

FBT-CR20-0336785-T : SUPERIOR COURT
STATE OF CONNECTICUT : JUDICIAL DISTRICT OF BRIDGEPORT
v. : AT BRIDGEPORT, CONNECTICUT
NICHOLAS ROBERT HALL : FEBRUARY 19, 2025

TRANSCRIPT OF PROCEEDINGS

EXCERPT
10:27 TO 12:23

BEFORE THE HONORABLE PETER A. MCSHANE, JUDGE
AND JURY

A P P E A R A N C E S :

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1 THE COURT: Good morning everyone. Please be
2 seated. On the record, State of Connecticut versus
3 Nicholas Hall. The parties are present. Mr. Hall is
4 present. Are the parties ready to proceed with
5 closing argument?

6 ATTY. DAVIS: Yes, Your Honor.

7 ATTY. BERKE: Yes, sir.

8 THE COURT: Okay. I'll just tell the ladies and
9 gentlemen of the audience that, you know, I know this
10 is a courtroom that's open to the public, but it's a
11 -- it's actually a privilege to be in here. Don't
12 give up that privilege by misbehaving. That's all
13 I'm going to say. Everybody's been well behaved
14 during the trial; I expect you to continue to be so.
15 It's an emotional trial, I get it. But please check
16 your emotions when you come in here. If we could
17 bring in the jury, please.

18 (Jury Panel enters the Courtroom.)

19 THE COURT: Okay. Counsel stipulates the
20 presence of a jury and alternates?

21 ATTY. DAVIS: Yes, Your Honor.

22 ATTY. BERKE: Defense stipulates, sir.

23 THE COURT: Okay. Ladies and gentlemen, as I've
24 said yesterday, we're at the time called a closing
25 argument. Again, it's -- this is not evidence, but
26 it's a lawyer's way of telling you their -- his or
27 her assessment of the -- of the case. It's certainly

1 helpful. There are some judges that say, you know,
2 the -- the jurors shouldn't have their notepads in
3 here during closing argument because it's not
4 evidence. I disagree. I -- I think, if -- if their
5 arguments help you or if you want to take notes,
6 you're more than welcome to.

7 So, that being -- they -- I -- I said they get
8 an hour. I actually time them. So if you see me
9 playing with my phone -- but I don't -- I don't think
10 we have to worry about it, and even if they go over,
11 I don't yell anyway. So go right ahead, please.

12 ATTY. DAVIS: Thank you. I'm going to time
13 myself too, if I can get it to work.

14 In December of 2018, LT gained a stepfather, but
15 she also gained an abuser. You heard testimony that
16 that's when the abuse started. I think it's -- the
17 State believes it's important, at this point, to walk
18 through a timeline of -- from when the defendant came
19 into LT's life, to when she disclosed the abuse.

20 So you've heard evidence that in (Indiscernible)
21 2018, the defendant messaged GT on Facebook, and
22 that's how their whirlwind romance started. In
23 December 2018, they got married. So after two months
24 of dating, they got married, and that's when LT
25 discloses that the abuse starts.

26 In January of 2019, GT gets pregnant, and this
27 is when GT testified that things start to kind of

1 unravel in the relationship. But she told you she
2 wanted to stay in the relationship because she wanted
3 to make it right. She wanted to give her children a
4 family. She also finds out, in January 2019, that
5 the defendant had impregnated someone else, his ex-
6 girlfriend. But she testified, although she was mad,
7 she decided to stay with him.

8 In May 2019, the defendant's daughter with GT
9 was born -- or no. I'm sorry. The defendant's
10 daughter with his ex was born. And GT obviously
11 wasn't happy about this, but she still sent diapers
12 and formula, and she encouraged the defendant to have
13 a relationship with that child. In September 2019,
14 WTH was born, which is GT's daughter with the
15 defendant. In February 2020, GT testified to -- to
16 you that that's when enough was enough. The
17 defendant was on the couch holding their newborn
18 baby, their infant, and she notices that he's
19 messaging other woman -- a woman messaged GT and
20 said, hey, he's talking to me. So that's when she
21 said, you know, enough's enough. He's got to move
22 out.

23 So he moved out. And GT testified that things
24 were contentious at that time. Right? She wanted
25 him to move out. He was cheating on her or at least
26 messaging other women. Right? But you heard
27 testimony, and this is important, that by the

1 February 2020, they were cool. They were friends.
2 He was watching the kids. They were hanging out
3 together. They were fine. She testified they were
4 better as friends than they ever were in a
5 relationship.

6 In March 2020, that's when COVID starts. GT
7 meets her current girlfriend, Brooklyn, who she's
8 still with, and the defendant comes to Connecticut to
9 watch the kids. She hangs out with her -- with her
10 girlfriend -- GT hangs out with her girlfriend, and
11 the friend together. They're friends. And during
12 COVID, there was testimony from GT that she took all
13 three of the girls to New York where the defendant
14 was living to see -- so he could see the kids.

15 And in March 2020 to May 2020, this calm
16 relationship continued. Right? He was babysitting
17 the kids. He was watching the kids when she would go
18 out with her -- her girlfriend -- when GT would go
19 out with her girlfriend, and they had a really
20 amicable relationship. They were better friends than
21 they were as coparents -- than in a relationship.
22 And then finally in May 2020, LT discloses.

23 So I want you to keep -- the State intends --
24 you can consider whatever you want, but it's
25 important to keep this timeline of events in mind
26 when you're thinking about this case. It's important
27 to note that during this timeline, during these

1 allegations of abuse, LT is eight and nine years old.
2 She's not that 13 year old or 14 year old you saw --
3 she's not that teenager you saw on the stand. That's
4 the girl that was abused. That's the girl that this
5 happened to.

6 The State contends you need to use your common
7 sense here. When we picked you for this jury, you
8 all told us that you had common sense. So you need
9 to ask yourselves, why would she make this up? What
10 is she getting out of this? And how could a teenager
11 who this abuse started to seven years ago, almost in
12 December 2018, keep this charade up five years after
13 the disclosure, and testify consistently. It doesn't
14 make sense. What does she have to gain from this?
15 What is she getting out of this?

16 She told me that when she met the defendant, he
17 treated her mom well. He was like a father figure,
18 and this is direct testimony from you -- from her.
19 And the Judge is going to instruct you that you're
20 going to be allowed to relisten to her testimony if
21 you want to, but these are things she said. She
22 liked him at first, he was like a father to her. And
23 she said he treated her mom well. She liked him
24 because he treated her mom well. But then she
25 started talking about the abuse.

26 She testified that something happened in the
27 laundry room. She testified that he would lay her

1 down on the pile of clothes in the laundry room, you
2 saw that pile of clothes in evidence, there's
3 pictures of it. He would lay her down, pull her
4 pants down, she showed you, and he would anally
5 penetrate her. And she said it happened in the
6 laundry room more than once. She (Indiscernible)
7 happened more than one time.

8 She described to you how it hurt, and she talked
9 to you about how it felt. She also talked about how
10 after she went to the bathroom -- after she went to
11 the laundry with the defendant and he sexually
12 assaulted her, she would go to the bathroom, and she
13 would go to the bathroom, and she would pee white
14 stuff. Now use your common sense as adults sitting
15 here. How would a nine year old at the time know
16 that white stuff could come out after someone anally
17 penetrates you? No kid would know that.

18 Think about Monica Madigan's testimony about how
19 they asked kids sensory details to see -- to be able
20 to -- because she testified that kids would know
21 something that happened to them -- based on the
22 sensory details. They look for that kind of
23 information. So think about when you're looking at
24 the testimony, all of the sensory details -- LT gave.

25 She also talked about an incident in her
26 mother's room. They were watching Mamma Mia!, she
27 remembers this that much later. They were watching

1 Mamma Mia! -- she even told you exactly where she was
2 sitting on that bed. She knew, when she was looking
3 at that room, that the defendant was in the middle,
4 her little sister was one -- on one side and she was
5 on the other. She remembers the movie they were
6 watching, and he made her put her hand under the
7 blanket. He made her touch his penis -- she
8 described the penis to you. She said it was hairy,
9 and it was soft and then it got hard. Again, how
10 would a kid know that? And then she says he pulled
11 down her pants and put his penis in her butt.

12 She also talked to you about an incident that
13 happened in her room. She said that he -- she woke
14 up, he was sitting on that stool next to her bed, and
15 she woke up and his penis was in her mouth. She
16 talked about how she had to, more than once, give the
17 defendant oral sex. And she described to you that it
18 was clear pee came out, and it tasted salty. The kid
19 that was sitting there and testifying is a teenager,
20 she knows what that is now. But at the time, she
21 didn't know what that was. She called it clear pee.

22 And then she also talked about a time in the
23 living room where he made her perform oral sex on
24 her. And this part, you might be asking yourselves,
25 because she describes, we were in the laundry room
26 and then we went out and I was in the living room,
27 and I asked him to stay with me. And he said he

1 would stay if I did stuff with him that I didn't want
2 to do. And you might be asking yourselves, why would
3 she want him to stay with her after that? I want you
4 to think back to Monica Madigan's testimony, and --
5 and sometimes in these cases and sometimes with
6 abuse, these kids, they still love the perpetrator,
7 or they still could seek protection from them. She's
8 an eight year old girl or a nine year old girl when
9 this is happening. Right? She might be more scared
10 of the dark than of the defendant.

