



EPISODE 87: Buster Murdaugh Takes on Hollywood + Changes Needed In Domestic Abuse Investigations

Mandy Matney 00:07

Hello and Happy Tuesday. Last week Buster Murdaugh filed a lawsuit against some pretty big players in the documentary world, accusing them along with a Hampton county reporter of defaming him in their reporting on the Stephen Smith case, specifically Buster is going after three documentaries that he says strongly insinuate that he had a sexual relationship with Stephen and played a role in his death. There's so much to comment on with this case. I really could not wait to sit down with Liz and Eric and get their thoughts on it. In some ways, this lawsuit isn't at all surprising, especially because Team Murdaugh had been hinting at it for a long time. But in most ways, it is, at least to us, mainly because of what this case may end up doing for Stephen's case. Like Eric points out in today's episode, discovery is going to be relentless and thorough. In this case, it is absolutely possible that Buster Murdaugh could end up being the reason this case gets solved. And that is such an interesting thing to consider. Also, on today's show, we talk about the recent Supreme Court decision to uphold the firearms ban for those accused of domestic violence. It was a reassuring win for women. But as you know, and you will hear in this discussion, there is so much more that needs to change. Every positive ruling helps, but it seems like we keep coming back to the same conclusion. This system we have now was not made with women's best interests in mind. And that is because women did not build the system. Obviously, we believe a key component to fixing that is to force the issue on accountability at every turn, which we're going to keep doing. Premium members get an extended discussion about how law enforcement is trained to respond to domestic violence calls and why there is so often no good outcome for women if they decide to report the things happening to them. We also want to say a huge thank you to new Premium Members, Angela P.

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Holly B. And Samantha. All of y'all are amazing. Thank you. Now let's get into it. Cups up, guys.

Eric Bland 02:34

Cups up. It's been a while. It has been a while. Big Buster. That's the news, man. Big Buster.

Liz Farrell 02:42

Are we calling him that? Like, I don't think we need to give that guy a nickname.

Eric Bland 02:47

Buster's enough.

Liz Farrell 02:49

Buster's good.

Eric Bland 02:50

What's his full name, by the way?

Mandy Matney 02:51

Richard Alexander Jr.

Liz Farrell 02:54

Richard Alexander...

Eric Bland 02:55

Richard Alexander, Jr. Okay.



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Mandy Matney 02:58

Yeah, tell us the news.

Liz Farrell 02:59

So okay. Eric, why don't we start by talking about I want people to understand defamation like sort of the the ground rules of defamation before we start talking about the case, because I think especially Mandy and I've noticed since that Buster filed his lawsuit, some of the comments we've been getting show that maybe there's a lack of education about how journalists fit into defamation, what is considered defamation, and I think it certainly speaks to the like a Francis case with a cease and desist that her husband was sending out and sort of what we're seeing behind the scenes are some like really great misunderstandings, he and maybe some of his few supporters think it is and what it isn't. So let's just start with Buster and who he's suing first.

Eric Bland 03:46

So Buster has been trying to get lawyers for this lawsuit for probably the better part of a year and a half. I know that because I've talked to a couple of lawyers who his team has spoken to about bringing this lawsuit and he's bringing the lawsuit against the production companies, Netflix Blackfin, Warner Brothers and a couple others for defamation. And you can have it being directed defamation where I just say, Liz is a murderer, or I imply and infer that Liz is a murderer without using her name by saying this beautiful redhead who has this unbelievable wit dry wit with this historical knowledge of, you know, quotes everything, then everybody would know it's you. So we have defamation and he's not doing it based on libel. He hasn't sued any of the People magazine or anybody else that may have said what the



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production companies he also has. Now for the libel portion of it. He's done Michael DeWitt because Michael has both on podcasts and in some of his writings, has made inferences about Buster possibly being involved in the death of Stephen possibly.

Liz Farrell 05:02

That's going to be difficult for us, right? Because we say possibly because we know that there's no evidence that shows that he did this. So we're saying possibly but for defamation, it's not about possibly possibly is, like indicating that a police report said that this, you know what I mean? So, yeah, right.

Eric Bland 05:22

So everything really springs from the Highway Patrol report, where Buster's own friends named him in this report. And so we have the Murdaugh's in this 105 page report. We have Alex named, we have Buster named and we have Randy named. And they're named in a number of ways. Sandy Smith said she saw Randy and Alex at the accident scene the day after, a little bit after when she was on her way to when she was on her way to the funeral home. So they're there. And they've admitted they were there. But they, at least Randy does. But he said he was there as a result of her husband, who is deceased because he had represented him on a worker's comp case. And Randy says that he got a call from Sandy's ex husband, who said, you know, can you go look at the scene, Buster has been named because his friends have said that there was some association with Stephen not necessarily a sexual relationship. But look, I don't begrudge Buster for seeking to clear his name if he's accused of being a murderer. So we have this defamation claim. And we have Michael DeWitt.



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Liz Farrell 06:36

I don't think they're considering that libel, because I think he's talking about Michael DeWitt in the capacity that because Michael DeWitt was in basically, most of those, I think, if not all of those productions, that so he's naming HBO, Max, Netflix, and then I believe it was discovery ID. So there's three.

Eric Bland 06:54

They only named Michael to keep that in Hampton County. We're gonna get into interest, information, libel. And so there's defamation spoken word, there's libel, then there's false light privacy, where if you take somebody who has not injected themselves into the public limelight, and you portray them in a certain way that's false, like privacy, or if you use somebody in your commercial endeavors, and you make money off them, then there's another way of saying that you're taking my name likeness, and you're making money off it. But this is a pure defamation case, which is a high standard. Now, there's four types of defamation, per se, meaning I don't have to prove damages. If you accuse me of being a criminal of a crime, that's one, you attack my profession. That's another you accused me of being unchaste. That's another or I have a loathsome disease, a loathsome sexual disease. If you accuse me of one of those four things, the law says the damages are presumed and I get a recovery.

Liz Farrell 07:54

And what do you mean when you say that so you're saying like, you don't have to prove because some people are saying that like, what's bizarre gonna show for lack of salary like you didn't lose money from this?



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Eric Bland 08:05

Don't forget, Buster already...he puts his rep when you sue for defamation, you put your reputation at issue. So what was Buster's reputation, he had a problem at law school. He had supplied driver's license his own to his brother, allegedly that contributed to possibly the death of Mallory Beach, did he have a pristine reputation before he was possibly linked to Stephen Smith? That's all going to be an issue. Now one of the things you asked me was is Buster a public figure. Now if you're a public figure and a depth of making case, the standard of proving defamation is so much higher, you have to prove New York Times versus Sullivan actual mouse, you have to say that these production companies wanted with malice and aforethought me, meaning they directly and intentionally wanted to harm him. Not that he was part of the story. I don't think that Buster was a public figure. Can he be dragged into being a public figure against his will because he was a member of the Murdaugh family. That is possible, why he chose to do a documentary with Fox News. If Buster had never done anything. If he had just done nothing, but he chose to get in front of the camera. He his team negotiated that. And he answered two questions. I wasn't involved in Stephen Smith's death, sir, and I did not have a sexual relationship with him. But the most important question was not asked, which is do you have any information regarding the death of Stephen Smith? That's the question that we want to know.

