



## EPISODE 61: Who Killed Stephen Smith? Part Six

**Mandy Matney** 00:02

I don't know who killed Stephen Smith. But I do know that gross incompetence in the fear of coming forward have derailed this case for far too long and as more time has passed that incompetence and fear has turned into cruelty toward the Smith family. Now is the time to get angry and it is well past time to get this case solved. My name is Mandy Matney. I have been investigating the Murdaugh family for more than three and a half years now. This is the Murdaugh Murders Podcast with David Moses and Liz Farrell. Well, y'all, we did it. Last week, we dropped our first ever Cup of Justice bonus episode. And I don't know about y'all, but I thought it was a huge success. David, Liz, Eric, and I loved hearing all of the positive feedback in the last few days. And hurray, you still like us with the vocal fry curse words and unfiltered comments. And all I've said this before, but y'all are really the best fans a girl could ask for. So thank you for listening. And be sure to check out another bonus episode this weekend on the Murdaugh Murders Podcast feed. And a special thanks to Eric Bland for joining us on this fun project. This week, we want to focus our efforts back to a cause that is so near and dear to our hearts, getting Stephen Smith's case solved. Now we have accomplished a lot on this podcast. But solving Stephen Smith's death will always be my number one priority. I'll be honest, I will never feel settled until the Smith family gets answers. And I hope our listeners join us in this fight. For this episode, we caught up with Stephen's mother the wonderful and resilient Sandy Smith and Mike Hemlapp, the Columbia attorney who stepped up to help after Sandy's previous attorney let her down. We asked Sandy and Mike where things in the case stand right now and how they felt about everything while the case gained some momentum last year and SLED took over from the South

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## EPISODE 61: Who Killed Stephen Smith? Part Six

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Carolina Highway Patrol. It's now 15 months later, and we were hoping to know more by now. I'll have Sandy tell you where things stand from her perspective.

### **Sandy Smith** 02:39

A little disappointed. I know when investigation takes time, I waited six years for something and got nothing. And now it's been reopened. And it's been another year. And it's like *deja vu*, you know, a phone call, you know or something to let me know that progress is being made. I don't like being in the dark. And I will fight until the day I die for Stephen. But I need somebody to let me know, to build my hope up that we're working. We're close. We're not there yet. But we're close. You know what a mother would think if somebody called and told her that. I wouldn't be dancing in the streets if I heard something like that. But I hear nothing. And when I call SLED, oh, it's not a cold case. Okay, then what is it? I need to know what it is.

### **Mandy Matney** 03:44

I have been thinking back to March 2019 a lot recently, when Liz and I met Sandy Smith for the first time. Back then we were still learning about just how deeply protected the Murdaugh family was by law enforcement. We thought we understood it pretty well at the time. But looking back, maybe it was just naive of us to think in 2019 We could take on these good old boys without the spotlight we have today. The first meeting was Sandy was so difficult not only because we were talking to a grieving mother, who absolutely got steamrolled by law enforcement and utterly betrayed by her own community, but because we weren't sure where to start. There were so many more monsters in



## EPISODE 61: Who Killed Stephen Smith? Part Six

this case than we could have possibly anticipated. This was not about finding out who killed Stephen. This was not just about finding out who killed Stephen or why they killed him. It was about identifying all of the people who might have played a role in making sure this case remained unsolved. I've gotten to know and love Sandy Smith over the past three years and nothing made me happier than hearing how hopeful she sounded in June 2021. When SLED announced they were finally going to look into the case that she had been begging them to take for nearly six years. At that point, in March 2019, Sandy seemed defeated and for a good reason. She didn't know who to trust because everyone in a position to help her had let her down. Up until that point, the local newspaper, her neighbors, local law enforcement, Nikki Haley, who was the governor at the time, Loretta Lynch, who was a US Attorney back then, and the FBI. Sandy wrote to the FBI on September 28 2016, and the first line of her letter continues to break my heart and motivate me, she said, my family is in desperate need of your help. Right now. It angers me that we're here in year seven of Stephen's murder being unsolved. And yes, I'm saying murder and not hit and run. I've said it before, it was never a hit and run. And anyone who says that is intentionally helping keep Stephen's case unsolved. For some reason. I keep seeing people on social media continue to take the position that Stephen might not have been murdered unless you've seen the photos from the crime scene, all of them and unless you've read every single report and listened to the hours of interviews dozens of times, I do not want to hear it. I believe Steve Stephens death was a murder because officials never found a single piece of evidence on scene that showed he was killed by a vehicle. There were no tire marks, no mere parts, no glass, no debris, no auto parts, nothing. And I will say

