

1 THOMAS J. PEARSON,
2 called as a witness by the State, being
3 first duly sworn by the Court, was
4 examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. TIMMINS:

7 Q. Would you please state and spell
8 your name for the court reporter?

9 A. It's Thomas J. Pearson, P-e-a-r-s-
10 o-n.

11 Q. Where do you work at?

12 A. I work for the FBI office in Cedar
13 Rapids, Iowa.

14 Q. And FBI is Federal Bureau of
15 Investigation?

16 A. Yes.

17 Q. How long have you worked there?

18 A. For about fifteen years.

19 Q. What is your educational
20 background?

21 A. I got a chemical engineering degree
22 from Iowa State, a bachelor's of science,
23 and worked in that field for ten years,
24 and then went to the FBI.

25 Q. Tell us how that happens?

1 A. Well, agents come from a lot of
2 different backgrounds. It's not just
3 lawyers or former cops or attorneys, which
4 historically there was a lot of
5 accountants and attorneys in the FBI. But
6 it's a various diverse background now, so
7 really if you meet the minimum
8 requirements, you can fill out an
9 application and join the FBI.

10 Q. And actually now they do look for
11 people with science and technical-type
12 backgrounds?

13 A. Oh, absolutely.

14 Q. Where did you work at when you
15 worked in the engineering field?

16 A. I worked for a manufacturing
17 company called US Gypsum. They're based
18 in Chicago.

19 Q. So at some point you decided to
20 apply to the FBI?

21 A. Yes.

22 Q. What type of training did you have
23 to become an FBI agent?

24 A. Just like everybody else that goes
25 through--that becomes a special agent with

1 the FBI, we go through the FBI Academy in
2 Quantico, Virginia. When I was there, it
3 was a 17-week program. And since they are
4 bringing in people from all different
5 backgrounds, like myself--I had no prior
6 law enforcement--they teach you everything
7 you need to know about the law, about
8 arrest procedures, search procedures,
9 interview techniques, everything that--all
10 the core information you need to start the
11 job.

12 Q. When you were done at Quantico,
13 where did you go?

14 A. I was initially assigned to a small
15 office in Ohio, in Lima, Ohio.

16 Q. And how long were you there?

17 A. I was there for about two and a
18 half years. Then I transferred to Toledo,
19 Ohio, and I was there for another ten
20 years or so, and then I was transferred to
21 Cedar Rapids about three years ago.

22 Q. What are your duties as an FBI
23 agent?

24 A. Well, we investigate violations of
25 federal law, to put it simply. We collect

1 information. Really that's the job. We
2 collect information and we give it to the
3 prosecutor's office. They determine if a
4 crime has occurred or not, and we just
5 assist their office if there's a
6 prosecution.

7 Q. And when you say the prosecutor's
8 office, you don't mean a prosecutor like
9 me that's with the State of Iowa, you're
10 talking about federal prosecutors?

11 A. Normally. We work with the US
12 Attorney's Office, which is a group of
13 federal prosecutors. But it's not
14 uncommon to conduct an investigation and
15 determine that there are--discover some
16 state crimes as opposed to federal crimes,
17 and then it does get turned over to a
18 state prosecutor from time to time.

19 Q. You work jointly with other
20 agencies?

21 A. Yes.

22 Q. That's actually fairly normal; is
23 that right?

24 A. It's very common.

25 Q. What's a normal day or week look

1 like for you at your office?

2 A. Well, every day is kind of the same
3 in that for everybody that investigates
4 cases, like myself, we have a list of open
5 investigations. We look at each one,
6 determine what needs to be addressed
7 today. Is there something urgent? What
8 interviews need to be done? What records
9 need to be collected? What coordination
10 or meetings, perhaps, need to take place
11 with other agencies? And we just do
12 whatever needs to be addressed that day.

13 Q. Obviously, there are a lot of TV
14 shows about FBI agents and things like
15 that, are you just out running around
16 every day with your gun out and doing
17 things like that?

18 A. No. If they made a show that was
19 based on reality, nobody would watch it.

20 Q. Too boring?

21 A. Absolutely. There's a lot of
22 administrative work that goes into the
23 job.

24 Q. All right. I'd like to talk to you
25 about Midwest Academy. Did you become

1 involved in an investigation of Midwest
2 Academy?

3 A. Yes.

4 Q. How did you become involved?

5 A. Well, our office had received some
6 information in the spring of 2015 which
7 resulted in us opening an investigation at
8 Midwest Academy. I was assigned as the
9 case agent for that investigation in the
10 fall of 2015.

11 Q. All right. So another agent
12 initially opened the investigation in the
13 spring of 2015?

14 A. That's right.

15 Q. And at some point you were called
16 in to take over that; is that right?

17 A. That's right.

18 Q. Now, prior to you taking over the
19 investigation, just general broad sweep,
20 had your office, people in your office
21 been to the academy? Had some things been
22 done?

23 A. Yes. Some investigation had been
24 done. Some students, former students, had
25 been interviewed by the prior case agent.

1 There was some coordination with the
2 Department of Human Services. They shared
3 some information and did conduct some
4 investigation.

5 Q. All right. Was there a point in
6 time that you received a phone call from a
7 different agency who was contacting you
8 about Midwest Academy?

9 A. Yes. I received a call from Joe
10 Lestina. He's with the Division of
11 Criminal Investigation for the State of
12 Iowa. He's a special agent for them. And
13 he said that he had received an allegation
14 regarding sexual abuse from a former
15 student, and this was probably near the
16 end of 2015, and so he informed me of
17 that.

18 Q. Agent Lestina was aware that you
19 had an investigation, so did the two of
20 you start coordinating things?

21 A. We did.

22 Q. And he contacted you sometime in
23 December of 2015?

24 A. I think it was December.

25 Q. All right. From that point on,

1 from that phone call, did this then become
2 basically a joint investigation between
3 your agency and the DCI?

4 A. Yes. We coordinated pretty much
5 everything we did from that point on.

6 Q. What types of things did you do
7 during this investigation?

8 A. We conducted quite a few interviews
9 of parents of former students, and of
10 former students, collected records,
11 coordinated with the DCI in anticipation
12 of executing a search warrant at the
13 school, we assumed--or anticipated having
14 to do that, and we knew it would take
15 substantial resources.

16 Q. And why would the search of the
17 school take substantial resources?

18 A. It's a very large--physically a
19 very large structure.

20 Q. All right. Well, let's talk about
21 the search warrant, then, on January 28,
22 2016. You said that you and Agent Lestina
23 had worked together to coordinate putting
24 this together; is that right?