Liz Farrell 09:47

This could be a per se case because he's being accused or the insinuation is that he murdered Stephen in these productions. So the second question we're talking about is damages per se, because it's per se. Say you don't have to prove damages, which means you don't have to



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prove a financial loss. Right? You can just say, you call me this. So I deserve some money. Essentially, I wanted to make that clear, because people were asking about Buster, I don't know what he does for a living. But I think the presumption some people have is that he's not working. And they were asking how is he going to be able to show damages from this? So Buster doesn't have to show that he has a financial loss. Right. Now let's talk about it, which says, are there other?

Eric Bland 10:27

So do they have a good this is a matter of public concern. Remember, the sled reopened this investigation in July of 2021. When the investigation is reopened, it's a matter of public concern. So these production companies have a doctrine called fair reporting privilege that they are reporting on something that is public. And they are merely saying, why are the Murdaugh's named all over the investigative file? This wasn't Sandy Smith, saying, Stephen told me about Buster, and Stephen, this is other people. You know, when you open a defamation case, and I talked about this, in my weekly recap, the defendants are the ones that will control the case, they get to take discovery, and its broad based discovery on everything having to do with Buster that would be relevant to his reputation. It's not only relevant evidence that you get to discover, but you get to discover any evidence that ultimately could be admissible. So you would ask well, what do you mean? Well, I'm going to take depositions of all Buster's friends, I'm gonna find out. Has he ever been along with Stephen has that be at parties together? What did you hear about?



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Liz Farrell 11:47

Let's clarify this, Eric, because I feel like you got sort of maligned for saying this. You said the same thing on Twitter, and you went on Vinnie Politan show and you were sort of attacked for having this opinion, which is that just like you said, Buster is going to be asked these questions. And I think the simplistic view or the simplistic retort that you got to that, was your making, like, could it possibly be that busters innocent? Like why are you insinuating that he might have something to hide? And those questions would be damaging for him to answer on the record. So just clarify your opinion on that, just to clarify your position, because you're not saying Oh, Buster has stuff to hide, everybody has stuff to hide. But you're saying that this is what's going to happen. It's going to be very invasive in his life. Is that right?

Eric Bland 12:35

Yeah, he can't control the discovery process limited to only the questions I want to answer. You have very financially well heeled defendants that welcomed this lawsuit in a way, because it's going to provide future content for future documentaries. And they're going to fight this tooth and nail. They're going to subpoena text messages between him and his father, emails between him and his father and his brother, Paul, for the mention of Stephen Smith, they're going to ask him directly in deposition. Have you ever kissed another man? Have you ever had intercourse with a man? All these questions are going to be asked. And he's going to have to answer them truthfully, he's going to have to think to himself, do they have any evidence that they got from third parties that are making them ask me these questions? And remember, what if somebody takes the fifth in these depositions because we know that sled has six or so people that have some



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information that they believe that could lead to what happened to Stephen on that note on July 7, 2015, but they can't force people to talk. But when you're subpoenaed for a deposition, you have to answer questions, or you take the fifth, and that could be problematic. And that's why I say, this thing could open up and become a Pandora's Box. They're going to take Alex Murdaugh's deposition. Believe me, this is going to be something that is going to go on for years, it's not going to be something that they can contain. I don't believe that they're going to get a protective order that any of the discovery that comes out in this case, is protected from the public. This is a matter of public concern. And as far as I'm concerned, we're the happiest people aside from Sandy Smith, because now Sandy gets to sit on the sidelines. They're even going to take our deposition. But Sandy gets to sit on the sidelines. And she's finally going to, I believe, get some answers about what happened to Stephen indirectly through Buster's lawsuit. He did her favor.

Liz Farrell 14:38

Mandy, do you think he's a public figure? Like what do you think the argument can be made there? Because Eric, you mentioned that documentary that he went on Fox, but that was after these documentaries were made. So I think an argument can be made that he went on those to clear the record on him, you know, so it was in response to these other publications. But before that he was just the son of an accused murderer, right.

Mandy Matney 14:58

Right. And that's hard. And I was also thinking about this when we talk about Buster's reputation, it's also we have to mention that he is the



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son of a murderer. And that obviously affects his reputation in a huge way. And not only was he the son of a murderer, but he stood behind his dad throughout that six week trial. He didn't publicly support him. But he did pretty much everything to show that he was in support.

Eric Bland 15:32

Well, he did in his documentary said, my dad didn't do it. Right?

Mandy Matney 15:35

And so how do you separate that from Stephen and what the documentaries did and insinuated? I don't know, it's hard.

Liz Farrell 15:46

I mean, to answer the question of do you know if your well known father is accused of killing your mother and your brother? Does that make you fair game? Just regardless of him? Let's just say not appearing in the investigation. No, so no, right? Like him sitting behind his father in trial does not make him a public figure just based on that, right? Correct. Okay. Now, let's add something that Mandy and I talk about a lot. How the Murdaughs use their last name. To me that's going to be critical, right? Like their Murdaugh's. And, Mandy, I mean, you've had sources say to you, I've had sources say to me, that of all the Murdaughs Buster was the most proud of it, and most uncertainty, Buster himself has pointed out that on our podcasts, of course, he's blaming Mandy for this joke, but I made a joke or made a comment. I don't even know if it was a joke about his cummerbund that he wore to a wedding soon after his. I think it was like when his father got arrested or somewhere in there, and it had the family like initials on it. Like it's not just a cover up at this event, it was that you are proudly displaying your family name at a time



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when maybe there's some shame that should have been there or some maybe you wouldn't necessarily expect somebody to be celebrating it. So maybe he hasn't always struck you as Yeah, he said, I'm a public figure. Now, not only does he admit he was a public figure, he did in a phone call with Alex, remember that? Right?

Eric Bland 17:11

Okay, let's just be honest, they have used their family name and prominence to their advantage when it was at their disposal. But at the same time, this, I believe, is a matter of public interest. And, reporters have a right to report on now they don't have a right to accuse him of murder, and they don't have a right to get at his sexuality with Stephen, if any, or his overall sexuality. Unless he puts that at issue. We should talk about Hampton County, you know, Sean Kent, deciding to fall out and him to county, I think it is a benefit not to Buster as much as it is the defendants because I think at this point 40 to 50% of the people in Hampton county are not pro Murdaugh. And I don't think it's a given that, you know, like it was 10 years ago that if you're a murderer, and you stand before a county jury, you get whatever you want. I do not believe it. Now. I think it's going to be tested in federal court first because naming Michael does it individually. Plus that diversity jurisdiction. Remember, citizens of one state have to be suing citizens of another state to be in federal court, or you have to have a federal question. Defamation is a state to work not a federal tort or federal crime. And so they named Michael DeWitt who's a South Carolina citizen and Busters a South Carolina citizen, and that's why they're in Hampton County. But I'm not sure if I could be in state court if I was bused, or I'd rather be. I would want to be in Hampton County. What are your thoughts?



