

1 when you start to deliberate.

2 (A recess was taken at 1:20 p.m.)

3 (In open court, outside the
4 presence of the jury, in the presence of
5 the Court, the Defendant, and counsel at
6 2:15 p.m.)

7 THE COURT: The record shall
8 reflect that all counsel are present and
9 the Defendant. The break for noon and for
10 the jury to eat is over. You may bring in
11 the jury.

12 (In open court, in the presence of
13 the jury, the Court, the Defendant, and
14 counsel at 2:16 p.m.)

15 THE COURT: Please be seated
16 everyone. Everyone has now been seated.

17 Ms. Schaefer, you may proceed with
18 your argument.

19 MS. SCHAEFER: May it please the
20 Court.

21 THE COURT: Ms. Schaefer.

22 MS. SCHAEFER: Counsel.

23 Good afternoon. I trust the pizza
24 was good, and probably well needed. I
25 will not take two hours, just to let you

1 know. I promise.


2 We talked a lot in voir dire about
3 reasonable doubt because it is the most
4 important term we have in criminal law.
5 It is the doubt that Ms. Timmins has to
6 surpass in order for you to find Mr. Trane
7 guilty of anything. And reasonable doubt
8 abounds everywhere.

9 First and foremost with Counts I
10 and II. She's asking you to make one
11 basic assumption to the exclusion of Mr.
12 Trane. She's asking you to just readily
13 accept Kxxxxxx [REDACTED]'s version of
14 everything that occurred, and to ignore
15 Mr. Trane's denials that any of it
16 happened.

17 And we talked in voir dire about
18 two sides to every story. And when we
19 have two versions of events, neither of
20 which are really corroborated, how do you
21 know beyond a reasonable doubt? How can
22 you be firmly convinced that something
23 happened?

24 You heard Mr. Trane yesterday and
25 again this morning tell you nothing

1 happened. I didn't take pictures of spots
2 on her body. I didn't enter her dorm room
3 and digitally penetrate her. I didn't
4 take her to my house in the basement and
5 digitally penetrate her. I did not fondle
6 her. I did not have her masturbate me. I
7 did not have intercourse with her. It
8 just didn't happen.

9 To me that's reasonable doubt,
10 because what do we really have to
11 corroborate Ms. Stalbaum, other than she
12 says it did? Any physical evidence that
13 was obtained--and when I say physical
14 evidence, I'm talking DNA, the good stuff,
15 the CSI stuff that we all find
16 interesting. Anything they found was not
17 attributable to Ben Trane or Kxxxxxx
18 .

19 There was no video evidence. She
20 described being videotaped. There was a
21 camera. We heard Agent Lestina say, yeah,
22 we found SD cards. We didn't find
23 anything on them, which is inconsistent
24 with Ms. Stalbaum.

25 She threw a lot of names of people

1 who were supposedly there in the area or
2 the vicinity when all these events
3 occurred: Mxxxx [REDACTED]; I believe
4 there was a Txxxxxx; and a Jxxxxxx, and a
5 Jxxxxxx, and an Axxxx. But the only way
6 we know that is because she told us. We
7 didn't hear from any of those folks who
8 said, oh, yeah, I remember that. I
9 remember when we went to the seminar room
10 and Mr. Ben took Kxxxxxx upstairs. We
11 didn't hear that.

12 The instruction for reasonable
13 doubt tells you that you are to weigh the
14 evidence, or lack of evidence, in
15 determining whether Ben is guilty of
16 anything. There is a significant lack of
17 evidence in this case. This is truly he
18 said, she said.

19 Nothing really corroborates what
20 she says, except for some generalizations
21 by Dr. Salter, who remember told you that
22 statistics show between 5 and 8 percent of
23 allegations of sexual abuse are false.