25 A. That's right.

1 Q. You went on the search warrant that
2 day?

3 A. Yes.

4 Q. What other agencies were there?

5 A. The Lee County Sheriff's Office was
6 there; FBI had resources there; DCI had
7 resources there; the Department of Human
8 Resources (sic) came in--

9 Q. Later on that day?

10 A. A little bit later on, right. They
11 were aware that we were taking that
12 action.

13 Q. Set the scene a little bit for us.
14 When you arrived what were the things that
15 you did?

16 A. When we executed the warrant?

17 Q. Yes.

18 A. We all pulled up in the parking lot
19 and parked. Joe Lestina and I got a hold
20 of the Defendant. We told him we were
21 there with a search warrant. We asked him
22 if he would sit down with us and submit to
23 an interview, which he did. And so we
24 spent about six hours talking to the
25 Defendant that day.

1 Q. So while other people were
2 conducting the search, you were
3 interviewing the Defendant?

4 A. Right.

5 Q. And when you use the term
6 Defendant, are you speaking of Ben Trane?

7 A. Yes.

8 Q. Is he present in the courtroom
9 today?

10 A. Yes.

11 Q. Could you point him out please and
12 identify the color of his shirt?

13 A. He's sitting right there with a
14 gray suit and white shirt (indicating).

15 MS. TIMMINS: Let the record
16 reflect that the witness has identified
17 the Defendant.

18 THE COURT: It may.

19 Q. (By Ms. Timmins) And that is the
20 person that you interviewed that day?

21 A. Yes.

22 Q. About what time did your interview
23 start?

24 A. It started about 12:30 in the
25 afternoon.

1 Q. And where did you conduct it at?

2 A. We were I believe in a break room
3 at the school on the main floor.

4 Q. Who was with you?

5 A. It was myself and Joe Lestina.

6 Q. Was anyone else in the room besides
7 the Defendant?

8 A. No.

9 Q. And you said that he agreed to talk
10 to you?

11 A. Yes.

12 Q. I just want to go over some of the
13 points through that interview. It was a
14 very long interview?

15 A. It was.

16 Q. Did the Defendant tell you what
17 type of education he had?

18 A. Yes. He said he had gone to
19 college. He didn't graduate. He was a
20 couple of credits short from graduating,
21 but he attended a college in Utah for--I
22 believe he said he was studying computer
23 science.

24 Q. Throughout this interview, how did
25 the Defendant describe the school to you?

1 What type of school was it?

2 A. Well, he said it was privately
3 owned, basically a boarding school for
4 teenagers under 18. They had an academic
5 program there so students could pursue
6 getting a high school diploma from them.
7 They had a behavioral program that was
8 therapeutic in its structure so that they
9 could address behavioral issues with the
10 students.

11 Q. Did he tell you who owned the
12 academy?

13 A. Yes. He said he was the owner.

14 Q. Did he talk about how many students
15 were there?

16 A. He said at the time we were there,
17 there were 77 students there, and that in
18 the past they had as many as 300. But
19 when we were there, he said 77.

20 Q. Did you talk at all about how the
21 students, the kids would arrive at the
22 school?

23 A. They arrived by one of two methods.
24 Either the parents would bring the
25 children there, the students there and

1 drop them off; or, if for some reason, for
2 whatever reason that wasn't an option for
3 the parents, they could hire a transport
4 company, third party company, and it would
5 consist of two or three people to go the
6 student's home, take the student out of
7 the home, and drive them to the school, or
8 fly, depending on where they were from.

9 Q. And who arranged the transport
10 company?

11 A. That was up to the parents.

12 Q. Did the Defendant have services for
13 that?

14 A. Not at that time. He said in the
15 past that staff members used to do that on
16 their day off. They would go do these
17 transports, but at the time of the search
18 that was all third-party work.

19 Q. Did the Defendant talk about how
20 parents paid him for their children to
21 attend the school?

22 A. He did. He said that there's a
23 monthly tuition. I think he said it was
24 \$5,000.00 a month, which was kind of their
25 list price, although they had reduced

1 rates for a lot of the parents.

2 Q. Did he say anything about it was
3 like a car payment?

4 A. Oh, yeah. He said that a lot of
5 middle class families can afford it
6 because they can just get a loan if they
7 need to, and paying off the loan for the
8 school tuition was equivalent, basically,
9 to a car payment.

10 Q. Did you talk to the Defendant about
11 the structure of the school, what some of
12 the rules and regulations were?

13 A. A little bit. He described what he
14 called systems therapy, or the structure
15 of their behavioral program. They have
16 different levels. There are six different
17 levels that students ascend through as
18 part of the behavioral program, and they
19 all start initially at Level 1, which is
20 the most restrictive level. And then they
21 earn freedoms as they work up through the
22 program.

23 Q. Did he say anything about why kids
24 would get stuck on Level 1?

25 A. He said--well, we asked him, what

1 do you do with students if they're not
2 progressing, and they're just stuck at
3 Level 1 and they're not succeeding? And
4 he said, the only reason that kids stay on
5 Level 1 is if they have some sort of a
6 conflict with their parents and they're
7 just doing it to spite their parents, then
8 they just stay at the bottom level.

9 Q. He said they were doing it to spite
10 their parents?

11 A. Basically, yes.

12 Q. Overall, did he paint a good
13 picture of the students who attended the
14 academy?

15 A. He did. He said that in comparing
16 them to like a normal high school student,
17 he said that other high school students
18 don't speak the way our students speak.
19 They come there; they learn a lot of
20 skills, like skills and communication
21 skills. He said that when his kids get to
22 be 15 years old, he's sending them all
23 through the behavioral program. And I
24 think he even said that the nation should
25 follow his school system because of the

1 successes that it had.

2 Q. Did you ask the Defendant or have a
3 discussion about how reports to DHS are
4 made within the school?

5 A. We were talking about a specific
6 allegation that came up, and he did say
7 that, well, anybody can report abuse
8 allegations to DHS. Their policy was that
9 it goes through Mike Davis, and Mike Davis
10 does the reporting.

11 Q. So he said anybody can do it;
12 however, the school policy is that it goes
13 through Mike Davis?

14 A. Right.

15 Q. Did he say anything about who made
16 the report regarding Kxxxxxx [REDACTED]?

17 A. Well, we talked about that
18 specifically. And he told us that Mike
19 Davis called DHS and made that report.
20 But he also said that Jane Riter had also
21 called and made that report, and Cheyenne
22 Jerred had called DHS as well. He said
23 all three of them did.