11 I also, now, want you think about her testimony
12 about how her -- her butt hurt. And she told her
13 mom, but she didn't tell her mom what was happening
14 to her because she was scared. She told -- the
15 defendant had told her not to tell anyone, and she --
16 she believed that. She didn't tell anyone for a
17 while. So she told her mom her butt hurt, and her
18 mom thought she might have hemorrhoids. So she
19 treated her with Epsom salt. She took bath, but she
20 didn't tell her mom why. You also heard testimony
21 from her mom that corroborated this, and during that
22 time period, her butt was bleeding. Right? Then you
23 also heard from Janet Murphy that anal trauma and
24 anal bleeding can be a sign of anal penetration.

25 It was hard for LT to tell you about every
26 single time that happened to her because she can't
27 remember them all. They all blend together because

1 to her, it felt like it happened every day. She said
2 it happened more than five times, more than 10 times,
3 more than 20 times. It spanned from a period of
4 December 2018 to the spring of 2020. So during that
5 time period, all those events happened. And you
6 heard from Monica Madigan that when kids are abused
7 over a longer period of time, sometimes the incidents
8 run together.

9 When we picked you for this jury, we asked you
10 if you could believe what one witness's testimony
11 was. And if you believe that one witness's testimony
12 and you believe them beyond a reasonable doubt, you
13 could find the defendant guilty. So the State
14 submits we -- all the elements of the crime do come
15 in through LT. LT testified to everything that
16 happened to her. But you also can rely on some of
17 the other witnesses. Right?

18 You have Jayda Garrell. LT told her because she
19 trusted her. LT thought of Jayda as an older sister.
20 She trusted her, she took -- (Indiscernible) advice
21 from her. Jayda testified that she was on the phone
22 with her boyfriend and a bunch of people, and LT
23 said, hey, do you do this -- do you kiss your
24 boyfriend? Do you put your -- does your boyfriend
25 put his peepee in your mouth? And Jayda's older.
26 She's 14 at this time, and that set off red flags to
27 her. And she spoke to you about LT's demeanor. How

1 at first, she kind of didn't know what she was
2 talking about. She didn't know how bad it was. She
3 was just kind of laughing. And then when Jayda was
4 like, this is serious, we have to tell your mom.

5 Jayda told you how LT's affect changed. She got
6 really fidgety and nervous, and she started crying.
7 And you need to remember that. You need to use your
8 common sense and think in the context of a kid
9 responding to this and kind of learning what's
10 happening to them. Jayda at 14 knew it was wrong,
11 and Jayda is the one that told her mom, who told GT.

12 This isn't a story of LT going to GT and say,
13 hey, mom, this happened to me. No. The defendant
14 told LT not to tell -- not to tell her mother. And
15 so she didn't tell her mother, she told Jayda. And
16 Jayda is the one that actually saved LT from getting
17 this -- this abuse continuing.

18 Think back to the testimony of Janet Murphy.
19 She testified that a normal exam is normal. And with
20 these kind of cases, with anal penetration in a
21 child, they don't expect to find findings. They
22 don't expect for trauma to stay, especially with
23 delayed disclosures. And Janet also spoke about the
24 anatomy of the female -- anatomy of the body, right?
25 Not just the female body, anyone. The anus is
26 stretchy, right? You have to excrete stuff out of
27 your anus, so it stretches. And it heals, and it's

1 vascular. Blood goes to that area, so things heal
2 quickly. So it's normal that there was no trauma
3 found. She did testify, though, that bleeding can be
4 indicative of anal trauma, and you heard from GT that
5 LT was bleeding.

6 The defendant also spoke in this case about what
7 happened. And I think, although the audio is
8 horrible, I'm not going to subject you to hearing it
9 again, if you listen to it on the laptop and the
10 judge is going to provide you a transcript,
11 obviously, the way you perceive and hear it is what
12 controls. But I submit if you listen to it, you
13 might -- you -- you can hear it. And I think there
14 are some valuable things to evaluating the case in
15 this interview.

16 So first, it's important to note the defendant
17 is just talking to the -- police officer.

18 (Indiscernible) doesn't really know why he's there,
19 he's just talking to them. And then (Indiscernible)
20 of the officers goes, hey I want to talk to you about
21 LT. If you watch that video, watch how the
22 defendant's demeanor changes during this part. He
23 gets stiff. He goes, really? What? What happened
24 to her? And even the officer's like, you're getting
25 kind of defensive. Like, what's going on here? And
26 then he goes, I never expected me to even be
27 questioned about it.

1 At this point, all that the police have said is,
2 hey, we want to talk to you about what happened to
3 LT. How does he even know what it is? What is he
4 talking about? State submits to you that he knows
5 what it is because, he's been abusing LT for so long.
6 You think about how a reasonable person would react
7 in that situation. A reasonable person might say,
8 oh, what happened to LT? Is she okay? What's going
9 on? But he says, oh, I never expected to be
10 questioned about it. Think about this interview.

11 So the police kind of start to tell him what's
12 -- what he's there for. They kind of ease into it,
13 and the defendant says, they -- the police indicate
14 to him that he's there because they complained that
15 he did something to them. Right? So he goes -- the
16 first thing the defendant says, and if you notice,
17 I'm going to go through a bunch of them, he just kind
18 of keeps ratcheting up the ways that they would know
19 about it.

20 So he first starts with -- that LT would know
21 about it. So he first starts about -- talking about
22 how we talk to the girls about guys. Right? He
23 goes, I (Indiscernible) talk to them about guys, you
24 know, like boyfriends. I'm like, bro. You have to
25 be careful because, like, you know this is big. They
26 start talking about boys and shit. And the police
27 go, well, what were they saying? He goes, well,

1 (Indiscernible) boys. Boys are cute, and they want
2 to kiss them and all that stuff. And I'm like,
3 listen. That's not happening in this motherfucking
4 house. I told them about people who could just come
5 and try to touch their butt or something. Or, like,
6 you know, older men -- people in there generally and
7 -- or people generally in their age group. Right?

8 So he's telling the cops like, oh, LT might know
9 about this kind of stuff -- sexual stuff, because,
10 you know, she's interested in boys, and boys want to
11 kiss her, and I warned them about touching -- them
12 touching her butt. Use your common sense there.
13 What father type figure is going to talk to a nine
14 year old, about random men touching her butt? Like,
15 where does that come from?

16 The police go, no. You know, she knows intimate
17 sexual detail. She knows stuff. And he goes -- and
18 the police go how would she have this kind of
19 knowledge? You know, how does she know this stuff?
20 And he goes -- like, the officer goes, I just -- I
21 find it difficult to understand that a nine year old
22 would know this kind of stuff. And he goes, how
23 would they know that if they -- if -- how would she
24 know that if she never experienced it? And he goes,
25 actually, they have before, from GT's ex. Someone
26 kissed her on the mouth, and he's like an older dude,
27 Checco's friend, who you heard was ST's dad, was

1 getting close to her, just kissing and stuff, you
2 know?

3 So at that point, he says, oh. Well, they know
4 about kissing. I mean, first, he says, oh. They
5 like to -- they're thinking about kissing boys. They
6 want to kiss boys. And then he goes to, well, wait.
7 LT was kissed, Checco's friend kissed her. And you
8 heard from LT and GT that that never happened. The
9 police keep talking to him, and they say, you know,
10 they find it difficult to understand that the kid
11 would know this kind of stuff. And the police go,
12 you know, it's more than just kissing. They know
13 more than just about kissing. They're saying
14 something happened more than just an inverted
15 touching or something. And that's when the defendant
16 goes, when they first met me, they had a crush on me
17 or something. Keep in mind when he meets these kids,
18 ST is seven -- or six, and LT is eight. It -- it --
19 use your common sense. The -- in what world would a
20 kid have a crush on her mom's boyfriend? It's just
21 weird.

22 The police are then questioning him further and
23 saying, you know, it -- they know stuff. They're
24 trying -- the police, during this interview, if you
25 listen to it, are trying to get him -- and Detective
26 Wheeler talked about this. They're trying to get him
27 to say what happened, and they keep just giving him a

1 little bit more details, and he keeps kind of
2 ratcheting up what he says they know, and how they
3 know it. So then he says -- the police officer says,
4 we're saying it's more than that. You know? It's
5 more than just inadvertent touching. And he goes,
6 oh. Well, she said a boy showed her his penis on the
7 bus. And the police go, who's this? He goes LT.
8 You know, a little kid showed them the dick, bro.
9 He's like six years old, multiple times. She's had
10 multiple incidents on the bus, and we had to contact
11 the school and stuff. You heard from JT (sic) and LT
12 that that never happened. So what -- why is he
13 saying that?