24 What do we know about Kxxxxxx and
25 her allegations? We know at about the

1 time they're being made, she's extremely
2 angry at Mr. Trane. We know that. Kxxxxxx
3 [REDACTED] told you that Kxxxxxxx had sought her
4 out to talk to her, and she was very, very
5 mad right around Thanksgiving.

6 Well, what do we know was going on
7 at Thanksgiving? We know that Ben and
8 Kxxxxxxx had been working on her transition
9 out of the program, because she was doing
10 well. She did not want to go back to her
11 parents. That does not mean that Ms.
12 Stalbaum wanted to stay at Midwest
13 Academy. She didn't want to go home to
14 her parents, or her aunt and uncle. She
15 wanted to go live with her sister.

16 Ben was working on a visit with her
17 biological parents to re-establish that
18 relationship and more specifically with
19 her sister. Until, as Ben told you, her
20 mom, slash, aunt--I know I got confused by
21 that family tree throughout this case--
22 said I'm not comfortable with that. I
23 don't want her going off site with her
24 sister. So Ben told Kxxxxxxx it's not
25 going to happen. And like a typical

1 teenager, fine; I don't want any visit.

2 And you heard Ben testify from
3 there on in, she wouldn't talk with him,
4 because she didn't get what she wanted.

5 You heard Ms. Timmins talk about
6 Dr. Salter's testimony with delayed
7 disclosure and how Kxxxxxx would timidly
8 do this. But when I was preparing for
9 this case and I listened to all the
10 testimony, it brought back to me a time
11 when I was fairly young.

12 And I remember being--I was always
13 much braver than I thought I was. I
14 talked real tough until I actually had to
15 do something. And I remember going on my
16 first rollercoaster ride that was going to
17 do upside down. And, oh, yeah, I was
18 going to do it. All my friends were going
19 to do it. I could do this, until they
20 strapped me in the seat. And all I could
21 think was, oh, holy crap, what have I
22 done? But by that time, the gears were
23 shifting and we were going. There was no
24 way to get off that ride. All I could do
25 was see it through.

1 Kxxxxxxx makes some statements to
2 Cheyenne Jerred because she's mad. She's
3 trying to find a way to get back at Ben.
4 I'll show him, telling me I can't see my
5 sister. Well, then it just kind of
6 snowballs. Everybody else takes it a lot
7 more seriously than she expects. So she
8 goes along for the ride, whether it's
9 continuing to tell Cheyenne more and more
10 things are happening without really
11 telling Cheyenne anything.

12 When staff from Midwest Academy
13 bring her in and say, what's going on?
14 Nothing. Oh, no, holy crap. I'm on the
15 ride. Things are happening. And the ride
16 continued to progress throughout the
17 investigation, and the multiple interviews
18 with Agent Lestina, all the way up to last
19 week.

20 She started a series of events in
21 progress that she just couldn't stop,
22 because once they began and she got
23 buckled in, it was all beyond her control.
24 Ben told you he didn't do it.

25 Now, we heard a lot of testimony

1 about Victoria's Secret and other-- Those
2 are red herrings. They have nothing to do
3 with Kxxxxxx [REDACTED]. Incredibly stupid
4 red herrings? Yes. He even conceded that
5 in hindsight. I think some of his staff
6 even said that was not a good move. But
7 we've all done stupid things, and then in
8 hindsight we're like maybe that was not my
9 wisest course of action. But again, that
10 had nothing to do with Kxxxxxx [REDACTED]

11 He didn't take pictures of her
12 because she didn't want to go to CPC.
13 They just didn't get taken. He didn't go
14 into her dorm room, which mind you 8 to 10
15 other girls were in, in an open doorway
16 with staff in the hallway. Every event
17 she describes there were people around.

18 We know Mr. Ben is a very important
19 person at that school. He owns it. The
20 kids know that. Is he really going to be
21 so stupid as to take the chance of getting
22 caught in a room full of other girls with
23 staff right outside? Or in his own home
24 where his wife and children are? Or the
25 seminar room, which he testified he did

1 take kids there, Kxxxxxxx included, but
2 there are multiple children. Is he really
3 going to take that kind of chance? Common
4 sense would tell you no.