24 Q. Did he say anything about the order
25 of who called when?

1 A. Initially, he told us that Mike
2 Davis called first. But then a little bit
3 later on he said he wasn't quite sure of
4 the timing of the different calls.

5 Q. Did you talk to him about what a
6 family representative was?

7 A. Yes. He described family
8 representatives as one of the functions of
9 the staff members there to interact
10 between the students and the student's
11 family at home.

12 Q. Did he admit that he was a family
13 representative for Kxxxxxx [REDACTED]?

14 A. Yes.

15 Q. And he told you that he had her on
16 his caseload plus three other students; is
17 that right?

18 A. That's right. He was a family rep
19 for two girl students--female students and
20 two of the boy students.

21 Q. The other female being Mxxxx [REDACTED]
22 [REDACTED]

23 A. That's right.

24 Q. With being her family
25 representative, was it discussed that he

1 could control phone calls home or to
2 Kxxxxxxx's sister?

3 A. That's one of the functions of the
4 family rep, is to interact with the phone
5 calls. And he said that he would initiate
6 a phone call for Kxxxxxxx to talk to her
7 sister and then hand her the phone.

8 Q. Did you talk about shopping trips?

9 A. Yes.

10 Q. Did the Defendant say that he did
11 take kids off campus sometimes?

12 A. He did. We asked him, where do you
13 take students off campus, and initially he
14 told us that we go to Walmart; we go to
15 Aldi to buy various supplies or whatever
16 is needed.

17 Q. Now, I'm going to ask you, before
18 you asked these questions, did you have
19 some knowledge through your investigation
20 that the Defendant had been taking girls
21 to Victoria's Secret?

22 A. Yes. We had that information
23 before we executed the warrant, and that
24 was the purpose of asking him those
25 questions about where you take students.

1 Q. All right. So you asked him, where
2 do you take the kids, and he told you
3 Walmart, Aldi's?

4 A. He gave us those two stores. We
5 asked again, where else do you go off
6 campus? And he said, well, they do a lot
7 of service projects. They take the
8 students into the community to do various
9 things. They go to the library or the
10 hospital or the National Memorial.

11 And then we asked him again, well,
12 you know, what kind of stores do you take
13 the kids to? And he told us Walmart,
14 Kohl's, Sam's Club. He told us he took
15 the kids out for sushi; he took kids out
16 for ice cream; he took them to the malls
17 in Burlington and Quincy.

18 Q. Did he ever mention during the
19 interview that he took girls to Victoria's
20 Secret?

21 A. No. And then after that we went
22 back and said, well, if they need
23 underwear where do you take them for
24 underwear? And he told us either Walmart
25 or Dollar Tree, were the answers he gave

1 us.

2 Q. Did he explain why he took the kids
3 shopping?

4 A. He would take them shopping either
5 if they just had a need for some item. It
6 was out of necessity for some. For some
7 it was a reward to get out of the school.
8 For some he would take kids out for their
9 birthday. For some kids that didn't have
10 parents either in the area--I think he
11 gave an example that some parents are
12 overseas and couldn't come visit, that he
13 would just take those kids out just so
14 they had, I guess, a little attention.

15 Q. Did he say anything about buying
16 things for the kids?

17 A. He said that he has probably bought
18 things for 50 percent of the kids there,
19 various items. And if you include meals,
20 he has bought items for all the kids.

21 Q. All right. I assume you talked to
22 the Defendant specifically about Kxxxxxx?

23 A. We did.

24 Q. What did the Defendant say about
25 how Kxxxxxx did at the school?

1 A. He said overall she loved it there.
2 She didn't want to leave. She didn't want
3 to go back home to live with her aunt and
4 uncle, and that she was doing well there.

5 Q. Did he admit to any sexual contact
6 with Kxxxxxxx?

7 A. No.

8 Q. You confronted him on that?

9 A. We asked him about that, and he
10 said no.

11 Q. Did he tell you that it was Kxxxxxxx
12 who was the one who tried to get him
13 alone?

14 A. He did. He said Kxxxxxxx was always
15 trying to get him alone. She said that
16 she wasn't comfortable talking with other
17 kids around; that she needed it to be just
18 the two of them. And he said he would
19 make that available for her, but even when
20 it was just the two of them she wouldn't
21 open up and say anything.

22 Q. So he did tell you that he
23 accommodated what he says was her request
24 to talk to him alone?

25 A. That's right.

1 Q. But when he was alone with her, she
2 wouldn't talk?

3 A. That's what he said, right.

4 Q. Did you ask him, you know: Was it
5 Kxxxxxxx that was trying to form a
6 relationship with you?

7 A. We did discuss that and he said
8 that Kxxxxxxx didn't pursue any sort of a
9 relationship and that it was somewhat
10 unique for her, because most of the girls
11 there, they liked some interaction, they
12 liked hugs, they liked to be around the
13 Defendant, but she just didn't try to
14 pursue any sort of closeness or
15 relationship like that.

16 Q. The impression you got from the
17 Defendant is that Kxxxxxxx was very
18 standoffish compared to the other girls?

19 A. I think that's fair, right.

20 Q. Did you ask the Defendant if
21 Kxxxxxxx ever been in his home?

22 A. We did ask that question. He said
23 he didn't recall her ever being there. He
24 didn't think she was over there.

25 Q. It wasn't no. It was just that he

1 didn't recall?

2 A. That's right.

3 Q. Did you ask about if Mxxxx [REDACTED]

4 [REDACTED] had been in his home?

5 A. Yes, we asked that question. He
6 said he thought she maybe had been there
7 one time.

8 Q. Did he admit to ever being alone
9 with students?

10 A. He said he was never alone with
11 students.

12 Q. Did you ask him about why Cheyenne
13 Jerred was fired?

14 A. We discussed Cheyenne Jerred. She
15 was fired because she had communicated
16 with Kxxxxxx [REDACTED] and that that was--
17 since she was not a licensed therapist,
18 and that was considered too close to,
19 like, therapy, having those discussions
20 with her, and she was prohibited from
21 that, so she was fired because of it.

22 Q. What about body image therapy or
23 the body image classes? Was that topic
24 brought up to the Defendant?

25 A. We did ask about that.

1 Q. And again, prior to going into this
2 interview, had you received information
3 that something like this was going on at
4 the school that was put on by the
5 Defendant?