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## EPISODE 61: Who Killed Stephen Smith? Part Six

---

this again, his loosely tied shoes were still on his feet, a telltale sign that he was not hit by a car. I believe Stephen's death was a murder because of his injuries. His face was bashed in, as if someone had taken a baseball bat to half of his forehead, his arms were scraped up, maybe from defensive wounds, his right shoulder was dislocated which could have happened if his body was moved. I believe Stephen's death was a murder because of the position of his body in the road and the blood patterns from the crime scene photos. It just doesn't look like he was killed at the spot he was found. And it's this simple. All of the evidence points to a homicide in something more haunting that I have thought about over this last year. I wonder if someone laid his body in the middle of a dark country road on July 8 2015, like a piece of trash and was hoping that Stephen would get hit by a car making it much easier to convince a long line of officials that Stephen's death was not a murder. But Sandy Smith is no fool. She always called her son's death a murder.

### **Sandy Smith** 08:13

I call it a no brainer. And I said that, well, we didn't call it a murder. It is a murder. I don't care what you call it. Um, his mother, I know it was he was murdered. He was murdered. And whether you can come out and say that officially? I don't know. He was not hit by a car. He was murdered. He was beaten to death. And I've seen his pictures. And why? Why? What gave you the right to take my son from me.

### **Mandy Matney** 08:46

That said, it especially angers me that Sandy still does not have answers. It angers me that she doesn't even have so much as an update from



## EPISODE 61: Who Killed Stephen Smith? Part Six

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SLED or the Attorney General's Office. Like I said, it is time to get angry for all of us to get angry and fight for Stephen.

**Liz Farrell** 09:09

So obviously there have been no indictments in this case, according to the Attorney General's Office. This means that no prosecutor has been assigned to the case yet, which of course raises questions on our end. One major question would be whether this also means that investigators don't have a steady liaison at the AGs office for this case, that communication between prosecutors and law enforcement is critical in building a successful case. At this point, it's not clear whether Stephen's case is actually part of the litany of Murdaugh cases. It's also not clear whether the case will be handled by the state grand jury or the Hampton county grand jury or both. Who knows what kind of charges we'll see come out of this investigation. Like Mandy said, while we were beyond happy last year to hear that SLED was taking over the case He's a case they should have taken over in 2015. Frankly, we're now beyond disappointed at the slow going on Tuesday, SLED spokesperson Rene Wonderlic told us that quote, SLED continues to make progress in the death investigation of Stephen Smith. The investigation is active and ongoing. We asked Sandy Smith if she believes that SLED and the AGs office have been prioritizing Stephens' case.

**Sandy Smith** 10:27

Well, honestly, it's being shoved to the side, again, my honest opinion, because they've really given me no hope. They have not shown me anything. And I know that they can't tell me a lot. But just telling me it's not a cold case is not what I want to hear. There's a bunch of cold cases



## EPISODE 61: Who Killed Stephen Smith? Part Six

out there. But I need to know that somebody is actually working his case. Give me the results. So the evidence that they had, you know, like, give me confidence that you did the right kit test. And you I met you tested all his DNA and said, We're close. And that's all you got to tell me is I'm close to getting answers for Stephen. That's all I want is answers for my son. He was my world. And that's all I want. I want justice for myself. And like any mother, any parent would want. It's not just me. There's a bunch of several cases out there that people act like they don't care because he was a 19 year old Poor boy, putting himself through college, you know, through grants, and but he worked for it, and he should have deserved he deserved to live that but they didn't allow him to whoever it may be, did not allow him to live his dreams. And that's what breaks my heart.