14 The police then say no. She has specific sexual
15 knowledge. This nine year old girl gave an
16 interview, and she's talking about explicit sexual
17 things. How does she know that? And then the
18 defendant says, like, bro, I had LT literally in the
19 closet peeking to look at me and GT fuck dude. Like,
20 they've seen a lot. I didn't even know they were in
21 that closet; you know what I mean? You heard from GT
22 that her closet was filled with clothes a kid
23 couldn't fit in there, and she testified that this
24 never happened. So why is he telling the police
25 this? What -- what's he trying to prove? And LT
26 said she never hid in the closet either.

27 Then he says, oh, wait. They know all this

1 stuff -- LT knows all this stuff because we talk
2 really sexually around her. He says, they overheard
3 us talking about a lot. (Indiscernible) me and my
4 wife, they've heard -- you could ask GT herself, bro,
5 really. We've had many conversations around them
6 where it's disgusting and they've heard it, like
7 super sexual shit, like coming on my face, bro.
8 Like, a lot of this shit they've heard. GT told you
9 should never talk about this stuff around our kids.
10 And these are common sense here. These -- this is a
11 little kid. This is an eight year old. What
12 reasonable person is talking about coming on the face
13 in front of an eight year old -- or a nine year old?
14 It doesn't make any sense.

15 You heard -- GT talk about her sex life and how
16 she really had a hard time opening up sexually to the
17 defendant once they started fighting, because of her
18 past, she testified to that. And they didn't really
19 have a sexual relationship. But that's not what the
20 defendant says. The defendant says that they had a
21 really active sex life. And he kind of says this
22 when he's being confronted with the -- the police are
23 saying, well, she disclosed -- LT disclosed specific
24 spots where it happened. And he's saying, oh, my cum
25 would be there because I've had sex with her all
26 over. He -- she said -- he says -- or the detective
27 said, you and GT have good sexual relations? He

1 says, fuck yeah. Like, she's my bitch and she loves
2 me. We fucked a lot, dude. Do you see her? Id
3 (Indiscernible) now, my guy -- every single day, and
4 I still did recently, bro. So he's saying they have
5 a really sex -- active sex life, and that's why his
6 semen would be all over the house. But you heard
7 from GT that's not true. And does that make any
8 sense to you?

9 She then -- he then says that he fucked her in
10 the laundry room, the kitchen, the living room, both
11 bathrooms, and the baby's room. You heard from GT
12 that that's not true. They didn't have sex in the
13 baby's room. They didn't have sex in the bathroom,
14 and they certainly didn't have sex in the laundry
15 room. He's just saying that because he knows he had
16 sex with LT in the laundry room, and some of -- and
17 those rooms and in the living room. Then the police
18 are like, well, how would we find semen in the girls'
19 rooms? And you heard from Detective Wheeler that
20 they didn't end the lab. They didn't find semen
21 there. But at that point, they're just trying to get
22 him to talk, which is -- police can do that. They're
23 allowed to do that.

24 But I want you to think about the defendant's
25 answer here. He says, I would bang -- GT -- Strike
26 that.

27 I would bang GT and then go into the kids' rooms

1 with cum all over my hands, and I would wipe it on
2 blankets. Use your common sense. Does that make any
3 sense? In what world would someone have sex with
4 their significant other and then go tuck their kids
5 in with semen all over their hands? And just have
6 enough semen that it would just be all over the room?
7 It just doesn't make any sense. Nothing he says to
8 the police makes sense.

9 He also says that he and GT, when he's talking
10 about how they've had sex all over the house, that he
11 had sex with her on an LT's bed. Think about a
12 reasonable person in -- in this situation, and if
13 they would have sex on their child's bed multiple
14 times. And if you watch this interview, I'm not
15 going to play the clip for you because the audio
16 stinks unless you're listening to it up close, but if
17 you watch this interview, he's like, being confronted
18 about sexually assaulting someone. Right? And he's,
19 like, yeah. We had sex. It was more than twice in
20 their kid's bed. Like, are you kidding me? Think
21 about this. Watch this. I think this is the kicker.
22 I think this is the one time he's telling the truth.
23 The police say, do you think LT would lie about this?
24 And he goes, I don't think she would lie. Watch that
25 interview again when you can actually hear it.

26 The Judge is going to go over the charges for
27 you in his charging conferences. He's going to tell

1 you what the State has to prove beyond a reasonable
2 doubt and what the elements are, and that's our
3 burden. We have to prove this case. But at first,
4 I'm going to talk to you about some facts that aren't
5 in dispute, because the Judge is going to give you
6 the elements that you need in order to find the
7 defendant guilty beyond reasonable doubt. And some
8 of the elements aren't in dispute.

9 The other thing that's not in dispute was that
10 LT was born in March of 2011. So that makes her
11 eight and nine years old when this abuse happened.
12 It's not in dispute that the defendant was born in
13 1993. So he was 26, I believe, when he -- was
14 interviewed by the police in 2020. It's not in
15 dispute that the defendant lived with LT between 2018
16 and 2020, and it's not in dispute that the defendant
17 had access to LT. He even says so in the video. He
18 says, I would watch them a lot when GT would go out.
19 And he talks about how, yeah, GT would go out with
20 her new girlfriend, and I'll watch the kids.

21 And you heard from LT, I think -- I think it's
22 going to -- GT, obviously, during COVID -- I think
23 the defense talked about how she worked a little bit.
24 Think about the evidence. LT says that the defendant
25 would watch them when she would go out, when GT would
26 go out. So if she goes out to work, if she goes out
27 to meetings, if she goes out with her girlfriend --

1 the defendant talks about how she goes out with her
2 girlfriend. So I don't think we need to -- it's just
3 when she went out. When GT went out, the defendant
4 would watch the kids. And GT even said, you know,
5 honestly, it was nice having that relationship with
6 him because I could finally get some freedom. So she
7 liked having this relationship with him.

8 The judge is going to instruct you on something
9 called unanimity. Okay? And he's going to give you
10 an instruction on what he says is binding. But I
11 just want to talk to you a little bit about it. It's
12 a concept that's going to apply to the three counts
13 of sexual assault that the State charged. So the
14 State charged two counts of sexual assault in the
15 first degree and one count of sexual assault in the
16 fourth degree. Okay? And the judge will tell you
17 about that. But let's just say for the first count
18 sexual assault in the first degree, the State alleges
19 that anal penile penetration happened. And what the
20 judge is going to instruct you to do, is that you
21 guys are going to have to agree on one time that it
22 happened. Okay?

23 So LT talks about it happening in the laundry
24 room, and she talks about it happening in the living
25 room. And she actually testified that it happened so
26 many times that she -- they're all blending together.
27 And you heard from Monica that that's common with

1 kids that go over a long period of abuse. But you as
2 a jury have to come together and say, okay. We all
3 believe it happened in the laundry room, or we all
4 believe it happened in the living room, or both. But
5 you have to agree on that incident, and that's what
6 unanimity is. And the judge is going to instruct you
7 about that.

8 I want you to think about what makes sense. You
9 heard multiple witnesses over many days, and LT
10 testified and told you what happened to her. I want
11 you to ask yourselves, is she sophisticated enough as
12 a teenager to come up with this elaborate ruse and
13 make this whole thing up? Does what she says make
14 sense to you and what her mother says make sense to
15 you? Or does what the defendant says make sense to
16 you? And does the defendant's interview make sense
17 to you? Thank you.

18 THE COURT: Thank you.

19 ATTY. BERKE: Good morning. We have no burden
20 to prove that Nick Hall is not guilty. That burden
21 solely -- rests on the State of Connecticut. And as
22 you remember from jury selection some time ago, we
23 may not call any witnesses. We may not question
24 witnesses, and I was just suggesting that to you as a
25 possibility. And, obviously, during the course of
26 this case, that didn't happen. I did question
27 witnesses, and you promised me that you wouldn't hold

1 it against me or Nick Hall when reaching a conclusion
2 regarding whether he's guilty or not guilty if I ask
3 some really difficult questions of a very
4 uncomfortable topic of the young person. I'm not
5 going to go through, the law -- the judge's charge.
6 There's a lot of time that was put into that. Judge
7 McShane will provide that to you. I would -- ask you
8 to consider credibility instruction of how you -- to
9 consider witnesses in the context of -- of this case,
10 the presumption of innocence, and the burden that the
11 State has.

12 I'm going to run through, a number of facts.
13 What I say is not binding on your memory, your memory
14 controls. And if there's a time where either the
15 State or I say something that you say, you know, I
16 don't remember it that way, you can ask for it to be
17 played back, and I would encourage you to do that.
18 And even if it's not something that you disagree
19 with, if it's some other point that we didn't bring
20 up that you think that's important to listen to
21 again, just put it in a note and tell the judge.

22 You heard Janet Murphy talk about examination
23 of children. And I think a reasonable conclusion you
24 can reach from all of that back and forth about the
25 studies and the results is that the closer in time
26 you are to examining a child from the abuse, the
27 greatest likelihood you have of finding an abnormal

1 finding. The medical exam ultimately occurred on
2 July 23rd, of 2020. You know that it was initially
3 scheduled in June. Ms. Murphy testified that GT
4 canceled the medical exam, GT doesn't recall
5 rescheduling it.