6 A. Yes. Prior to the search, we had
7 this information that--the allegation
8 anyway, that the Defendant took girls into
9 a--had them go into a room and look in a
10 mirror and describe their body shapes and
11 body types to him. And so we asked about
12 body image therapy and body image classes.

13 Q. And what did he say?

14 A. The first time we asked him about
15 body image therapy and if that is
16 addressed at the school, he said yes; that
17 therapists do most of that. In the
18 seminars they take care of a lot of the
19 body image issues, and that there was a
20 time when he had printed out some
21 literature for some of the girls to look
22 at regarding different body types because
23 there had been a female student who was
24 mean to some of the other female students,
25 the heavier students, and calling them fat

1 and calling them names, and so he printed
2 out some information to help focus
3 themselves on body types.

4 Q. When he told you that he printed
5 out this information, did he make it seem
6 to you like it was just this one-time deal
7 for this one particular situation?

8 A. Well, he said it was a result of
9 one girl who was mean to some of the other
10 girls, and it was in response to that.

11 Q. All right. Did he ever admit to
12 you at any time that he conducted these
13 types of classes and had these types of
14 discussions with the girls?

15 A. Well, eventually he did say that he
16 was--did take part in some of the mirror
17 classes, or mirror image. When we asked
18 him about body image therapy, he said, no,
19 the therapists do that and I don't get
20 involved in therapy. And then we asked:
21 Well, we have information that these girls
22 were sitting in front of a mirror with
23 regard to their body type. And again, he
24 said, that he thought the therapists might
25 have done that. And we asked him

1 specifically, did you do this or was it
2 the therapists? And he said, I think the
3 therapists might have done it. And then
4 he said, well, the girls that were
5 involved with it when I did it aren't even
6 here anymore.

7 So he never said yes, but he did
8 acknowledge that he had some involvement
9 with it.

10 Q. Did you ask him about the OSS
11 rooms?

12 A. We talked about OSS, yes.

13 Q. And actually going back to March of
14 2015, the spring of 2015, the FBI started
15 looking into some of those situations with
16 the OSS rooms; correct?

17 A. That's right.

18 Q. So you had prior knowledge going in
19 to the interview about them?

20 A. I knew that they were there and
21 that they were used, right.

22 Q. What did he have to say about the
23 OSS rooms?

24 A. Well, he told us the OSS rooms are
25 basically a timeout room. Students are

1 put in there when necessary. The door is
2 closed but only until the student calms
3 down, and once the student is calm the
4 door is opened.

5 Students are--they're not isolated
6 in there. He said that DHS had been in
7 and questioned him about OSS in the past
8 multiple times and, you know, insinuated
9 that they had been characterized as
10 solitary confinement or isolation rooms or
11 control rooms, all of which he said that's
12 not what they are; they're just timeout
13 rooms.

14 Q. Did he say anything about whether,
15 you know, in response to some of those
16 questions, did he make a comment about
17 whether or not isolation was healthy?

18 A. Right. He said they're not
19 isolation rooms because isolation isn't
20 healthy. And it's not an isolation room,
21 basically because there are other
22 students--there are two other students
23 there with the student that's in the room.
24 So there is somebody to communicate with.
25 There's a lot of interaction for the

1 student in the OSS room. There's a staff
2 member present. Therapists come and check
3 on the students each day. So it's not
4 isolation in the way you might think that
5 the person is just walled off from the
6 rest of the world.

7 Q. And that was his explanation to
8 you?

9 A. Right.

10 Q. Did you press him at all about
11 structure and sitting twenty-four hours,
12 or did you not go into that area?

13 A. We didn't talk about sitting in
14 certain structure. But we did talk about
15 the twenty-four hour rule, because he said
16 when they first opened up they had no real
17 limits on OSS. So if a student got
18 restrained a whole bunch, that's just how
19 it was. And at some point it changed to a
20 twenty-four hour limit to be in OSS, but
21 he acknowledged if a student goes in there
22 for twenty-four hours and then has another
23 violation of some other rule, the twenty-
24 four hours is going to reset again, so
25 that it's really--there isn't a twenty-

1 four hour limit if a student keeps
2 violating the rules.

3 Q. There's no limit?

4 A. He said that--it basically got to
5 the point where if a student was in the
6 OSS room for more than seven days, they
7 would look to start expelling the student
8 out of the school

9 Q. Did he also say something that
10 there was--that after May of 2015 that
11 there was only a one-hour limit to be in
12 OSS?

13 A. That's right. He said DHS had come
14 in more than once. So the first time they
15 came up with the twenty-four hour rule,
16 and then DHS came in in the spring of 2015
17 with some Iowa Code that limited it to a
18 one-hour limit. And so they changed their
19 policy to meet that guidance from DHS to
20 limit it to an hour.

21 Q. That's what he told you?

22 A. Right.

23 Q. Through your investigation of this
24 case, did you find that not to be the
25 case?

1 A. Well, we certainly learned that a
2 lot of kids were in OSS reportedly for
3 lengthy periods, weeks at a time.

4 Q. Even after May of 2015?

5 A. I think that's right, yes.

6 Q. All right. And did he say anything
7 about--you had brought up that he said
8 something about if they're in there for
9 seven days, we look to expel them?

10 A. Right.

11 Q. Did you talk to him at all about
12 how many times that happened? Or was that
13 just a blanket statement that he made?

14 A. I don't think we followed up on
15 that. We didn't ask for a specific number
16 of kids that have been expelled.

17 Q. All right. Was the Defendant also
18 talking to you about opening up another
19 facility?

20 A. He said that they were in the
21 process of opening another facility. It's
22 out on Highway 218, closer to the high
23 school. They were working on getting
24 licensed through the State because as it
25 stood, they had no licensing from the

1 State when we were there. But that once
2 they got licensed that they would be able
3 to bill insurance for services rendered to
4 the students and that that would basically
5 double their income because they would get
6 insurance payouts for their services.

7 Q. Was it your understanding--when
8 investigating Midwest Academy and
9 gathering information, was it your
10 understanding that at the time that
11 Midwest Academy was open there were no
12 State regulations on private boarding
13 schools; is that right?

14 A. That's right. Yeah, there was no
15 licensing requirement to my knowledge
16 because there were no guidelines for that
17 specific setup.

