testimony
6 night. And we both shared stories.

7 Q Okay. What's testimony night?

8 A It's where -- it was basically a
9 -- you could share whatever was on your mind
10 or whatever's happened to you. And we both
11 got up and said what had happened.

12 Q Okay. So I just want to make sure
13 I understand what's going on with testimony
14 night.

15 A Okay.

16 Q So is it fair to say that when you
17 revealed it to [REDACTED], you were actually
18 revealing it to a bunch of other people at the
19 same time?

20 A Yes.

21 Q Okay. And that was in July?

22 A Yes.

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1 Q So technically you told it to a
2 few people at the same time?

3 A Yes.

4 Q Okay. Did you tell [REDACTED] what you
5 were going to do before you made the big
6 announcement to everybody?

7 A No.

8 Q You just stated it. Okay.

9 And did he make a similar --

10 MS. MILLER: Objection, Your
11 Honor. Relevance.

12 JUDGE GLUCHOWSKI: All right. Mr.
13 Sears, do you want to respond to the
14 objection?

15 MR. SEARS: I'll withdraw the
16 question at this time, Your Honor.

17 JUDGE GLUCHOWSKI: All right.
18 Thank you.

19 BY MR. SEARS:

20 Q Prior to that church group meeting
21 -- the testimony night -- you hadn't told
22 anyone?

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1 A Correct.

2 Q Did you tell the whole story that
3 night?

4 A No.

5 Q What did you say about what had
6 happened?

7 A I had said that I had been
8 sexually abused by my father.

9 Q Okay. You didn't get into the
10 details?

11 A No.

12 Q Okay. In July, who was the next
13 person you told about it?

14 A My therapist.

15 Q Your therapist. Okay. Was that
16 in July, August?

17 A July.

18 Q Okay. So you definitely told her
19 after you told [REDACTED]?

20 A Yes.

21 Q Did you give her all the details
22 when you told her?

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1 A No, not at first.

2 Q Okay. But other times, you were
3 giving her more information?

4 A Yes.

5 Q Okay. Did you tell your mom about
6 it at that time?

7 A No.

8 Q Did you tell anyone else?

9 A Not that I remember.

10 Q Okay. Do you remember telling --

11 JUDGE GLUCHOWSKI: Hold on.

12 Excuse me. I didn't get that question.

13 It's okay. I didn't get the question, Mr.
14 Sears.

15 MR. SEARS: Thank you, Judge.
16 I'll repeat the question.

17 BY MR. SEARS:

18 Q Do you remember telling [REDACTED]?

19 A Yes.

20 Q Do you remember when about that
21 was?

22 A Around September.

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1 Q Okay.

2 A End of August, beginning of
3 September.

4 Q Okay. Well, what did you tell her
5 about?

6 JUDGE GLUCHOWSKI: Who was that
7 again?

8 MR. SEARS: [REDACTED],
9 Your Honor.

10 JUDGE GLUCHOWSKI: Okay. Okay.

11 BY MR. SEARS:

12 Q And what did you tell her about
13 what had happened?

14 A I told her that I had been
15 sexually abused.

16 Q Okay. Did you give her any
17 details about what had happened?

18 A No.

19 Q When you told [REDACTED], did you ask
20 her to keep it a secret?

21 A No.

22 Q You did not. You actually never

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1 told your mom. She found out?

2 A Correct.

3 Q Okay. Do you remember when that
4 was? The timeline is that you told [REDACTED] in
5 September. Do you remember when that was?

6 A November.

7 Q Okay. And since the November
8 meeting, you've never recanted what you said?

9 A Correct.

10 Q And prior to now, only one time
11 had you ever denied it happened before?

12 A Right.

13 Q Give me one second, okay? I'm
14 crossing things off the list.

15 Was there another church sharing
16 session in November?

17 A Yes.

18 Q Okay. Was it the same church?

19 A Yes.

20 Q Okay. And was it the same type of
21 night as the July night?

22 A Yes.

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1 Q Okay. Same type of retreat or
2 whatever it is. Testimony night?