6 If your child is sexually assaulted, wouldn't
7 that be a priority to have them tested? Would it be
8 a priority to have them tested for sexually
9 transmitted diseases? GT testified that she didn't
10 want her eight year old to be retraumatized. Her
11 daughter was nine years old at the time of the exam.
12 After the disclosure, she didn't want to take her
13 daughter to the doctor and waited for the
14 appointment. She didn't want to traumatize her.
15 These are her words. She told Detective Wheeler that
16 she checked LT physically and was not concerned for
17 her safety. I was looking at my eight year old
18 daughter once again, and I didn't want to put her
19 through this more than once.

20 There was argument that bleeding is consistent
21 with sexual assault. Bleeding is also consistent
22 with having a hemorrhoid. And as you know, GT
23 testified that when -- as a previous time, she had
24 hemorrhoids, and that was because she was dehydrated
25 and not drinking enough water. Janet Murphy did not
26 testify that hemorrhoids are part of the abnormal
27 findings. There was nothing in the exam that

1 revealed sexual abuse. There was no scarring from
2 long term effects. Janet Murphy did not watch the
3 forensic interview. She relied on summary of
4 allegations, wasn't aware that it occurred more than
5 50 times. Is it likely that there's not going to be
6 scarring after more than 50 times that you're abused?
7 Ms. Murphy was concerned about the lack of a primary
8 care physician that LT had.

9 GT stated that it may have been days between
10 LT's disclosure of the abuse and her visit to a
11 doctor. We know that's not accurate. Detective
12 Wheeler advised GT to have LT see a physician or go
13 to the hospital if she felt it was necessary. LT
14 went to one therapy session but didn't know who the
15 provider was. She didn't treat with a pediatric
16 group in Connecticut, she was allegedly treating in
17 New York. If GT took her children to a pediatric
18 practice in 2018 and 2019 for a physical, why was
19 Janet Murphy concerned during the examination that
20 there was no primary care physician for LT?

21 Monica Vidro testified in regards to delayed
22 disclosure. Timely disclosure, incremental
23 disclosure, disclosure after a week, disclosure after
24 a month, disclosure after a year are all consistent
25 with abuse. You have a point where if at every
26 possible scenario is an exception, how can you
27 possibly have a rule that anything is consistent with

1 sexual abuse?

2 On May 22nd, GT spoke with Officer Fortunato.
3 It's the first officer she spoke with. She testified
4 at one point, that she gave her the recording -- the
5 audio recording that she made of her daughter after
6 the disclosure. Detective Wheeler was unaware of why
7 the audio wasn't sent before June 1st, and the
8 department received the audio tape on June 1st.
9 Later, GT testified that she couldn't send the audio
10 because there was some issue with the email, which
11 was not testified by either Officer Fortunato or
12 Detective Wheeler.

13 Detective Murray was not responsible for any
14 part of this investigation. His job was solely to
15 bring materials to the lab. And as part of that
16 responsibility, he completed a form called the
17 Request for Analysis, which is an exhibit,
18 defendant's Exhibit C, Town of incident, Trumbull,
19 type of offense, sexual assault, date of incident,
20 May 8th, 2020. He was not part of this investigation.
21 He testified that he received this information from
22 others within his department. He testified that he
23 didn't complete the Connecticut one hundred form that
24 Detective Wheeler testified about.

25 The Connecticut one hundred form was completed
26 on June 8th, of 2020. Detective Wheeler fought me
27 over the ownership of that form, although his name,

1 his phone number, his email address, and the fact
2 that that form was sent from his email to the State
3 lab. And additionally, the form was in the case
4 folder at the Trumbull Police Department when he came
5 back to testify. On that form, the day of the
6 incident is May 8th, of 2020, and the date of the
7 evidence collection, June 6th, of 2020. Detective
8 Wheeler was the lead detective in this case. On that
9 form, he checked off unsure of ejaculation in
10 victim's body, unsure of ejaculation on victim's
11 clothes. After the assault, the -- the items were
12 not laundered.

13 You heard a couple of members from the DNA lab.
14 What can DNA tell you? What can DNA not tell you?
15 DNA can be used as a tool to identify bodily
16 materials and attempts to link it to an individual
17 person, and that link is done by percentages.
18 However, in this case, there was not sufficient
19 amount of DNA to link it in the normal path. And
20 they use something called Y-phylo, which is
21 specifically designed to identify male DNA. Male DNA
22 can -- the -- the male identifier -- Y-phylo cannot
23 differentiate among men.

24 So, what is the -- what is the limitations of
25 DNA? You can't identify when something was
26 deposited. You can't identify how it was deposited.
27 Was it done directly from the person? Was it done by

1 a transfer from another object to the object that
2 it's found on? Was it done at a double transfer,
3 which -- expert said it can be accomplished. Now
4 let's talk about the reliability of the results. The
5 reliability included Nicholas Hall on the special Y-
6 phylo DNA, and the results are 1 in 33 of the adult
7 male population in North America. 1 In 8 of the
8 adult male population in North America, and 1 in 4 of
9 the entire male population. So what does that mean?
10 One out of every four men in this room could be
11 included within that sample.

12 You heard testimony that LT sleeps on top of her
13 comforter every night. Why is her DNA not on her
14 comforter? Why is her DNA not found in any of these
15 samples? There was testimony that I think you would
16 try to be led to believe that extraordinary heat,
17 such as a dryer, would lead to the degradation of a
18 DNA sample. These items were not outside. These
19 items were inside the house. Now aside from
20 something being in a dryer, a couch, I would submit,
21 is not subject to those extreme examples that we're
22 referring to.

23 You heard testimony that DNA can be retrieved
24 days, weeks, months, decades, and in fact, centuries
25 after. Why was LT's DNA not found inside Lake Avenue
26 House in Trumbull? You heard testimony from forensic
27 biology, and what's the conclusion? No seminal fluid

1 in any of the testing. No semen in any of the
2 testing. No blood in any of the testing. No fecal
3 matter. The department -- Detective Wheeler, decided
4 that he wasn't going to test all areas of alleged
5 abuse. And as you know, they didn't test the couch,
6 they didn't test the laundry room, they didn't test
7 the floor. There was no financial limitation or time
8 limitation for them to do that.

9 Detective Wheeler suggested the reason why he
10 didn't videotape GT is because they were only
11 supposed to have people in the department that were
12 absolutely necessary. Although he had Jayda and Jen
13 Foster come to the department, provide a video
14 statement after questions, and then sign a form
15 saying it was true. He tried to distinguish it
16 further by saying GT did not need to be on video
17 because she was not an eyewitness and had limited
18 information. Was Jen Foster an eyewitness? Was
19 Jayda Garrell an eyewitness? Was the information
20 that GT provided not significant in -- in his
21 investigation of this case?

22 Despite receiving this case on May 27th,
23 Detective Wheeler didn't take photographs until June
24 3rd. He did not direct detectives to obtain physical
25 evidence until June 4th. He was armed with the
26 information at the time that police officers went on
27 June 3rd and June 4th, after having heard by Zoom the

1 forensic interview that the allegations were alleged
2 to have occurred in the living room, on the couch, in
3 the laundry room, in GT's room, in WTH's room, and in
4 ST and LT's room. He defended not searching those
5 areas because he assumed that Nick Hall's DNA would
6 be there. What about his semen? What about his
7 seminal fluid? What about fecal matter? What about
8 blood?

9 GT testified that she never talked to her -- her
10 daughter about boys, about touching, about sex,
11 despite the fact that she had a child at 16. As a
12 parent, do you think that's reasonable? GT testified
13 that she didn't like doing laundry, and instead she'd
14 buy new bed sets for herself, for LT and ST. She
15 didn't remember the frequency, but it was fairly
16 often. You can only imagine the amount of -- of bed
17 sets that would be. First, she said that the sheets
18 on LT's bed were missing, and then had subsequently
19 corrected that and said the sheets on ST's bed are
20 missing. She told the detective that she hadn't
21 changed the seats since before April 29th, of 2020.

22 During your testimony that she heard, she has
23 pending felony charges after years of going to court
24 with no expectation of what's going to happen with
25 that case that still remains pending. She testified
26 that she worked at Jo Davi Salon in 2020 for 15 hours
27 the entire year. LT said her mom worked at a salon

1 in New York at the time of her disclosure. Jen
2 Foster testified to the contrary, that GT worked for
3 her from 2017 to 2018. GT stated that Nick watched
4 the children when she worked from December '18 to
5 December '19. That she worked about two hours a week
6 by appointment and only weekends, but not every week.

7 LT testified that for the first time, before she
8 told anyone before coming to this courtroom, that
9 Nick had a flashlight in the laundry room. And the
10 only person that she told before she told you was her
11 attorney, Kelly, the prosecutor.

12 She testified that Nick Hall asked her to keep
13 this a secret, but Nick Hall never threatened her.
14 There's an allegation that he put his penis in her
15 butt with her sister in the bed, and that she stroked
16 the penis with her sister in the bed, watching that
17 movie in her mother's bed. She testified that she
18 was sleeping in bed, her head was hanging off the
19 side of the bed. Showing you the State's Exhibit 7.
20 Bed is on the right side of the bed; his chair is in
21 the corner. Do you think it's reasonable that Nick
22 Hall is seated in the chair, and she wakes up with
23 her head hanging off the bed with his penis in her
24 mouth?