18 Q. All right. So the Defendant was
19 talking about he wanted to open a
20 different type of facility that needed a
21 license; is that right?

22 A. Well, he talked about getting
23 licensing as a comprehensive residential
24 treatment facility for this other
25 location, and it's my understanding he was

1 trying to get that same designation for
2 the Midwest Academy site too, but there
3 were some physical issues with putting
4 sprinkler systems in, that was very
5 expensive, in Midwest Academy, and it was
6 cheaper because the other location was
7 smaller.

8 Q. But he mentioned that they could
9 double their income if they could open
10 this new facility?

11 A. Right.

12 Q. Did he say how much money he was
13 paid for his work?

14 A. He said that there was a seven-year
15 period where he didn't take a salary at
16 all. But then he started to take some
17 salary. He was taking about, I think,
18 \$1,000.00 twice a month, bi-weekly.

19 Q. Through your investigation did you
20 determine that the Defendant owned other
21 properties in town?

22 A. He did. He owned--there was a gas
23 station owned by them--by him, a
24 condominium in the area, and some other
25 land.

1 Q. And that's all here in Keokuk?

2 A. In Lee County.

3 Q. Close to Keokuk?

4 A. Right.

5 Q. Did you bring up the sexual
6 assaults that occurred on the boys' dorm
7 floor to the Defendant?

8 A. We discussed that, yes.

9 Q. And that was the Pride group; is
10 that right?

11 A. Right.

12 Q. What did he say about that?

13 A. He said that an allegation had been
14 made that some of the boy students had
15 engaged in some sort of sexual activity in
16 the bathroom during the evenings. He
17 didn't really know to what extent it
18 really occurred or in what magnitude or
19 what extent. He didn't think that
20 whatever did happen was because of any
21 shortcoming of the school; that the school
22 had sufficient supervision, and that
23 basically he was unfairly being accused of
24 not having either cameras or staff in the
25 bathrooms to oversee the kids because he

1 didn't think either of those options were
2 available to him.

3 Q. In fact, he told you that
4 supervision isn't our problem?

5 A. Right. He said, yeah, supervision
6 wasn't a problem. And in fact, they did
7 not make any changes to their policies or
8 procedures after that incident.

9 Q. Did you ask the Defendant for the
10 passcode to his cellphone?

11 A. Yes, we asked him for that and he
12 gave it to us.

13 Q. And why do you do that?

14 A. Why do we do that?

15 Q. Yes.

16 A. Well, because it's very difficult
17 to get into these smart phones without the
18 passcode. So in order to look at the
19 contents of a phone, it's much easier to
20 do it with the passcode.

21 Q. Did he provide it to you?

22 A. Yes.

23 Q. And actually at some point the
24 Defendant's phone was seized and a
25 Cellebrite report was done on it; is that

1 right?

2 A. That's right.

3 Q. Did the Defendant describe to you
4 the camera system that was in the school?

5 A. He told us that there were cameras
6 in the school that were recording. He
7 said they used to record a lot of the
8 cameras, and that he reduced it to just
9 the camera in--there's a main hallway
10 camera; there's a camera that is out in
11 the parking lot; and, there are cameras in
12 the OSS rooms.

13 And he said that they used to
14 record all the feeds, but then he kept
15 watching them and seeing--he would catch
16 his employees stealing and got tired of
17 having to deal with all of his employees--
18 like, knowing his employees are stealing,
19 and so he stopped recording them because
20 he was tired of having to deal with that.

21 Q. So the only cameras that were
22 recording at the school then were the
23 front hallway?

24 A. He said there was a front hallway
25 camera, one that points out in the parking

1 lot, then cameras for all the OSS rooms.

2 Q. So front hallway, parking lot, OSS?

3 A. Right.

4 Q. Did he let people know that he
5 stopped recording in other areas? Do you
6 know?

7 A. I don't think so, because he made
8 the comment that some of the people think
9 these cameras are still recording, so
10 apparently not.

11 Q. Did the Defendant seem surprised
12 that you were there talking to him?

13 A. No. He didn't seem surprised. He
14 said that he kind of thought this was
15 going to happen sooner or later.

16 Q. And throughout the interview, did
17 the Defendant attempt to convince you what
18 a good school this is and the good things
19 that he was doing?

20 A. Well, he did. Again, he touted the
21 communication skills that the students
22 were learning. They compared favorably to
23 high school students in general; that the
24 nation should follow his school structure
25 because of the success that they had.

1 Q. What was his demeanor like through
2 your interview?

3 A. He was very calm, cooperative.

4 Q. The Defendant speaks well?

5 A. He's well-spoken? I would say so.

6 Q. All right. Following your
7 interview of the Defendant, what did you
8 do?

9 A. We regrouped with our supervisors,
10 and at that point I was informed that the
11 decision had been made to interview all
12 the students that were there at the
13 school.

14 Q. When you initially went, was that
15 the plan, to interview all of the
16 students?

17 A. No.

18 Q. Something changed?

19 A. Something changed, right.

20 Q. You weren't privy to that?

21 A. No. I didn't make that decision.

22 Q. All right. But the decision is
23 made and now you're going to interview
24 everybody that's there?

25 A. Correct.

1 Q. Describe to us how that happened?

2 A. Well, I went back to my supervisor
3 and told him we were done with the
4 interview. He said, okay, we are
5 interviewing every student here.

6 They had obtained a roster of all
7 the students at the school, and so we just
8 started checking them off one at a time.
9 I interviewed boys. There was a group of
10 people interviewing on the girls' side,
11 but my interaction was-- They had all the
12 boys in one area, had them in the boys'
13 dorm, and I just went up there and said,
14 okay, who hasn't been interviewed yet?
15 Come with me. And a boy would come out,
16 we'd go find kind of a quiet place to sit
17 down and talk to him for a few minutes.

18 Q. About how many kids did you
19 interview that day?

20 A. Oh, maybe 6 to 8.

21 Q. Who else was with you interviewing?

22 A. We were doing those one on one.

23 Q. Were there several other agents
24 throughout the day that were also
25 assisting in getting all the interviews

1 done?

2 A. Oh, yeah, absolutely. We had
3 dozens of people there total. And there
4 were 77 students, like I said, and we
5 interviewed them all. You know, we were
6 passing each other in the hallway and, you
7 know-- It took hours to do it, on top of
8 the six-hour interview that we had.

