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[REDACTED]

called as a witness by the State, being first duly sworn by the Court, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. TIMMINS:

Q. Would you please state your name.

A. [REDACTED].

Q. Pretend that you're yelling at me.

A. [REDACTED]

Q. Thank you. It's a really big room, so we'll have to talk really loud, okay?

A. Okay.

Q. How old are you?

A. Eighteen.

Q. What is your birthday?

A. XXXXXXXX X, XXXX.

Q. Where do you live at?

A. I live in [REDACTED]

Q. How long have you lived there?

A. Since I was a kid. I was born there.

Q. Where do you work?

A. I work at two different restaurants.

1 Q. So you have two jobs?

2 A. Yes.

3 Q. How long have you been doing that?

4 A. About two years.

5 Q. What is your educational
6 background?

7 A. I completed high school through the
8 HiSET program, so my high school
9 equivalency diploma.

10 Q. Are you in school now?

11 A. No.

12 Q. You were a student at Midwest
13 Academy; correct?

14 A. Yes.

15 Q. When did you go there?

16 A. I went there December of 2013 to
17 December of 2014.

18 Q. How old were you when you entered?

19 A. I was 14.

20 Q. Prior to going there, who were you
21 living with?

22 A. My parents.

23 Q. Was it their decision for you to go
24 there?

25 A. It was.


1 Q. Was there some trouble going on
2 that they were concerned about?

3 A. There was. We weren't getting
4 along, and I was not participating in
5 school and stuff like that.

6 Q. How did you get to Midwest Academy?

7 A. I was transported through a
8 transport service.

9 Q. So someone you didn't know came and
10 picked you up and then drove you to Iowa?

11 A. Yes. It was my dad that took me to
12 , and I thought I was going on a
13 trip with him. And then a man pulled me
14 out of my car and didn't explain what was
15 happening until I was contained in his
16 car.

17 Q. And then he drove you to Midwest
18 Academy?

19 A. Yes, with another woman.

20 Q. When you first got there, what was
21 your first few hours like?

22 A. I was taken to the OSS rooms, and I
23 removed my jewelry and everything, and
24 then was put into OSS with a mattress and
25 a blanket and told to not put my head

1 under the covers. And I wasn't told
2 anything. I was just put into the room
3 until the next morning.

4 Q. Did you come during the night?

5 A. Yes.

6 Q. So your first night sleeping at
7 Midwest Academy, you were in the OSS room?

8 A. Yes.

9 Q. I assume you had a little shock and
10 some adjustment to do; is that right?

11 A. Yes.

12 Q. Did you adjust fairly quickly?

13 A. I did.

14 Q. You actually were able to follow
15 the rules pretty well there; right?

16 A. I was very--well, my mindset was I
17 kind of saw that the only way out was to
18 complete the levels, and so I followed the
19 rules pretty quickly.

20 Q. Who was your family rep?

21 A. Shasta Heidbreder.

22 Q. And who was your counselor?

23 A. I didn't have an assigned
24 counselor. There were different ones
25 assigned to me. I never received

1 consistent counseling.

2 Q. When you did receive counseling,
3 was there always another student there in
4 the room with you?

5 A. Yes.

6 Q. Now, we've heard a lot about the
7 rules there and the levels and the
8 families and all of that, so we won't go
9 into too much detail. But you moved up
10 quickly through the levels; is that right?

11 A. Yes.

12 Q. Were you one of those students that
13 was able to police the other students?

14 A. When I achieved the level to where
15 you participate in the structure and the
16 giving of consequences, I was--yeah, I
17 participated in that.

18 Q. And did it change at all--you know,
19 when you moved up in your levels, did you
20 get to go to the bathroom by yourself or
21 any of that?

22 A. You were never allowed to be by
23 yourself, but I--you did receive more
24 privileges, such as being able to braid
25 your hair or talk to different levels at

1 the designated time. More options opened
2 up for you with communicating.

3 Q. What do you mean? Was it a
4 privilege to braid your hair?

5 A. You couldn't style or part your
6 hair, just a ponytail or bun, but at Level
7 3 the privilege was braiding and parting
8 your hair. There's lots of little
9 privileges like that.