5 And while the State presented Dr.
6 Salter's testimony to kind of bolster all
7 the things that seemed really strange
8 about Kxxxxxxx [REDACTED] s testimony, the
9 progression doesn't even make sense.

10 Dr. Salter said, well, you know,
11 it's a slow progression to this
12 desensitizing. If it happened the way
13 Kxxxxxxx [REDACTED] said it did, that was a
14 pretty rapid progression, because even she
15 testified she'd never had any physical
16 contact with him before the pictures.
17 Which even if you wanted to assume it was
18 true for the sake of argument, even Ms.
19 Timmins conceded that's not something to
20 go from that--to go from absolutely
21 nothing to that, again, if you want to
22 assume it happened, to all of a sudden
23 he's walking into a room with 8 to 10
24 other girls and digitally penetrating a
25 child, who mind you, who testified she was

1 laying on her stomach. That would have
2 required a little bit more coordination.
3 It doesn't make sense. The progression
4 would have been too fast for common sense.
5 Even Dr. Salter said that would take a
6 period of time to do that.

7 But Ms. Timmins wants you to
8 believe that Kxxxxxx was completely
9 desensitized by one incident that Mr.
10 Trane said never even happened. And this
11 is a person who we heard several people
12 testify would have taken a little bit to
13 get her desensitized. She didn't like
14 people touching her. She didn't give
15 hugs. She didn't do that. She was a very
16 reserved individual.

17 But yet Ms. Timmins wants you to
18 believe this one incident that didn't
19 actually occur would have been enough to
20 do that and that within a matter of weeks,
21 it progressed from that to full-blown
22 intercourse. That just--that goes beyond
23 all common sense. It just wouldn't have
24 happened that way.

25 The incident in the hallway. As I

1 was listening to her testimony, when I'm
2 thinking about reasonable doubt, I'm
3 thinking what makes me question whether or
4 not this is actually true? The incident
5 in the hallway where Kxxxxxx testified
6 that Ben had brought her out to talk to
7 her as she was overseeing the other girls
8 going to bed. Again, a common area.
9 We're not even talking a floor away from
10 everyone else. We're just talking down
11 the hall in a common area where the
12 couches are, where we know staff walks by
13 because Kxxxxxx [REDACTED] even said, yeah,
14 Mike Holker walked by and asked me if I
15 was okay.

16 Again, is Ben Trane, a well-
17 respected member of the community and
18 obviously respected by those who worked
19 for him, is he going to do that where
20 anyone could walk in on him?

21 The incident at the house. It made
22 me think of the ride. Kxxxxxx testified
23 and even Layani and Ben said, yeah,
24 Kxxxxxx was in our house, early August,
25 right about the time that Ben took over

1 the caseload for her and Mxxxxx [REDACTED]
2 [REDACTED]. We already made cinnamon rolls.
3 It was a big deal. Apparently, it was a
4 big enough deal that that's the one part
5 of it that Ben remembered with any degree
6 of detail.

7 Kxxxxxxx testified that the
8 photograph in one of the exhibits--I don't
9 even remember--you get all those so you
10 can see that. She described the black and
11 white carpet. We heard Layani Trane
12 testify that didn't even go in until
13 almost Thanksgiving. So if what Kxxxxxxx
14 is telling is true, how would she have
15 seen carpet on a basement floor that
16 wasn't there? Or is it that she was shown
17 the photographs later that were taken
18 during the raid after the carpet was laid
19 and went, oh, yeah, that's exactly what
20 they looked like?

21 Now, her description of the
22 upstairs may have been good, because we
23 know she was in that upstairs looking
24 around with Mxxxxx [REDACTED], who we
25 didn't hear from.