**Liz Farrell** 11:55

For too many years, the Smith family has been let down by the state of South Carolina because of that, and because through no fault of their own, they were unceremoniously dropped right in the middle of what has been unbelievable chaos brought on by whatever Alex Murdaugh may or may not have done on June 7 2021. They deserve better service from law enforcement. Now, it is the least those in power can do. I should mention that there are a lot of victims and grieving families in South Carolina who deserve better service from law enforcement. As journalists in this state. Mandy and I are both accustomed to hearing from people who have been flat out ignored or have had their cases botched by investigators who don't hesitate to take a bow for carrying a batch but can't be bothered to do a simple check in with families to say, hey, we can't go into details about the investigation. But I just want to

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## EPISODE 61: Who Killed Stephen Smith? Part Six

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touch base and let you know we're still working on your son's case. So as Sandy told us on Monday night, it's unfortunately looking like deja vu here. The hug Mandy heard in her voice in June 2021 has faded steadily as each week passes seemingly no closer to justice from 2013 to 2021. The fate of Stephen's case seemed to be completely controlled by politics. And it seems like that hasn't changed one bit, except the reasons those may be different, according to several sources close to the situation the answers as to who killed Stephen and who might have helped keep this case from getting solved for so long? And why are right there? The answers are so close. And we believe those answers reside with law enforcement right now. It says if the answers are on the tips of law enforcement tongue, meaning we have good reason to believe that law enforcement knows what happened. But something is holding them up on the road to an indictment, if that something is political, or about egos and people being territorial, if that something is because investigators are being met with a lack of cooperation, or worse, a lack of bravery and honesty from the long list of law enforcement officers named in Stephens original case file who in our humble opinion, all should have already been subpoenaed. And we hope that's the case, if that's something is because law enforcement is hesitant to go up against those who did not do their jobs in 2015, simply because they carry a badge. Well, all of that is unacceptable. We have faith that SLED can and will deliver answers in this case whether or not the Murdaughs were involved. And again, we just don't know what if any role they have in this beyond the more than 40 times a Murdaugh was mentioned in the investigation. We still believe that the killing of Stephen Smith is solvable and has been all along but right now it seems



## EPISODE 61: Who Killed Stephen Smith? Part Six

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like it's going to require a hero from the inside who is willing to fight even harder for what's right.

### **Mandy Matney** 14:56

So it has been a long time since we've done a full episode on Stephen Smith. It was actually December when we last took a deep dive into the case. Even though our previous episodes about this case were filled with information straight out of the case files, there is still a lot more that we need to talk about. Every time we look through these files, we find new information and many times old information hits differently because of other things we've learned since the time we last looked at our notes. There are so many strange coincidences and weird circumstances in this case that we think need to be accounted for. I'll give you a quick rundown and we can talk more about what all of this might mean. And what is next for Sandy and Mike. The first issue is one of the most talked about pieces of evidence, in this case, the rape kit. If authorities initially believed Stephens death was a hit and run Why did they decide to conduct a rape kit? It is bizarre highway patrolmen are in charge of the state's road safety, their specialty is giving out tickets and getting drunk drivers off the road and investigating car accidents. How often are these guys getting rape kits as a part of hit and run investigations in what does this mean about how investigators were seeing this case at the time who called for a rape kit. In the case files a chain of custody report starts with quote, Hampton corner quote, and that's literally what it says. The form lists the position not the name of the person who transferred the rape kit from MUSC to Todd Proctor of the Highway Patrol on July 22 2015. A full two weeks after Stephen Smith's death. As you all probably know, chain of custody reports are





## EPISODE 61: Who Killed Stephen Smith? Part Six

---

really critical and successfully prosecuting cases they exist to ensure the integrity of the evidence and they have to be filled out thoroughly and clearly and every transfer has to be accounted for or else the case is put at risk in the chain of custody. It says the transfer of this mysterious rape kit was made from Todd proctor to Il hydric. Now here's where it gets even more weird. The rape kit trail stops with lol hydric who is Laura Lynn hydric as sleuth online first pointed out, she apparently left the Highway Patrol not long after Stephens death and at some point ended up working at yemisi Police Department yemisi Police Department is run by Gregory Alexander you might remember him he was a close friend of Alex Murdaugh Alex paid him \$5,000 A few weeks after the murders. He was running for Hampton County Sheriff and he lost but you might remember this quote about a cat.

**Gregory Alexander** 18:03

And I ain't not cat. I don't try to cover no doo doo up. Nothing up.