9 Q. How long were you there that day?

10 A. Oh, it was late by the time we
11 left, maybe 11 o'clock at night.

12 Q. And you're aware some people stayed
13 through the night?

14 A. Right. I didn't stay to the end.

15 Q. All right. After the first search
16 was done, was the decision made to obtain
17 a second search warrant?

18 A. Yes.

19 Q. And why is that?

20 A. Well, there was camera footage that
21 needed to be collected, OSS cameras, and
22 the other recorded camera footage, and
23 records from the school.

24 Q. Did you participate in this second
25 search that was going to be conducted?

1 A. No, I didn't.

2 Q. In fact, that was when Ryan Herman
3 was sent to the school; is that right?

4 A. Right. Ryan Herman and Stacy Weber
5 from the Sheriff's office, the two of them
6 went out there to execute the second
7 warrant.

8 Q. After the day that Ryan Herman went
9 out, were you made aware that you needed a
10 big truck?

11 A. Yes. They went out to get the
12 recorded, electronic footage and then the
13 other records. We learned that it's very
14 voluminous, that there were many, many
15 boxes of records there, so they weren't
16 prepared to take all that.

17 Q. So did you go out--well, you
18 yourself go out a second time, but as law
19 enforcement all together went out a third
20 time to Midwest Academy?

21 A. Right. We knew that we needed to
22 haul away a lot of paper records, and we
23 needed a lot of people to do it. So we
24 did a third search in February, I think it
25 was February 11th, where we had a few

1 dozen people with us and a big U-Haul
2 truck to put all the records in.

3 Q. And that was February 11, 2016?

4 A. Right.

5 Q. All right. You went out that day?

6 A. Yes.

7 Q. Were you informed at some point
8 that there was a room that had missing
9 boxes?

10 A. Yes. I was told to expect a room,
11 a storage room basically that had many,
12 many boxes of records. We got there and
13 the room was empty. The records had been
14 moved from there.

15 Q. What did you do?

16 A. We asked the Defendant about it.
17 We said, there used to be some records in
18 here two weeks ago and now they're gone.
19 Where are they, and can we have them?

20 Q. Did he say that he moved the
21 records off site?

22 A. Yes. He said he moved the records
23 off site to keep them secure.

24 Q. But he only moved some records; is
25 that right?

1 A. Right. The room was empty, but
2 there were records throughout the school
3 and in his residence that had not been
4 moved.

5 Q. And was it, in fact, the student
6 records that had been moved off campus?

7 A. Well, a lot of those records were
8 student records. We did find student
9 records in other locations too.

10 Q. Did you find out--at some point
11 that day, did you find out where the
12 records were?

13 A. Yes.

14 Q. Where did you track them down to?

15 A. Well, the Defendant initially said,
16 you know, I moved them off site, they're
17 secure. He didn't share the location of
18 them initially. But as the day wore on,
19 he said, you know what, I'll take you over
20 to them. And so he got in a vehicle, and
21 we followed him over to a house--a
22 residential house in town where they had
23 been loaded up in a van and a closed
24 trailer, and they were parked in the
25 garage.

1 Q. So the documents were in a van and
2 in a trailer, and all of that was inside a
3 garage at a residence here in Keokuk?

4 A. Right.

5 Q. So you followed the Defendant to
6 this residence?

7 A. Right.

8 Q. Whose home is that?

9 A. It's Scott and Kathryn Piper's
10 house.

11 Q. What happened when you arrived at
12 that house then?

13 A. We pulled up in the driveway. He
14 said everything is in the garage. He had
15 to get on the phone. No one came to the
16 door. We didn't meet anybody there. But
17 eventually one of the garage doors opened
18 up so we could access the garage.

19 And he pulled the van out and
20 connected the trailer up to it and drove
21 it back to Midwest Academy, and we
22 followed him back there.

23 Q. The Defendant did?

24 A. The Defendant did that, right.

25 Q. Did you then unload the van or

1 trailer and put that in your trailer?

2 A. Well, we processed that just like
3 we were doing the rest of the school. If
4 it was something we could seize pursuant
5 to the search warrant, we collected it and
6 cataloged it and put it on the truck.

7 Q. By the time you were done and you
8 seized the documents that you had
9 authority to, you said they were all put
10 in a U-Haul truck; is that right?

11 A. Right.

12 Q. How big was that?

13 A. It was a 28-foot U-Haul truck.

14 Q. Was it full?

15 A. It was pretty full, yep.

16 Q. What happened to all of those
17 documents?

18 A. I drove the U-Haul back to our FBI
19 office in Omaha because we had the
20 physical room to unload it and organize it
21 a little better. By the time I drove
22 across the state, everything had kind of
23 shifted around, boxes broke and whatnot,
24 so we had to re-palletize it, re-box a lot
25 of it. Anyway, we organized it so that we

1 could send it off to what we call our doc
2 lab. Our doc lab is an FBI facility where
3 they will take paper records and scan it
4 all in and digitize it so it's electronic.

5 Q. And that's what happened with the
6 documents that you seized at the academy?

7 A. Right.

8 Q. When did you send them off-- Well,
9 you took them to Omaha that day; is that
10 right?

11 A. It wasn't the same day. I mean, we
12 got out of there pretty late. So the
13 truck was stored in a locked facility at
14 the Cedar Rapids Police Department that
15 night. And then I drove it over to Omaha
16 after that.

17 Q. When were the documents done? When
18 was everything scanned and digitized and
19 ready to go?

20 A. It took about a year by the time we
21 had made the request and put that in
22 place. We had to ship the pallets off.
23 There was 22 pallets of records, and the
24 doc lab can only store a couple at a time,
25 so we had to send a couple pallets; they'd

1 scan them and send them back, and then
2 we'd send another shipment, back and
3 forth. And it was, I think, April of this
4 year, 2017, by the time they had
5 everything done.

6 Q. During the time that you were
7 waiting on the documents to get scanned
8 and digitized, what were you doing in your
9 investigation?

10 A. Well, you're probably aware there
11 was quite a bit of media of the searches
12 of the school and that got out, you know,
13 in the media all over the place. And
14 former students saw that, and they started
15 calling. They called our public access
16 line. Lots of former students, some
17 parents of former students called with
18 different pieces of information that they
19 wanted to share.

20 So we got a long list of people to
21 interview, and so we conducted those
22 interviews. Through those interviews,
23 they identified other students, or former
24 students I should say, and we tried to
25 track anybody down that we thought might

1 have some relevant information.