10 Q. Why couldn't you part your hair?

11 A. It was considered styling.

12 Q. And if you walked out of the room
13 one day and you weren't on the right level
14 and you had a part in your hair, what
15 would happen?

16 A. You would get a dress code
17 consequence.

18 Q. And is that a loss of points?

19 A. Yes. Every consequence is a loss
20 of points.

21 Q. What about-- Well, what rules did
22 you dislike the most?

23 A. The rules revolving around
24 communication, because there are many
25 rules such as--not only no talking, but no

1 non-verbal communication, such as eye
2 contact, or no physical touch, nothing.
3 You were very isolated. There was no
4 communication allowed until certain
5 levels.

6 Q. Was that hard?

7 A. That was-- It was very lonely. And
8 especially not receiving any counseling, I
9 went very long periods without
10 communicating. It was very isolating.

11 Q. Besides the time when you first
12 arrived your first night, did you ever
13 have to go to the OSS room?

14 A. I did not.

15 Q. And that's because you followed the
16 rules?

17 A. Uh-huh (in the affirmative).

18 Q. Is that a yes?

19 A. Yes.

20 Q. You were actually a rover in OSS;
21 is that right?

22 A. I was.

23 Q. What did it mean to be a rover?

24 A. It meant you would take the girls
25 to the bathroom with the other rover. You

1 would link arms with them, take them,
2 watch them in the bathroom. You would sit
3 in the rooms outside the closed OSS door.
4 And if like, for example, like one girl
5 was sitting underneath the camera and
6 self-harming, so my job was to stand on
7 the chair and look through the window and
8 watch her.

9 And we'd switch off every few hours
10 with the other rover, but just to keep an
11 eye on her and make sure she wasn't
12 wrapping her shirt around her neck because
13 she was stripping off pieces of her shirt.
14 And you would just participate with the
15 girls in that way, keep an eye on them.

16 Q. You weren't there to keep them
17 company?

18 A. No. You would--sometimes they
19 would allow a fifteen-minute talk if the
20 person was sitting in structure and
21 working to get out of OSS. But it was
22 very--based on the staff and the
23 situation.

24 Q. And there was always a staff member
25 there watching the monitors; is that

1 correct?

2 A. Yes.

3 Q. So you said this one time the girl
4 is ripping her shirt and trying to put it
5 around her neck. Did things like happen a
6 lot?

7 A. Very often. There was a lot of
8 different situations in OSS.

9 Q. What are some other things that you
10 saw occur where the kids were hurting
11 themselves?

12 A. I witnessed-- Can I say names?

13 Q. If you just want to say the first
14 name.

15 A. Hxxxxx, an 11 year old who was
16 there. She was--had some behavioral
17 issues and very deep problems, and she was
18 in OSS consistently, like pretty much the
19 entire time. And there was a certain
20 situation where she was self-harming, and
21 she had made herself bleed. And in her
22 blood, she drew a picture on the wall of
23 her house and her family in her own blood.

24 Q. Did you have to clean that up?

25 A. I did have to clean up blood at one

1 point.

2 Q. Did you know Bxxxxxx [REDACTED] at all?

3 A. Girls and boys were very segregated
4 except during seminars, so I would be
5 aware of the name, or maybe a rover on the
6 boys' side as an upper level, but I
7 wouldn't have been able to communicate
8 with him.

9 Q. And my question was, did you ever
10 see Bxxxxxx [REDACTED] or Dxxx [REDACTED] in OSS?

11 A. I did, very often.

12 Q. And you'd usually do the girls'
13 side, but you would switch over and do the
14 boys' side sometimes, or the boys would
15 come over to the girls' side?

16 A. Boys would come over to the girls'
17 side less, but if there was a lack of
18 upper levels and they needed some rovers,
19 then we would go over and rover on the
20 boys' side.

21 Q. And as a rover, you were also
22 expected to help restrain, if needed; is
23 that right?

24 A. Yes.

25 Q. Did you ever have to do that?

1 A. I did.

2 Q. What does that mean when you help
3 restrain?

4 A. You, for example-- Can I give an
5 example?

6 Q. Sure.

7 A. I was taking a girl--and I was the
8 only rover--I was taking a girl to the
9 bathroom, and she decided she was going to
10 run. And she elbowed me and started,
11 like, running down the hallway. And if I
12 let her go, I would get a consequence, so
13 I chased her and we sort of--we had a very
14 physical altercation, like, fighting. She
15 bit me. It was just a fight, basically,
16 trying to-- And I called for more upper
17 levels, and then staff intervened after--
18 yes, staff came and intervened.