3 A Yes.

4 Q And is everyone in the group about
5 the same age?

6 A Yes.

7 Q And did you again reveal that you
8 had been sexually abused by your father that
9 night?

10 A Yes.

11 Q Was it the same girls pretty much
12 including [REDACTED]?

13 A They were different.

14 Q Different girls? Was [REDACTED] present
15 for that?

16 A Yes.

17 Q I'm assuming you're not the only
18 one who shared. Everybody shared, right?

19 A Correct.

20 Q Okay. When you were interviewed
21 in November by CPS and Detective Sansale, was
22 that after the November church camp where you

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1 shared, do you remember?

2 A After.

3 Q After.

4 A Yes.

5 Q Okay. Putting aside the abuse --
6 everything we've talked about -- was your dad
7 a very good father in other ways?

8 A No.

9 Q Did it bother you that he wasn't a
10 very good father aside from that?

11 A Yes.

12 Q Does it still bother you now?

13 A Yes.

14 Q Was he around very much for you?

15 A What do you mean?

16 Q Good question. Was he supportive
17 of you? Would he go to sporting events?

18 A No.

19 Q Would he drive you to cheerleading
20 practice?

21 A No.

22 Q Did he show much interest in what

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1 you were doing?

2 A No.

3 Q Did you resent him for that?

4 A What do you mean by resent?

5 Q Good question. Were you mad at
6 him at the time?

7 A Yes.

8 Q Are you still mad at him for not
9 taking a larger role in your life?

10 A I got over it.

11 Q Okay. Do you believe your
12 father's the reason for the divorce between
13 your parents?

14 A Yes.

15 Q And you believed that when the
16 divorce was happening?

17 A Yes.

18 Q And you still believe that now?

19 A Yes.

20 Q Since he moved out in July '08 --
21 I just want to real briefly go through times
22 you've seen your father since then -- ones we

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1 haven't already talked about -- okay -- which
2 was Ocean City.

3 How many times would you say since
4 the Ocean City trip you've seen your dad in
5 person in 2009?

6 A I don't remember.

7 Q You have seen him in person though
8 --

9 A Yes.

10 Q -- since then? And the last time,
11 you said you thought you had seen him in
12 person other than in Court was when?

13 A When he took me to my aunt's.

14 Q Is that Aunt [REDACTED]?

15 A Yes.

16 Q Okay. And was that before or
17 after Ocean City?

18 A After.

19 Q Okay. And did he take you halfway
20 to your aunt's?

21 A Yes.

22 Q Okay. Did the travel work out

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1 well?

2 A What do you mean by that?

3 Q Describe what you mean when he
4 took you halfway.

5 A He drove me to -- halfway to my
6 aunt's and then my aunt picked me up at a
7 Burger King.

8 Q Okay. So they kind of split up
9 half the trip. Your dad drove you half the
10 way and your aunt picked you up --

11 A Correct.

12 Q -- and drove you the rest of the
13 way?

14 A Correct.

15 Q Okay. Was it just you and your
16 dad in the car?

17 A Yes.

18 Q Did he try to do anything to you
19 on that trip?

20 A No.

21 Q Okay. Did you guys talk about
22 anything that had happened at that point?

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1 A No.

2 MR. SEARS: Your Honor, I've
3 reached the end -- or close to the end -- of
4 my questions. However, I would appreciate the
5 opportunity if I could as if we were all in
6 the same courtroom to consult quickly with Mr.
7 Liebig and Mr. Snider about anything I've
8 glaringly omitted to ask.

9 JUDGE GLUCHOWSKI: There's a
10 telephone there. Do you want me to step off
11 the bench? No, I think you have private
12 communication, don't you, with them?

13 MS. MILLER: Yes, Your Honor.
14 They just have to kill the mic. That's my
15 understanding.

16 JUDGE GLUCHOWSKI: Yes. So just
17 kill the mic and you can discuss it over the
18 telephone.

19 MR. SEARS: Your Honor, I
20 understand that that's an option. I don't
21 think it's as private as me just running over
22 real quick.

