

Mandy Matney 00:03

I don't know why it has taken this long but I'll say it because I have seen it, South Carolina is finally having a reckoning when it comes to its judicial system. It has risen to a point where lawmakers can no longer ignore it and that is a big deal. This Friday, we could see that reckoning finally hit team Murdaugh. My name is Mandy Matney. This is True Sunlight, a podcast exposing crime and corruption previously known as the Murdaugh murders podcast. True Sunlight is a Luna Shark production written with journalist Liz Farrell Oh, hey, does my voice sound different today? It should, because I am different from the last time we talked, I am now a published author. And y'all. That is a big deal. I feel like I just gave birth to my book and it's finally out there for the world. And all the stress and panicking about my book launch has finally left my body, I can finally breathe again. I've already received dozens of messages from fans saying things like your book is inspiring me to be more open about my mental health. Or thank you for being so honest about sexism in the workplace. And you know what? That is what makes this a success. At the end of the day. I wrote this book as the book I needed a decade ago, when I began my career in journalism. I wanted to inspire people with this book. And that is already happening. Nothing that a critic could say or do about my book could take away from that achievement. Now, that said, I still want to mention that big, crazy pesky dream of mine to get on the New York Times bestseller list, and that dream is still in reach. And if I've learned anything from the hours that I have spent obsessing over Travis Kelce and Taylor Swift's relationship in the last few days, it is that we always need to say our dreams out loud and shoot our shot. No matter how absurdly low our chances are. I'm really not sure of the chances I have right now. But I know that my best chance is getting on next week's list,



which means that all book sales through Saturday evening will mean the most if you are considering buying the book, or even better, if you're considering buying a few books for your friends and family for Christmas. Now through Saturday, November 18 is the time to do it. A lot of y'all have asked Where can I order that helps you the most. This is a tricky thing, because I know for a fact that the New York Times bestseller list considers diversity of sales, meaning you won't likely make it if 99.999% of your sales are from Amazon. They want to encourage people to buy from independent bookstores, which I understand, but Amazon numbers do help too. And I have to mention the book is conveniently on sale on Amazon right now. The New York Times nonfiction book list is incredibly intimidating right now. Britney Spears, Matthew Perry and Dolly Parton are just a few of the greats taking up much deserved space on that list. But still, I have hope for this crazy dream of mine. I know the numbers. And I would be willing to bet that if every single person who was listening to this show right now buys a book before Saturday night, I could actually achieve this wild dream of mine of becoming a New York Times best selling author. And that would lead to inspiring a whole lot more young journalists. True Sunlight is an army. And I want to show mainstream media, especially the many outlets that ignored my book launch, that independent journalism is the future of news with power in numbers. So one last time I will say this while I still have a shot, please click the link in the description or visit blood on their hands book.com To order where it counts and when it counts before Saturday, if you have purchased the book, thank you and you can still help me by posting about the book onto social media and by writing a positive review on Amazon. Every post purchase and positive review matters so much right now as I have this little window of opportunity to get on that crazy list. Thank you for



getting my confidence high enough to even say this dream of mine out loud and go for it. In the last few weeks, I have been lucky to meet hundreds of True Sunlight fans at different events and Charleston, Columbia and Hillman. All of the events so far have been a whole lot. better than I ever hoped for. And they've given me a unique opportunity to spend time with our listeners. After having a few 100 conversations with a few 100 fans. I feel more confident than ever that things are changing for the better in South Carolina. So many of you told me how you've been fed up with the justice system for a long time. So many of you thanked our team for what we do, and told us that they don't want to know where this story would have gone if we didn't make the podcast and also Wow, so many of you mentioned your disgust for Dick Herculean, especially in his hometown of Columbia. So many of you made comments about change that sent chills down my spine, comments like you're making a big difference with your work. Don't let anyone tell you otherwise, times are changing. And you are a part of this. Those comments made all of this chaos worth it. Systems stay the same for so long, because change is hard. It is tough by design. And you know what lawyer lawmakers who have gotten filthy rich off of this system are going to try their best to protect the status quo. But there is power in numbers and I saw that in action on Monday night at the University of South Carolina. You know that we had so many True Sunlight fans sign up to attend the event that was hosted by the University of South Carolina School of Journalism. They actually had to move the event to the School of Law Building, you know, South Carolina School of Law where Alex Murdaugh, Cory Fleming, Dick Harpootlian, Carmen Mullen, Chris Wilson, Duffy Stone, and so many others who have been wrapped up in the wrong side of this saga attended school. Do y'all understand how big of a deal that is that they hosted an event



centered on me, the pesky girl from Kansas who exposed several of its graduates, it was symbolic and moving to be there, the school went out of its way to make sure I felt safe there. At the end of the night, the uniformed officer at the USC law school even made it a point to walk us to our car and he told me that he was instructed to protect me after the event and make sure that I felt safe on USGS campus. Now, I am more confident than ever that things are changing. But unfortunately, change is not only slow, but it is often nonlinear. Which brings us to Bowen Turner. Writes accused rapist but when Turner was released from prison on Wednesday after serving over a year in prison under the youthful offenders act. For a reminder, Turner allegedly raped three different teenage girls in three different South Carolina counties between 2018 and 2019. But he didn't end up serving any time in prison for any of those alleged crimes because his state senator attorney Brad Hutto somehow convinced solicitor David Miller, you know, the guy who's trying to be a judge right now to give Bowen a sweetheart deal that carried a sentence of just probation for assaulting Chloe Beth even after violating his bond conditions dozens of times, the system ultimately rewarded him for his bad behavior. As we said in the last episode, rewarded behavior is repeated behavior. Thankfully, the victims in the Bowen Turner case did not accept this miscarriage of justice. Instead, they made noise about it. So much noise that Bowen story made headlines around the world and soon after the story went viral, as predicted Bowen Turner almost immediately violated his probation and was charged with public disorderly conduct. He was sentenced under the youthful offenders Act, which is a type of sentencing for defendants under 25. Essentially Bowen was sent to a while away institution and was assigned an intensive supervision officer. Before a while an inmate is released a three person team reviews the inmates behavior,



participation in programs and record. Here is a statement that was sent to us on Wednesday from the Department of Corrections.