1 When you take all of Ms. Stalbaum's
2 stories, which apparently when I deposed
3 her there were only seven instances, but
4 that grew even between the time of
5 deposition and the time of trial. At
6 trial it was up to ten. When you take her
7 story as a whole, any of Dr. Salter's
8 generalizations can fit just about any
9 situation.

10 Remember, Dr. Salter said, I don't
11 know Kxxxxxx [REDACTED] I've never met
12 Kxxxxxx [REDACTED] The only thing I know
13 about this case is what I was provided by
14 Ms. Timmins. That's the beauty of
15 generalizations, you can make them fit any
16 situation.

17 The same with Dr. Grassian. You
18 can make lots of generalizations that fit
19 any situation. But when you really look
20 at Kxxxxxx [REDACTED]'s testimony, it just
21 doesn't add up. It just doesn't add up.
22 There are too many things that just don't
23 match. And why? It didn't happen.

24 Around Thanksgiving after Ben told
25 her, sorry about that off-site visit with


1 your sister, but it's not going to happen,
2 she was extremely angry, extremely angry.
3 Kxxxxxx ██████████ told you. You didn't see a
4 lot of emotion from Kxx, but you knew when
5 she was mad, because she had that kind of
6 hot, simmering anger. And Kxxxxxx knew she
7 was angry right about the time when her
8 plans were falling apart. I'll show him.
9 That's what this was.

10 Do I think she planned on all of
11 this? No. Again, she climbed into the
12 seat; she buckled in; and before she could
13 get off, the cart was already gone. So
14 she had to see the ride through.

15 So Count I is pretty easy. We
16 don't have to worry about force or against
17 the will if it did not occur. You have
18 two versions, hers and his. And his has
19 been the consistent one. He has always
20 said, I did not do this. I simply did not
21 do this. And because of that, that's
22 reasonable doubt, because we don't know.
23 We weren't there. If we were we'd have
24 had different chairs for the last two
25 weeks, because we would have been sitting

1 there (indicating to the witness stand) if
2 we knew what happened.

3 When you have two versions, neither
4 of which are really corroborated by
5 anything else other than they're two
6 different statements regarding the same
7 event; in this case, she says it happened
8 and he says it didn't, that in and of
9 itself is reasonable doubt when there's
10 nothing to corroborate what she says.

11 Don't let the red herrings of
12 Victoria's Secret and body shape exercise
13 information, don't let those red herrings
14 throw you, because they have nothing to do
15 with what happened with Kxxxxxx .
16 Stupid? Yes. Criminal? No. The focus
17 needs to be on did it happen? And I argue
18 to you, no, it did not.

19 The fact that there are two people
20 of equal credibility, except one had a
21 particular motive at the time for getting
22 back at the Defendant. It just kind of
23 blew up into something she wasn't
24 expecting. That's reasonable doubt, when
25 you have to stop and think, I'm just not

1 sure.

2 Another way to think of reasonable
3 doubt--because I know the instructions
4 says that it would make you hesitate to
5 act. And I agree with Ms. Timmins,
6 hesitation and deliberation are two
7 totally different things. We want you to
8 talk it out and think about it.

9 And it made me think about an
10 incident a couple of years ago. Some of
11 you may remember it. It was a--we're big
12 spinach eaters in my house, just the
13 bagged stuff. We eat it 15 different
14 ways. And a couple of years ago, there
15 was a huge E. coli breakout. And I
16 remember they gave the dates from here--if
17 you bought your spinach and it was dated
18 from here to here (indicating), you needed
19 to get rid of it. But if it was before or
20 after that, you should be fine.

21 And I remember looking in my
22 vegetable crisper drawer. I opened it up
23 because I knew I had spinach in there of
24 that particular brand. And I looked and
25 it was only about one or two days outside

1 of that little span they had given. Now,
2 I've never had E. coli and I've never
3 known anyone who has had E. coli. But
4 from what I understand, it's not good.