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Mandy Matney 18:50

Well, it's Hampton County that started the rumor or the it's people from Hampton County are the reason why his name was on that police report so many times. And so it's really risky, I think for them to do it and Hampton, and especially with everything that's happened and like you said, I mean, they are a lot, many, many, many of them are over the Murdaughs and really, really sick of the Murdaughs. And I can't imagine them fate. I know they're few and far between who are still friends with Buster or Alex supporters or whatever. But I can't imagine a full jury being so pro-Buster. I think that that was a really weird move. And I also want to talk about Michael DeWitt being named. What's surprising for a lot of people, particularly and I also want to say this. We have been accused and malign for years of being the reason why Buster Murdaugh is associated with Stephen Smith, and we have been accused over and over online of being the people who started this entire thing. And we didn't. But while we did, what I did was counted the number of times that the Murdaugh name was in a police report and reported on that. We have never said that we believe that Buster is responsible or that we believe that Buster had something to do with it. In fact, I I said the celebs the other day, we were pretty careful also about saying, it was the Murdaugh name that came up more than anything, not necessarily Buster, meaning it could have been, they could have they said, the Murdaugh boys. So it could have been Paul.

Eric Bland 20:49

We've actually gone further and said, we have no evidence today that any Murdaugh had anything to do with Stephen's death.



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Mandy Matney 20:57

Right. But when I started talking to these documentary companies years ago, back in 2021, and they were trying to get the lowdown of everything. And a lot of them, not necessarily the ones that were named, but some of the ones who are named, wanted the Buster thing to happen. Like they really wanted the Buster thing to exist, and asked questions in a way that I got icky about because I was like, I don't really trust these people. And I feel like they are wanting something in us. This is not how journalism is supposed to work. I don't know how documentaries are supposed to work. But you are not supposed to come up with a conclusion and then have people fill in the blanks.

Mandy Matney 21:44

I want to talk more about that after a quick break.

Eric Bland 21:56

I felt the same way. Mandy, when I was last spring, when we were doing the exhumation and I was doing the interviews they were trying to goad me into naming Buster right or naming a murderer because they wanted that link they will. It's almost like they wanted the story to keep continuing. You know what I mean? The Murdaugh story.

Mandy Matney 22:19

Right! They did it. I showed it. I mean, I saw it for myself. Sandy did a few interviews at our house. And I just sat in and watched and I was grossed out I will say by some of the questions that she was being asked over and over and she did a really good job of saying, Look, I don't know if I was busted or not like, we're just happy that the investigation is continuing. And we are open to wherever it leads. But we're not saying



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that it's Buster, but what I learned is a lot of times they make the most interesting documentary to make the most salacious documentary, you have to have some people who are how do I say this?

Eric Bland 23:09

Make it legit. You got to have somebody like Mandy. Mandy, who is in the belly of the beast, giving a comment.

Liz Farrell 23:16

To make it legit, but not to make it a good enough and that's that's the thing that we knew from the beginning.

Mandy Matney 23:22

Right. I mean, I was getting calls from sources that were saying I sat for nine hours for this documentary. I don't even know what I said at the end because if they sit you down, they convince you to do it, they sit you down. And it's kind of like a police interview where you just end up talking and you don't even know what you're saying.

Liz Farrell 23:45

And they're not feeding you while you're there.

Mandy Matney 23:47

They're not feeding you. And also this is a first time situation for everybody that's involved. Like us, no one was seasoned in the documentary media circus. That was the Murdaughs. So I still, to this day, think one of the best decisions that I ever made was to back out from all of those documentaries. And the only interview that I did for



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years was 2020. And even that at times felt like they were trying; they had questions that were tricky.

Eric Bland 24:22

We did CNN with Randy Kaye.

Liz Farrell 24:25

Nice. Yeah. That was a good one. Actually. I don't remember feeling...

Mandy Matney 24:30

Yeah. I really liked the CNN one.

Liz Farrell 24:32

But speaking to what you're, you're talking about, like, I remember one of them that I was doing, and it might have been I think I've only done two other than the CNN one, but I think it might have done this in both, but I remember turning to the camera and being like hi, Jim, hi Dick, because I was imminently aware and they thought that the producers of the show whatever which I remember them saying to me like why are you so worried that they're going to subpoena this video and I was like, because they will. Like I'm not going to say anything. that, like you just go in, I was ultra careful because I knew like this anything I say that's not used in the show can be subpoenaed. Right? So I'm not going to say anything that could get me in trouble but uh, certainly not anything that they're going to edit to make it look a certain way but even then even going in and knowing that this is, you know, gotta be careful by our nine years. I mean you truly are so exhausted and a police interview is the perfect comparison because that you just you're like, I'll confess I did it sounds me.



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Mandy Matney 25:33

Let's just Yeah, and you don't. Right and until you're in that situation you don't understand it.

Eric Bland 25:40

Listen, I left. When we did the CBS one with the lady, she was really nice. She was pregnant at the time, right? I mean, it went on for six hours and they used one line and I'm like, you know, you forget what you're saying in a certain point.

Liz Farrell 25:55

Speaking of that, so that okay, so yes, they did use one line didn't care I the less of me in it, the better. But Mandy made a comment about how ...she was just like, I wish they used more Liz and less Michael DeWitt. And that comment got picked up and shared all over Twitter. And Michael DeWitt, who is a reporter for The Hampton Guardian, and just so people listening out there, the Hampton Guardian is the paper that did this story in 2015, in November 2015, about the Stephen Smith case in which the newspaper sort of allowed it to go as far as saying that it was a prominent family who was involved and no one is saying who it was. So they didn't outright say who it was who, you know, kids were saying it was at the time, but they got close. And Michael did not write that story. But he was the editor on it. And he did not write that story. He admitted to Mandy and me at Stephen's gravestone ceremony about how he didn't have the guts to write that story that he wished he had the guts to write that story he was afraid of the Murdaughs is basically right. And am I getting that right what he was sort of alluding to, right, yeah. So he spoke about that moment in time on Netflix. And that's what sort of got him in trouble. But he was in all the



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documentaries that seemed he was just popping up all over the place. And because he was from Hampton, and that was his coverage ground. He obviously comes to the table with more authority on the matter. Right. So Eric, while you say that Michael DeWitt was used as an anchor to keep this in Hampton County, I do think that the accusations Buster is making are legitimate ones.

Eric Bland 27:34

Or he could have made them against others too. Right? Not just against Michael.

Liz Farrell 27:37

No, because this is and this is where we get into the area of how journalists do it differently. Okay. He admits he admitted on Netflix that he found some truth to the rumors. So automatically, that's a little dodgy right?

Eric Bland 27:51

Like it's a little further down the road.

Liz Farrell 27:54

It gets a little further. In addition, he admits to the Murdaughs leaving a bad taste in his mouth. So now he's talking about having some sort of, isn't that opinion.

Eric Bland 28:04

Formed into an opinion? Yeah, we could have a bad taste in our mouth about some of the Murdaugh's don't we?



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Liz Farrell 28:11

100%, but we don't present. There's a difference. Yes, that's an opinion. Right. But what he's saying is in 2015, I had a bad taste in my mouth with the Murdaugh's. Now, we've been vocal about that all the time, because we don't claim to be unbiased about what she claims to be on by a non biased reporter. I mean, that's why I'm talking about the legitimacy issue. He was used by these documentaries, because it comes off as more legitimate. Mandy makes this comment saying I wish Liz was in this more. So she starts getting attacked online. But Michael does takes this victim role in like, Mandy's some, some sort of like a bully out there in Hollywood supervillain? Yeah, yeah, the super villain who's like bullying him. He's just a squirrel trying to get a nut and that Mandy's like somehow bullying him by expressing this pinion semi privately and it getting shared. But his name it turns out is in like all of these major issues like with Becky Hill as well. Michael DeWitt is named in her ethics complaint. It's named he has his actions with Becky are named in her ethics investigation, one of at least one of the counts I believe so because she allowed him to use the courtroom I guess for a book signing. But it's weird to me that this entire time. You know, we get all these like defamatory things said about us, frankly. And here we are. It's going right back to the original. The squirrel just trying to get a nut.