David Moses 09:51

Inmate Bo and Turner's case was reviewed for conditional community release three times during his incarceration May 11 July 17. And September 14 2023. He was denied release during the first review because he needed additional necessary programming. The second denial was because the I S A R A board considered community opposition on September 14 2023. His case was reviewed and his case was approved. He is scheduled to be released to community supervision on November 15 2023. Community Supervision is a function of the youthful offender act. Any person sentenced under the Act must complete at least one year of community supervision. Offenders are required to meet with their intensive supervision officer weekly to ensure they remain in compliance with agreed upon conditions of release.

Mandy Matney 10:46

Beth Braden checked Bowens inmate record and noticed that he completed 24 programs while he was incarcerated, including individual therapy, anger management, impact of crime and financial empowerment. He is also officially now on the sex offender registry. Now, I hope that he is a changed man after his time in prison, and I hope that these rehabilitation programs taught him to change his ways and face his demons. I hope he never endangers another woman ever again. Before she died, Dallas dollars said that she wanted Bowen to go to therapy and to get help. She didn't want him to be miserable. She wanted him to change. I hope that he did change for everyone's sake.



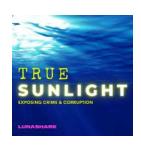
However, I just want to warn the women of South Carolina to be aware that billon has been released and to keep your guard up around him especially if you see him drinking or at a party, which had been the common ground for his previous crimes. Go in is out this week because the system failed to protect our girls. The system chose to give a good ol boy an easy out instead of forcing him to face accountability. The two year anniversary of Dallas his death was Tuesday, the day before Bowen was released. While Dallas his family has suffered the unimaginable in the last two years on their quest to get justice for Dallas. They have not stopped fighting for change in advocating for judicial reform, which is why it was so symbolic and special that a meeting was held in the South Carolina State House on Tuesday, the day of Dallas's death anniversary in the fight for judicial reform, was at the forefront.

Liz Farrell 12:39

Before we get into it. Let's talk about what went down this week in front of the ad hoc committee to examine the judicial selection and retention process in South Carolina. I know it sounds like Derrick zoo lander named that committee but nope, he did not. The official mission of the committee is to take a look at how the General Assembly can improve the judicial selection process and what lawmakers can do to quote, enhance the, quote practice of being a judge and enhance the public's confidence in Judges and finally to pay special attention to the magistrate system in the state. If that mission statement were your coworker at McDonald's he'd be the guy walking around at closing time mindlessly pushing a broom with one hand and watching Tic TOCs with the other he's technically doing the thing but barely. In other words, here's the actual mission at least how we see it. It's either to a get the critics off lawyer legislators backs by making it look like members of the



legislature are actually taking seriously the calls for change and how we elect our judges be to give a platform to people like Supreme Court Justice John Kittredge, ie the people who all seem to belong to a community acapella group called Everything is fine, just the way it is who have shown up for every rehearsal of their one terrible song lawyer legislators don't get preferential treatment La la la, and who can't stop singing it every chance they get we're see, maybe they are actually taking this seriously. And there will in fact, be some change, some change, not necessarily meaningful change. I'm not trying to be a cynic right out of the gate with this committee, but I'm not getting my hopes up here. And that's based on a singular disturbing observation. And it's this, our lawmakers seem to require a whole lot of Curtsies downward cast eyes and over the top ego stroking from the people who stand before them and suggest that hey, maybe we should make some minor changes. So there's one justice system for everyone instead of the two justice systems that you continue to protect. First, circuit's listener David Pascoe has been a consistent leading voice in our state against public corruption and for judicial reform whose name is practically synonymous with calls to do the right thing. If anyone has credibility in this game, it's him. You might remember his name from a few weeks ago when we told you about the letter that nine of our 16 Chief Prosecutor signed asking our Senate and House leaders to remove Representative Todd Rutherford from the judicial merit selection commission, which is the small group of lawyer legislators and civilians who for all intents and purposes, choose our judges for us. Here's an example of how he had to couch everything that he said to this committee on Tuesday.



David Pascoe 15:34

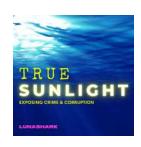
Good afternoon, Mr. Chairman. I'm honored to be here I am the solicitor for the First Judicial Circuit, which is Katelyn Orangeburg, and Dorchester counties home of three of the finest legislators who just happened to be my constituents and can vote for me, Representative Cobb Hunter, Russell Lott and Representative Robby Robbins, none of whom I babysat, either I will add in the past, I've been a prosecutor for 30 years now. I've tried hundreds of cases in front of magistrates, family court judges and Circuit Court judges. I've argued cases in the Supreme Court, and I mentioned these trials. But I've also had hearings and appearances and found myself in front of in 1000s of cases during my 30 years as a prosecutor. And I tell you all that because I estimate that I've been in front of anywhere to as many as 100 different judges in the state of South Carolina in the last 30 years over 100. So take it for me when I tell you this someone who's appeared before maybe about 100 different judges. We have good judges in the state of South Carolina. Some phenomenal public servants. You heard from a good one last week and Justice Kittredge. And I hope I'm not screwing up his vote in the next couple of months. But you are from a great one injustice Kitteridge. Like any profession, we have some good judges, we have some bad ones. But the good far outweighs the bad. So I'm not here to bash the judiciary. I'm here asking you to provide them a system where they don't have to look over their shoulders every time they make a decision to make sure that they're not offending a lawyer legislator or a member of the JMSC. I'm also not here to castigate lawyer legislators, we have some phenomenal lawyer legislators who serve us every single day in the legislature, many of them on this panel right here today on this committee, some who have been my mentor for over 30 years, and others who have butted heads with heads with for 25 years who I go to



for advice, often, because we have some great lawyer legislators in Colombia. And I appreciate that. The reason I'm here is because you can help us make the system better. Understanding that it's never going to be perfect, you can help us make the system better. I have had many judges plural judges. In the last two years as I've gone around the state talking about this issue judicial reform call and tell me and this is a verbatim quote from one of them. Any judge who tells you they don't worry about offending a JMS member in their courtroom is lying to you. That said judges quote, that wasn't going to mention this. But representative Bambara got me kind of fired up. I had one judge call me recently, within the last 18 months I believe, just to vent almost in tears. To tell me he was forced to give a JMSC member a continuance in a civil case wasn't even criminal in a civil case, because he feared that if he didn't, he was going to lose his job when he had to go out in front of the JMSC Just weeks later and if you don't think that happens, hold tight and just wait and see what solicitor bracket and I have talked to you about today.