5 And I had to sit and think, well,
6 you know, the CDC is telling me I should
7 be fine. Do I really want to feed this to
8 my family? That's deliberation, the
9 thinking about it. But for me, the
10 hesitation was, I might be fine but I
11 don't know that I want to risk that
12 because I might not be fine. And I don't
13 want to make my family sick.

14 When it comes to Count II, one of
15 the things that the State has to prove
16 beyond a reasonable doubt is there was
17 sexual conduct between Ben Trane and
18 Kxxxxxx [REDACTED]. I'm not going to go
19 over the same argument, because you just
20 heard me say it. It didn't happen. The
21 rest of it doesn't matter if the acts
22 themselves did not occur, or if you have
23 reasonable doubt as to whether they
24 occurred.

25 Again, when you are thinking, gee,

1 she tells a pretty good story, but he says
2 it didn't happen. I'm not sure. That's
3 reasonable doubt. And because of that
4 doubt, when it comes to Count I and Count
5 II, the Sexual Abuse in the Third Degree
6 and the Sexual Exploitation, you must find
7 the Defendant not guilty.

8 She had nothing to corroborate her
9 statement, nor did he. It happened. No,
10 it didn't. Do you really want to act with
11 that kind of uncertainty?

12 Finally, Count III, the Child
13 Endangerment. We'll give you the first
14 two. There's no question that as the
15 owner of Midwest Academy Ben Trane would
16 have had custody and control of the
17 children. They were entrusted to the care
18 of Midwest Academy, not necessarily him
19 specifically, but Midwest Academy. And it
20 was clear that they were both under the
21 age of 14. We know those things. I never
22 argue things that are not in dispute.
23 Well, sometimes, but that's just for the
24 fun of it. Those two are easy.

25 What's not so easy is, 1, were

1 Bxxxxxxx [REDACTED] and Dxxx [REDACTED] truly at a
2 substantial risk to their physical safety?
3 And even if they were, did he know it?

4 We heard him describe the hierarchy
5 of Midwest Academy. And he kind of became
6 a jack of all trades. That's the beauty
7 of a small business owner. You become
8 everything to everybody. But he wasn't
9 running the program when Bxxxxxxx [REDACTED] and
10 Dxxx [REDACTED] were there. It was either
11 Shasta Heidbreder, James Paulus, or later
12 on Devon Dade and Ray Forrester. All the
13 staff were to--program staff, such as the
14 people watching OSS, the people watching
15 the nights, would have all reported to
16 them.

17 Ms. Timmins has to prove that he
18 knew; that he had a conscious awareness
19 that these two particular children were at
20 a safety risk. He was too high up in the
21 food chain for that. Those are things
22 that would have been dealt with by the
23 direct staff, some of which you heard
24 from.

25 You cannot ignore the testimony of

1 Gary Lachapelle. Dxxx was--if weight loss
2 is the thing you want to hang your hat on,
3 he said Dxxx was an overweight kid. The
4 pictures support that. He's a big kid.
5 He didn't necessarily look unhealthy when
6 DHS took the pictures in the spring of
7 2015. In fact, he looked pretty good. He
8 looked more like a normal 12 year old, at
9 least to me.

10 We heard Gary Lachapelle, and even
11 Mike Davis and Jane Riter, say if they
12 truly believed a child's safety was at
13 risk, they would take care of it. We
14 heard Jane say, she sent girls--because
15 she worked with the girls--she sent girls
16 to the hospital. But that was them. That
17 wasn't Ben Trane. All he would do was
18 come in and say, hi, how are you doing?
19 Why are you here? You know, we need to
20 get with the program. Let's do what needs
21 to be done. Let's get you out of here and
22 we'll work on the other things that we
23 need to do.

24 He didn't have that kind of in-
25 depth contact like Gary Lachapelle did,

1 who would spend hours with Dxxx [REDACTED]
2 when Mike Davis would spend hours with
3 Bxxxxxx [REDACTED].

