

Hearsay regarding Brian Schiff “Grampa” “Grandfather”

(Brian Schiff did not testify)

Testimony from [Child 1]

[TT p.33 line 5—[Child 1] describes telling her grandpa about abuse, is questioned about whether she told her mom.]

11 And he told you that *you needed to tell your mom?*

13 A. Yes.

14 Q. Did you do that?

15 A. No, not until *he told my mom.*

TT p. 35

13 Q. At some point, though, did you tell your mom?

14 A. After *my grandfather told her, he didn't say the*

15 *name*, I told her.

TT p. 37

Testimony from [Child 2]

[[Child 2] was asked if [Child 1] had disclosed to an adult about abuse]

21 Q. Eventually, though, who did [Child 1] tell?

22 A. My grandfather.

TT p.113

8 A. We were on our way, like going to the bus stop.

9 And my grandfather had called my mom. *He had told her*

10 *that something had happened to us and that we needed*

11 *tell her, she needed to ask us about it.*

TT p.114

[TA asked by Reddick about timeline of allegations]

15 Q. Was it just really not too long after he visited

16 to work on the room that you wound up telling --

[Child 1]

17 wound up telling your granddad and you eventually

18 moved

18 out?

19 A. Yeah.

TT p. 126

Testimony from Jennifer Astle

[Jennifer Astle explained that Brian Schiff had been calling [Child 1] and [Child 2] for three days. She did not report being a party to these conversations and was asked by Reddick about their content.]

5 [A.]He had called every

6 morning for about three days.

7 Q. Encouraging you to talk to your daughters?

8 A. *Encouraging my daughters to come to me.*

TT p. 219

[[Child 1] and [Child 2] did not testify to these calls occurring.]

[Jennifer Astle developed more of the timeline regarding Brian Schiff's calls with [Child 1] and [Child 2]]

3 They were scared to tell me. And he was trying

4 to give them an opportunity to tell me because [Child 1]

5 had told him what happened.

6 After about three days of trying to get them to

7 tell me and they didn't, he finally called and said, *I*

8 *have to tell you.*

TT p. 220

Closing Statement References to Hearsay Testimony

Attorney General Roger Moore

First Summation

22 And remember, these days, the calls, *[Child 1], have you*

23 *told. [Child 1], have you told your mother. Have you*

24 *told your*

24 *mother.*

Closing Argument Testimony (CAT) p. 9

4 And on March 18th, *Jennifer, you need to talk to the 5 girls.*

CAT p. 10

Defense Counsel Bernie McEvoy

Defense Summation

9 And Brian Schiff told her *that*

10 *[Child 1] had told him that Tim Guilfoxy was abusing her.*

CAT p.29

Assistant Attorney General

Rebuttal Summation

24 [Child 1] told someone. She told her granddad. *And her*

25 *granddad told her mom.*

CAT p.44