Liz Farrell 18:52

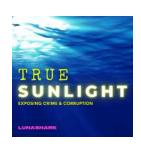
I don't fault Solicitor Pascoe for toasting these guys with little shot glasses of their own self delusion because I know better. I know that some of our elected officials, particularly the ones who seemed to hold the most power, are such Craven, fragile children that they would shut down and stop listening if they weren't first told how wonderful they are. The beauty here though, is that even though Pascoe was supremely diplomatic, he also came with some serious receipts. Judges don't like this current system. He told them, but they can't say this for fear of offending members of the JMSC. He told the committee that Justice Kittredge the man who is expected to become our next Chief



Justice and who spoke to the committee last week and quite incredibly told them that lawyer legislators don't get special treatment is honest but has some blind spots. Last

David Pascoe 19:46

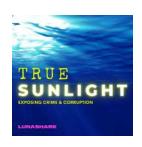
week, Justice Kittredge said he was intentionally not going to talk about lawyer legislators getting preferential treatment, but then he said they don't get preferential treatment. He specifically cited two high profile cases As proof, the first one was drug price, where the Supreme Court did rule against a lawyer legislator and a three to two opinion. And then the second case he talked about was Murdaugh the murder trial where he said, quote, ask Senator Harpootlian if lawyer legislators get preferential treatment. I want to talk about those two things briefly. Okay. So in high profile cases, when the world is watching, we can count on no preferential treatment, and no one being pressured into preferential treatment. But what happens when the world is not watching? What happens when the world is not watching? Well, we know the answer of that, from the one of the cases that Justice Kittredge cited to Ron price, because when the world wasn't watching, a JMSC member goes back in chambers with the judge and the solicitor Representative Mike, and I'm glad I think it was you that brought that out. I'm glad you did. And the Slessor. But it's the JMSC member who tells the judge what he wants to convicted dangerous murder sentence to be reduced to. And the judge does exactly what the JMSC member did with regards to the sentence that came out during the supreme court hearings. I couldn't believe it. One of the justices asked, Well, where did the judge get the idea on that sentence, and the JMSC members that I told him to give them 18 years. And the judge then signs a secret, unlawful order. That's what happens



sometimes with JMSC members, when the world is not watching and asked for Senator Harpootlian, whether lawyer legislators get preferential treatment. It has been alleged that I am friends with Senator Apulian. And I'm not going to address that allegation at this time. But I will say that I went ahead and called them right after that. And I asked him that question, and I invite y'all to ask him the question. To me anyway, you can invite him but I'm going to tell you what he told me with a lot more tact and a lot fewer curse words. He said yes, lawyer legislators get preferential treatment. It's not a secret is not a secret, which is why he, a Democrat, Representative Wooten, a Democrat is about to pre-file legislation with a Republican I saw him earlier out and maybe might have ran out here when I mentioned his name. But with Senator West climber in the Senate, a Republican and a Democrat, sponsoring legislation together in the Senate to take lawyer legislators off the JMSC. Everyone in the system knows about the preferential treatment, whether they want to admit it or not.

Liz Farrell 22:41

Take Harpootlian and ladies and gentleman, the same man who stood up on the Senate floor right after the murder trial to declare to his colleagues that he is proof that lawyer legislators do not get preferential treatment in the courtroom. Apparently he's now admitting the very opposite of that. Please tell me the future of this system does not lie in this man's hands. Pascoe then told the committee that every day hard working lawyer see the problems with the system, and I've had to work with it. Despite those challenges. He talked about public defenders who see their lawyer, legislator colleagues being able to secure these low bonds for defendants charged with violent crimes bonds that the public defenders could never imagine getting for the people they

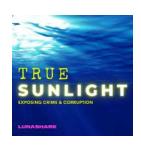


represent. He talked about lawyers getting into the courtroom early when judges tell them they're going to hear motions in the order of lawyers arrival that day, only to be pushed back for lawyer legislators who are allowed to skip the line. And he talked about the thing that makes lawyer legislators particularly valuable in the courtroom, the absolute protection they're afforded while the General Assembly is in session, it's a marketable privilege. With enough money, anyone can purchase a lawyer legislator to attach to their case just to use their legislative immunity to further delay proceedings. An example of this would be when Representative Todd Rutherford all of a sudden showed up at Russell defeats table during a hearing this summer to tell the judge that he needed more time to familiarize himself with the case and oh, right in January, he'll be back in the legislature so oopsie here's Pasco with more examples of how this privilege gets abused. I talked

EXPOSING CRIME & CORRUPTION

David Pascoe 24:31

about how my office had a CDV and a criminal domestic violence of a hot aggravated nature case, ready for trial. Witnesses ready to go but on the eve of trial, defense counsel, co counseled a lawyer legislator, and the judge was forced to grant a continuance You had no choice didn't want to grant a continuance but had to that's preferential treatment for a defendant and for the lawyer over Around the same time solicitor Wilson's office had a very serious felony DUI set for trial for January it had been set for months. It had been set for a while with the victim's family members coming in from across the country to attend. But two or three weeks before that trial date in January, two or three weeks before that January trial day, lead defense counsel announces No, we aren't going to trial. The judge didn't grant that continuance. Who's supposed to control the docket representative Bamberg. The attorney



did because the attorney said, I have assigned a lawyer legislator from our office, and he's protected through July. The case had been pending for nearly three years when the lawyer legislator was assigned to that case on the eve of trial, three years. The head of the firm A renowned criminal defense attorney then announced that he was assigning all of his criminal cases to the lawyer legislator. So he told the judge and the lawyer legislator, all of our cases are continued until after July the 31st. And Judge Jefferson a judge I have incredible respect for and have known for years, had no choice but to continue the cases. Then