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1 JUDGE GLUCHOWSKI: Okay. That's
2 fine. Come on over. Come on over.

3 We'll be right with you, [REDACTED]

4 THE WITNESS: Okay.

5 JUDGE GLUCHOWSKI: Just sit tight
6 there.

7 THE WITNESS: Okay.

8 MR. SEARS: Your Honor, just to
9 make the Court aware, [REDACTED] mother
10 stepped out for a second. So we're waiting
11 for her to come back in before we begin.

12 JUDGE GLUCHOWSKI: Who stepped
13 out?

14 MR. SEARS: [REDACTED] mother.

15 JUDGE GLUCHOWSKI: Okay. Here she
16 is. Let's go.

17 All right. Thank you.

18 BY MR. SEARS:

19 Q Brittany, I just have a few other
20 questions to go over. Okay?

21 I think you mentioned earlier you
22 didn't make a full disclosure of everything

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1 that happened when you first started talking
2 about it, right? You kind of elaborated on
3 what happened over time.

4 MS. MILLER: Objection, Your
5 Honor, to that paraphrase.

6 BY MR. SEARS:

7 Q Well, you included more details?

8 A Correct.

9 Q Okay. When was it that you first
10 included the detail about you and your father
11 having actual sex, if you recall?

12 A I don't remember when I first --

13 Q Was it before today?

14 A Yes.

15 Q Okay. And what was the reason why
16 you didn't reveal all of the details right at
17 the beginning?

18 A I wasn't ready to talk about it.

19 Q Okay.

20 A I wasn't ready to go into details.

21 Q Okay. Did you share more details
22 with some people as opposed to others in the

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1 beginning?

2 A What do you mean?

3 Q Was there anyone in particular
4 that you confided in more earlier because you
5 were more comfortable with them or for any
6 reason?

7 A Yes.

8 Q Who was that?

9 A [REDACTED]

10 Q Okay. Was [REDACTED] the first person
11 you told about the sexual intercourse --
12 actual sex?

13 A No.

14 Q Was [REDACTED] the first person you told
15 about the handjobs?

16 A Yes.

17 Q Okay. Do you remember when that
18 was that you told her?

19 A The beginning of August.

20 Q Okay. So after the first sharing
21 testimony night but before the second?

22 A Correct.

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1 Q Okay. Did you share with her at
2 that same time in August about the oral sex?

3 A Yes.

4 Q Okay. But you didn't provide her
5 the details about the actual sex at that time?

6 A Correct.

7 Q Was she the first person you told
8 about the actual sex?

9 A No.

10 Q Now one thing I'm going to ask you
11 is very difficult as far as the graphic part
12 of all this. Okay? I just want to understand
13 the allegations. And I know this part. So if
14 you need a break, let me know. I'm trying to
15 go through this as quickly as I can. Okay?

16 When we say the fingering. I want
17 to make sure we all understand what that
18 means. Your father's finger would actually
19 penetrate your vagina. Is that correct?

20 A Yes.

21 Q Okay. Would it be one finger, two
22 fingers, did it change over time?

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1 A It changed over time.

2 Q Okay. Did it start off with just
3 one finger?

4 A Yes.

5 Q Okay. And it would go on to be
6 more fingers later?

7 A Yes.

8 Q Was it ever as many as three
9 fingers?

10 A Yes.

11 Q Four?

12 A No.

13 Q Okay. And would he basically
14 insert his fingers as far as they would go?

15 A Yes.

16 Q Okay. And would you watch it, or
17 did you just feel it?

18 A I would feel it.

19 Q Okay. And we've got the same line
20 of questioning about the sex. And then we'll
21 be done. Okay?

22 Your father when he was having sex

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1 with you, he would penetrate your vagina with
2 his penis?

