**DIRECT EXAMINATION: ELEVEN-YEAR-OLD BOY IN SEXUAL ABUSE CASE**

**Pennsylvania**

**Modified Transcript**

**By Prosecutor:** Good morning, J. I will be asking you a bunch of questions. If can’t hear me, just tell me.

**A.** Okay.

**Q.** What’s your name?

**A.** J.T.

**Q.** How old are you, J.?

**A.** Eleven.

**Q.** When is your birthday?

**A.** November 17, 1978.

**Q.** What grade are you in?

**A.** Six.

**Q.** Where you go to school?

**A.** …Middle School.

**Q.** Who is your teacher, J.?

**A.** Miss Q.

**Q.** Do you like Miss Q.?

**A.** She’s nice.

**Q.** What do you study in school?

**A.** We do math and science and stuff like that.

**Q.** What’s your favorite thing to do?

**A.** Computers.

**Q.** What’s the thing you don’t like to study?

**A.** Math

**Q.** Who do you live with?

**A.** My mom and daddy and my brothers and sister.

**Q.** What’s your mom’s name?

**A.** M.T.

**Q.** Where is your mom right now?

**A.** Outside.

**Q.** What is your father’s name?

**A.** R.T.

**Q.** Where is your father?

**A.** Outside.

**Q.** Tell us your brothers and sister’s names?

**A.** M., S., S., K., A., and J.

**Q.** How old is M.?

**A.** Nine.

**Q.** How old is S.?

**A.** Eight.

**Q.** How old is S.?

**A.** Twelve.

**Q.** How old is K.?

**A.** He’s going to be five.

**Q.** How old is A.?

**A.** Three.

**Q.** How old is J.?

**A.** Three.

**Q.** Are your brothers and sister here today?

**A.** Yes.

**Q.** Who is here?

**A.** A., S., and M.

**Q.** Where are they?

**A.** Outside.

**Q.** How did you get here this morning?

**A.** A bus and train.

**Q.** What grade were you in last year.

**A.** Fifth.

**Q.** What school did you go to last year?

**A.** …Middle School.

**Q.** Who was your fifth grade teacher?

**A.** Mr.—I forgot.

**Q.** That’s all right. Was it a man or lady teacher?

**A.** A man.

**Q.** What grade were you in before fifth grade?

**A.** Fourth.

**Q.** What school did you go to in fourth grade?

**A.** Taylor.

**Q.** Who was your fourth grade teacher?

**A.** Miss Brown.

**Q.** Was your sister in the fourth grade the same time you were?

**A.** Yes

**Q.** Was your sister in the same class or a different class?

**A.** She was in a different class.

**Q.** What grade were you in before fourth grade?

**A.** Third grade.

**Q.** What school did you go to for third grade?

**A.** Taylor.

**Q.** Do you remember your teacher’s name in third grade?

**A.** I forgot.

**Q.** Was it a man or a lady?

**A.** I forget.

**Q.** That’s all right. It’s okay to say when you don’t remember. What grade were you in before third grade?

**A.** Second.

**Q.** What school did you go to then?

**A.** Taylor.

**Q.** What was the name of your teacher in second grade?

**A.** I forgot.

**Q.** Was it a lady or a man?

**A.** I forgot.

**Q.** J., think back to your eleventh birthday. What did you do for your birthday?

**A.** I had a party and I got these things for my bike and a little game.

**Q.** Do you another remember a birthday that you really had a good time at?

**A.** My tenth birthday when my godfather gave me a bike.

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**Q.** What kind of bike was it?

**A.** A chrome speed racer.

**Q.** Do you like that bike?

**A.** Yes.

**Q.** When you went to Taylor School, how did you get to school?

**A.** Sometimes my dad drove me, and sometimes I walked.

**Q.** When you walked to Taylor School, who would you walk with?

**A.** My sister and my little brother.

**Q.** Which little brother?

**A.** M.

**Q.** J, if I said J. is a boy, is that right or wrong?

**A.** Right.

**Q.** If I said J. is a girl, is that right or wrong?

**A.** Wrong.

**Q.** If I said J. is wearing earrings today, is that right or wrong?

**A.** That’s wrong.

**Q.** If I said S. (the prosecutor) is wearing earrings, is that right or wrong?

**A.** It’s right.

**Prosecutor:** May the record reflect that S. is, in fact, wearing earrings today.

**By Prosecutor:**

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**Q.** What would happen to you, J. if you told your mom or dad a lie?