**Mandy Matney** 18:09

Even weirder than that. In 2016 Laura Lynn Hydric was sued in Dorchester County by Midland Funding LLC, a credit company but don't worry, she had a defense attorney helping her Alex Murdaugh so Heidrick again Gregory Alexander's employee and Alex Murdaugh's client is where this mysterious rape kits journey ends on August 11 2015. According to the form, she moved the evidence from Highway Patrol troop six A to the Highway Patrol's central evidence facility. I want to pause here and tell you a little more about this form. Under the deposition of items part of it the from and the two part of the form there are 10 fields filled out nine of them in the same pen in



## EPISODE 61: Who Killed Stephen Smith? Part Six

handwriting, the only one that contains different handwriting using a different pen is the one in which Il hydric. acknowledges receiving the rape kit. So think about this for a second. Someone using the same pin and handwriting appears to have filled out nine other fields, including the two fields with the transfer dates, which are about three weeks apart. Does that mean that the same person who filled this out on July 22 2015 came back with the same pen and did it again on August 11 2015? Or does it mean that nine fields were filled out retroactively? Is that why it says Hampton coroner? Is that why the coroner's name isn't signed in the initial custody field. If this was filled out retroactively, why? And most importantly, where is the rape kit now? Why didn't SLED take it with them? Initially SLED was in charge of collecting evidence in the case SLED is the primary lab that is used to test rape kits in this state. Why would this be taken to the Highway Patrol storage facility by a woman who was later Alex Murdaugh's client and Gregory Alexander's employee. Previously, Sandy has told us several times that officials have told her that this rape kit was missing and there was virtually no follow up about it in the case file say that as well. I should also mention that in the autopsy report, it doesn't specifically state that a rape kit was done but it mentions the deputy coroner Kelly Green was given rectal, oral and penis swabs for each at the autopsy. Green was in charge of the evidence in the case. Remember that? And we'll be right back. As I've reported before, this is not the only piece of forensic evidence that appears to be missing. The medical examiner's report from Dr. Arun presents no notes that fingernail clippings, hair from Stephen's scalp and dry blood were gathered for law enforcement during the autopsy. But the existence of that evidence is not documented in the case file, at least not in the unredacted file we received in 2019. There are no Chain



## EPISODE 61: Who Killed Stephen Smith? Part Six

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of Custody forms for that forensic evidence and there are no lab reports indicating that this was ever tested. And another issue that I should take note of here. Like I said, it is strange that the Highway Patrol thought it was necessary to get a rape kit in a hit and run case. It's also very strange that soon after Stephen was killed, Highway Patrol went to Stephen's family and collected Stephen's electronics. Again, this was supposedly a hit and run from what we've been told that's what they were supposed to be investigating. This would not have been a standard part of an investigation like this one because Stephen's electronics were not with him at the time of his death other than his phone. Why gather Stephen's electronics? If we're looking at this case, through the lens of a potential cover up, this would be one way to erase anything that might be considered damning in one way or another to certain people.

### **Liz Farrell** 22:39

Another strange part of this is that according to the investigation file, Highway Patrol destroyed a piece of evidence in this case on December 29 2015. That was about one week after a then Hampton police officer went to investigators to recount his tale about how two kids were responsible for Stephen's death and that Stephen was killed by a sideview mirror a detail that appeared out of nowhere in the Hampton county Guardian about a month earlier. I want to stress that we have seen the death scene photos in this case, as Mandy mentioned earlier, obviously, we're not experts on vehicular injuries. But the idea that this side view mirror theory emerged as an explanation for Stephen's injuries is about as plausible as saying Stephen died as a result of a polar bear attack. I want everyone listening to think about the set of