3 A Yes.

4 Q Would he insert his penis as far
5 as it would go?

6 A Yes.

7 Q And you felt that?

8 A Yes.

9 Q Do you know would he wear a
10 condom?

11 A No.

12 Q Do you know if he would ejaculate
13 inside you or outside of you? Did you ever
14 see him ejaculate?

15 A No.

16 Q Do you know whether your father's
17 circumcised?

18 A No.

19 Q Do you know if he isn't or you --

20 A I don't --

21 Q You don't know?

22 A I don't know.

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1 Q And we're done with that part.
2 Okay? Just the last few questions.

3 Prior to your mom finding out in
4 November, did you ever tell anyone that your
5 mom knew about the abuse?

6 A No.

7 Q Are you sure about that?

8 A Yes.

9 Q Okay. Did you ever tell anyone
10 ever that the reason you, [REDACTED] and your mom
11 moved out was because of the sexual abuse?

12 A No.

13 MR. SEARS: I have no further
14 questions.

15 JUDGE GLUCHOWSKI: All right.

16 Redirect, Ms. Siegel?

17 MS. SIEGEL: I think Ms. Miller
18 may have some questions, Your Honor.

19 JUDGE GLUCHOWSKI: Okay. Ms.
20 Miller, do you have any examination for the
21 witness?

22 MS. MILLER: Yes, Your Honor.

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1 REDIRECT EXAMINATION

2 BY MS. MILLER:

3 Q [REDACTED] I'm not going to spend
4 too much time. But when you say it was every
5 night, was it literally every night or did it
6 feel like it was every night?

7 MR. LIEBIG: Objection. Leading.

8 THE WITNESS: It felt like it was

9 --

10 MR. LIEBIG: Objection. Leading.

11 JUDGE GLUCHOWSKI: Hold on a
12 second.

13 MR. LIEBIG: I thought Mr. Sears
14 was on the way back in.

15 JUDGE GLUCHOWSKI: No, I think
16 he's there.

17 MR. LIEBIG: Okay. I thought he
18 was out of the room. I'm sorry.

19 JUDGE GLUCHOWSKI: Are you still
20 there, Mr. Sears?

21 MR. SEARS: I am, Your Honor.

22 JUDGE GLUCHOWSKI: Okay. I'll let

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1 Mr. Liebig make the objection this time. But
2 the next time, you want to raise any
3 objection. Okay?

4 The objection is it's leading, Ms.
5 Miller.

6 MS. MILLER: Your Honor, it's
7 cross examination.

8 MR. LIEBIG: Judge, I don't accept
9 that it's cross examination. She is the
10 guardian ad litem for the witness.

11 JUDGE GLUCHOWSKI: Well, why can't
12 it be cross examination of a witness that she
13 is guardian ad litem for?

14 MR. LIEBIG: She's not her lawyer.
15 She's her guardian ad litem. And if she's
16 going to be entitled to question her, there's
17 no basis for it to be cross examination. It
18 should be direct. And I don't understand how
19 mechanically it would work that way. She
20 represents the witness.

21 MS. MILLER: Your Honor, I'm
22 sorry, but we cannot hear what he's saying.

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1 JUDGE GLUCHOWSKI: Oh, okay. I
2 don't know --

3 MR. SEARS: I think he may have to
4 come up to the bench, Your Honor, for us to
5 hear.

6 JUDGE GLUCHOWSKI: Okay. Come on
7 up, Mr. Liebig.

8 MR. LIEBIG: Thank you.

9 JUDGE GLUCHOWSKI: Go ahead and
10 state it again, please.

11 MR. LIEBIG: Judge, if there's
12 authority that the guardian ad litem for the
13 witness on the witness stand gets to conduct
14 a cross examination, then I don't know of it.
15 But intuitively and just the way the mechanics
16 of the trial work, it makes no sense. The
17 testimony is not against her client or by a
18 party called by the opposing party. It's her
19 client.

20 JUDGE GLUCHOWSKI: Well, it's not
21 her client. It's her ward.

22 MR. LIEBIG: It's her ward. But

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1 the cross examination concept in a trial is
2 that the opposing party calls the witness and
3 does direct. The person that's called against
4 does cross examination.