**A.** I would get punished.

**Q.** What kind of punishment would you get?

**A.** I wouldn’t be able to watch TV for a couple of days.

**Q.** Would you like that?

**A.** No.

**Q.** J., did you ever talk to a judge before?

**A.** Yes.

**Q.** Was that a man judge or a lady judge?

**A.** It was a lady judge.

**Q.** Do you remember what she looked like?

**A.** She had black hair. She was wearing a lot of makeup.

**Q.** Do you remember what she was wearing?

**A.** A judge’s robe.

**Q.** Do you remember what color her robe was?

**A.** Black.

**Q.** When you talked to that judge, did you tell the judge the truth or did you tell her lies?

**A.** The truth.

**Q.** What would happen if you told the judge a lie?

**A.** I would probably get punished from God?

**Q.** Would you want to get punished from God?

**A.** No.

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**Q.** Let’s say, J., for some reason, you told a lie and I didn’t know and the judge didn’t know, would Jesus know if you told a lie?

**A.** Yes.

**Q.** Would Jesus be happy or angry if you told a lie?

**A.** Angry.

**Q.** Do you know what Jesus does if people tell a lie?

**A.** Yes punishes them.

**Q.** Do you want to be punished by Jesus?

**A.** No.

**Q.** So, are you going to promise to tell us the truth today?

**A.** Yes.

1. J., why are we here today?

**A.** To talk about him. (Indicating).

**Prosecutor:** Indicating for the record, the defendant.

**By Prosecutor:**

**Q.** What do you call him?

**A.** Jack.

**Q.** How did you meet Jack?

**A.** When I started working for him.

**Q.** How old were you when you started working for Jack?

**A.** I was nine.

**Q.** Did you start working for Jack when you were in school or on vacation?

**A.** When I was in school.

**Q.** Do you remember what school you were going to when you started working for him?

**A.** Taylor.

**Q.** Did you work alone or with other people?

**A.** With my sister.

**Q.** What’s your sister’s name?

**A.** S.

**Q.** What time of day did you work for Jack?

**A.** After school, after I got done my homework.

**Q.** What time did you get out of school?

**A.** Around 3:00, 3:30.

**Q.** How did you get home from school?

**A.** I walked.

**Q.** Then you would do your homework, is that right?

**A.** Yes.

1. Where would you go to work for Jack?

**A.**  His house.

**Q.** How would you get to Jack’s house to do the work?

**A.** I walked with my sister or sometimes my brother.

**Q.** Which brother was that?

**A.** M.

**Q.** Did you work for Jack in the summer after school got out?

**A.** Yes.

**Q.** Did you work for Jack after the summer?

**A.** No.

**Q.** When you would go over to work there, would anyone else be there?

**A.** Me and my sister and sometimes my brother and sometimes this fat guy and other skinny guys, a couple of skinny guys.