Liz Farrell 26:19

Pascoe reminded the committee of what happened in January 2022, when Chief Justice Donald Beatty tried to address the problems that lawyer legislators immunity was causing and courtrooms,

David Pascoe 26:30

the Chief Justice sent out another order Chief Justice Beatty saying lawyer legislators, you no longer get full protection. You are now going to have to come to court. For cases that are over three years old, the trial judge can call your cases for court, if they're over three years old. I was extremely pleased with Chief Justice Beatty for doing that. Whether it was because I was complaining about it or not. He made the decision. The next day I called a state senator and we discussed it. This would have been on Wednesday. And he commended it. But the Senator said we'll see how long this lasts. We'll see how long that order lasts. That was signed on January the 11th. Giving telling lawyer legislators they had to come to court for all cases, because that state senator had run into a ways and means lawyer legislator, not the chairman at the time or now. But they had run into a ways it means lawyer legislator, and



they were complaining a lot about Chief Justice baby. And I remember telling that Senator tough is in order now that legislators just going to have to live with it. So my office was putting together bond revocations and old trials three years or older with lawyer legislators on the docket when the judge calls me and says solicitor Pasco, we can't put these lawyer legislator cases on the docket anymore. And I said, asked What are you talking about Chief Justice Beatty. Just sign an order about this. And the judge said, Well, on the very next day on January the 12th, the same day that that legislator on Ways and Means complained to the state senator about the order, the Chief Justice headquarters based administration send out an email saying ignore my order. The very next day. Now, I can't tell you why he rescinded the order in just 24 hours, but I can tell you what my perception was. And I can tell you what the perception of that state senator was when I talked to that Senator later, I don't think I have to say it out loud. Because it's also the perception the judges and members of the bar had as to why that protection was rescinded 24 hours later. Criminal

Liz Farrell 28:42

defendants know how to game the system if they have the money to hire a lawyer legislator. This is what paska repeatedly told the committee. He also told them about a case in which a lawyer legislator had used his legislative immunity to delay a bond revocation hearing for client a but then astoundingly showed up in court on another day during the legislative session, but this time for client B, for whom he was waving his legislative immunity so that he could strike a plea deal on that client's behalf. You heard me right. Legislative protection is meant to protect legislators from court dates so that they can focus on making laws. That is the sole purpose of it, but it's gotten so casually



exploited that a lawyer legislator felt perfectly comfortable using his immunity to keep one client out of jail while at the very same time telling that same court that he was waving his immunity to seal up a deal for a second client. He was literally telling the court on too busy to come to court for that but not for this. Either way. He was making money at it.

David Pascoe 29:47

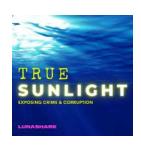
The lawyer legislator is directing the judge how to call his cases as a problem with that. And Judge young goes on to say I haven't seen that order. But that doesn't seem like it's in the spirit of things. But ladies and gentlemen, there's nothing to judge could do. That is wrong. And let me ask you this, how do you think the optics were of that exchange for not just the judge and the solicitors and the attorneys and the public defenders, but also the victims and the defendants in that courtroom? Think about that. I know you're a judge, but you can't lock my client up. today. I'm here because I want to do a case but you can't lock my client up today, because I'm a lawyer, legislator, and I'm protected.

Liz Farrell 30:37

Then passcode told this story, a judge

David Pascoe 30:40

put out word that the judge needed to speak to the assistant solicitor on a case. The assistant solicitor went back in chambers. And the judge told the Assistant, I'm friends with the JMSC member. He represents this defendant. He wants to be here for his bond hearing but can't make it. What's the defendant charged with? He says this Lester says trafficking heroin. The judge immediately says, Well, I'm gonna give him



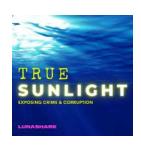
a bond. I mean, nevermind that the defendant was convicted of voluntary manslaughter, and got a 20 year sentence in 1992. Nevermind that he has a 2007 trafficking heroin conviction where he got seven years in prison. Nevermind that he was already out on possession of drug charges when he picked up this trafficking hair when that the JMSC member called the judge about because he can't make it to the bond hearing nevermind that he's facing life without the possibility of parole. Before the hearing, the judge says I'm gonna give him a bond. But it gets even stranger. Somebody told me that a non JMSC member has ever been able to do this. The judge in chambers gets the JMSC member on the phone. It says we're going to do the bond by phone. And the judge has his cell phone taken down to the holding cell. So the convicted drug dealer and killer can use the judge's cell phone to talk to the JMSC member his lawyer. I've heard a lot of crazy stories of my time in 30 years, but I've never heard of a judge allowing a convicted murderer killer and drug dealer use his phone while he's in a holding cell. Nevermind the issue about the potential of illegal contraband to a defendant. And I've never heard that happen with another lawyer. But it happened for JMSC lawyer and his client, the deputy that brings the phone back to the judge. They go back out in the courtroom and they set bond with the judge holding the cell phone up for the JMSC member to hear it and the defendant got a bond and he is now out on our streets.