19 Q. So if one of the people that you're
20 watching gets away, you get a consequence
21 as the rover?

22 A. As an upper level, your job is to--
23 yeah, you would get a consequence if you
24 didn't intervene.

25 Q. How old were you when you were a

1 rover?

2 A. I was 14. I turned 15 there.

3 Q. Did you know the Defendant when you
4 were there?

5 A. Yes.

6 Q. What kind of interactions did you
7 have with him?

8 A. He didn't participate in our daily
9 structure. He was more--he would provide
10 relief from that, take us out, or give us
11 points and stuff like that. It was more
12 of a--it was a different relationship than
13 the other staff.

14 Q. Was it when Mr. Ben came in the
15 room you knew something different might
16 happen or there might be something fun?

17 A. Yes. It was a consequence to
18 approach him because everyone wanted to be
19 around Mr. Ben and talk to him. You
20 wanted to have a relationship with him to
21 experience, like, the benefits of that,
22 like maybe you get points or you'd get
23 taken out to lunch.

24 Q. Could Mr. Ben override the rules?

25 A. Yes.

1 Q. What do you mean by that?

2 A. He could--say if a student was
3 struggling and he reached out to her, he
4 could make it so--he could put points into
5 the system, make her a Level 2, or he
6 could--or when you were with him, there
7 was no such thing as--you could talk to
8 whoever you were with, like the rules were
9 suddenly--all the structure was
10 alleviated.

11 Q. Did you ever get to go off campus
12 with Mr. Ben?

13 A. I did.

14 Q. What types of things would you do?

15 A. He took me to play volleyball at
16 the local high school. He took me out to
17 lunch on my birthday, and I babysat his
18 children once. And this was all as an
19 upper level.

20 Q. Where did you babysit his children
21 at?

22 A. At his house.

23 Q. And Mr. Ben took most kids out to
24 lunch--lunch or dinner for their birthday;
25 is that right?

1 A. Yes.

2 Q. Where did you pick to go?

3 A. I don't remember what it was
4 called.

5 Q. Was that a big deal, though, to get
6 different food?

7 A. It was a huge deal, yes.

8 Q. And why was it such a huge deal?

9 A. Because the structure was so--it
10 was so much pressure every day, all day,
11 even like when-- There was never a break
12 from it. There was never, like, a cheat
13 day or a holiday. It was just the same
14 structure every day.

15 Q. So when you would get to go out for
16 your birthday or go be with Mr. Ben
17 somewhere, you got to relax a little bit?

18 A. You got to be human.

19 Q. So it sounds like overall, you had
20 positive experiences with the Defendant?

21 A. I did.

22 Q. Did you have any negative
23 experiences?

24 A. Um--

25 Q. Or was there anything that you felt

1 conflicted about when you were around Mr.
2 Ben?

3 A. I did feel conflicted around Mr.
4 Ben because I knew that he was the one
5 inflicting the structure and the rules.
6 And it was just an act the way he would--
7 the way he would give the privileges and
8 stuff.

9 Q. Mr. Ben was the person in charge,
10 and all the kids knew that; right?

11 A. Uh-huh (in the affirmative).

12 Q. Is that a yes?

13 A. Yes.

14 Q. But then again, Mr. Ben was the
15 person that gave you the fun stuff; right?

16 A. Uh-huh (in the affirmative).

17 Q. Yes?

18 A. Yes.

19 Q. Did you ever take a sexual survey?

20 A. I did.

21 Q. Where did you fill that out at?

22 A. In the classroom.

23 Q. And who did you get that from?

24 A. Whatever staff member--I think the
25 shift leader brought them in, and then a

1 staff member passed them out.

2 Q. And it was an anonymous form? Or
3 do you remember?

4 A. I don't remember.

5 Q. Did you ever do the body image
6 class?

7 A. I did.

8 Q. Tell us about that?

9 A. Mr. Ben pulled out a few girls at a
10 time. And then he had mirrors set up in
11 our uniform room and said--told us we
12 could get completely undressed if we want
13 or down to our underwear and just to look
14 into the mirror from different angles and
15 get a really good view of yourself from
16 all the different angles and then describe
17 it, and then assess your body type.