Mandy Matney 29:44

Yeah, and I mean, I said what I said on Discord, and which is our semi private chat. I realized that it's semi private, I realized that people can take pictures and at that time, we were having trolls, getting on our Discord and taking things out of context. So I realized that I didn't think I was in an actual private chat. And I stand by everything that I said,



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because it's it. All I said was, it's just really frustrating to see this man who all of us happened under his watch for all of these years in Hampton County. And he had access to the same police reports I did with the he could have had access to the same police reports I did with the Stephen Smith case, he could have had access to the glorious Satterfield settlement. And he could have written about that all of those years, there was all of these things that I'm sorry, but he failed as a journalist. And it's really frustrating that after it becomes popular in Hampton County, and after all of this happens, and after, basically, the world knows who Alex Murdaugh is, and the rest of the world decided that they hated Alex Murdaugh, that he decides to just ride that wave and be a part of that. And he scoots up to every single camera and in talks like he's been on top of this story for all long, but he without admitting like, I failed, I failed as a journalist for a really long time. And I didn't do what it should have done. And I am now taking advantage of the work that other people did, because to get to this point where we can talk about it. But at the same time I read his comments. And I can also see that he could have said things out of context. And they spliced it together because those documentaries are very tricky with stuff like that. And I don't know. I mean, I, I think that Michael DeWitt is a very, very interesting ad. But mostly I think that Hampton it's shocking that they think that Hampton is their home court still to this day.

Eric Bland 32:06

Imagine that Shawn can do the work ahead of him that is going to be thrust on him by nine different major defense firms. Remember, each defendant has an independent right to do their own discovery. Each witness is going to be questioned by nine different lawyers. Nine different lawyers are going to send out their own subpoenas, their own



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document requests, their own interrogatory, their own request to admit certain facts. Remember, circumstantial evidence, the burden of proof for Buster is preponderance of evidence, which is more likely than not just crossing the 50 yard line. And he proves defamation, but then they have as an affirmative defense, truth. And how do they prove the truth? I don't think they have to have somebody say I saw Buster, and Stephen, you know, in a compromising position, or I heard Buster, say, I was there when Stephen was killed. Circumstantial evidence can be shown by that, by the number of times they were together driving in a car, or, you know, Buster was on that road that Stephen was killed that night. It's all circumstantial. And I think you're 100%. Right, that Hampton county isn't going to be the friendliest venue that Sean Kent thinks it is.

Liz Farrell 33:36

I wonder, though, because I think it's one thing to say collectively, Hampton county is over the Murdaughs. But I do think that once you start boiling it down to, I mean, if we're gonna be on it, like there's generation, there's been rumors for generations that the Murdaughs had control of the jury there. Right. Right. If that is true, then there's some sort of dependency on Murdaugh. So I don't know that once you boil it down to 1218 people. Once you're in, once the spotlights on you, your tone is a little different, right? And we don't know how, or what that looks like. We don't know what these rumors of jury tampering actually look like when you break it down to like, interpersonal relationships and what have you. And at what juncture did this alleged thing happen that they were like the tampering allegedly happened? So even though I think, you know, Hampton County? Yes. Might be disgusted with the Murdaughs or what have you. I don't know what happens when you get down to the juries. And I don't know what that



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sort of dynamics still exists. So that does kind of, you know, interest me a little bit, but a couple of things. I want to talk about going back to the public figure. So for Buster to make it harder on Buster, these defendants are going to want to say that he's a public figure, correct. Right. So like we said, he said in a phone call with his dad, he acknowledged himself as a national figure.

Eric Bland 34:55

That's an admission that's called an admission by a party opponent, right? And the rules of evidence that can be used against him. Now he could try to explain it away. But it's in the ordinary meaning he's using those words as an educated man.

Liz Farrell 35:11

Right? I mean, he didn't go to law school, right? Additionally, I think, you know, we all got the picture that one Buster After Alex conviction, he put out a statement saying that he had nothing to do with this. And his heart is with the Smith family, etc. And sort of the idea was that he just wanted to be left alone. He wanted the public eye off of him, understandably so. So I've been sort of beaten up a little bit because I pointed out that he went to one of the biggest events in the Hilton Head, low country area, which is the heritage and he wore a visor instead of a baseball cap, like first thing I'm doing is covering the red hair, if I'm trying to like go unnoticed by the public, right? And he did not do that. And again, the cummerbund thing always stood out to me because, again, he's not, you know, he's not trying to stay on the down low, you know, is really what it looked like to me.



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Eric Bland 36:05

Why didn't Dick and Jim take this case?

Mandy Matney 36:08

I was just gonna ask that. Yeah.

Eric Bland 36:10

So why didn't they? Dick's, a civil lawyer. Dick is a very accomplished civil lawyer who has gotten, you know, a \$14 million verdict against in a video poker dispute. A against Fred Collins and Collins entertainment. He's, he's gotten a number of, you know, multi, multi, multi million dollar civil settlements. Why didn't they take this case?

Liz Farrell 36:33

Were they offered it? I guess that's the first question.

Eric Bland 36:36

I would have assumed, you know, they would have advised him of it. You know, we knew this was coming. Sara Azari talked about this for a lot of times, but even before podcasts that, you know, busters got this civil suit. And Jim, Jim Griffin had mentioned it, you know, why didn't they take it? They represented Paul, they represented Alex, you know, go down the list.

Mandy Matney 36:59

Right? Well, when you said that busters team was going around to lawyers, were Dick and Jim on that tee was this team.



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Eric Bland 37:09

Look, I don't know that. I just know that there were multiple people who were interested.

Mandy Matney 37:13

Yeah. And I also have a hard time picturing Buster doing this, like Buster just does not seem to be a guy on the offensive ever. Employee seems to be like, he lays low, he lives his life. I'm wondering if his uncle drove him to do this.

Eric Bland 37:34

It is a way of clearing the Murdaugh name in a good way. Because they've gotten in such a bad way, you know, with the stories about the grandfather's, his problems in the 50s with the bootlegging and all and then, you know, certainly Alex didn't do his family any favors. And Paul, to a lesser extent while he lived, you know, he was a pretty wild rodeo type of guy. So maybe this is a way of cleansing a little bit of the family name.