Liz Farrell 32:57

That is what goes on in our state. And like Pascoe said several times everybody knows that this is how it works. So why are people like Justice Kittredge? pretending it's all okay not to get too high up on our high horse with this but there is a domino effect when this kind of thing



is allowed to happen in any justice system. Go to any sheriff's office or a police department in South Carolina and asked for a list of their unsolved murder cases then ask the investigators why they're unsolved. In many offices. The answer for some of those cases anyway is going to be we know who did it but no one who saw it happen wants to talk to us nevermind is willing to testify. A few years back I sat in this packed room at the St. Helena Island library where family members of people whose loved ones were shot and killed grilled solicitor Duffy Stone about why it was that their children's killers were walking the streets free. There was so much raw pain in that room, so much desperation, so many broken hearts. These were salt of the earth people who didn't have much money but who had dressed up in their finest Sunday outfits to come and let the men in charge know how haunted they were by their children's deaths and how unsafe they felt in a community where the same criminals kept getting arrested and then freed and then arrested and then freed. And the truth of the whole thing was this. There really was no hope of them getting justice. Really not because we apparently live in a world where a heroin trafficking killer is handed a judge's cellphone so he can get out on a bond and be back on the street among those He's accused of terrorizing. That's why Solicitor Pascoe didn't say who the judge was in this case, but he did mention that the lawyer legislator is on the JMSC and that this incident happened recently. So it was either state senator Luke Rankin, state senator Rodney Saab State Senator Scott Talley, State Representative Mike Khaja Caskey State Representative Todd Rutherford or state representative J. Jordan. Feel free to call any and all of them to ask was that you friend because that was messed up. Speaking of Todd Rutherford, And



David Pascoe 35:08

again, it's why is it all the weird cases involve lawyer legislators or JMSC members, he pleads his client to a drug charge carrying a mandatory minimum sentence. His client already had multiple drug convictions, drug trafficking convictions had already been to prison before. And Rutherford is able to convince the judge to allow his defendant to remain out on bond after his guilty plea, this convicted drug multiple convicted drug trafficker is going to get this doubt on bond after his guilty plea to get a pre sentence investigation, or psi 30 years, I've never heard of someone who's been to prison on multiple occasions, getting a PSI for drug trafficking. Never seen it. But it gets worse. Oh, and of course, let me point this out by giving him the psi is no secret the plea was in the month of December. It was in the month of December. The pre-sentence investigations aren't going to be done until January or February. So what is the psi allowed the defendant to do stay out on the streets until at least August. Because you can't order Todd Rutherford back to court, even to sentence a defendant who's pled guilty to drug trafficking, no preferential treatment. But it gets even worse, because not only did the defendant not come back in August, he stayed out long enough to pick up a domestic violence charge and another county and get out on bond again. The defendant wasn't sentenced in August. He wasn't even sentenced that year. He wasn't sentenced the next year. He wasn't sentenced a year after that. It took three years before they were able to get him to court and get him sentenced. And sadly, if this hadn't been reported in the press, I'm not so sure the defendant would have been sentenced today. This just happened back in August. If it hadn't been reported in the press, I don't know that he would have been sentenced back in August.



Mandy Matney 37:08

Solicitor Pasco did not hold back and calling out just how broken our judicial selection process is. Not only that, he said something that we know to be absolutely true about good ol boys who expect the system to work very directly and specifically for them even when it hurts the rest of us. And that is this diversity is their kryptonite. Now this next part is a little long, but it's so important. Pasco told the committee the story of what happened to judge Christie Harrington, who served as a circuit court judge from 2008 through 2018, when she was pushed out by the JMSC. It's a stunning story that shows how members of the JMSC view themselves in relation to the judges they elect. It shows how they use the ODC to their advantage. It shows the thug like behavior what they engaged in to push out a judge who did not rule the way one of them wanted her to.

EXPOSING CRIME & CORRUPTION

David Pascoe 38:13

Last week, it was discussed how the JMSC quote weeds out bad judges, and that the JMSC should be commended. Not condemned for not having bad judges reelected. I could not disagree more. The JMSC process is rigged. And a process that I can't even understand the rules of because they seem to change depending on the candidate. And I can tell you that from my own experience in dealing with the JMSC. And it contradicts the purpose of what being qualified means. Just as Kitri has told y'all last week, it's a low threshold. And yet the JMSC member deprives you every member on this panel, the right to vote up or down on a judge like judge Harrington when they have them in their line of sights. The JMSC does not weed out judges. They berate them, they threaten them, and they intimidate them until they drop out. That is not a system we should support. Judge Harrington who I knew, and I



knew her very well. My lawyers knew that they had to be prepared when they went into her courtroom and that she was fair, as she was no nonsense. She was known for her unequaled work ethic. And her 10 years on the bench she tells me she presided over 250 jury trials to verdict with a 96% Affirm rate when she went before the JMSC and 2017. Interestingly, former judge Harrington to this day still teaches ethics at the National Judicial College and Reno Know where we where you pay to send our job judges to learn ethics. She teaches them ethics. She served as the chair of the faculty committee and has been on the board for six years after she went through her JMH SC experience and the fall of 2017. Pasco went

Mandy Matney 40:17

on to describe a nightmare situation for this judge where she while doing our job, made a lawyer legislator angry and she was worried about her re-election hearing with the JMSC simply because she upset a JMSC member. Here is what happened at that hearing and 2017. The hearing

David Pascoe 40:39

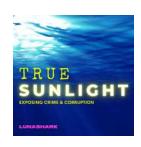
comes along. I think it was November, December, and it was brutal. There are all kinds of articles about it. They berate her, they threatened her until she withdraws at some point a member of the JMSC member sitting in the back right now. Read judge Harrington her rights. Her rights. First, they accused her being mean, when that didn't pan out. They accused her of having debt and too many student loans which ended up being paid off within the next year or two. The JMSC member sitting in the back, mocked her and told her she couldn't afford a sandwich. When that didn't pan out, because her credit score was too



high. They said she had contact with the legislator and when that didn't pan out, they turned to intimidation. They threatened her and she dropped out. They intimidate her to the point where she had no choice but to drop out. Read the articles is brutal. That is not a system we need to be proud of.