25 These allegations of abuse were alleged to have
26 occurred in excess of 50 times and more than five
27 times in her room. GT testified at one point that

1 she didn't know if the penis was in her mouth one
2 time or more than one time. After the assault in the
3 laundry room, it was dark. She wanted Nick to be
4 with her and doesn't remember why she wanted to stay
5 in the living room. And then testified that she was
6 scared, but when she was asked why she didn't go to
7 her room, she had no response.

8 According to Jen Foster, Jayda was a big sister
9 to the girls, including LT. Jayda was 14 at the time
10 of the disclosure, LT was nine, and Jen testified
11 that in her opinion, LT looked up to her. You heard
12 testimony that Jayda followed them on TikTok, and
13 they followed her as well. Jen Foster testified
14 during her interview with the police that Jayda knows
15 more than she does because of the Internet and the
16 phones -- that kids know everything.

17 Jen was adamant that the sleepover occurred on a
18 Saturday night because of her work schedule. LT
19 testified in court that after she listened to Jayda
20 talk to her boyfriends and other boys late at night
21 on FaceTime, LT asked Joyda (sic) if her boyfriend
22 makes her do things she doesn't like, like touch his
23 penis. Why is that significant? Makes her do things
24 she doesn't like? It's because that's not what she
25 said. Jayda -- Jayda testified that after that
26 FaceTime, she asked her if Jayda ever kissed her
27 boyfriend on the lips, ever sucked his peepee, but

1 never asked her if her boyfriend forced her to do
2 anything.

3 You heard Jayda testify that LT said that she
4 previously told her friends at school, and her
5 friends laughed at her, which LT denied. They both
6 said that at one point LT said it was a joke and a
7 prank and that they were laughing. Jayda said -- and
8 LT denied this, that she tried to stop Nick from
9 sexually assaulting her by scratching his face, and
10 she tried to scratch his eyes. Did you hear any
11 testimony about facial injuries to Nick Hall during
12 the entire period that LT knew him?

13 After that discussion of the disclosure, they
14 talked about GT's mother's boyfriends. At that
15 point, GT said she was frustrated that she had no
16 control, so she started dating a woman. LT testified
17 that her mom came back inside after hearing from Jen
18 Foster and recorded the conversation they had. And
19 before anything was mentioned about sexual contact,
20 she told her mom, they're all weird words. And then
21 her mother said, use your own words. Why would the
22 words be weird if there was no discussion before the
23 audio recording?

24 She testified that she remembered telling her
25 mother that she didn't massage Nick. She denied
26 testifying that she asked Jayda to tell things that
27 her boyfriend made Jayda do. She testified that the

1 only person she told was her mom and Jayda and
2 everyone else found out. She testified that she
3 didn't tell any doctors. And that she never had a
4 conversation with anyone about good touch or bad
5 touch, and that included a doctor, anyone at school,
6 her mother, or Nick. Is that reasonable that a young
7 child would not hear from any one of those people
8 about whether they were touched inappropriately,
9 including the physical examination each year. LT
10 said that she never went to a doctor in Connecticut
11 and that she never told the doctor in New York what
12 happened.

13 GT and Nick Hall met online around September or
14 October of 2018. He moved in a month later, they got
15 married a month after that. Her family did not come
16 to the wedding because they wouldn't approve of the
17 fast moving relationship. GT became pregnant in
18 January 2019 with WTH. GT found out that he got another
19 woman pregnant, and she didn't want her family to think
20 that she was making yet another mistake. WTH was born
21 September 2019. Fast forward to February 20th, GT found
22 out the defendant was messaging another woman and
23 kicked him out of the house.

24 After Nick moved out, GT testified that Nick
25 watched the girl five times in 2020, and that in
26 February 2020, he didn't watch the children. GT had
27 enough. She was tired of dating men, having no

1 control, and met Brooklyn in March of 2020. GT stated
2 that she was 25 years old, she had already made so many
3 mistakes in her life, and she had three little babies
4 looking at her. LT testified during her disclosure
5 that she lives with her mother and her mom's fiancé,
6 Brooklyn, in May of 2020. GT told the officers that
7 Nick had a new girlfriend with young children. She
8 filed for divorce between the time Nick moved out in
9 2020 and the disclosure in 2020 -- of May.

10 LT testified that she was aware that Nick and GT
11 were getting divorced, and that Nick doesn't live with
12 them because he cheated on her mom. She testified that
13 she found out that Nick was cheating on her mom after
14 disclosure, but Nick had moved out, as you know, months
15 before that. Nick Hall was brought into the police
16 department, placed in a small room, and questioned by
17 two detectives. And that video you will see when you
18 get it in the jury room -- it's about two and a half
19 hours long, and you were told that that interview
20 contained a number of lies. And when asked about the
21 lies that the detectives presented after he had another
22 opportunity to listen to it with earmuffs or
23 headphones, the detective really didn't remember what
24 was a lie.

25 During that interview, you'll see Nick Hall did
26 not hesitate to talk to them. He volunteered to take
27 a lie detector test. And without hesitation, despite

1 the fact of lies that they presented to him about DNA
2 that was found, encouraged them and said, I will take
3 a DNA sample. I'd like to highlight certain things of
4 that conversation that the -- he had with the
5 detectives. I'm not intentionally excluding anything.
6 You certainly -- I would encourage you to -- to the
7 extent that you can hear it, but you'll certainly have
8 a transcript of it. And if I can just run through a
9 number of things that were said, both on one hand to
10 build rapport, coupled in with lies of evidence that
11 you know were not true. But ultimately, that's your
12 decision to make.

13 Detective Wheeler, we're not trying to hide
14 anything. Detective Wheeler, we have nothing to hide,
15 man. Nicholas Hall, I met GT, I was with her, and I
16 actually got a text with GT in the car saying she was
17 pregnant. Detective Wheeler, who was pregnant? Nick
18 Hall, my ex. Detective Wheeler, Nicole? Yes, sir.
19 That was at the time when I first met GT, I was hanging
20 out with her. Nicholas Hall, I didn't know her for
21 that long, we got married and, you know, we're the type
22 of people, like, it didn't matter how long you know
23 someone. Nicholas Hall, because she was basically just
24 hiding a lot of stuff and blaming me for stupid, and I
25 caught her a lot. So when you say hiding stuff, you're
26 saying, like, she's hooking up with other dudes or
27 something or what? Nicholas Hall, I know she did. So

1 that's why guys are not -- that's why you guys are not
2 together? Nicholas Hall, yeah.

3 Kyle Levin, it's okay. Nicholas Hall, no. I know.
4 Detective Wheeler, we've all been there. Detective
5 Lavin, yeah. Detective Wheeler, trust me. Nicholas
6 Hall, I know. That's why I'm here. Detective Lavin,
7 see how many guys -- how many exes we have here, man.
8 Detective Wheeler, listen, in this job we gauge people.
9 I think, usually, you know, in the first few minutes
10 we meet them, I could kind of tell you was good news,
11 you know? Detective Lavin, well, it sounds like you
12 grew up on a good family. Detective Lavin, it sounds
13 like you're trying to do the right thing and
14 everything. Detective Lavin, this was a time I used
15 to play like Halo, and I'd always -- Detective Wheeler,
16 like I call -- I play Call of Duty, two o'clock in the
17 morning. Nicholas Hall, I started Halo, actually.
18 Detective Wheeler, and you couldn't play it on
19 PlayStation? You played for money? Nicholas Hall,
20 yeah. Detective Wheeler, I love Call of Duty, dude.
21 I could play it right now.

22 Detective Lavin, well, you sound like, you know,
23 a pretty normal guy, and you're just trying to -- it
24 sounds like you're trying to get by. Detective
25 Wheeler, do the right thing. Detective Lavin, do the
26 right thing. Detective Wheeler, you are caring.
27 Detective Lavin, you're a good man. Detective Lavin,

1 no, it's all good. I appreciate you talking with us,
2 you know. It's not -- it's not the end of the world
3 here. And, you know, I think, you know, we could
4 tell you were good dude, you know. I could tell
5 that. Detective Lavin, all right. Well, you know, I
6 appreciate you telling us a lot about your life.
7 And, you know, you sound like a good dude. You're
8 trying to do the right thing. Detective Lavin, a lot
9 of people look up to you. It sounds like they do.
10 Detective Lavin, it's just a bump in the road, you
11 know?

12 Detective Lavin, yeah. We were hoping you could
13 tell us what happened with LT. Nicholas Hall, I have
14 no idea, to be honest. What happened? Detective
15 Lavin, well, the reason here -- we're here today is
16 we were told there was a little incident with LT.
17 Nicholas Hall, really? Detective Lavin, what if I
18 told you, LT told GT something happened between you
19 guys? Nicholas Hall, to be honest, I'm -- I mean, I
20 don't really know how they would even think, you
21 know, because I lay in bed with them a lot with GT or
22 like in the mornings or just, you know, I wrestle
23 with them a lot. Detective Lavin, there were
24 incidents between you and LT. Nicholas Hall, okay?
25 Nicholas Hall, man, that's crazy. Detective Lavin,
26 why is that crazy? Nicholas Hall, well, first off,
27 they know that I would never do that. Like, GT knows

1 that. Nicholas Hall, I don't really know why they
2 would think that.