Liz Farrell 38:02

It is true, though. I mean, he doesn't seem like somebody who would be this motivated, I guess. And maybe we just can't put ourselves in his position. But he was always sold to us like he was the nicer brother and he was the brother that was like, not likely to have been involved in something like Stephen stuff, right? I mean, does that job. But I guess the question I have to is who how they selected their defendants because not to sound like one of our trolls, but they you know, I feel like they left somebody off and I feel like the person they left off is not really a person but the state highway patrol because it to me like I would and



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we've talked about this on the show. It always shocked me that the Highway Patrol released this investigation, because it's an open investigation. And that is usually a fight like we were able to get the Calverton investigation, it's still considered an open investigation, and Helton had the couple that went missing. But that was a fight for us to get that investigation, because it's still ongoing, technically. So I don't know why they just readily handed it out to me if I'm Buster, you know, you have invaded my privacy by doing that, because none of us would have known the Murdaugh name. We knew because Mandy had the case since 2019. So we knew that that was in there. And at some point, I think we would have been able to build a case to make that public before the Highway Patrol did. But I don't understand why they're not because that's the impetus for everything. That's you know, we can make an argument that Netflix, I think Netflix went too far in having a red headed actor with a baseball bat. I mean, that's a law that remembers watching those and thinking wow, like how the hell are they getting away with that? But yeah, right. But as far as like, where this started, it all goes back to this sort of on I want to say on authorized release, because it did no one any favors like it's obviously harmed Buster and some to some degree. But beyond that it's harmed the witnesses, the people who put themselves on the line by putting the Murdaugh name on the record, and it made it like we've said over and over, it's chilled the case.

Eric Bland 40:18

Would you participate in an investigation knowing that, you know, if you just did your lawful duty and answered questions that the investigative agencies are gonna release it and says Liz Farrell said this, this this. You're gonna say, I wonder if they left off?



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Liz Farrell 40:33

I don't understand why. Why not go after them as well established that this was wrong, because like all these, the defense is also going to be all we did was point out what was in the public record. What do you want us to do like this right there on the public record? It's out there.

Eric Bland 40:49

It's a matter of public concern. Murder, public murder, murder, with an investigation is a public concern. It's a public matter.

Liz Farrell 40:58

But you throw the Highway Patrol into it as a defendant. Then aren't you saying that this was wrong from the start?

Eric Bland 41:03

And they were the genesis of it, for sure. Right.

Liz Farrell 41:07

And like we're journalists, we knew that even though the name is in there, we were still careful. Like we're still attributing it to the the records not, we didn't extrapolate by having like a picture of a redhead guy with a bat in his hand. I don't know.

Eric Bland 41:23

Where did the bat come from?

Mandy Matney 41:24

That was just a rumor. Yeah.



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Eric Bland 41:26

Nobody concluded that. But nobody, nobody. No, nobody that did his autopsy, or the second autopsy said that there was a branded Louisville Slugger on his forehead. You know, I'm saying so where, where did that come from?

Liz Farrell 41:41

I think some of the people they interviewed indicated that they had been coming to a truck full of boys who had been coming back from a baseball game. So I think that might be where.

Mandy Matney 41:50

But the other thing is the Highway Patrol, a lot of the statements that were shocking in there were made by highway patrol agents. And I hope that this lawsuit forces them to actually explain what went down with that investigation. Because then a lot of those guys have been interviewed and several of these documentaries, and they kind of allude to pressure in the investigation. And they allude to all these different things, but they don't actually say what went down where the pressure came from. And I hope that, like you said, Eric, this could lead to a lot of answers. But I don't understand why the Highway Patrol would not be a defendant, and also the other besides Michael DeWitt as the outlier there, but the rest of them seem like pretty deep pocketed defendants as with the Highway Patrol.

Eric Bland 42:59

Highway Patrol is caps, there are some of the caps that you would have against a state agency. But it would seem that at a minimum, you hit a spot on Mandy, that they will take the depositions of those investigators



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and say, Okay, you put this as a conclusion or the in the report, where do you get this from? Why would you do?

Mandy Matney 43:19

Yeah, why did you say that?

Eric Bland 43:20

Why do you say that?

Liz Farrell 43:21

Yeah, no, I will say that I've seen depositions of law enforcement officers, and they're not always the most honest, I would say, even though they're under oath in the deposition. So I mean, I hate to I'm not trying to say that all law enforcement officers aren't but that isn't to say that I mean, I still see some protecting in South Carolina happening in those depositions in general.

Eric Bland 43:44

So I mean, do you guys agree with me that these media companies are gonna fight this tooth and nail?

Liz Farrell 43:48

Yeah, if not for sport? You know?

Eric Bland 43:51

I think so. Just gonna settle quickly and say, Here's, let's go pre meet pre suit mediation, you filed a lawsuit? We're not even going to answer, let's just go to mediation. So no way. This is their, this is what they stand for.



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Liz Farrell 44:06

Well, no, because I couldn't set a precedent in some way. Because like, you look at what we find entertaining and culture these days. I mean, Mandy and I were just talking about the documentary that we've both watched about Sherry Papini, the, the perfect wife where she went missing you these documentaries are an industry now like a legitimate industries. So I don't like it if they don't fight that car. Doesn't that sort of affect the future of that industry in some way or not? I mean, maybe for the better. I mean, maybe that's the outcome too. I don't know.

Mandy Matney 44:41

Well and the woman is suing Netflix also who was portrayed as Baby Reindeer. That's right. Who identified herself like nobody would have the public would have never have known that. That was her until she went on to Show and so that's another one going on. But Eric, I think you make a great point, which is, of course, they're gonna fight it because they can get content, they can double dip in a, they can use their. And I'm sure like you said I'm sure they have very, very powerful attorneys behind them. I'm sure they have great insurance. I'm sure they can really fight this, but also, of course, they're gonna fight it.

Eric Bland 45:27

Yeah, they have First Amendment attorneys that know the First Amendment and defamation law, inside and out. But I think sled is going to be a beneficiary of this lawsuit, because quite frankly, I have been a little bit dismayed that the progress has seemed to have absolutely stalled. In the investigation. There doesn't seem to be anything new. I do have, you know, periodic conversations with Chief Keel. And, you know, I'm not seeing the same enthusiasm that I saw last



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spring and summer. And so look, we, as Sandy's lawyer, I welcome this. And I think SLED is going to have their ear to the ground to this litigation to see what may bear fruit. Remember, they can't haul people in unless they give them immunity and put them in front of a grand jury. Otherwise, somebody's gonna say, I have no duty to speak. But can you imagine all the text messages and emails and the depositions that are going to take place? They're going to depose the people who were named in that report, who gave Busters name and say, how? Why would you name Buster? Where did it come from?

Mandy Matney 46:37

It so sad, though, they say that like, like...

Liz Farrell 46:40

You need a civil case and like the pursuit of money in order to get answers.

Mandy Matney 46:44

Yeah, you need a civil case, and you need tons of money. And you need tons of attorneys in order to get the answers versus just having, like sledge should have the power to get all those answers lead should have the power.

Eric Bland 46:57

Well, we have a constitutional right against incrimination. That's for sure. But Joey, you're right, you're right. In the civil world people always say, oh, civil suits there. It's a money grab, it's a money grab. But it does, it does give answers because of the broad base discovery that is available. The broad base discovery and you guys, we've suffered the



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fatigue of interviews. Can you imagine somebody who's deposed for three days by nine different sets of lawyers, you wouldn't even know your name after three days after answering those kinds of questions.