**Q.** Were there ever times when you went over there and that fat guy and the two skinny guys weren’t there?

**A.** Yes.

**Q.** Who would be there if the fat guy and the skinny guy weren’t there?

**A.** Jack.

**Q.** Would there be anybody else besides Jack?

**A.** Yes, me and my sister.

**Q.** When you would go over to work for Jack, how would you get into that place?

**A.** Knock on the door.

**Q.** Who would knock on the door?

**A.** Sometimes my sister and sometimes me.

**Q.** What would happen when you would knock on the door?

**A.** He would answer the door.

**Q.** “He” is Jack?

**A.** Yes.

**Q.** Can you tell us what kind of work you did for Jack?

**A.** Well, we cleaned up.

**Q.** What did you clean up?

**A.** Windows, his desk, the floor, and other things like—I don’t remember.

**Q.** Okay, that’s all right if you don’t remember anymore. When you would work for Jack, did you get paid?

**A.** Yes.

**Q.** How much would you get paid?

**A.** Different prices, sometimes two, three, four.

**Q.** Two or three or four dollars?

**A.** Yes.

**Q.** Who would give you the money?

**A.** Jack.

**Q.** When you would go over there, would other things happen besides your working?

**A.** He would bring us into the back room and make us do some nasty things.

**Q.** Can you tell us what was in that back room?

**A.** A van, paint, nails, hammers, and other things.

**Q.** How did you get into that back room?

**A.** Through the door.

**Q.** Who would open the door?

**A.** Well, him and sometimes us.

**Q.** What did that door look like?

**A.** Well, it was a two-piece door and you could open it up from the top and the bottom.

**Q.** Do you remember what it was made out of?

**A.** Wood.

**Q.** Were there any windows in the door?

**A.** No.

**Q.** When Jack would take you into the back room, did you ever just work?

**A.** Yes.

**Q.** What would you clean back there?

**A.** The floor.

**Q.** Can you tell us what else happened in the back room?

**A.** Well, he made me do something to his thing.

**Q.** Did you see his thing?

**A.** Yes.

**Q.** Can you tell us what color his thing was?

**A.** Beige.

**Q.** Can you tell us, did Jack have any hair on his head?

**A.** Yes.

**Q.** What color was the hair on his head?

**A.** Gray and white.

**Q.** Did he have hair anywhere else that you saw?

**A.** Yes.

**Q.** Where did he have hair besides on his head?

**A.** On his thing.

**Q.** Where was the hair on his thing?

**A.** At the top, against his tummy.

**Q.** The hair that he had on his thing, do you remember what color that hair was?

**A.** Yes, it was black.

**Q.** What room were you in when you saw his thing?

**A.** The back room.

**Q.** Was Jack wearing anything when you saw his thing?

**A.** Yes, he was wearing an orange and white asbestos suit.

**Q.** Where was Jack’s thing when you saw it?

**A.** Out.

**Q.** How did Jack’s thing get out?

**A.** From the zipper in the asbestos suit. The zipper was almost the whole thing.

**Q.** Did you see how Jack’s thing got out?

**A.** Yes.

**Q.** How did it get out?

**A.** From the zipper.

**Q.** Do you remember who took Jack’s thing out?

**A.** Yes.

**Q.** Who took Jack’s thing out?

**A.** Jack did.

**Q.** When Jack took his thing out, did he say anything to you?

**A.** No.

**Q.** What did Jack do when he took his thing out?

**A.** Well, he made me rub it.

**Q.** When Jack made you rub it, what room did this happen in?

**A.** In the back room.

**Q.** Show us with your hands how Jack made you rub it?

**A.** (Indicating).

**Prosecutor:**  J. is moving his hand in a back and forth motion, holding his fingers and thumb together to form a circle.

**Q.** Do you remember how Jack’s thing felt when you were rubbing it back and forth?

**A.** Nasty and hard.

**Q.** Did Jack say anything when he had you rubbing your hand on his thing?

**A.** No.

**Q.** When Jack had you rub your hand like that on his thing, what happened?

**A.** White stuff came out.

**Q.** Where did the white stuff come from?

**A.** His thing, from the bottom of his thing where you pee from.

**Q.** And where did the white stuff go?

**A.** On the floor.

**Q.** J., did that happen one time or more than one time?

**A.** More than one time.

**Q.** Did Jack tell you whether or not you could tell anybody about that?

**A.** He told me I shouldn’t.

**Q.** Well, did Jack tell you what would happen if you did tell?

**A.** Well, he told me that he would do something to me.

**Q.** Did Jack tell you what he would do?

**A.** Not really.

**Q.** When Jack would have you rub his thing, do you remember which way his thing was pointing?

**A.** Straight out.

**Q.** Now, besides Jack having you rub his thing when it was straight out, what else did Jack have you do?

**A.** He tried to get his thing in my mouth.

**Q.** Where were you when Jack tried to get his thing in your mouth?

**A.** In the front room.

**Q.** Was anybody else there?

**A.** My sister.

**Q.** Whenever Jack did these things, were there any other grownups ever there?

**A.** No.

**Q.** When Jack tried to put his thing in your mouth, were you standing, sitting or lying down?

**A.** Well, I was halfway down. I was on my knees.

**Q.** How did you get “halfway down?”

**A.** He pushed me down.

**Q.** When Jack would try to put his thing in your mouth, how would he be?

**A.** Standing up.

**Q.** Can you show us where his thing went?

**A.** Right here.

**Prosecutor:** Indicating for the record right above the top lip.

**By Prosecutor:**

**Q.** When Jack put his thing there, what did you do?

**A.** I kept my mouth shut.

**Q.** Did Jack say anything to you when he put his thing against your mouth like that?

**A.** No.

**Q.** Did that happen one time or more than one time?

**A.** More than one time.

**Q.** When Jack put his thing against the top of your mouth, how did that feel?

**A.** Nasty.

**Q.** Now, so far, you have told us about how Jack made you rub his thing like this and how he tried to put his thing up above your lip like this.

**A.** Yes.

**Q.** Did Jack do anything else?

**A.** No.

**Q.** Did Jack ever touch you with his hands?

**A.** Yes.

**Q.** Where did Jack touch you with his hands?

**A.** On my private spot.

**Q.** When Jack touched you on your private spot with his hands, did he touch you over your clothes or under your clothes?

**A.** Over my clothes.

**By Prosecutor:** Your Honor, I would ask that this doll be marked C-1 (fully clothed anatomically detailed male doll), shown to your Honor, to defense counsel, and then given to J. (Court clerk marks male doll C-1 and shows it Judge, defense counsel, and gives it to J.)