Liz Farrell 41:48

Thanks so Senator Pascoe set why are they defending a system like this one? Oh, right. Because in this system, members of the jam SC and their friends can pack the court with their spouses, friends, family members and friends of friends who got elected the same year that Judge Harrington was pushed out by the JMSC. Well, I can think of two people well. I know it was then JMSC member Peter McCoy's friend Bentley Price. Judge Price took over Judge Harrington spot and according to solicitor Pascoe, McCloy talked about how hard he had worked to get price elected. Another person elected that year was Peter McCoy's wife, the friend and the wife of the man who was so angry at judge Harrington because she wouldn't further delay his murder trial are now judges no wonder judge Carmen Mullen felt so comfortable when she tried to order a deputy to arrest a man who had committed no crime. No wonder nothing happened to her after that was exposed. No wonder nothing has happened after her permissive off books behavior was exposed in the Satterfield case, which ended up helping Alex Murdaugh abscond with millions of dollars that weren't his No wonder judges are scared of legislators but as long as the judges don't cross them or their friends, it sounds like they'll do just fine. And this is the part where I asked you to remember representative Rutherford Hancock handshake with Alex the murderer, I guess they were friends. One of the elements of this that we haven't talked enough about is the



separation of powers between different branches of government and how the current system we have is one in which the judicial branch is basically under the legislative branch. It is not independent as our nation's founders had envisioned the legislative branch has the power to hire fire and fund our judges. When we talk about these two systems of justice. That is what's at the heart of it. That is where the blood flows from that is the cancer that needs to be removed.

Mandy Matney 44:06

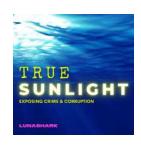
Okay, let's talk about what's going to happen this week with Team Murdaugh. At 10am. Friday, Dick and Jim are expected to appear in front of Judge Clifton Newman and Buford county to discuss the so called jury issues related to Alex's November 27 trial in the Satterfield case, it is possible that Judge Newman will also allow them to address other related issues such as their latest motion asking for a change of venue. This will be the first time they will be appearing in front of Judge Newman since they filed their writ of prohibition asking that Judge Newman get removed from all of their cases. AKA This is the first time they will be seen judge Newman since they did him dirty and they pulled that unthinkable move to go after America's judge who has been nothing but kind, gracious and fair to Team Murdoc. So let's start by saying this Friday could be a reckoning for Dick and Jim, it should be a reckoning for Dick and Jim. There has been a enough judicial terrorism at this point, there's been a enough behavior that defies logic, such as this. On Monday, Team Murdaugh filed its motion for a change of venue claiming that there's been far too much publicity and Alex's case for the case to be fairly tried in Beaver County. And what's more, far too much publicity to try Alex case fairly for a while now. So hey, why don't we just wait until late 2024. For Alex's next trial, comically they mentioned that



Alex has been the subject of two Docu series in two movies since the murder trials less comically, they fail to mention their own roles and facilitating at least one of those projects. By the way, we still don't know to what extent the Murdaugh family and Dick and Jim have been involved in those productions. Maybe the state should suggest getting them on the record for that because if they have been involved to any extent, then it is another example of them orchestrating chaos so that they can later point to it as evidence when arguing their motions. Speaking of the Fox News Docu series that had team Murdaugh written all over it, I have been wondering why exactly it was rush released in late August, you know, just days before Dick and Jim dropped their big Becky bomb on South Carolina and sent this case back into the madness of the media spotlight. No one was really talking about Buster or Becky or much about the Murdaugh's at all before that Docu series was released. It is unbelievable. To me the Dick and Jim are now weaponizing the media hype that they created themselves as a reason why they can't go to trial. Are they just going to pretend like that didn't happen? Are we just gonna pretend like they didn't play a major role in keeping the international media spotlight on this case throughout the fall of 2023. And in this same motion, in this same motion, in which they're claiming they can't get an impartial jury to judge whether or not elec is guilty of the crimes he is accused of committing against a set of fields they write this.

David Moses 47:38

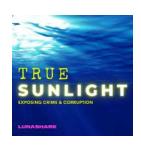
What is the rush to dispose of this case before the end of 2023 the defendant has entered a plea in federal court to the same conduct for which he will be tried in this case, the victims will have their day in court at the defendant's Federal sentencing. Certainly there are older criminal



cases pending in Beaufort County with victims who are waiting for their rights to be vindicated. There is no good reason to try this case or any other pending cases against the defendant ahead of older pending criminal cases.

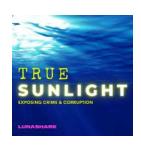
Mandy Matney 48:13

In what world does the defendant get to say where I won't get a fair trial on these charges I've already admitted to this is literally what they're saying here. There's no rush to try this case, because he's already pleaded guilty to these charges. And those victims should be satisfied with what other lawyers get away with filing a motion like this without consequence. I want you all to sit back and picture Judge Newman are reading this motion at his desk. What must be going through his head right now? What fools what Bill foods. And remember this is to convince the court to move the trial so that the jury can be fair when deciding on Alex's guilt for charges that he has already admitted to seriously, where do they expect to get this fair jury somewhere where the jury doesn't understand the words I did it? This is insane. I don't know how they keep managing to do this. But they are making a even bigger mockery out of this court than they already have. Actually, I do know how they manage to do this. No one holds them accountable for their behavior. And also you heard how the system works behind the scenes. sure they've lost most of their motions so far, and just about every single one of their strategies has failed. But that is just jurisprudence. No one has sanctioned them for their behavior in the courtroom or for their intentionally misleading arguments or their assertions that are just plain wrong.