2 Q. Basically following up on the
3 leads?

4 A. Right.

5 Q. What was it like trying to track
6 down some of these people that had left
7 the academy?

8 A. Well, some were easy to find; some
9 were very cooperative; some kids didn't
10 want anything to do with it, and they were
11 not cooperative whatsoever; some just were
12 somewhat transient and had moved around,
13 and so the phone numbers we had initially
14 weren't good anymore, and we had to track
15 their parents down and just try to find
16 people. So it was across the whole
17 spectrum.

18 Q. Some kids were in other facilities?

19 A. Yeah, right. Some were locked up
20 in mental facilities, yes.

21 Q. With all of that and all of the
22 work that you had done, at some point was
23 the decision made to arrest the Defendant?

24 A. Yes.

25 Q. Do you know approximately when that

1 was?

2 A. I believe the complaint was filed
3 right at the end of August of this year,
4 and he had turned himself in I think the
5 first week of September. It was right
6 around Labor Day.

7 MS. TIMMINS: I don't have any
8 further questions. Thank you.

9 THE COURT: Ms. Schaefer.

10 CROSS-EXAMINATION

11 BY MS. SCHAEFER:

12 Q. So other than your interview with
13 the Defendant, much of what you were doing
14 was either interviewing students or staff
15 and purely coordination?

16 A. Are you talking about the day of
17 the search?

18 Q. Coordination of resources?

19 A. I think that's fair, yeah.

20 Q. Where did you interview the
21 Defendant?

22 A. We were at the school in--I think
23 he referred to it as the break room.

24 Q. And you said it was six hours long?

25 A. It was.

1 Q. And you indicated that the
2 Defendant was calm and cooperative
3 throughout the whole thing?

4 A. He was.

5 Q. Was he answering your questions
6 appropriately, as in on topic?

7 A. For the most part, yes.

8 Q. Did he indicate to you when you
9 were discussing shopping trips whether the
10 kids themselves generally had their own
11 financial resources?

12 A. We did discuss that somewhat. He
13 said that some of the parents would send
14 money, but a lot of the expenses--he
15 considered the tuition to be all-
16 inclusive, so for little bits and pieces
17 he didn't want to nickel and dime parents,
18 and so he absorbed the cost of a lot of
19 the things he bought for the kids.

20 Q. So he indicated to you that it was
21 fairly common that he would either
22 purchase things for the kids or take them
23 shopping to get those items?

24 A. Right.

25 Q. And he generally was the one who

1 paid for those items?

2 A. Right.

3 Q. Because most of the kids did not
4 have their own money?

5 A. Right.

6 Q. And that would include clothing,
7 shoes, toiletries, what they needed?

8 A. Right, whatever they needed, yep,
9 jewelry, watches--he mentioned watches one
10 time.

11 Q. Because isn't that something that
12 as you--he told you that as you rise up
13 through the system, you can get to wear a
14 watch?

15 A. Right, yes. As you succeed through
16 the levels, you get more freedoms, and one
17 of the things you get would be a watch.

18 Q. And he indicated to you that he
19 took those kids shopping at a lot of
20 different places, didn't he?

21 A. Yes.

22 Q. Specifically, Walmart seemed to be
23 a popular destination?

24 A. He mentioned it a few times.

25 Q. As well as Kohl's? Isn't that

1 where he indicated they often got their
2 uniform pants?

3 A. I think so, right.

4 Q. And Sam's Club for supplies?

5 A. Correct.

6 Q. And he also indicated the malls?

7 A. He mentioned the mall in Burlington
8 and the mall in Quincy.

9 Q. And he didn't get specific about
10 those stores, did he?

11 A. Well, he just said the mall so--

12 Q. But he didn't necessarily say the
13 kids went to The Buckle, or the kids went
14 to Claire's or Victoria's Secret? He
15 didn't specify which stores, did he?

16 A. Well, you know, we asked him that a
17 few times, and the list of stores I
18 mentioned before is all the more he
19 listed.

20 Q. But didn't he indicate that when he
21 did take them to the mall they just went
22 to a bunch of different stores?

23 A. He didn't say that specifically,
24 but that's the implication when you say
25 you go to a mall, I suppose.

1 Q. And Victoria's Secret is generally
2 in a mall, isn't it?

3 A. I don't think it's in the
4 Burlington mall, but I believe there's one
5 in Quincy.

6 Q. And with regard to students
7 visiting his residence, didn't he indicate
8 that that was not an uncommon practice?

9 A. That's the impression I got, that
10 it did happen often.

11 Q. He just did not specifically recall
12 Kxxxxxx being there; correct?

13 A. Right.

14 Q. But he did indicate that he
15 believed Mxxxx had been--Mxxxx [REDACTED]
16 [REDACTED] had been once?

17 A. Right.

18 Q. And didn't he indicate that he also
19 had two other male students on his
20 caseload?

21 A. Yes.

22 Q. A young man named [REDACTED] and
23 another named [REDACTED]?

24 A. Right.

25 Q. And didn't he indicate to you that

1 the boys were there frequently?

2 A. I don't remember him saying that.

3 Q. Did he indicate having any
4 involvement in the termination of Cheyenne
5 Jerred?

6 A. Well, he said that she was
7 terminated because she wasn't licensed to
8 do therapy. He didn't-- You're asking me
9 if he said he fired her or not?

10 Q. Or was he involved in the decision?

11 A. Well, he didn't say one way or the
12 other to my recollection. He just said it
13 happened.

14 Q. And when you and Agent Lestina were
15 having your discussion with him about the
16 OSS rooms--and I don't remember if it was
17 you or Agent Lestina--but didn't you sort
18 of define what an isolation room was?

19 A. I didn't provide a definition for
20 it. I think--

21 Q. Well-- Go ahead.

22 A Well, what was said regarding
23 isolation is I believe the Defendant had
24 said DHS had been in prior. He talked
25 about OSS rooms, and that DHS was

1 characterizing them as isolation rooms or
2 solitary confinement, which he didn't
3 agree with.

4 Q. But didn't Agent Lestina during his
5 questioning compare them to a prison
6 isolation cell?

7 A. There was-- I'd have to read the
8 transcript to be sure, but there was some
9 discussion about a youth that was in
10 Rikers Island, which is a prison in New
11 York, that had been in solitary
12 confinement and that the government had
13 come out with some other regulations to
14 reduce the amount of isolation for youth
15 in prison, so there was some context as
16 far as that part of the discussion.