18 Q. Was that a big deal to get to look
19 in a mirror?

20 A. Yes. There were no mirrors on the
21 girls' dorm, and there are no mirrors in
22 the bathroom. Well, there are no mirrors
23 anywhere.

24 Q. Did you participate?

25 A. I did.

1 Q. After being in the room and you
2 came out, was there a discussion about
3 what body type you are?

4 A. Yes.

5 Q. And who was that with?

6 A. Mr. Ben.

7 Q. What was the discussion about?

8 A. Where your curves are, just your
9 body type.

10 Q. Were the other girls there too?
11 Are you all talking about this together
12 with Mr. Ben?

13 A. Yes.

14 Q. Did you ever go to Victoria's
15 Secret?

16 A. I did not.

17 Q. Did you ever see other girls come
18 back with things from Victoria's Secret
19 after being with Mr. Ben?

20 A. I did not.

21 Q. Were you ever around the Defendant
22 when he talked to you or other girls about
23 sex?

24 A. Yes.

25 Q. Can you tell us about that?

1 A. I talked to Mr. Ben about sex. The
2 particular time I remember is as an upper
3 level coming--driving back from St. Louis
4 with another girl, Axxxx, and we were in
5 the car, and we were talking about
6 relationships and previous relationships
7 we've had.

8 And then we were talking about--
9 started to talk about sexual relationships
10 and how boys our age don't know how to,
11 you know--don't know how to do that. And
12 we talked about different, like, there has
13 to be different positions and stuff like
14 that.

15 Q. You smiled and you looked like you
16 got embarrassed when you said, they don't
17 know how to do that. Are you talking
18 about sex?

19 A. They don't how to, like, please
20 people when they're young.

21 Q. So I want to back up a little bit.
22 You said you and another girl were in a
23 car, and you coming back from St. Louis?

24 A. We were in the big--he has a big
25 van. I'm not sure.

1 Q. A Midwest Academy van?

2 A. Well, it was his van, but it's like
3 one of those big, like--I think it has,
4 like, 12 seats or something. So there
5 were boys in the back, and they were
6 watching a movie, and me and Axxxx were up
7 front talking.

8 Q. So there's Mr. Ben, you and Axxxx,
9 and some boys in the back. Why are you
10 guys all coming back from St. Louis?

11 A. We were--so we were all upper
12 levels. I was coming back from a home
13 pass. You get a home pass just weeks
14 before you go home, and Axxxx was
15 accompanying, I believe. And then there
16 was two other boys that were also
17 returning from home passes with the upper
18 levels.

19 Q. So basically he had picked up some
20 kids from the airport?

21 A. Yes.

22 Q. And that was in St. Louis?

23 A. Yes.

24 Q. Was there any other adult in the
25 car?

1 A. No.

2 Q. So you said Mr. Ben, you, and Axxxx
3 were up in the front of the van?

4 A. Uh-huh (in the affirmative).

5 Q. Is that a yes?

6 A. Yes.

7 Q. And the conversation was talking
8 about relationships and boys and things
9 like that; correct?

10 A. Yes.

11 Q. And was it Mr. Ben that
12 specifically made these statements about
13 boys your age can't please you and things
14 like that?

15 A. It was.

16 Q. Is that the first time he had had
17 that kind of conversation with you?

18 A. No. That's one that I can recall,
19 like, well. But I was--we were very open
20 with him with those things.

21 Q. What do you mean by that?

22 A. Like, now I can understand that's
23 not typical. But, like, our relationship
24 with him--like, you really looked up to
25 him; you really wanted to be around him;

1 and, then when you were with him you could
2 actually talk and you were just very open
3 with him.

4 Q. You said there was discussion about
5 sexual positions?

6 A. Yes.

7 Q. Was he asking you questions, or was
8 he saying things that he liked, or what
9 was that about?

10 A. It was about-- Can you repeat the
11 question?

12 Q. Yes. I was just asking more
13 details of the conversation. And if you
14 don't know, just say you don't know.
15 That's fine. But you said there was
16 discussion about sexual positions, and
17 boys not being able to please you. Was
18 there anything else?