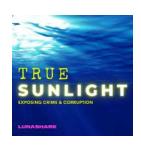


Liz Farrell 49:59

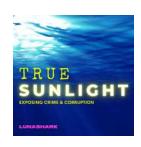
Now speaking Dicken Jim strategies let's talk about how calculated these latest moves are. We told you last week how the state's replied to Tim Murdaugh's motion for a new trial completely dismantled their claims of jury tampering. We've told you before how the bulk of Dick in Jim's argument for a new trial is centered on a Facebook posts that had nothing to do with the removal of a juror. And we told you how the legal standard they've cited for the new trial based on these bogus charges of jury tampering is weak. They say that Becky Hill talking to the jurors at all is enough to grant them a new trial or at least an evidentiary hearing for a new trial. In an attempt to bolster that argument. They cite a 1993 case in which a new trial was granted for a man accused of burglary. In that case, the jury wasn't just supposed to reach a verdict of guilty or not guilty if they voted guilty. Then they had to instruct the judge on whether they wanted him to sentence the defendant with mercy. The jurors had questions about what the with Mercy sentence might look like against the without mercy sentence. So the four person asked the bailiff to relay a note to the judge. But in that conversation, the bailiff told the foreperson that the judge was a fair person either way, so the jury decided to leave the sentencing decision in the judges hands and did not ask him to do so with mercy. The appeals court reversed the jury's verdict because they felt that the bailiffs input ultimately affected how the jury ruled though the four person later said that the decision about mercy or no mercy did not factor into their decision of this person's guilt. So Dick in Jim are extrapolating from that and saying that the legal standard this creates is not if an officer of the courts words affected the outcome, but could those words have affected the outcome? Needless to say this is not how we read the case. In reversing the verdict. The Appeals Court cited a Fourth Circuit



decision in the 1960 case Holmes v. United States in which the court ruled that quote, when there has been such a communication, a new trial must be granted unless it clearly appears that the subject matter of the communication was harmless and could not have affected the verdict. Deacon Jim argue that because Collin County Clerk of Court Becky Hill is an officer of the court like this bailiff was that this case supports a new trial based on juror saying that they heard her say something about paying attention to the witnesses, including their body language based on the subject matter and what could have happened. But the thing is this, the state says not one juror, including the ones cited by Dick and Jim has reported that anything Becky said or did affected their verdict. And that right there is why the court should deny their request. The jury is not only say they reach their verdict on their own, they say that Deki reminding them to pay attention was taken generally. In other words, this is not like the bailiff case cited by Dick and Jim. The outcome was not changed or affected in ALEKS case in any way that comes remotely close to what happened in the bailiff case. In fact, the outcome was not affected at all. And it's not at all clear how telling a jury to pay attention specifically would hurt Alex and one stick and Jim are saying that paying attention to Alex and their witnesses is a bad thing. Is that what they're saying? The state argues that the defense's request for the judge to pull the jury individually right after they declared Ella guilty to verify that each juror had reached his or her opinion independently was the appropriate legal remedy to suss out whether they had been affected by any outside influence, and that this polling, in addition to their post trial investigation into the jury tampering charges shows that the jurors came to their conclusions on their own. Okay, so what are Dick and Jim doing here? We know they want a new trial. We know they want elect



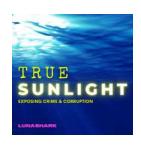
to be sentenced federally before he gets to more guilty verdicts in the state. But what we haven't talked about is this, if Judge Newman were to recuse himself from hearing Dick and Jim's motion for a new trial, then Alex will get a new trial. It's that simple. And that calculated, Judge Newman is the only judge who can hear that motion because the courts regard the trial judge as the closest authority to what went on in that courtroom during that trial. All of this nonsense since September has been an effort to pressure judge Newman to quit the case and get that November 27. Trial delayed if they can get judged him into guit or somehow convinced the Supreme Court to disqualify him, then they get what they want it they get a new trial, and while they wait for that to happen, they'll bomb their way through the state court until they can get Alex released into the custody of the federal government and guys, they are so close to that button. I know there are some people here who don't enjoy it when we harp on the headlines but it has to be done. We are now a week out since the state file that's replied dismantling the jury tampering accusations not one headline has questioned Dick and Jim's credibility. Not one headline has mentioned that the jurors have not corroborated Dick and Jim's story. Not one headline has pointed out that Dick sat in the room with egg ladies tenants and went over their affidavits with them line by line. The affidavits that Tim Murdaugh later said were coerced out of them. Not one headline teases a story about how the states reply raises questions about the veracity of the egg lady's account of what happened, given that she was caught lying on the record. All we've gotten our variations of clerk of court speaks out breaks her silence denies tampering with the jury. And this is important because Dick and Jim want the public pressure to push Judge Newman off the bench and they're using the headlines to that end. You heard solicitor David Pascoe said happened to judge Harrington when



she didn't do what a lawyer legislator wanted her to do. Right? You heard about the length the JMSC went to and pressuring her to give up, right? This is how these good old boys think this is what's happening right now with Judge Newman. I'll repeat it once more. If judge Newman recused himself from hearing the motion for a new trial, then that's it. They've gotten their new trial.

Mandy Matney 56:17

So what happens now? Right. Well did give us the roadmap in his appearance on Jim's podcast this week. What's that you say? Dick went on a podcast to talk about Alex's case. The week he also filed a motion complaining about the publicity and Alex case, girl he went on a podcast to talk about Alex's case the day he filed a motion complaining about the publicity in Alex's case the word glad he did it. But again, we're here with the media to point out that hypocrisy. In that podcast Jim's co host asked Dick, what happens if their motion to have judge Newman removed doesn't get heard before November 27? Or what happens if Judge Newman doesn't recuse himself before that. Dick's response will pick a jury and we will march ahead meaning nothing judge Newman will preside over this case in which Alex Murdaugh will be tried on charges he and his attorney have admitted he is guilty of multiple times. So there you go. It's absurdity. It's Babel, Baloney, Bunk, craziness, drivel, foolishness gibberish, madness, rubbish. I'm literally going through the alphabetical list of synonyms for the word nonsense right now, because it needs to be said in every single form. Why are we even talking about this? Why have we spent weeks in it back and forth about a trial for crimes that Alex Murdaugh has already admitted to on Friday, we obviously expect to see more big Creighton energy where he



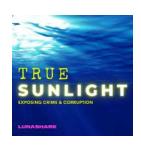
leaves no crumbs on the table. But also we hope to see the court remain firm and not give one inch to these judicial