Liz Farrell 47:30

And you have to answer them. I mean, the other thing is like your lawyer can register. Yeah, or take the fifth or take the fifth. But yeah, I think it's I mean, I think it's gonna shake some things loose, which is good. And for that, I think Buster has done a kindness. Maybe unintentionally, maybe intentionally. Maybe he's just so sick of it, you know, coming back to him that he's like, Well, why don't we just yeah, let's see who did it. Let's find out. And we'll be right back.

Eric Bland 48:07

We were talking about before you got on the Supreme Court decision, the eighth one last week about the Second Amendment on upholding the right of the federal government to restrict those that are accused of domestic violence from, you know, obtaining a gun immediately, like normal citizens can. What are your thoughts on that? And especially Clarence Thomas being the lone dissent? It's a, you know, perfectly reasonable decision, but I didn't expect that.

Liz Farrell 48:39

Just to clarify, this is so they can't obtain firearms. But does that mean that they have to not use firearms? Like, can they give them up? Does that also covered? So like if you're accused, okay, so one thing I want to mention, in the 14th circuit, which was the Murdaugh's circuit that's now run by Duffy Stone, who's basically the district attorney for this area, one of their bragging points was always that they had taken



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domestic violence, and I believe that Duffy even would joke or maybe he was serious, want people to call it Duffy's law, because it was like, it was the only circuit in the state that was doing this, but basically, a man or a woman, but let's just go with man was accused of domestic violence. Ordinarily, unless we're talking about something of a high and aggravated nature, this would go through the same courts where you fight for your speeding tickets. So through magistrate court, what he did is he brought it up to circuit court. So by all appearances, it looks like wow, the 14th circuit is really taking this seriously. They understand the importance of domestic violence and the thing that people advocate behind the scenes will tell you is that this law was garbage. It did nothing because all it did was visually look like he was doing something about domestic violence but Ultimately what would happen is it would it would get remanded to a lower court that said, most domestic violence cases in the 14th circuit get translated into or pleaded down to assault and battery cases, which is a misdemeanor, and you don't have to give up your firearm. What I'm trying to say here is that the firearm is a huge motivating factor in getting a man to plead guilty to assault and battery instead of taking his chances with domestic violence, right? Because he wants the ability to keep his gun, he wants the ability to apply for a gun, buy a gun, what have you. So he's willing to say yes to assault and battery. And I believe and I don't want to speak out of turn here. But I believe that the 14th circuit has sort of fooled itself into believing that because these men who are arrested and charged with domestic violence, are pleading guilty in that case, but to a different charge, that somehow they are doing something for it.

Eric Bland 50:59

Using as a conviction rate.

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Liz Farrell 51:03

I'm doing some reading. The factor is the firearm, why are we not? Like focused on that part? You know, what I'm saying is that the motivating factor to maybe not commit domestic violence, or to get them to be held accountable for domestic violence is the firearm to me, we should be acting in the opposite direction. If the firearm is a motivator, then that's all the more reason why you should stick to the domestic violence charge, stick to it and fight it through, because that's the most dangerous part of it. These guys have guns?

Mandy Matney 51:33

Absolutely. And we have talked about this before, Liz, how guns could be an equalizer between men and women, too, for both men and women to protect themselves. And it's not because women have been shamed into saying things like, don't own guns and be. There's actual statistics. This is from The Guardian statistics cited by the ACLU and the Women's March suggesting a wider gender gap and sentencing. The average prison sentence for men who killed their female partners is two to six years. By contrast, women who killed their partners are sentenced to an average of 15 years. So God Almighty, you Yeah. So I mean, like, the courts are against us as well, like we, it's all of this. And then the episode last week of Laura Richards, we really talked about this huge gender gap in the sense that most of the laws are created by men for men and women are just...

Eric Bland 52:46

And if you defend yourself, you're going to be at risk.



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Mandy Matney 52:51

And if you defend yourself with a gun, then you are more at risk than if a man defends himself with a gun. And that's just baffling and not baffling. It shouldn't even surprise me at all. But it's just a statistic I read to myself all the time. And I'm like, God, there's just, it's just...

Liz Farrell 53:12

More value is put on the life of a man than a woman just across the board. And so like you said, the laws are made by men for men. And that is why it's even more important that we talk about things like coercive control and changing the domestic violence laws in each state so that they hold I mean, pleading it down to assault and battery misdemeanor, you can already see in the mica Francis case where JP Miller has explained away his conviction for assault and battery and high and aggravated nature where he was accused, he pleaded guilty to hitting a woman with his truck where to the point where she was riding on the hood of it and he like, stopped and she fell off of it. So he pleaded guilty to that charge and during his probation, or he was trying to get his rights restored during his pardon hearing rather, he just minimized it completely. And he could because you know, it wasn't attempted murder was assault and battery. It hired me to do graffiti nature.

Eric Bland 54:10

So yeah, with a car. Yeah.

Liz Farrell 54:13

It sounds like you got into a tiff at a bar, like no, you beat the crap out of your wife and you put it down because you wanted to keep your guy



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maybe for next time because you know that there's no actual circumstance to what you're doing and she can't fight back. It's not an equal. Like you said, maybe these guns are supposed to be an equalizer. How are they an equalizer if two people can use a gun for the same purpose, and one is getting sentenced to barely anything and the other one is having a life changing sentence in part imposed on them. So what do you do about it?

Eric Bland 54:44

Didn't Governor McMaster do something a couple years ago that was a positive for domestic violence where he said that if there was an investigating officer, the officer had to write an incident report and open a file on it. He couldn't not do it if the abused spouse said, No, I don't want to press charges. Wasn't there something that I thought Governor McMaster was positive about, and I'm not sure if or he said, we're going to have a court for domestic abuse or something?

Liz Farrell 55:18

I remember something that was that, I think it's that you can prosecute a domestic violence case without the cooperation of the victim, basically, because that that's what it all comes down to, it's where all the blame gets pulled from both directions, but the blame gets put on the victim for not wanting to prosecute or for the prosecutors will think they're doing a noble thing by saying we didn't wanna put the victim through that. So ultimately, that is important. But another thing is that I don't know how this goes in most counties, but if an responding officer shows up to the scene and can't determine if both parties have accusations of physical violence against the other, they'll arrest both of them. So a woman might be defending herself by hitting the guy back.



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But if he's telling the officer that, you know, she gave me the scratch on my face, she gave me this mark on my body, she's going into and, you know, just to make it easier for them, not for the victim.

Mandy Matney 56:18

And I want to talk about this. So it bars people who are the subject of domestic violence restraining orders from opening from owning weapons. But that still means the court hat and what is a domestic violence restraining order technically, like?

Eric Bland 56:35

Well, what happens is, if there is an ongoing case, there's always a restraining order that says you two can't be in the same, you know, 50 yards apart, you can't make direct or indirect contact with the victim or the complaining party. That's what a restraining order is. And it's good. I mean, it has to be approved by the court. Right? Correct. Right, you want to keep the people apart. And what happens is the husband, if he's the abuser will try to get to the wife and say, I'm sorry, you know, we have kids, we have a history, you know, we make it up to you. And then the woman, like you said, doesn't have a bank account, doesn't have credit, doesn't have a means to escape like you do, or, or my wife does.

Mandy Matney 57:24

It's sad. Yeah, it's horrible. I mean, I, we have been talking about domestic violence for a lot, covering the Michael Miller case. But the other thing is that our country has kind of an ancient way of defining domestic violence, which is just condoning.