## EPISODE 61: Who Killed Stephen Smith? Part Six

circumstances this would require to be true Sandy Run Road is a long, quiet country road cars can drive really fast on it particularly late at night. And any vehicle driving that night would have been visible for quite some distance. Think about how close Stephen would have had to have been standing to whatever vehicle they wanted us to think he was hit by and think about the physics of this, think about what that would have done to him physically how it would have knocked him over and where he would have landed, Stephen appeared to have been perfectly placed in the middle of the road. His arms and legs were bent in the same way they would have been had someone been carrying him by the arms and another person had been carrying him by his legs and then lowered him to the ground. Let's say this was the scenario: any path left by Stephens bleeding from a vehicle perhaps could have been covered up by his pulling blood. And like Mandy said earlier, maybe the plan if this was a cover up was for Stephen's body to be run over by a random vehicle to further taint the scene. So back to these two kids who supposedly killed Stephen and don't appear to ever have been questioned. As we reported in an earlier episode. One of them Sean Connolly, was facing three attempted murder charges in Hampton County at that time and was, according to the Public Index, a client of Cory Fleming. According to sources Sean Connolly was a friend of Paul Murdaugh. Coincidentally, Sean lived on Sandy Rock Road at some point after Stephen's death according to records, at any rate, the Hampton police officer said he was told this by his former stepfather Darryl Williams. According to the Highway Patrol report, Darryl Williams told the investigator that Randy Murdaugh told him to tell his story to law enforcement. As we reported in our last episode devoted to Stephen Smith, a private investigator hired by Sandy's former attorney

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## EPISODE 61: Who Killed Stephen Smith? Part Six

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Andy Savage told me last fall that Darryl Williams denies telling anyone that Randy Murdaugh made any such request. We'll have more to say about Randy in a second. It was eight days after this revelation to law enforcement in December 2015 that highway patrol decided to destroy the in car recordings of one of the responding patrol officers from the night Stephen was killed. Two things are so problematic here. The first is that no evidence should have been destroyed. In this case, none. Even if that was a recording of dead air, destroying it with theoretically only help the defense after a suspect is charged. No defense attorney is going to pass on the opportunity to suggest to a jury that this destroyed audio and video contains evidence that their client is innocent. That could be enough to sway one juror. The second problem is what was on that recording in car cameras not only record what's happening in front of the patrol vehicle, they record what the law enforcement officer is saying when they are within range. They can capture a lot of unintended conversations and comments, including phone calls that come in when the camera is engaged. The name of the Highway Patrol person who destroyed the evidence is of course illegible, but this is another area we have SLED is looking into.

### **Mandy Matney** 26:44

Recently, former Trooper Michael Duncan, a main investigator for the Highway Patrol interviewed with the Oxygen channel for a special episode called Alex Murdaugh death, deception and power. During that special Duncan said there was no chain of custody with Stephen's clothes. He also said that troopers who are eventually in charge of the investigation weren't given the opportunity to see Stephen's car in the place that investigators found it, which was on Bamburg highway



## EPISODE 61: Who Killed Stephen Smith? Part Six

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about three miles from where Stephen's body was found. The placement of Stephens' car has always bothered me for one in the entire investigation file. It doesn't say the exact address as to where Stephens car was found, just as officers found it three miles from Stephens body on Bamburgh highway. I have to point out that Bamburgh highway is the main drag that connects the town of Hampton to perhaps the most infamous location in this entire saga, the Moselle property. And again, to be fair, there aren't many roads in Hampton County, but it is striking when you look at the map. And that isn't all there are so many coincidences in this case, and every time we look at this file, we find more. For instance, remember the South Carolina Highway Patrol state trooper who Alex Murdaugh allegedly stole from his name is Thomas E. Moore. And oddly enough, he was also one of the first troopers on the scene of the Stephen Smith investigation. According to the case file, Moore was the first investigator to question Dr. Erin Presnell's decision to rule Stephen's death a hit and run. He is the one who wrote:

### **DAVID MOSES** 28:45

I asked her why she was ruling it as a motor vehicle accident and what she thought caused the head injury and she told me it was not her job to figure that out. It was mine.

### **Mandy Matney** 28:55

This was one of the most bizarre statements I've ever seen in a police report. It was like he was trying to hint at something like in between his words. What I read was him saying there is no evidence of a vehicular accident here. I'm not sure why we're really investigating this more, who