3 Detective Wheeler, we know you've been
4 straightforward so far. Detective Lavin, you've been
5 straightforward this whole time. And, you know, to
6 be honest, I think what was just kind of a mistake.
7 Detective Lavin, I don't know -- I don't know if you
8 were just if -- you would know just showing affection
9 or teach about, you know, sexual acts because you
10 don't come off as a kind of per -- Nicholas Hall,
11 yeah bro. Detective Lavin, I mean, either you are a
12 pedophile, or this is like, no, you did something
13 like -- Detective Lavin, almost like you were
14 teaching. No, I wasn't like teaching part. I was
15 just talking to them, you know. So you mean you're
16 talking about games and touching them on the bed, I
17 mean. Nicholas Hall, well, no. That's -- no. It
18 has nothing to do with that. It basically that --
19 we were doing, like, we would randomly spark up --
20 like, we would be cooking, like, cooking food and
21 shit, you know? Like, I would try and stay on top of
22 just doing things to keep the knowledge of what
23 regular daughters do.

24 Detective Lavin, I just find it difficult to
25 understand that a nine year old. Nicholas Hall's
26 response, well, me too, to be honest. Nicholas Hall,
27 like someone kissed her on the mouth and he's like

1 older dude. Detective Lavin, LT told something to a
2 friend who then told the friend, told the mother,
3 then the mother told GT. So I don't know if that
4 jogs your memory at all. Nicholas Hall, I mean, I'm
5 really -- to be honest, I'm super -- super clueless
6 about all of this. I mean, I was just being a dad,
7 you know.

8 Detective Wheeler, more than inadvertently,
9 maybe grabbing, touching their leg as you know?
10 Well, no. Not like that. They would joke with me,
11 and when they first met me, they kind of had a crush
12 on me. So they were like leading on maybe. Nicholas
13 Hall, no. None of that leading on shit. That's --
14 no. None of that. I'm saying, like, I'm like a
15 friend to them, you know? Detective Wheeler, maybe
16 things just got out of hand a couple of times.
17 Nicholas Hall, it was not even a single time, you
18 know, because I -- there's nothing that even got out
19 of hand. Detective Wheeler, that was real giving us
20 details about sex shit -- sexual shit. Nicholas
21 Hall, this really blows my fucking mind.

22 Detective Wheeler, did you ever get sexual with
23 them a little bit? Nicholas Hall, I would never get
24 sexual with my daughters, bro. Detective Wheeler,
25 not even on accident? Nicholas Hall, I would never
26 get sexual with my daughters in my entire life. I'd
27 be with GT, bro. Nicholas Hall, I wrestle with them

1 a lot. Like -- I didn't -- I didn't care, you know.
2 I was a rowdy dude with them, they love me.
3 Detective Lavin, yeah, and that's being called a good
4 dad. Detective Wheeler, dude, I honestly think we
5 all mess up from time to time. Nicholas Hall, truly
6 bro. Detective Wheeler, I think you might have
7 messed up. I would've -- I would -- Nicholas Hall, I
8 would never mess up in something like this man.
9 Detective Lavin, dude, we do this every day. If
10 you're -- if you're wrestling your kid and you pick
11 them up and you actually touch her vagina -- Nicholas
12 Hall, no -- no. Detective Lavin, you know, and I
13 think maybe you just fucked up a little bit because I
14 don't think you're a bad dude. Nicholas Hall, yeah,
15 no. Obviously, I'd never do anything.

16 Detective Wheeler, and dude, you've been honest
17 so far. And honestly, dude, I think you just fucked
18 up a couple of times. I don't think you're, like, a
19 bad dude at all. Nicholas Hall, no. I hear you.
20 Detective Lavin, look, man. What if I told you
21 sitting on the edge of the bed and doing --
22 masturbating, you know, a sexual act? Detective
23 Wheeler, with your penis out. Detective Lavin, yeah.
24 Detective Wheeler, ejaculation. Nicholas Hall, it
25 says the name LT. So, you know, a little kid showed
26 up, show them the dick, bro. He's like six years old
27 -- multiple times. You know, she had multiple

1 incidents on the bus where it's like, you know, shit
2 like that -- dudes and stuff.

3 Kyle Lavin, you know, I just -- I'm sitting
4 here. I think maybe you just fucked up once or
5 twice, and you're a good dude. Like, I don't -- you
6 know, we all feel like this from time to time.
7 Nicholas Hall, I mean -- like, I know a lot of
8 children their age. I know a lot of knowledge about
9 that, bro. Detective Wheeler, sometimes in life, we
10 fuck up a little bit. Nicholas Hall, absolutely.
11 Everywhere, really. Nicholas -- Detective Wheeler,
12 you know, unless this is not the biggest deal. The
13 situation is -- Nicholas Hall, the situation is a
14 very big deal to me. I take it very serious, man.
15 Especially when someone says I try to touch someone,
16 you know. And I'm a good person, and I don't do
17 that. Detective Lavin, that's what I was saying
18 before. You know what I mean? You're not a
19 pedophile. Nicholas Hall, yeah. Detective Lavin,
20 like, either you're a pedophile or you just fucked up
21 and you're like -- you know, something happened.

22 Detective Wheeler, even though you might feel
23 uncomfortable saying, I did it, or just saying, hey,
24 I fucked up a little bit, I'm not like that kind of
25 dude. Like, being honest helps you. Nicholas Hall,
26 absolutely. Detective Wheeler, obviously, with our
27 investigation, we have a lot -- a lot of stuff that

1 goes on behind us. Nicholas Hall, uh-huh, of course.
2 Detective Wheeler, and that's why we keep asking you
3 the same thing, the same thing. Nicholas Hall,
4 situation right now, man, like, I don't really know
5 what else to say. I would never hurt my daughters,
6 bro. I never have. I never would. Detective
7 Wheeler, I think you might have fucked up once or
8 twice. Detective Wheeler, did you ever ejaculate on
9 -- Nicholas Hall interrupts him. I (Indiscernible)
10 no. That's fucking unbelievable. Shocking.

11 Near them? Nicholas Hall, (Indiscernible)
12 anywhere around them, bro. You shouldn't even be
13 ejaculating around them man, but I ejaculated in my
14 wife. Detective Wheeler, how would they know about
15 anal? Nicholas Hall, anal? Uh-huh. I have no clue.
16 Detective Lavin, I just don't understand why LT would
17 say you had or was it LT? Detective Wheeler, LT.
18 Nicholas Hall, LT. Detective Lavin, you had sex?
19 Nicholas Hall, I've never had sex with a child or
20 anything in my life -- ever in my entire life. I
21 don't -- I don't -- I don't have an interest for
22 that. I don't. I like women, bro, not children.
23 Women.

24 Detective Lavin, considering we have a whole
25 bunch of stuff, would you be willing to give your
26 DNA? Nicholas Hall, I mean, yeah. Of course.
27 Detective Lavin, yeah. Nicholas Hall, I'll give you

1 my DNA, yeah. I don't know why. Yeah, of course. I
2 mean, would you get my DNA from that stuff -- be
3 found anyway. Detective Lavin, well, here's the
4 thing. I mean, we looked at the rest of the house.
5 Detective Wheeler, I mean, you got to understand we
6 have tools for that. Nicholas Hall, I know.
7 Detective Lavin, black light, like the stuff you see
8 on TV. Nicholas Hall, yeah, I know. Detective
9 Lavin, and the only place where it was, was where LT
10 said the incident happened. Nicholas Hall, how is
11 that possible? Detective Wheeler, we don't know. So
12 -- Nicholas Hall, so only cum showed up there?
13 Detective Wheeler, yeah, saying where it happened.
14 Nicholas Hall, that blows my mind.

15 Detective Lavin, I said it just doesn't limit it
16 to sheets. Kids are wearing clothes, kids are
17 wearing underwear, kids are wearing shirts. Right?
18 And not just limiting it to cum on the sheets.
19 Nicholas Hall, so I can't believe that. I never had
20 -- I never even stuck my penis inside of them, bro.
21 I've never done that. I don't do that. I don't need
22 to do that. Detective Wheeler, so you're taking your
23 penis out in front of them? Nicholas Hall, I've
24 never taken my penis out in front of them. Ever --
25 on purpose, ever. I know they've seen it though
26 because of just stupid mistakes, bro.

27 Detective Wheeler, and were not just talking

1 about the sheets, but we have other stuff that is,
2 you know -- your cum where it shouldn't be, you know,
3 and other -- you know. Detective Lavin, doctor's
4 information. Nicholas Hall, where was my cum?
5 Detective Wheeler, any -- and other kind -- all kinds
6 of other stuff that shows, you know, what they're
7 saying is pretty realistic. Especially for a guy
8 that just didn't even know about that kind of stuff.
9 Nicholas Hall, I'm telling you, they're very smart.
10 I've been exposed to many different things.