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Eric Bland 57:45

In a way, in a very slight way condoning .

Liz Farrell 57:50

And can you say? It used to be allowed, guys.

Mandy Matney 57:53

So right, it was allowed for a very long time.

Liz Farrell 57:57

It's just an expected part of a relationship. Right.

Mandy Matney 58:00

Right. And our laws have not caught up at all with reality. And I am saying this because it's it's it is a good it's a step in the right direction that the Supreme Court acknowledged that these abusers should not have guns. However, I worry about the women like Mica out there who don't have, they didn't have marks on their face. And they went to the police over and over and said, I'm really worried about my husband, I'm trying to leave him and the police did nothing. And just because they don't fit within that, just because you weren't smacked in the face. But there should be other forms of domestic abuse that don't just include violence within our laws. And Canada is actually working on that the UK has coercive control laws. Massachusetts just passed coercive control laws. But that has been something extremely eye opening. And also, we know through Laura Richards, just how dangerous the situation of coercive control is, when a woman like Mica is going to the police over and over again and saying he's stalking me. He's harassing me, he won't leave me alone and the police do nothing. According to Laura's



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research, it's 76% of women in those relationships in coercive control relationships that are trying to leave 76% of them are murdered.

Liz Farrell 59:33

That's not good at all.

Mandy Matney 59:36

Just imagine a statistic like that with a man involving a man like if there was a the entire system would change to protect. That is a statistic that we are just ignoring. It's a sign and we're ignoring all of these signs.

Eric Bland 59:51

The police should see that statistics did say three out of four women that come to make a report are going to end up murder we got to do so.

Mandy Matney 1:00:01

Something earlier on, right?

Liz Farrell 1:00:02

It's so funny guys, do you even know that in South Carolina, law enforcement officers have to take domestic violence, I think it's every year that they're required to take this course. Right. And it's like a one of those courses like, like a TED talk, like almost like it's like, it's a video that they will press play on. And what they do and you know, almost universally, it's not like they sit down in front of their computer and press play. And they're like, with rapt attention, like, Okay, well, I'm learning so much about how to do better here. They're doing other things while that thing's playing, and that video has prompts to make



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sure that you're still watching. So they can't go far from their computer, you know, they can't like to hang out or something.

Eric Bland 1:00:49

We have those in CLAS, too. Yeah, you have to, you have to give the numbers.

Liz Farrell 1:00:54

Show that you're still watching. But it's not. And then like, I hate to say too, but like, I've seen, like, pieces of these videos before. And they're terrible. Like, they're just not it's like, so rote and so bored. And like, it's all just to check a box and say, we did this, just like the law was telling you about, like the I'm sorry, the procedure on the 14th circuit to move domestic violence cases to a higher court and not treat them like their traffic tickets, you know, it's really just checking a box. So ultimately, what it's always going to come down to, is valuing women as human beings, because it's the woman's women's vert, like the woman's version of what she's saying, already doesn't hold enough weight with responding officers. And that's the problem. It's trying to equalize something that isn't equal. So trying to say that, like JP Miller taking Micah's car, there's no I can't do anything about and we've talked about this before, right? It's this sort of idea that they just want to be able to get done with the case, because that's a civil matter. You guys can decide on that later in civil court, not taking that extra step to see who is the car actually titled to the man told me, JP told me it was titled it's marital property. So it's marital property, I didn't check and see that actually, it's in her name, and she should be able to drive it. So I don't know, it's just that kind of a until, until we I think the only solution is for us to keep talking about these things to ignite and anger in women,



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where they start to run for more seats in office, because the only thing that that if that's the only thing that's going to work is having more women making laws.

Eric Bland 1:02:33

I had a case last year where I was giving advice to a woman who was going through some marital difficulties. And in passing, she said, you know, her husband towers over her when they're arguing and gets close to the face. And then he punched the wall and put a hole in the wall. And I said, Well, did you report that that's domestic abuse? And she said, Well, he didn't hit me, I think we have to have a better understanding of what domestic abuse is. It's not just like you said, Mandy, getting the black guy. Domestic abuse is somebody punching a hole in the wall while you're standing there, last year.

Mandy Matney 1:03:17

Cops will laugh at her.

Eric Bland 1:03:19

If your husband's a professional, and you report that it affects his license. If that person, you know, is a doctor or a lawyer. So the concern for the wife is do I do this? Do I escalate? do I hurt his living, which ultimately hurt my financial ability and my children's financial ability, all these things come.

Liz Farrell 1:03:44

That police are going to be responsive in that prosecutors are going to be responsive, it's hard for a woman to make that decision to report something like that, because of what you just said. And it's not just



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doctors and lawyers, it's a lot of jobs, if your name shows up, and if your husband's mugshot or boyfriends. A mugshot is showing up, you know, on the public database and gets shared around his work, you've now heard his livelihood, there's got to be a better way and a better path. Or if there's no incentive to tell the police who shot somebody at a party, if you know, ultimately, the only thing that's going to come out of that is that you're going to have people now after your head, because that guy's not going to get prosecuted, because for whatever the reason, you know, we're constantly having to go out on the limb just to get treated like human beings and to be valued by the law in in the justice system and in any way, and that's just exhausting. And like I said, it's just it's not I mean, the only thing we can do is keep talking about it and enforce accountability on a case by case basis at this point.

Mandy Matney 1:04:46

Yeah, and I think the other really good thing about talking about it and really highlighting Micah's case and on our show. Well, first of all, I talked to Laura Richards about this last week. But it's also important that women are telling stories as well and that women are in charge of the media in a way that they weren't before. Because, Liz, think about when we were at the packet, what would our editors have said if we spent this much time on Mica Miller a story that was labeled as a suicide?

Liz Farrell 1:05:22

Yeah, find another story. Um, so you know, to quote somebody, I'm sick of the Mica Miller story. That's what they would say, Yeah, I'm sick of the boat story.



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Mandy Matney 1:05:31

Same boring, right. And women find it's so much different when we have the power to tell our own stories and we have the power to be like, we see how important it is because we see that a relationship like Micah's is not that uncommon, unfortunately. And that every time you tell a story like Mica's, I see this on Twitter almost every day, there's a woman that said I, I was in something like this, and I'm just so happy I got out, and now I want to help other women get out. And they are getting braver and telling their stories. So like you said, Liz, I think women in charge of laws are going to be huge. I think more women as judges could see the paperwork that Mica submitted for a restraining order and say, Oh, my God, this woman really needs to be like this, this is a very dangerous situation. And we need to give her a restraining order. And we've also talked about this before, like, Can cops do more? When it comes to restraining orders? Can they swing by your house every once in a while and make sure you're okay? Can it be beyond just a piece of paper saying Get away from me? Because we also know how dangerous it is for women once they get a restraining order. Their likelihood of getting murdered is even higher.

Liz Farrell 1:06:54

If they can just so people out there know.

Eric Bland 1:06:57

You think Sean...Sean Puffy Combs ever envisioned that the world would turn on him like this, then his girlfriend came forward within 24 hours after she sued, they paid off. And now all these women are really coming forward and telling the true story of what it's like to live in that rapper's lifestyle. I mean, look, I'm a huge Eminem fan. But he has lyrics



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that say, you know, I batter women like I batter a cake. I mean, come on it. There's got to be some ownership here on what is being trafficked to the world by the entertainment industry. You see, Brad Pitt? You see the way Brad Pitt, you know, spoke to his children and Angelina Jolie on the plane to the point that they're changing their last name. They're all they're all Jolie's.