5 JUDGE GLUCHOWSKI: All right.
6 Well, to the extent that it's leading, I'll
7 let it be. But she's making her her witness.
8 How about that?

9 MR. LIEBIG: My objection would be
10 it should be direct examination-type questions
11 only from her own --

12 JUDGE GLUCHOWSKI: Your objection
13 that it was leading.

14 MR. LIEBIG: Correct.

15 JUDGE GLUCHOWSKI: To the extent
16 that it is, she'll make her her witness.

17 MR. LIEBIG: Thank you.

18 JUDGE GLUCHOWSKI: All right.

19 Go ahead, Ms. Miller.

20 MS. MILLER: Did you hear that
21 answer, Judge?

22 JUDGE GLUCHOWSKI: I did not hear

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1 the answer. There was an objection.

2 BY MS. MILLER:

3 Q Did it feel like every night, or
4 was it every night?

5 A It felt like every night.

6 Q When you saw the pictures of the
7 women on your father's computer, can you
8 describe their age?

9 A They were older than 20.

10 Q Okay. When your father would hold
11 down both your arms like you testified, would
12 he hold down both of them the entire time?

13 A No.

14 Q Okay. Can you explain what would
15 happen?

16 A He would hold them down for about
17 five minutes, and then say if you move, I'll
18 hit you. And then he would stick it into me.

19 Q Okay. When you're talking about
20 the time frame this would happen after
21 midnight, were you looking at a clock?

22 A No.

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1 Q Are you positive it was after
2 midnight?

3 A No.

4 Q Do you know why your parents are
5 getting divorced?

6 A Because my dad was into porn.

7 Q Do you know anything else about
8 that?

9 A What do you mean?

10 Q Do you know any more of the
11 details as to why your parents are getting
12 divorced?

13 A That they didn't get along.

14 Q How would you describe your
15 relationship with your dad?

16 A Not good.

17 Q Did you like to be around him?

18 A No.

19 Q How did he make you feel?

20 A He made me feel intimidated.

21 Q If you had a choice when you were
22 around him, did you stay around him or did you

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1 leave?

2 A I left.

3 Q I'm going to take you back to just
4 a couple of the details that Mr. Sears brought
5 out about the actual sexual acts.

6 Were you actually looking at your
7 private area when your father was doing things
8 to you?

9 A No.

10 Q So did you actually see how much
11 of his hand was going in?

12 A No.

13 Q So when you testified that it was
14 his whole finger, do you know if it was his
15 whole finger?

16 A No.

17 Q Okay. And when he was having
18 intercourse with you, again were you in a
19 position where you could see how much of his
20 privates were entering your privates?

21 A No.

22 Q Did you know if he inserted his

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1 entire penis or not?

2 A No.

3 Q Why do you think it was his whole
4 penis?

5 A It hurt.

6 MS. MILLER: No further questions,
7 Judge.

8 JUDGE GLUCHOWSKI: All right, Ms.
9 Siegel?

10 MS. SIEGEL: Thank you, Your
11 Honor.

12 REDIRECT EXAMINATION

13 BY MS. SIEGEL:

14 Q When the intercourse and the
15 fingering were occurring, did you ever tell
16 your father he was hurting you?

17 A No.

18 Q And why did you not tell him?

19 A Because I was scared he would hit
20 me.

21 Q Prior to November of 2009, did you
22 ever go to a gynecologist?

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1 A No.

2 Q Okay. Back to when these
3 incidents were occurring, did you ever cry out
4 or scream?

5 A No.

6 Q Do you recollect whether your
7 father ever cried out or screamed?

8 A No.

9 Q Okay. Now the floor where the
10 bedrooms are in your home, can you describe to
11 the Court how the bedrooms are oriented?

12 A What do you mean?

13 Q Like whose bedroom is next to
14 yours?

15 A My sister's.

16 Q Okay. And whose bedroom is next
17 to your sister's?

18 A Nobody's.

19 Q Okay. Where is your parent's
20 bedroom?

21 A Across the hall from mine.

22 Q Okay. Now we talked about in June

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1 that you had denied that this had ever
2 happened. Prior to June, did anyone ever ask
3 you whether your father had sexually abused
4 you?