11 Detective Wheeler, to be honest with you, I
12 think you're a really good dude, and I think you
13 probably fucked up a couple of times. It's not a big
14 deal. Detective Wheeler, I think fuck ups happen and
15 it's not the end of the world. Nicholas Hall, you
16 know, I have no sexual intention or drive for that or
17 what -- I have no reason. Detective Wheeler, I get
18 what you're saying. Nicholas Hall, I never stuck my
19 dick in them. I've never touched them. I've never
20 ejaculated. Detective Wheeler, so you're saying you
21 never touched their vaginas? I've never touched
22 their vaginas. You never touched their butthole?
23 Stupid shit like that. What you're saying -- what
24 I'm saying is stupid shit like that. We're doing
25 something in wrestling.

26 Detective Wheeler, you were just saying you
27 never touched LT's vagina? Nicholas Hall, yeah. I

1 never. Never stuck your dick in her vagina? I would
2 never stick my dick in her vagina. Detective
3 Wheeler, you never stuck your dick in -- dick in her
4 ass? Never in my life. Detective Wheeler, you've
5 never ejaculated -- never ejaculated on her, inside
6 of her? Detective Wheeler, inside of her, ever ? Or
7 her ass? Detective Wheeler, you never ejaculated?
8 Nicholas Hall, ever on her ass, never ejaculated on
9 her ass.

10 Detective Wheeler, you never ejaculated in her
11 mouth? Never in her mouth, never her butt, never
12 anything. Her pajamas? Nicholas Hall, her pajamas,
13 nothing. Her underwear? I have no reason to cum on
14 my daughter's underwear, ever. The only reason to
15 cum would be on the -- on my daughter is if I bang my
16 wife and I would come around and be on the sheet.
17 Detective Lavin, so then why would we find on the bed
18 in the spot where we're saying the incident happened
19 with the sheets, if the sheets have been washed since
20 the last time you had sex in the room? Nicholas
21 Hall, because I had sex with GT a lot outside of the
22 room. Detective Lavin, okay. We're not talking
23 about a small little coin sized spot. We're talking
24 about a big spot, in multiple areas.

25 Detective Wheeler, all right. So, being said,
26 you're cool giving us the DNA sample or something.
27 Right? Nicholas Hall, yeah. I don't care. Like I

1 said, I know my shit would be there. Detective
2 Wheeler, so the just -- so -- just so we could say,
3 okay. This is Nick, this LT's evidence, this is GT's
4 -- you know what I mean?

5 THE COURT: I -- I'm -- I'm just going to
6 interrupt you a second. So each time the name should
7 be stricken out --

8 ATTY. BERKE: I'm sorry.

9 THE COURT: -- along with, GT and LT. Thank
10 you.

11 ATTY. BERKE: I apologize. Nicholas Hall, I'm
12 being charged with sexual assault? Detective Lavin.
13 Yeah. Detective Lavin, you're going to be charged
14 with sexual assault to the -- the kid based upon what
15 you told -- Detective Wheeler, you know, it's based
16 upon everything. It's based upon what we have. It's
17 based upon why we sat you down here. Nichols Hall,
18 but to be real as fuck, it's a big mistake. I
19 wouldn't -- like, I know I didn't do anything.
20 Detective Wheeler, I'm talking about normal dad life,
21 we're talking about your penis in LT's ass. Nicholas
22 Hall, I've never. And her mouth? Like, I will take
23 a polygraph test saying I've never had -- I never put
24 my penis inside of her.

25 Detective Lavin, okay. Unfortunately, we don't
26 do polygraphs. You know, I wish we did. Detective
27 Wheeler, that's just in the movies. Detective Lavin,

1 you're not the typical person that we talk about this
2 stuff. You know what I mean? I talk to you about,
3 you know, your dreams, your ambitions, you know, you
4 playing video games, all that stuff, you know. You
5 just see some of the dirtbags that we bring in here.
6 I'm not saying you are. I'm saying -- Nicholas Hall,
7 no. I get it. Detective Lavin, you don't fit that.
8 Detective Wheeler, you're not that person. Nicholas
9 Hall, it's a mistake, bro.

10 Detective Wheeler, what about your cum? Just
11 how did that end up inside of her? Nicholas Hall, I
12 never come inside of my daughter. I would never come
13 inside of her. I've never done that. This is not
14 me. I -- when it comes to this type of stuff, dude,
15 I know too many people as it is that have dealt with
16 this shit, bro. Like, I hear too many stories. You
17 know? I'm not trying to have sex with children. I
18 don't -- I never put my -- I've never had any
19 experience like that. Nicholas Hall, I'm saying, I
20 don't purposely go out and try and fuck with kids.
21 It's not me. I don't do that. I have never been
22 inside my daughter once, bro. Never have, man, I
23 don't need that. Never stuck my penis inside any
24 underage holes, man. I don't do that. I don't need
25 that, dude, That's why I'm shocked. Like, it sucks,
26 dude, being in this position -- being put this way.
27 Like, put me in jail for years for something I've

1 done, dude. This is -- I don't -- I don't know.

2 I don't have -- I've never had my dick inside OF
3 LT, it blows my fucking mind.

4 THE COURT: Stricken again.

5 ATTY. BERKE: I'm sorry. Detective Wheeler is
6 saying, it happened, we're saying, well, maybe you
7 fucked up and you don't remember. Nicholas Hall, no.
8 I've never had sex with my daughters in my life.
9 Never have, never will. And I would intend to
10 premeditate it. My dick has never been inside any of
11 them -- in any other child in my life. I mean, you
12 would completely drop if what you were thinking, as
13 far as you know. You know what I mean? Like,
14 everything will be so different if you were --
15 Detective Wheeler, yeah. It's not me, bro. We're
16 not here to say you -- we're not here to make you say
17 something that didn't happen. I -- Nicholas Hall, I
18 know that. Nicholas Hall, I would never have sex
19 with LT, dude. I've never had sex with LT, I've
20 never had sex with LT. I've never had my penis
21 inside of them. I had no pleasure in that, man.
22 I've never done that, never have, never will.

23 Detective Wheeler, well, thankfully, in America,
24 you know, you're innocent until proven guilty.

25 Detective Wheeler, we live in America where you know
26 you have -- you know, due process. Detective Lavin,
27 you know, basically, you're saying nothing happened,

1 and then we're going to put that on paper.

2 Nicholas Hall faced two and a half hours of
3 questioning by two detectives. He was lied to about
4 the evidence, he was lied to during the rapport
5 building, and what was his response? I never put my
6 penis in her mouth. I never put my penis in her
7 butt.

8 During jury selection, you were each asked a
9 version of this question. Despite the charges that
10 Nicholas Hall faces, despite the horrible information
11 that you heard, if the State was unable to prove
12 guilt beyond a reasonable doubt, you would have no
13 hesitation coming into court and rendering a verdict
14 of not guilty. The State has not met its burden of
15 proof. The forensic experts found nothing. The DNA
16 had no link between Nicholas Hall and LT. The
17 inconsistencies, the questions that are left --
18 ultimately, that's for you to decide. If I made any
19 statement that you think it differs from your memory,
20 please check me, listen to the transcript. Thank
21 you.

22 THE COURT: Thank you, counsel. -- again, we're
23 going to strike the names that -- that were provided.
24 Ladies and gentlemen, I don't fault Counsel. We have
25 numerous transcripts that we all look through to
26 redact out the names. In fact, you're going to get
27 one with redactions on it. It's just that, Counsel,

1 I'm sure, was not working from the last -- the -- the
2 last redaction that had the names out, but that --
3 that's what happens.

4 I -- you can't see up here, it's an absolute
5 mess of -- of all the transcripts I have, and all the
6 different versions because just when you think you
7 have it with all -- everything out that you want out,
8 you -- you find something else. And I'm -- and I'm
9 going to give you my charge soon, and I'm going to
10 find typos in there that we don't have.

11 So, I -- I don't fault Counsel that happened,
12 but the -- but the names are stricken. I just want
13 to tell you why. Same reasons why in the very
14 beginning, we gave you the names on a piece of paper,
15 because we just don't -- it's a law. We just don't
16 use names in the Courtroom. Thank you. And -- and
17 I'm sorry, Counsel. You may proceed.

18 ATTY. PALERMO: Thank you, Your Honor. Good --
19 it's still morning.

20 THE COURT: Still morning.

21 ATTY. PALERMO: Why, why, why would LT ever make
22 this up? Unless she experienced it, unless she went
23 through it. She was eight and nine years old. How
24 does an eight and nine year old know about anal sex?
25 Are you going to -- is it the suggestion that maybe
26 her mom told her about it? Maybe GT said, oh, make
27 this all up, LT. Because -- why? Because -- why?

1 Why would even GT say make it up? Why would a mom
2 tell her child, oh, tell your friend Jayda when we go
3 there this weekend that, the defendant, Nick, did
4 this to me. Yeah, and I want you to tell Jayda
5 exactly this, that he put his peepee in my mouth,
6 that he put his peepee inside me.