Liz Farrell 1:07:49

And nothing really liberating about that, by the way.

Eric Bland 1:07:52

Is this is real, domestic violence is so prevalent. It's so prevalent, and it's not just beating in the eye. That's what people have to get to understand. It's, it's psychological trauma again, I'd rather you punch me in the face than psychologically get inside my head and ruin me. Every night I sleep. Right.

Mandy Matney 1:08:12

In Micah Francis's case, her lawyer laid out all of the accusations against her husband that she made in either her own writing or in police reports. excetera. And it is, it's so much worse than getting punched. He isolated her and made it impossible for her to feel empowered in any way, shape, or form. Allegedly, he allegedly was drugging her. So physically, she couldn't fight back. And he was convinced that she was crazy. And he convinced people around her that she was crazy when it's really there's a lot more evidence that he was the crazy one. It's absolutely horrible. But until our laws recognize that, and until our laws that like you said value women value women more than property, I mean, gosh, the amount of police reports that we have seen in our



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career that please get all bent out of shape about like a TV being stolen, they started a whole investigation and they they go to great lengths. Every time Mica called the police, it seemed like she just was told oh you know.

Liz Farrell 1:09:28

You know, one thing I myself do is that and will not solve it. Because this is b It's going to take a lot from all angles. But one thing would be for the power differential to be recognized from the very start. So whether a judge or a prosecutor or law enforcement officer can suss out immediately who has the power in this situation, whether that's the husband who earns the most money or all the money, or it's a man who is of the cloth who's a pastor, if they can recognize that power differential and put it in writing in fact, and understand it through the out lens. Because I think what happens subconsciously, when you have somebody like who, by all appearances in front of you seems to be the quote unquote sane one who has a reputable job and a reputable field, you're automatically and they're speaking to you or they're articulate, they're speaking to you in full sentences. They don't seem to be addled in any way. I think that's where we give that person automatically without even thinking, I'm going to give this person the benefit that out, we do it subconsciously. It's why people get like, it's when we look at problems with the police. It's the subconscious that directs a lot of this behavior. So why not put it in writing so that you're acknowledging it? Once you've acknowledged it in writing that there's a power differential here? I think, then you become more aware of it, as you're assessing the situation as you're asking questions, as you're maybe to a maybe even makes you more of a compassionate person toward the victim, the person who the guy hit than you would have been ordinarily,



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so maybe that maybe they should take my advice and add that to their dumb little videos that they watched, just to check a box. Like, if you write down immediately who has the power in the situation, then you will investigate it very differently. My opinion, good points and do any research. Yeah, it's just a thought.

Mandy Matney 1:11:14

I absolutely agree. And I think that there, like you said, a lot of this is subconscious bias that we are dealing with, at the very basic level. So it's, a lot of times it's just straight up men not believing women and men thinking that women are liars that are out to get them and I I know that that sounds like I am anti man, man hater, person. But I've seen this in police reports just so many freaking times that it just makes, it makes me so angry, like, and not only police reports, but I read a lot of transcripts in the courtroom where it just seems like the judge a lot of times when the judge is male, and there's a woman he has some sort of unconscious bias against her.

Eric Bland 1:12:06

And and that's because the unconscious bias, Mandy, that the judge may think it's a family court matter as opposed to a criminal matter or civil matter. You think possibly like, Y'all need to deal with this in family court.

Mandy Matney 1:12:20

I think that as in society as a whole, we have been subconsciously programmed to dislike women in a way that we are not aware of until you strip everything back. And we're doing it like I am doing a lot of unlearning myself and saying, Oh, is that just the patriarchy telling me



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that I was bad at that or was actually bad at that? Um, I think that like, if you look at most movies, especially in the era that I grew up in the early 2000s, and the amount that they sexualized and objectified women and made these female characters out to be vindictive, and I always heard like growing up, you can't trust a woman like women are. Girls are mean not like men, and just all a lot of things make them unlikable.

Eric Bland 1:13:16

In Hollywood, leading if you're an excellent female surgeon, or you're an excellent female lawyer, you're an excellent female CEO or an excellent female and mogul, entertainment mogul. They make them fundamentally unlikable.

Liz Farrell 1:13:40

With bad qualities, it always comes down to the judge who feels that a woman's voice is a nagging voice. So it's like from the Yeah, it's like you're just you're just trying to like, like, sir, I'm just trying to tell you the weather, like calm down, like you're just trying to tell a fact and they're there. They act like you're on the, you know, the offensive. So I think that that going back to that like subconscious, the subconscious feelings, I think that that can happen where a woman, for instance, says something to me, and I don't know if I've ever mentioned it on the show before but when Britney Spears first had her first appearance in court to explain to a judge why she should no longer be in a conservatorship. Everyone noted how speedy her voice was. She sounded like she was you know, some people said she sounded like she was coked up or what have you because she's talking fast. Right? Now she is just trying to get everything out. And I think when you are put on the hot seat and you're accusing your spouse, the person who maybe earns the more of



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the money in the family, or who has been making these sorts of horrible threats to you about what your life is going to look like if you try to leave him now you are being asked by this person with so much authority in a robe a question, you're going to most likely be nervous and how you answer it because the person you're accusing is in the room. You've got to get it right, you cannot slip, you cannot say one thing wrong because it's going to be used against you or twisted and that energy annoys perhaps a male judge. I mean, I think even the ones that are proud probably the most patients still get annoyed with it. And that's where it's just exposure therapy. That's the only thing that's going to change that is exposure therapy men having to expose themselves and hopefully moms and dads out there raising boys will What's that mean? Mandy, that's like, millennial women were taught that they could be anything, do anything, what have you, but but millennial men forgot to teach them to tolerate us, you know, to, to accept it, to operate in a world where women have more power to do it. And they're so I think this transition period that hopefully we're in where we come out on the other side with better laws and more women more power. Right now. It's just laughable. And it can be boiled down to the simple Jo Koy making a joke about the Barbie movie. In comparison to Oppenheimer, you know, this, this movie was made based on a Pulitzer Prize winning book and a Nobel Prize winner, you know, whatever. And this one was made about a doll with boobies. And it's like, you missed the whole point of the movie, dude. Like, it was so cyclical. So I think until we have more, more messages like that, and people are calling out that kind of behavior over and over again, it's, you know, it's not going to change so if that that'll bring about the change, we have to nag more is what I'm saying, Eric, we're gonna have to now get all of you guys more.



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Mandy Matney 1:16:33

But on that note, I think we need to wrap this one up.

Eric Bland 1:16:38

We covered a lot of territory today guys. Cups down.

Mandy Matney 1:16:40

Good job. Cups down.

Liz Farrell 1:16:41

Cups down guys. That was great.

Mandy Matney 1:16:52

Cup of Justice is a Luna Shark production created by me, Mandy Matney and co-hosted by journalist Liz Farrell and attorney Eric Bland. Learn more about our mission and membership at lunasharkmedia.com. Interruptions provided by Luna and Joe Pesky.