## EPISODE 61: Who Killed Stephen Smith? Part Six

was from Orangeburg provided an extremely detailed report of his investigation between July 8 And July 15 2015, before other troopers took over the case. And that's another thing that's confusing about this case file. It's really impossible to tell who is in charge of the investigation. The only thing that is consistent is that all of the troopers trained to study vehicular crimes found no evidence that Stephen was hit by a car, but six years after Moore investigated Stephen's death, he apparently hired Alex Murdaugh to represent him in a personal injury lawsuit. And according to indictments, Alex stole \$125,000 from his settlement through the Forge game. I point this out because it's weird, and I have no idea what to make of it. South Carolina is not that small. We have over 17,000 attorneys in more than 10,000 police officers. And yet it seems like the same few names repeat themselves over and over in this story and we still don't know why. Maybe this is a coincidence. Sure, but there have been so few coincidences so far. Something else we've noticed about this case. Several of the people initially involved in this investigation seem to quickly change careers. For instance, Kelly Green, the deputy coroner who was in charge of the evidence transfer was apparently fired after Stephens autopsy and 2015. According to the report, Todd Proctor, who clearly sniffed out something was wrong in the investigation no longer works for the Highway Patrol, Michael Duncan, who was a lead investigator at the Highway Patrol now works as an insurance claims adjuster, and Laura Lynn Hydric, the last person to be in control of the rape kit, the one that disappeared, apparently left the Highway Patrol soon after that case got started in 2015. And please, if we are saying your name in this podcast, and you know more about what went down, please reach out to us we would love to know.

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## EPISODE 61: Who Killed Stephen Smith? Part Six

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### Liz Farrell 31:43

Lastly, we need to talk about the Murdaugh's. Like we've said over and over for Sandy and Mike and for us. This is not quote unquote, about the Murdaugh's, meaning all of us want investigators to follow the truth wherever it leads. That said, the Murdaugh name is inextricably linked to this case, not only because of the rampant rumors, and there are dozens of appearances in the investigation, but because no matter who gets indicted in this case, Stephen's killing is not solved because of a dysfunctional law enforcement system in Hampton County. No matter how you slice it, the Murdaugh's have played a pivotal role in shaping how justice has been wrought in the 14th Circuit for more than 100 years. The system is what it is because of their influence, no matter how much they don't want that to be true right now. So Randy Murdaugh, like we said earlier, a highway patrolman Todd Proctor, to be exact had noted in the case file that Darryl Williams told him Randy had said to call law enforcement about the Shawn Connelly information. This isn't the only time Randy's alleged involvement in the case was noted. Randy Murdaugh was helping Stephens father with a worker's comp claim around the time of Stephens death. On the morning Stephen was killed before the Smith family knew officially that the body found in the road belong to Stephen, Randy called Joel Smith. Here's Sandy:

### Sandy Smith 33:09

They called him at work and told him that he needed to get to the sheriff's department. So he went and I was on the phone. And then he put me on hold. He's a hold on Randy Murdaugh's calling. So he took that call. And then when he got back and he said, Well, that was strange, random Murdaugh's wanted to take Stephen's case pro bono.





## EPISODE 61: Who Killed Stephen Smith? Part Six

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And he said yes. And then Randy says he never called. You know, Joe's not here to say, but me and Stephanie are because we heard a phone conversation. Yeah, and even as to the point of Randy wanting Stephen's electronics, but the thing is, this is my story. Why would you want his iPad that was at the house? The iPad was not even on his all they found was his key, his phone. And when he got into the car, they found his wallet with his ID in it. The iPad, how could it ping at 10pm at the school when it was at Jamali Road? You would have confiscated all that if it was in the car.

### **Mandy Matney** 34:22

An interview with investigators from the Highway Patrol Stephens twin sister Stephanie said she had witnessed the phone conversation between her father and Randy patrolman, Michael Duncan noted in his report that he asked whether anyone from the sheriff's department had contacted her.

### **Michael Duncan** 34:42

No lawyers have contacted you about anything have they?

### **Mandy Matney** 34:45

Stephanie told him about the call from Randy and said he was the second person to call her dad after the coroner.

### **Stephanie Smith** 34:53

And he said he wanted to take the case. And it would be free of charge and everything in mind. That's a little iffy on that. Because it's kind of



## EPISODE 61: Who Killed Stephen Smith? Part Six

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weird. No lawyer sits here and says it'll be free and you can have whatever money you want.

**Mandy Matney** 35:07

Then Duncan says:

**Michael Duncan** 35:11

I'm required to ask this. Nobody...has any law enforcement agency, including the Howard Kohler Department of Public Safety, has asked you to change any facts or make up any laws or say anything that's not true?