Liz Farrell 58:08

terrorist. Dick and Jim are going to argue that Beaufort County's jury pool is tainted and that they will be unable to get 12 impartial jurors for this trial for crimes their client has already admitted to here are some things to know about that. One is that the jury questionnaire and the threat of being sequestered were tools employed by Dick and Jim to spook this jury pool into saying things that would keep them from, you know, being locked up in a motel by the highway for weeks on Android around the holidays, even though this trial should take about a few days. We're sure people were looking at that six week murder trial and thinking to themselves, Lord God, no, not me. So it's no surprise that according to Dickg and Jim's account, if you can believe them on this 147 Out of the 167 replies that the clerk of court has gotten so far have been from potential jurors who have heard of Alex Murdaugh and his criminal charges ticking Jim are nice enough to include a sample of some of the replies. Here's David with a few of them. I know

David Moses 59:09

too much HISTORY OF THE MAN ON TRIAL due to crime shows. I have heard too much about this family and cannot be impartial. I believe he is guilty of killing his wife and son, if that counts. My mind is made up in this case guilty. What the family did is disgraceful. I wish I had a white privilege card. If you want unbiased, I'm not your juror. I know some of the people involved in this case and I don't feel I can be fair and unbiased. I've been shocked that the behavior of the defendant was able to go on and feel that he is guilty of any and all charges. While I'm



not a gossip junkie I believe he has committed despicable acts on his family employees and Associates. He is malicious and unforgivable. He should rot in prison. Did he steal a bunch of money? Absolutely. Did he commit despicable acts and how he treated his clients? Absolutely.

Liz Farrell 1:00:21

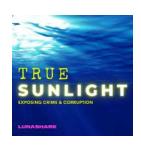
Oh, wait, sorry. That last comment was for Dick, Alex's attorney in his appearance on Jim's podcast Tuesday. You know, Jim, Alex, other attorney, and we wonder where these potential jurors are hearing about Alex Murdaugh and his guilt. So a couple of notes on Dick and Jim's assertions about the jury. One is that most of the jury pool in the murder trial had heard of the Murdaugh case. And still, Dick and Jim were able to secure 18 jurors, of which seven of them had claimed not to have ever heard of Alex Murdaugh, to is that even though sure the world is a different place than it was before Alex was found guilty and more people now know about the case than ever before. Buford County was always ground zero for this. It's in the 14th circuit. So no doubt people have heard of the case there. Three is that Beaufort County is a wealthy county made up in great part by healthy thriving boomers from somewhere else. Ask any Buford county lawyer they'll tell you that Beaufort County jurors generally include highly educated people who pride themselves on being able to fulfill their civic duty for their a largely conservative group politically. In fact, they're the target audience of Fox nation, which aired the Docu series that Dick and Jim and Alex and Buster took part in this past September. I'm not a lawyer legislator who is known for being crass and cursing a lot and being a cunning legal strategist. But if I wanted to make claims of a teen to jury later down the road in a conservative County, I would most certainly be using Fox Nation to get their five. They haven't even tried to pick a jury yet.



How about you try to do that first Dick in Jim. And then we can talk six, the jury pool is big enough in the murder trial, they were able to qualify more than 100 jurors, and then they went through the list in minutes to get 18. This case is so much less complex than the murder case. They're not going to need six alternates. The minimum number of qualified jurors they're going to need is between 30 and 42. For this case, I think they can get there and seven and we cannot say this enough. Why are we even having this conversation? Why?

Mandy Matney 1:02:35

Dick and Jim have gotten away with enough in Jim's podcast, the one he went on. After claiming to the court that publicity on Alex was causing them not to be able to get an impartial jury pool. Dick actually chuckled about how only he could get away with pointing a gun at the prosecution and saying the word tempting Dick is a lawyer and a lawmaker, which means he has to know the law. He knows that section 1623 Dash 410 says that it is unlawful for a person to present or point at another person a loaded or unloaded firearm and that pointing and presenting is a felony punishable up to five years in prison. In yet this man has the audacity to brag about getting away with that because he knows that we have two systems of justice and this man thinks that that is funny. The I got away with something that poor people without power would have been thrown in jail for Decart. Boolean is begging for someone to show him that he is not immune to accountability. In their writ of prohibition. They miss characterize the context in which judge Newman was speaking on the Today Show and at his law school, they truncated quotes to make them seem more in line with their interpretation or the interpretation that they want you to make when you read the motion. In their jury tampering motion. They made a case



out of thin air again misleading the public on the significance of their so called evidence. If you need a refresher on that thin air. Please re listen to last week's podcast. It is not a coincidence that the state is experiencing a reckoning when it comes to its judicial system. Alex Murdaugh is the shining example of how this system works for someone like him both as a lawyer and a defendant. But it is a happy coincidence that right before Friday's hearing, right when we're knee deep in the dog poo of Dick and Jim's motions for a new trial in their quest to have Judge Newman removed that we got to hear from solicitor David Pascoe on how lawyer legislators actually operate. None of what Pasco said on Tuesday should have been surprising or shocking to any of us. But the fact that Pasco and 16th circuit solicitor Kevin Brackett were brave enough to put this on the record needs to be commended. The lawyer legislators challenged witnesses to put names on the record to think of examples of the corruption and the preferential treatment, likely thinking that no one would take them up on that they were wrong. And now we know for certain just how right we are to call for change. No wonder the judicial merit selection committee refuses to publicly air their hearings. Sunlight is the biggest threat to their existence. They know this system is not meant to survive public involvement. They know that the majority of the population would be appalled to see the scheming that goes on among the powerful at the expense of the rest of us. The Bowen Turner and Alex Murdaugh cases have exposed the ugliest parts of our system which the corrupts have wanted to keep in the darkness. It is up to us to keep the lights on in the pressure up until the system changes for the better no matter how long it takes. Stay tuned, stay pesky and stay in the sunlight. We'll see you next week. True Sunlight is created by me,



Mandy Matney, co-hosted by journalist Liz Farrell and produced by my husband David Moses. True Sunlight is aLluna Shark Production.

TRUE SUNLIGHT