**By Prosecutor:**

**Q.** J., what is that?

**A.** It’s a boy doll.

**Q.** Can you show us where Jack touched you on the boy doll?

**Prosecutor:** May the record reflect that J. touched the genitals of the doll C-1, over the doll’s clothing.

**Q.** Did Jack say anything to you?

**A.** No.

**Q.** Besides those things that you have told us about, did Jack ever do anything else do you?

**A.** No.

**Q.** Did you ever see Jack do anything to your sister S.?

**A.** Yes.

**Q.** Can you tell us, what Jack did to S.?

**A.** Well, Jack tried to get his thing in her mouth, too.

**Q.** And did you ever see Jack do anything else to S. besides him trying to get his thing in her mouth?

**A.** I’m not sure.

**Q.** Remember how you told us that Jack made you rub his thing?

**A.** Yes.

**Q.** Did you ever see Jack do that to S.?

**A.** I’m not sure.

**Q.** Fair enough. J., did Jack ever do anything fun with you?

**A.** Yes.

**Q.** What kinds of fun things would he do with you?

**A.** Well, he would let us call these phone things.

**Q.** Who would you call?

**A.** Like Freddie Kruger and people like that.

**Q.** Did Jack ever do any other fun things with you besides letting you make phone calls?

**A.** No.

**Q.** Did Jack have a mask?

**A.** Yes.

**Q.** What did Jack do with the mask?

**A.** He would put on the witch’s mask and chase me and S. around the room.

**Q.** Was that fun?

**A.** Yes, I liked when he did that.

**Q.** Was this your first job ever?

**A.** Yes.

**Q.** When you were working there, do you remember whether or not your dad came over to visit you?

**A.** Yeah, he came over once.

**Q.** Were any of the nasty things happening when your dad came over?

**A.** No.

**Q.** When these things were happening, at Jack’s house, did you tell anybody at first?

**A.** No.

**Q.** Why didn’t you tell?

**A.** Because I was scared.

**Q.** What were you scared of?

**A.** I was scared if I told my dad that he would be mad at me.

**Q.** Did you ever tell somebody?

**A.** Yes.

**Q.** Who did you tell?

**A.** My mom and dad.

**Q.** How come you told them?’

**A.** ‘Cause they thought that I wasn’t normal and they asked me.

**Q.** Did you talk to your mom and dad about what happened at Jack’s?

**A.** Yes.

**Q.** Now after you talked to your mom and dad about what happened at Jack’s, did anybody come to your house to talk to you?

**A.** Yes.

**Q.** Who came to your house?

**A.** F.

**Q.** Who’s F.?

**A.** He’s a police.

**Q.** Is F. here today?

**A.** Yes.

**Q.** Where is he?

**A.** Outside.

**Prosecutor:** Your Honor, I would ask that F.H. briefly be brought in. (Whereupon, F.H. entered the courtroom.)

**By Prosecutor:**

**Q.** J., can you tell us who this is?

**A.** F.

**Q.** Is that the man you talked to?

**A.** Yes.

(Whereupon F.H. was excused from the courtroom)

**The Prosecutor:**

**Q.** J., did you tell F. all about what happened with Jack or did F. talk mostly to you?

**A.** F. mostly talked to me; he talked to me about what was going to happen.

**Q.** After you talked to F. and he told you about what was going to be happening, did you tell anybody else about what happened at Jack’s?

**A.** No.

**Q.** Did you go to a police station?

**A.** Yes.

**Q.** Do you remember how you got to a police station?

**A.** My dad drove.

**Q.** Who went with you?

**A.** My sister and me and my dad.

**Q.** Do you remember the police that you talked to?

**A.** No.

**Q.** Do you remember whether or not it was a man or lady police officer?

**A.** I talked to a man. My sister talked to a lady.

**Q.** Did you see that man here a little bit earlier?

**A.** Yes.

**Prosecutor:** I would ask that Officer G. please be brought in very briefly.

(Whereupon, Police Officer G. entered the courtroom)

**Q.** J., can you take a look at this guy and tell us, is this the policeman you talked to?

**A.** Yes.

**The Prosecutor:**  Thank you, Officer G.

(Whereupon, Police Officer G. left the courtroom)

**Q.** Besides talking to that police officer about what happened, you talked to a judge, right?

**A.** Yes.

**Q.** J., have you ever told any of your friends about what happened to you at Jack’s.

**A.** No.

**Q.** Why haven’t you told any of your friends?

**A.** Because I didn’t want to tell them.

**Q.** Why wouldn’t you tell them?

**A.** Because they would probably go tell their mom and then—

**Q.** How would you feel if your friends went and told their moms about what happened to you?

**A.** Bad.

**Q.** J., did you ever go to Jack’s on the weekends?

**A.** Yeah, on Saturdays.

**Q.** When you would go on Saturday, would anyone be there besides Jack?

**A.** No.

**Q.** Do you remember if you ever went on a Sunday?

**A.** I don’t remember.

**Prosecutor:** Thank you. I have no further questions. Mr. …is going to ask you a bunch of questions now.