5 A Not that I remember.

6 Q Prior to June, had you ever talked
7 to your mom about how your father made you
8 feel?

9 A What do you mean?

10 Q Prior to June, did you ever talk
11 to your mom about your relationship with your
12 father?

13 A Sexually or just in general?

14 Q Just in general.

15 A Yes.

16 Q And what would you tell her?

17 A That I didn't like being around
18 him.

19 Q Would you tell her why?

20 A No.

21 Q Okay. Now aside from when the
22 actual sexual acts were occurring, did your

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1 father and you ever discuss the sexual acts?

2 A No.

3 MS. SIEGEL: All right. I have no
4 further questions, Your Honor.

5 JUDGE GLUCHOWSKI: Mr. Sears, do
6 you have any questions based on the guardian
7 ad litem's?

8 MR. SEARS: Your Honor, I do.
9 It's very brief.

10 JUDGE GLUCHOWSKI: All right.

11 MR. SEARS: I'm going to scoot
12 over here so I can be heard. Can you hear me
13 now, Your Honor?

14 JUDGE GLUCHOWSKI: Yes, I can.

15 RECROSS EXAMINATION

16 BY MR. SEARS:

17 Q Hello again, [REDACTED].

18 When you were being asked about
19 whether you knew how far your father's penis
20 or finger was going inside you, you answered
21 because I could feel it.

22 A Correct.

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1 Q Was he doing it forcefully?

2 A Yes.

3 Q Was there a lot of force involved?

4 A Yes.

5 Q Okay. And when talking
6 specifically about having sex, it was always
7 with you on your back and he on top of you?

8 MS. MILLER: Judge, I'm going to
9 object. I think we're beyond my questioning
10 here.

11 JUDGE GLUCHOWSKI: It is beyond --

12 MR. SEARS: Your Honor, I'm just
13 probing her ability to tell whether --

14 JUDGE GLUCHOWSKI: I know. But I
15 mean, you could have done that when she was
16 subject to cross examination, Mr. Sears.

17 MR. SEARS: Well, Your Honor, I'm
18 -- fine.

19 And just a follow-up on the
20 redirect real quick.

21 JUDGE GLUCHOWSKI: All right.

22 BY MR. SEARS:

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1 Q You were talking about the layout
2 of the house. Is there carpeting on the
3 hallway between your room and your parents'
4 room?

5 A There was. But he took it out and
6 put hardwood floor when I was about ten or 11.

7 Q So when this first started, was
8 there also carpeting on the stairs going up to
9 that floor?

10 MS. MILLER: I'm going to raise
11 the same objection. I think all Ms. Siegel
12 asked about was where the bedrooms were
13 located.

14 MR. SEARS: Your Honor, I'm just
15 trying to nail down the layout of the
16 upstairs.

17 JUDGE GLUCHOWSKI: Yes, I know.
18 But we can go back and forth on this and be
19 out of here next Monday.

20 MR. SEARS: Your Honor, it's
21 really my last --

22 JUDGE GLUCHOWSKI: It's beyond the

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1 scope, counselor. The objection is sustained.

2 MR. SEARS: Thank you, Your Honor.

3 No further questions.

4 JUDGE GLUCHOWSKI: All right.

5 [REDACTED] we thank you very much
6 for your testimony.

7 I think everybody has to come back
8 in here now. And I'm going to take just a
9 couple of minute recess because I think a
10 state trooper has to take this stuff down and
11 get out of here, if you don't mind. I don't
12 think there's going to be a need for it any
13 further, right?

14 MR. LIEBIG: No, Your Honor.

15 MS. MILLER: Well, Your Honor, I
16 don't know if [REDACTED] going to need to be
17 called on rebuttal.

18 JUDGE GLUCHOWSKI: Oh, okay. I
19 beg your pardon.

20 Never mind. Let's keep going
21 then. Bring everybody back in now.

22 MS. MILLER: Thank you.

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