**Mandy Matney** 35:24

So we're obviously very skeptical about whether Duncan was actually required to ask those questions. He was either doubting the integrity of his fellow law enforcement officers are getting Stephanie on the record early to dispel any rumors that the fix was in after Duncan's appearance in that Oxygen special about Alex Murdaugh that aired last winter, and after his assertion that this case was, quote, shrouded in secrecy, it seems like he knew shenanigans were afoot. Again, we hope this is the kind of thing that SLED is drilling down on. What did Duncan suspect? What did he know what parts of that experience in July 2015? Did he not commit to paper? And if he did, indeed perceive that the case had been shrouded in secrecy? Where was that coming from? And how far up did all of this go inside the halls of the state's Department of Public Safety? We mentioned all of this to basically say that the Smith family did not ask for any part of this the cases connections to the Murdaugh family, however, unclear. Those may be along with this persistent lack of



## EPISODE 61: Who Killed Stephen Smith? Part Six

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communication from law enforcement and the fact that Stephens case remains pitifully unsolved. have put the Smith in the center of a superstorm that is inherently unfair to them. Let me say that, again, it is unfair. This is not how the people in power, how those law enforcement officers would want their families to be treated. If they were in the Smith position, they would not stand for it. I can promise you, when I say that the vast majority of us cannot imagine the amount of pain that the Smith family has been through in the last seven years. This state owes Sandy Smith and her children an apology in the reassurance that they will do better than that, as SLED and the Attorney General's Office tell the public they can be trusted to see this through no matter how ugly and embarrassing it gets for people in power. And we'll be right back. So what do we do with all of this? How do we get more momentum in order to get it solved? Are there any workarounds for getting answers? We asked a Smith family attorney Mike hem lip about the possibility of a civil lawsuit. In this case, the civil suit in the Mallory beach case was essentially the catalyst to Alex Murdaugh secrets that eventually were exposed. What power could Sandy have if she pursued things civilly? Could she subpoena people mentioned in the case file? Could she depose people? Who can they hold accountable for taking Stephen's life? As it turns out, there's not a whole lot that they can do right now, because of the simple fact that they don't know who did this. They don't know if the truth was intentionally covered up. They don't know if they're in this spot because of gross incompetence or corruption. There is no smoking gun right now, to file a civil case, they would need to know who is responsible or reasonably know who is responsible. I know that this is South Carolina, and that we don't do things like the rest of the world. But you still can't go around accusing



## EPISODE 61: Who Killed Stephen Smith? Part Six

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people of murder or covering up murder. No court in this state would let Sandy in the door with that kind of lawsuit not even right now. Here's Mike he can explain this better.

**Mike Hemlepp** 39:51

This entire Murdaugh saga has been in the public media, in large part because of financial means. discretion and the lawsuits that have resulted from that. There are anyone know how many lawsuits there are. And there are lawsuits about money stolen by Alex Murdaugh, there are lawsuits, multiple lawsuits about the crash that killed Mallory beach. And, of course, people want this case, to fit into that mold of being just like them. Because this case is not like this. There's no financial component. In this case. This is not an easy case. This is not a boating accident that was easily solved. This is a murder, a legitimate murder. And one of the most frustrating things for me, and I can't even begin to explain how frustrating this is for all of the Smith family, especially Sandy, is the listening to all these cases that have already been solved. And yet, we know nothing. We know nothing. We know, when his body was found. We know where it was found. We know the injuries that he suffered. We don't know who did it. We don't know why they did it. You don't officially know why they did it. We all kind of do. But we don't officially know that there are no answers. So the idea of having a having a lawsuit in this case, I think that the the botched investigation in 2015 - 2016 the the way that this was handled, falls into one of two categories, such gross incompetence that I have never seen a level of law enforcement or people intentionally obstructing justice, if we were to ever discover that that was intentional. Absolutely. I think this that families should seek a remedy for that. I absolutely think they

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## EPISODE 61: Who Killed Stephen Smith? Part Six

should. And the problem is, we don't know that yet. And the statute of limitations for that, if two years from when you knew or should have known? Well, how we don't know and how could we know? How could we know at this point? Because SLED hasn't, hasn't given us any answers yet. So at some point, I still have faith, that SLED will give us answers. I believe in I believe that the agent and the lead agent on the case and the agents who are working for that agent. I believe that he sincerely wants to find answers, and that he's working diligently if that if we ever find that. There were people in Hampton county who were hiding the truth and protecting somebody on this gruesome murder, all bets are off. They should the Smith family should go after everyone. It's gross. It's disgusting.