4 Now, we heard a lot of talk from
5 Dr. Grassian about isolation and solitary
6 confinement. Even putting Ben Trane's
7 testimony out of it, you heard Mike Davis,
8 Gary Lachapelle, and Jane Riter say, we
9 were in there all the time. There were
10 usually only a handful that would be there
11 on a pretty regular basis. Most kids did
12 fine. Most kids did not go to OSS more
13 than once or twice, if at all.

14 Bxxxxxx and Dxxx obviously did.
15 Mr. Trane wasn't going to contest that.
16 The logs say what they say. He recognized
17 that they were in there a lot. But if
18 there was truly a safety concern, there
19 was several people below him, both on the
20 program and the clinical side, who would
21 have been the ones who were consciously
22 aware.

23 Now, we know there were issues with
24 Bxxxxxx. Mr. Trane was telling his mom as
25 early as November, just a couple of months

1 after he was there, this isn't working.
2 You need to find someplace else to put
3 him. This isn't working. He's not doing
4 what we thought he should be doing by now.
5 And remember, Mr. Trane said they denied
6 Mr. [REDACTED] initially, because they thought he
7 was too young and had too many problems.
8 The only reason he was at Midwest Academy
9 is because his mom begged for him to be
10 there.

11 They recognized that there was an
12 issue, but Midwest Academy and Ben Trane
13 were also responsible for all of the other
14 children that were there. And Bxxxxxx [REDACTED]
15 and Dxxx [REDACTED] both represented a safety
16 risk to those kids when they were acting
17 out violently and arguing with staff and
18 assaulting staff and assaulting other
19 students. Their duty was to protect all
20 the kids.

21 They were working on getting
22 Bxxxxxx out of there. They knew. Mike
23 Davis knew. Mike Davis talked to Ben.
24 They talked to Bxxxxxx's mother. You need
25 to find someplace else to put him. This

1 is not the place for him. He needs more
2 than we can give. You heard her say it,
3 Ben said it, but that never got done.
4 They offered recommendations to her, but
5 nothing ever got done until DHS came in in
6 the spring, and that's when [REDACTED] [REDACTED]
7 decided, oh, I need to take my son.

8 Bxxxxxx and Dxxx were troubled
9 kids, as were all of the kids at Midwest
10 Academy. These were not your average high
11 school kids. There was a reason they were
12 there. These two particularly had issues.
13 And you heard Ben testify that immaturity
14 could play a role in that.

15 You heard Gary Lachapelle, the one
16 person--not Dr. Grassian--but Gary
17 Lachapelle who actually knows Dxxx [REDACTED]
18 tell you the reason Dxxx was in OSS is
19 because Dxxx chose to be in OSS. Those
20 were his decisions. He knew how to do
21 what he wanted to do. He went there to
22 get away from things. Several of the
23 girls said that as well, that they would
24 go there voluntarily to get away from
25 everything else.

1 They were monitored. They had teen
2 mentors available. Nothing that was
3 described by the staff, and might I add
4 the staff that continued to be employed at
5 Midwest Academy until it closed, nothing
6 that they said sounded anything like what
7 Dr. Grassian was describing. There was
8 someone watching them to make sure that
9 they didn't hurt themselves.

10 The counselors and the family reps
11 and especially the therapists were in
12 there every day, multiple times a day,
13 spending as much time as they could with
14 these kids to get them to understand, we
15 just need you to behave.

16 You even heard Bxxxxxx testify, I
17 had the ability to do it. I didn't. We
18 never did hear from Dxxx [REDACTED]. So we
19 have to rely on Gary Lachapelle who knew
20 him and spent hours with him. He knew how
21 to do it. He just didn't want to.

22 Ms. Timmins wants to bootstrap Mr.
23 Trane's position in Midwest Academy to
24 say, because he is at the top of the
25 pyramid, he knows everything that goes on.