19 A. As far as details go, that's about
20 as much as I can recall.

21 Q. How often would sexual
22 conversations come up with Mr. Ben?

23 A. I wouldn't say, like, very often.
24 It wasn't every encounter. It was also
25 rare to talk to him though.

1 Q. I'm sorry?

2 A. Talking--you didn't talk to him,
3 like have many conversations with him
4 anyways.

5 Q. There wasn't many times to interact
6 and be able to freely speak?

7 A. It was like a special occasion
8 definitely.

9 Q. Do you know Kxxxxxx [REDACTED]?

10 A. I do not. I was not there with
11 her.

12 MS. TIMMINS: I don't have any
13 other questions. Oh wait. I almost
14 forgot this the last time.

15 May I approach, Your Honor.

16 THE COURT: You may.

17 Q. (By Ms. Timmins) I'm handing you
18 State's Exhibit 45. Do you recognize
19 that?

20 A. The picture? No.

21 Q. Do you recognize who is in the
22 picture?

23 A. Well, it's me. Yeah. I can't
24 remember, like, the time or when it was
25 taken.

1 Q. All right. But you don't recognize
2 where the picture was taken?

3 A. Looks like maybe the classroom.
4 That's usually where our pictures were
5 taken.

6 Q. And were you at Midwest Academy
7 when that picture was taken?

8 A. Yes.

9 MS. TIMMINS: The State would ask
10 to enter State's Exhibit 45.

11 (State's Exhibit No.
12 45 was offered in
13 evidence.)

14 THE COURT: Any objection to 45 for
15 the State?

16 MS. SCHAEFER: No objection, Your
17 Honor.

18 THE COURT: 45 will be admitted.
19 (State's Exhibit No.
20 45 was received in
21 evidence.)

22 Q. (By Ms. Timmins) And again, how old
23 were you when you were at Midwest Academy?

24 A. I was 14 and then I turned 15.

25 MS. TIMMINS: I don't have any

1 other questions. Thank you.

2 THE COURT: Ms. Schaefer.

3 CROSS-EXAMINATION

4 BY MS. SCHAEFER:

5 Q. So Rxxxxxx, it sounds as though
6 overall when you left Midwest Academy you
7 had a pretty positive experience?

8 A. At the academy?

9 Q. Well, once you left?

10 A. Once I left?

11 Q. Did things get a little bit better
12 at home?

13 A. No.

14 Q. Did you go back to your parents?

15 A. I did.

16 Q. Did you graduate the academy?

17 A. There was a home internship where
18 you would--you created a level system and
19 rules for yourself at home that you were
20 supposed to follow. And once I left the
21 academy, I didn't participate in that, so
22 I didn't officially graduate, but I made
23 it through Level 6.

24 Q. You just didn't finish that final
25 home stretch?

1 A. Yes.

2 Q. And when you got home, did you
3 start engaging in some of the same
4 behavior that got you into Midwest Academy
5 at the beginning?

6 A. No, I didn't, because I couldn't
7 socialize with people. I was very
8 traumatized. It was very hard for me to
9 talk and connect with people. And that
10 was not my issues before I went. They
11 were very different.

12 Q. Well, did you start following rules
13 at home? The other issues you were having
14 at home, did those come back again after
15 you went home?

16 A. Yes.

17 Q. I just want to touch briefly on the
18 sex survey. That was given to the entire
19 class; correct?

20 A. Yes.

21 Q. Did you have to participate?

22 A. Yes, I would say that. You had--
23 you did what you were told.

24 Q. And you don't remember if it was
25 anonymous or not?

1 A. I don't.

2 Q. And you said that it was given to
3 every girl in the class?

4 A. I think so.

5 Q. And boys and girls did not have
6 school together; correct?

7 A. No.

8 Q. The way I understand it, is they
9 were completely separated for everything?

10 A. Yes, except seminars.

11 Q. And you said you got that from a
12 staff member?

13 A. I did.

14 Q. Was it Mr. Trane?

15 A. No, I don't think so. I don't
16 remember.

17 Q. During your stay at Midwest
18 Academy, did you occasionally have to do
19 surveys on various topics?

20 A. Yeah. We were--we had to write a
21 lot of essays. We were given a lot of
22 assignments writing about our past and our
23 different issues.