**Mandy Matney** 42:43

It is disgusting for every single person who has gone to bed all of these years knowing that they are choosing to make the Smith family suffer more because they are too cowardly to come forward. There are no more excuses. Fear is no longer an excuse. Now we are angry, and we hope SLED is angry too. We hope that they are grilling every single person named in this investigation until they get answers. We hope that one day Liz and I will look through SLEDs investigation file and not see sloppy errors and egregious mistakes. We hope to read that file and see bravery and decency for the people of South Carolina. We all owe the Smith family that we need people to come forward either to Crime Stoppers at the Low Country or by contacting us at the Murdaugh Murders podcast or Mike Hemlepp's office.



## EPISODE 61: Who Killed Stephen Smith? Part Six

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### **Mike Hemlepp** 43:56

We crave information. We're in an information vacuum, all the other cases that have arisen out of Hampton County, I mean, consider some of these financial cases, right? The victims knew that they had a case, they knew that one was being pursued. And then they knew that they didn't get the money. So then there was a paper trail after that, and what it wasn't go find the paper trail murderers don't have a paper trail. There's no paper trail murders. It's all by people talking. We're in it. We're in an information desert right now. And for whatever reason, the community in Hampton County, they talk to each other, but they won't talk on the record. And that's what needs to change. That's what needs to change. I firmly convinced that there are people right now in Hampton, who know exactly what happened, and they'll gossip and they'll talk about it and they'll spread rumors about it, but they won't get on the record and talk about it and it's time to say start living with courage and living with bravery and come forward and tell what they know. Call me call me to my office. I'll come down and meet you. We'll talk about it. People need to start having courage.

### **Mandy Matney** 44:55

Stephens case is so different from every other case in this entire mess because it requires a lot more courage. These secrets have been buried for too long. And yet Sandy has stood tall and taken the high road. She has supported other victims, including the sadder fields and recently attended Gloria's Gift celebration. A few weeks ago, CNN hosted a roundtable with several victims of the Murdaugh murders saga. Sandy sat for that interview, and looked around and realized that she was the only one without any answers. And that just breaks my heart.



## EPISODE 61: Who Killed Stephen Smith? Part Six

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### **Sandy Smith** 45:37

That was just like I told Mike, that day that we done CNN interview. I was the only one sitting at that table didn't have answers, the only one and that made me so mad. But I was there to talk about one fun, but I was the only one there who has no answers. But his case was not about money. To me, his case was about hate. And somebody hated him enough to kill him. And it's not fair. This story isn't much important as everybody else's story.

### **Mandy Matney** 46:11

What matters is what happens from this point forward. What matters is that we all do the right thing to get the Smith Family justice.

### **Mike Hemlepp** 46:24

What we need more than anything is for people to have courage and come forward. And they need to tell us what they know. You know, it'd be great if they called Crimestoppers and it would be crazy, but they call it sweat. If they're nervous about that, and call me and call me. I'll talk to him. I'm not call enforcement. I'm not a private investigator. I'll talk to him. Okay, I've been through what they need to do. And they can call Mandy they can call you, I mean, call Sandy just need to come forward, they need to come forward. They need to tell what they know. The lid has been lifted off of Hampton County and there was a level of corruption there that used to exist that is no longer going to exist but there is crust on the bottom of the pan that needs to be cleaned off. And it's it's that's going to be the hard work begins. Right? I mean, clearly the people who are not coming forward are not coming forward because they're scared for themselves. Be they're scared for somebody



## EPISODE 61: Who Killed Stephen Smith? Part Six

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else. There's no reason to be scared anymore. There's nothing to be scared about. Come on, come forward. Tell us what you know.

**Mandy Matney** 47:33

The Murdaugh Murders podcast is created by me, Mandy Matney and my fiance David Moses. Our executive editor is Liz Farrell.

**DAVID MOSES** 47:42

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PODCAST