17 Q. But you don't remember defining
18 isolation as being isolated away from
19 everybody?

20 A. I don't remember saying that, but I
21 guess I'd have to look at the transcript
22 to be sure.

23 Q. And that's when Mr. Trane indicated
24 that the kids who would be in OSS had
25 contact with staff and upper level

1 students throughout the day or their time
2 there; correct?

3 A. Well, that was his point, that it's
4 not isolation because they do have an
5 ability to interact with others.

6 Q. And again, I know you testified to
7 the prior DHS interaction. At the time
8 Midwest Academy was not subject to any
9 State regulations, were they?

10 A. That's my understanding, right.

11 Q. When did your interview with Mr.
12 Trane begin?

13 A. It was 12:30 p.m.

14 Q. So it would have ended around 6:30,
15 give or take?

16 A. Sounds about right.

17 Q. At any time did he indicate to you
18 that he had had any sort of personal
19 relationship with Ms. [REDACTED] other than
20 that as her family rep?

21 A. What do you mean by personal
22 relationship?

23 Q. Any sort of personal friendship or
24 any sexual relationship other than the
25 relationship he had with her as, obviously

1 the owner of the school, and as her family
2 representative?

3 A. No.

4 Q. In fact, he continually denied
5 that, didn't he?

6 A. Correct.

7 Q. And with regard to the body image
8 exercise, did you address it with him as
9 body image therapy?

10 A. Initially we phrased it as body
11 image therapy.

12 Q. And that's when he indicated to you
13 that the therapists addressed therapy
14 issues; correct?

15 A. Between the therapists and the
16 seminars, they addressed body image
17 issues. But when we did ask--the first
18 time we asked, we phrased it as body image
19 therapy, and he offered the information of
20 printing out the body shape information
21 and providing it to the girls.

22 Q. But he didn't indicate to you at
23 any time that he did anything other than
24 provide them this information; correct?

25 A. Initially, that's all he told us he

1 did.

2 Q. And that's not therapeutic, is it?

3 A. I don't know.

4 Q. And he admitted, at least at some
5 point, participating in an exercise where
6 he gave girls this information; correct?

7 A. He did tell us that he was involved
8 in girls being in front of a mirror, and
9 it was all as a reaction to another girl
10 kind of body shaming other girls, and so
11 he was doing it in response to that.

12 Q. You indicated that when your
13 interview was concluded, decisions outside
14 of you had already been made to then
15 interview all of the students?

16 A. Right.

17 Q. And that was going on once you left
18 Mr. Trane?

19 A. That had already been started,
20 right, by the time we got out there.

21 Q. Do you know who made that decision?

22 A. All I know is my supervisor told me
23 the decision was made, so I imagine he was
24 involved with it. But I don't know if it
25 was one person or what.

1 Q. Above your pay grade?

2 A. I guess.

3 Q. And with regard to the records, you
4 were able to obtain those records
5 eventually, weren't you?

6 A. Yes.

7 Q. And you indicated at the Piper's
8 residence?

9 A. That's right.

10 Q. And did you also obtain all of the
11 records that Agent Herman would have
12 located throughout the school?

13 A. I believe they're the same records.

14 Q. And you indicated that the decision
15 was made to arrest the Defendant at the
16 end of August?

17 A. That's right.

18 Q. And warrants would have been
19 obtained?

20 A. They were.

21 Q. And at this time did you know that
22 he was already residing in Idaho?

23 A. I didn't know for sure, but there
24 were some indications that he was in
25 Idaho, right.

1 Q. In fact, either you or someone from
2 the federal government had attempted to
3 locate him in Idaho; correct?

4 A. Yes. I sent a request to our
5 office in Idaho, the closest office to the
6 residence I thought he was at, to go out
7 there with some local law enforcement to
8 try to enforce the warrant.

9 Q. And he was not located there, was
10 he?

11 A. No.

12 Q. But to the best of your knowledge,
13 within a few days of that, he had turned
14 himself in to the Lee County Jail and law
15 enforcement?

16 A. That's my understanding, right.

17 Q. So you didn't have to send any
18 other agents out looking for him?

19 A. No.

20 MS. SCHAEFER: I don't have any
21 other questions.

22 THE COURT: Ms. Timmins?

23 (Continued on the next page.)
24
25

1 REDIRECT EXAMINATION

2 BY MS. TIMMINS:

3 Q. When you interviewed the Defendant,
4 Agent Lestina was in and out of the
5 interview; is that right?6 A. Yes. He was trying to coordinate
7 some other activities, so he was in and
8 out a little bit.9 Q. And just to be clear on the
10 situation of how he was interviewed, it
11 was in a break room at the academy; is
12 that right?

13 A. Right.

14 Q. Was that a room that the Defendant
15 chose or you chose, if you remember?16 A. Oh, I don't remember if he had
17 suggested it's a good place or not, or we
18 just chose it.19 Q. All right. And he wasn't under
20 arrest at the time?21 A. Oh, no. I mean, we made it very
22 clear right at the beginning. He was not
23 under arrest. He doesn't have to talk to
24 us. We closed the door and we said this
25 door is only closed for privacy. We took

1 some bathroom breaks. We took a break for
2 water, you know, throughout the six-hour
3 interview.

4 MS. TIMMINS: That's all I have.

5 THE COURT: Ms. Schaefer?

6 MS. SCHAEFER: I have nothing.

7 THE COURT: Sir, you may step down.

8 Ladies and gentlemen, we are at the
9 noon hour. We'll take our noon recess at
10 this time. Please return to the jury room
11 at--we'll promptly start at 1:15 p.m.
12 Please remember the prior admonitions.
13 Thank you.

14 (A recess was taken at 12:08 p.m.)

15 (In open court, outside the
16 presence of the jury, in the presence of
17 the Court, the Defendant, and counsel at
18 1:26 p.m.)

19 THE COURT: The record should
20 reflect that all counsel are present and
21 the Defendant. The jury has not been
22 seated yet. I believe everybody is ready,
23 so you may bring in the jury.

24 (In open court, in the presence of
25 the jury, the Court, the Defendant, and

1 counsel at 1:27 p.m.)

2 THE COURT: Please be seated
3 everyone.

4 The jury has now been seated. We
5 took a little bit longer. We had to take
6 up a couple legal matters right when we
7 were supposed to start, so that's why
8 we're a little bit delayed.

9 Ms. Timmins, you may call your next
10 witness.

11 MS. TIMMINS: The State calls Agent
12 Joe Lestina.

13 (Continued on the next page.)
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