24 Q. But for instance, would you get a
25 survey on, I don't know, family dynamics

1 to say, you know, are your parents
2 married; are they divorced, anything like
3 that? And if you don't remember, that's
4 fine.

5 A. I don't remember. We did get a lot
6 of handouts, though, different
7 assignments, writing assignments, surveys,
8 similar--not really surveys, but stuff
9 similar to what you're describing.

10 Q. And did the staff member who handed
11 them out say much besides, here, I need
12 you to fill this out?

13 A. Well, in seminars you would get a
14 lot of different questions--or papers with
15 questions like that and different surveys.
16 And in seminars you were discussing--yeah,
17 discussing that stuff, so it wasn't like,
18 here, fill this out, like-- I don't know.
19 It's hard to explain.

20 Q. And the body image exercise, was
21 that a voluntary thing?

22 A. No. I wouldn't say that.

23 Q. If you went in the uniform room and
24 just stood there, was there any way
25 anybody would know what you were doing?

1 A. No. I mean, there were cameras in
2 every room, except for like the bathrooms.
3 So I'm not aware if there was one in there
4 or not.

5 Q. Did you undress?

6 A. Yes.

7 Q. But you were told that was an
8 option; correct?

9 A. I don't think so.

10 Q. I believe your prior testimony with
11 Ms. Timmins was that Mr. Trane told you
12 that you could undress if you want?

13 A. The way the school was structured,
14 though, you didn't--you didn't, like, say
15 no to things, and you didn't, like, refuse
16 to do stuff. I mean, it's like implied
17 that you do what you're told and go where
18 you're taken. So maybe it wasn't
19 specifically stated, like, this is an
20 option or not, but it's just how the
21 school was set up.

22 Q. When you went into the room, was
23 the door closed?

24 A. Uh-huh (in the affirmative).

25 Q. Is that a yes?

1 A. Yes. Sorry.

2 Q. It's okay. Everybody does it.

3 A. Yeah.

4 Q. And you went in alone?

5 A. Yes.

6 Q. And I'm assuming you were in there
7 just a few minutes and then came back out?

8 A. Yes.

9 Q. And then you had these diagrams
10 that were given to you?

11 A. Yes.

12 Q. And my understanding is some
13 additional information about maybe diet
14 and exercise specific to a body type?

15 A. Yeah, I think so.

16 Q. At Midwest Academy were there
17 concerns or issues with at least some of
18 the girls about body image, low self-
19 esteem, even eating disorders?

20 A. Yes. I don't think they were
21 addressed, though, in the right way.

22 Q. Did you ever feel uncomfortable
23 with Mr. Trane?

24 A. Yes. Mostly when first getting
25 there. It was completely uncomfortable.

1 And then after a few months, you settle in
2 and it just becomes your life, and the
3 whole dynamic changes. But first getting
4 there, I felt very uncomfortable with what
5 the staff was doing, and I didn't
6 understand how the structure was enforced
7 and the psychology behind what they
8 thought they were doing, so I was very
9 uncomfortable.

10 Q. I guess my question was more geared
11 toward Mr. Trane personally, not the
12 program.

13 A. Yes, when I first got there
14 especially. It becomes really normal.
15 But when I first got there--

16 Q. What did-- Go ahead.

17 A. In my first interaction with him, I
18 felt very uncomfortable.

19 Q. What did he do that made you feel
20 uncomfortable?


21 A. Nothing. He just introduced
22 himself to me and said I would be fine,
23 not to cry, and I'll settle in, and it
24 will feel fine. And I just thought it was
25 very uncomfortable.

1 Q. So your discomfort was more with
2 the entire situation, not with anything he
3 specifically did or said?

4 A. His vibe. I don't know. So yeah,
5 it was him specifically. I got a very bad
6 feeling.

7 Q. But he didn't say anything or do
8 anything specifically?

9 A. No.

10 Q. And you did not know Kxxxxxx
11 ; correct?

12 A. No.

13 Q. No, that's not correct; or, no, you
14 didn't know her?

15 A. No, I did not know her. Sorry.

16 Q. That's okay. It happens.

17 A. Yeah.

18 Q. How did you play volleyball?

19 A. How did I play volleyball?

20 Q. Yeah. I mean, how did that come
21 about? Midwest Academy didn't have a
22 team, did they?

23 A. No, no. Being an upper level, and
24 I was a Level 5 at the time when it was
25 volleyball season. And I, like, pushed

1 with--I asked Mr. Ben, and he let me and
2 another girl go play volleyball.