1 I have five people in my household, and I
2 never know anything that's going on. And
3 it's a much smaller place than Midwest
4 Academy.

5 The folks that were working with
6 Bxxxxxx and Dxxx, who they were already
7 addressing Bxxxxxx's problems, no one was
8 overly concerned about Dxxx's physical
9 safety. They were doing everything they
10 could do to keep Bxxxxxx safe, and
11 everyone else from Bxxxxxx. That doesn't
12 mean that Mr. Trane knew everything that
13 was going on. Just because he wrote the
14 policies and the rules? Sam Walton
15 created Walmart. That doesn't mean he
16 knows what was going on in every store,
17 just because he created the corporate
18 structure.

19 She's wanting you to make a whole
20 lot of assumptions in order to find that
21 the Defendant knew things that he says he
22 didn't really know. Assumptions aren't
23 truth. They're not fact. They are
24 assumptions.

25 This case is like a connect the

1 dots picture. We all remember doing those
2 as kids. Except the dots don't all
3 connect. They really don't give you that
4 full picture. All Ms. Timmins provided
5 you was Kxxxxxx [REDACTED] who offered an
6 interesting story and a bunch of students
7 who hated Midwest Academy, made it clear
8 they hated Midwest Academy, and they did
9 not want to be at Midwest Academy and
10 found ways to get out of Midwest Academy,
11 and two employees that got terminated and
12 made their animosity toward Ben Trane and
13 Midwest Academy fairly clear.

14 The other people you did hear from,
15 one was the State's own witness, Mike
16 Davis, who told you Mr. Trane always had
17 the interest of his students in mind; that
18 he was always interested in doing what was
19 best for those kids. That was from the
20 State's witness.

21 But we also heard from Jane Riter
22 and Gary Lachapelle, people who actually
23 worked with the children, who counseled
24 the children.

25 And in thinking about that

1 substantial risk--again, I told you when I
2 heard testimony I write down questions
3 that I would have if I were a juror--if
4 they were at such a substantial risk, why
5 did DHS return them after they interviewed
6 them in the spring? Dxxx [REDACTED] went
7 back. So obviously DHS wasn't so
8 concerned about their safety; otherwise,
9 they would have removed them. They showed
10 how quickly they can do that. They did it
11 with Kxxxxxxx [REDACTED] in a day.

12 The only reason Bxxxxxxx [REDACTED] didn't
13 return is because Christina Tang knew the
14 gig was up; I have to get my son out of
15 there.

16 We have lots of dots but none of
17 them create a full picture. There's just
18 a lot of dots on the page.

19 Ladies and gentlemen, Ms. Timmins
20 has failed to meet her burden. She has
21 not proven beyond a reasonable doubt that
22 any sexual acts ever occurred between Ben
23 Trane and Kxxxxxxx [REDACTED].

24 She has not proven either that
25 Bxxxxxxx [REDACTED] or Dxxx [REDACTED] were at a

1 substantial risk of safety. They lost
2 weight. Nor could she prove or did she
3 prove that the Defendant actually knew
4 what was going on in the OSS.

5 Ladies and gentlemen, I ask you
6 when you go back and you deliberate, not
7 hesitate but deliberate, think about those
8 questions. Am I truly, firmly convinced
9 that the events occurred the way the State
10 has presented?

11 And when you deliberate and you
12 look at all the evidence, put all
13 assumptions aside and look only at the
14 facts you heard, you will find there are
15 just too many doubts. There are just too
16 many doubts. And you will find the
17 Defendant not guilty of all charges.

18 Thank you.

19 THE COURT: Ms. Timmins, you may
20 proceed.

21 MS. TIMMINS: It must be nice to be
22 at the top of the food chain and not have
23 to be responsible. Is that what happens
24 when Exxon Mobile spills oil in the ocean
25 and kills animals? Does the president get