3 Q. And did you do that through Keokuk
4 High School?

5 A. Uh-huh, yes.

6 Q. So you and another student
7 approached--or were able to speak to Mr.
8 Ben and asked to play a particular sport?

9 A. Yes. As a Level 5 that was a
10 privilege, an option.

11 Q. So that was one of those privileges
12 that you would earn as you worked your way
13 up through the ranks?

14 A. Yes.

15 Q. Did other students participate in
16 sports as well?

17 A. No. There was only--there was
18 another girl, too, so there was three
19 girls that went to volleyball, three upper
20 levels.

21 Q. And if boys participated, you would
22 have no idea?

23 A. I think there was boys in football,
24 but that was a different thing. I think
25 three boys were in football.

1 Q. And I believe you said earlier that
2 he would take you to volleyball practice
3 and pick you up?

4 A. Yes.

5 Q. And that occurred at the high
6 school?

7 A. Yes.

8 Q. What level were you when you were
9 in the body image class?

10 A. Probably an upper level. I think I
11 was an upper level.

12 Q. And when you get to-- And my
13 understanding is upper level means 4 and
14 up?

15 A. Yes.

16 Q. And you were an upper level when
17 you did the class?

18 A. I think so. I don't recall the
19 timeline. I was there three years ago.

20 Q. Because upper levels get mirrors,
21 don't they?

22 A. They do.

23 Q. Did you ever have any contact with
24 Mr. Trane after you left?

25 A. I did.

1 Q. What did that encompass?

2 A. Facebook messages.

3 Q. And were those generally positive?

4 A. Yes.

5 MS. SCHAEFER: I don't think I have
6 anything else.

7 THE WITNESS: All right. Thank
8 you.

9 THE COURT: Ms. Timmins?

10 MS. TIMMINS: I don't have
11 anything.

12 THE COURT: You may step down.

13 Thank you for your patience, ladies
14 and gentlemen. We'll take our noon recess
15 at 1 o'clock today. Please return to the
16 jury room at 2:10.

17 (A recess was taken at 1:04 p.m.)

18 (In open court, outside the
19 presence of the jury, in the presence of
20 the Court, the Defendant, and counsel at
21 2:12 p.m.)

22 THE COURT: We're back on the
23 record. All counsel are present and the
24 Defendant. We're outside the presence of
25 the jury in this case.

1 Over the noon hour, I did read back
2 the--or read in full Exhibit 29, which was
3 many more pages than I thought. And at
4 this time, it has not been shown to the
5 jury, it has not been alluded by the
6 parties to the jury other than it was
7 being offered and accepted. They have not
8 seen it or anything else.

9 I note that this has items in here
10 about opinions, past things, far more
11 detail. There are other things in here,
12 which I'm very concerned about in this
13 case.

14 And we went over the transcript as
15 best we could in a very short period of
16 time, Mr. Landon and I, and at this time
17 I'm going to sustain the objection as to
18 Exhibit 29 on hearsay. I am willing to
19 listen to any arguments on Monday
20 regarding otherwise.

21 All right. And I'll just tell the
22 jury that the objection is sustained at
23 this time. Again, I'm willing to listen
24 to any arguments about this. It just goes
25 way too far. And then I was also reading

1 cases on prior inconsistent statements,
2 and there has to be some narrowing,
3 because this just goes way too far.

4 All right. Bring in the jury.

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

8 THE COURT: Be seated everyone.

9 The record should reflect the jury
10 has now been seated at this time. We're
11 beginning the afternoon, following our
12 noon recess, which was actually later.

13 Ladies and gentlemen of the jury,
14 the Court previously overruled an
15 objection to State's 29, which was the
16 written statement, and at this time the
17 Court just wants to inform you I've
18 reconsidered that, and the objection as to
19 hearsay is sustained at this time.

20 Ms. Timmins, go ahead.

21 MS. TIMMINS: Your Honor, the State
22 calls Dr. Anna Salter.

23 (Continued on the next page.)
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