7 You think -- you saw -- you saw GT. Do you
8 think she loves her daughter? Do you think she would
9 put her daughter up to something and say, yeah, let's
10 set this whole thing up. For what reason? They were
11 getting along at this point. The defendant was out
12 of the house. Their relationship, GT's and the
13 defendant's, were better than when they were married.
14 He was watching the girls while she went out, whether
15 she was -- visiting Brooklyn, whether she was going
16 on some appointments for work, they were getting
17 along at this point. For what reason would she say,
18 hey LT, I want you to say this, and let's get Nick in
19 trouble. Does it make any sense?

20 How would LT know about all of this stuff? How
21 would she know about anal sex? How would she know
22 about putting peepees in -- in her mouth? Or
23 touching a penis, that it felt hairy? That when he
24 put his penis in her mouth, it was salty. You think
25 her mother instructed her, well, now listen. You
26 know, this is what it tastes like when someone, you
27 know, ejaculates into my -- into a person's mouth.

1 It tastes salty and it's hairy.

2 Think about that. These are sensory
3 perceptions. What LT experienced, explaining it the
4 best she could. She's a little kid. She's a little
5 kid. Are we telling our eight and nine year old
6 souls all about sex? Do you think a mom -- as a mom
7 of a -- of an eight and nine year old is going to
8 say, okay. Now I would like to instruct you on what
9 sex is, and I want to tell you all about the
10 positions of sex. And I want you to -- I -- I want
11 you to know about ejaculation, I want you to know
12 about penis, I want you to know about all of this
13 stuff, just in case something happens to you. Well,
14 Counsel, (Indiscernible) -- you know.

15 GT had a child at 16. Well, wouldn't you think
16 maybe GT would like to protect her daughter LT from
17 this knowledge as much as possible? Keep her as
18 innocent for as long as possible? Would that --
19 isn't that what a good mom would do? Or are we going
20 to subject our child and tell her all about sex?
21 Why? For what purpose would that -- what purpose
22 would that serve? Why would you do that? Do -- do
23 we get into great details with our young, young
24 children?

25 Let's talk about the interview of the defendant.
26 Yes. Denied, denied, denied, denied it for --
27 throughout the entire interview. But let's think

1 about what he did say in the interview. He never
2 once -- once said that GT put LT up to this. He
3 never once said anything about GT, that this could in
4 any way be GT's fault that this thing happened. In
5 fact, he said, GT is a great mom. He's happy he --
6 she's the mother of his daughter, WHT. He loves her
7 to death. This is in his interview. He doesn't
8 regret marrying her. He said, up until about a month
9 before this interview, they were -- he and GT were --
10 were getting -- were really close. Well, let's --
11 and then something happened.

12 He said they were getting along better than when
13 they were living in the house together. He said he
14 was babysitting the girls during this time when GT
15 went out. But one month prior to that interview, he
16 said that GT -- GT started texting him and was kind
17 of getting hostile. Well, what happened one month
18 before this interview? GT found out from LT that he
19 was sexually assaulting her daughter. So, yeah,
20 maybe she might get a little hostile. But remember,
21 the police are -- investigating during this one --
22 month -- one month.

23 So she's -- and he doesn't know this
24 investigation is going on. But he says up -- in his
25 interview, yeah, we're getting along. We're great.
26 I help her out. We're close. Never once does he
27 suggest that GT put LT up to this. And then when

1 he's asked about LT, he says LT is not a liar. LT is
2 not a liar. I don't think LT would lie about what
3 she said. Then he says, children act happy and shit,
4 you know? They don't say nothing because they don't
5 want to, like, oh, upset you or, like, they almost
6 avoid negativity. Yeah. LT acts happy, pretends
7 everything's going well. Why? Because they're --
8 she's trying to avoid negativity. When she gets the
9 chance, she tells Jayda, someone she trusts. She
10 doesn't tell her mom because he told her not to tell
11 mom. It's a secret. So, who does he tell someone
12 that she feels that she can open up to that will
13 trust to keep the secret? Fortunately, Jayda did not
14 keep the secret. Jayda basically told her mom, hey,
15 listen. This is going on. And what does Jen Foster
16 do? She calls up GT and tells her what's going on.
17 And LT heard -- overheard that conversation where Jen
18 called the mom.

19 You heard Jen Foster tell you when she
20 testified, that GT was extremely upset when she told
21 her what was going on; very upset, had to compose
22 herself. GT told you she was extremely upset. This
23 was a shock, a surprise. This wasn't something that
24 she put her up to, this was like, holy cow. What is
25 going on? What is going on? LT told you these
26 incidents of sexual assault occurred in a couple of
27 rooms: the laundry room.

1 The laundry room -- there's a diagram here. The
2 laundry room is the furthest room away from GT's
3 bedroom. There's a door on that to the laundry room.
4 These incidents occurred at night in the laundry
5 room. GT is sleeping. Her bedroom is as far away
6 from that laundry room as possible. There's -- LT
7 told you those incidents happened on multiple times
8 where he put his penis in her anus multiple times at
9 night while GT is sleeping. There's a door, the
10 lights were off. She also told you that one time it
11 happened when she was in her mother's room watching
12 Mamma Mia! In his interview, the defendant tells
13 you, yeah. We used to watch -- we used to watch
14 movies together. Yep. We -- we did that.

15 She said a lot of these things start blending
16 together because there were a lot of incidents, and
17 it was over five years ago. But she was pretty clear
18 to you, this is what he did to me. He put his penis
19 in my butt, he put his penis in my mouth. He made me
20 touch him; I know what his penis feels like.

21 There were plenty of opportunities when the
22 defendant was alone with GT. When -- at night, when
23 the -- when GT was -- LT, when GT was sleeping, when
24 GT went out with her girlfriend -- when she did
25 things, there were plenty of opportunities for this
26 stuff to occur, and GT would not know about it.

27 Attorney Davis kind of -- suggested in the

1 beginning, and talked to you, what was -- what was
2 the defendant's original reaction when he was
3 confronted with this? I never expected to even be
4 questioned about it. What is it? What is it? At
5 that point, the police had not yet told him the
6 reason why they wanted to talk to him. He knew what
7 the reason was because he was involved in it. When
8 the police said to him -- asked him, what if LT told
9 GT something happened between you guys?

10 (Indiscernible) his -- response was, and you can read
11 it. He did not even ask the police what did LT tell
12 GT? His response was, I lay in bed with them a lot,
13 I wrestle with them a lot. They haven't even told
14 him why he was there -- why they weren't questioning
15 him. And his first response is, I lay in bed with
16 them a lot. How did he know they were going to be
17 talking about what he did in bed with LT?

18 He indicated in his interview, he would -- he
19 would let LT lay on top of him, he would let LT
20 massage his arms and shit. What does that mean?
21 What's the -- other stuff -- what's the shit? He
22 slept in bed with LT. How many people do you know
23 sleep in bed -- would fathers sleep in bed with their
24 girls? How many -- how many people? This isn't even
25 his daughter; this is his stepdaughter. How many
26 fathers sleep in bed, a lot, with their girls? Then
27 he says, oh, LT saw his penis because of stupid

1 mistakes he made. And you can go through this whole
2 interview. Like, how -- how often did she see your
3 penis? Oh, it was by mistake.

4 How would she know about this stuff? He has
5 every excuse in the world as to how LT would know
6 about anal sex and all of these things she said
7 happened. He said, sometimes when I rest with her,
8 sometimes his hand may -- would maybe touch her leg.
9 Maybe he didn't know where his hands were all the
10 time, he rubbed her the wrong way, but he doesn't
11 know how he rubbed her the wrong way. But she's not
12 a liar.

13 Then he goes on to say, well, you know, the
14 detectives say, how could a girl this age, eight --
15 nine years old, how would she ever know this
16 information? Oh, she's not stupid -- that's what he
17 said. She's not -- stupid. First, he goes on. She
18 had a crush on him, she learned it from her -- her
19 friend -- her -- her eight and nine year old friend
20 she learned this from. And then he said, oh, no, no,
21 no. I taught her -- GT and I taught her. Her mom
22 and I taught her about this. We taught her about
23 sexual knowledge. Oh, you know, he has a -- he said,
24 oh, I have a judge friend and random friends who talk
25 to their kids about sex. It's normal. It's normal
26 to talk to your nine year old girl daughter about
27 anal sex, ejaculation, fellatio -- that's normal. He

1 said he tried to make sure she had right information
2 about sexual knowledge, like a dad would do. Is that
3 what a dad would do to their nine year old? He said
4 -- he -- he said, I am an enthusiast to talking about
5 children about sex. He used the words he is an
6 enthusiast. Why is that? Really?

7 He said, he would tell her -- about people that
8 would come and try to touch her butt -- from older
9 men to people her age. Why would he single out
10 telling her about people touching her butt? He said
11 in his -- interview, he told her there are things
12 that men have that they want to put inside of you.
13 Is that what you tell your eight and nine year old?
14 Really? So that's how she knew because he told her
15 old men want to put their things inside of you.

16 And then he said in his interview, oh, yeah.
17 And I told my -- you know, my eight and nine year old
18 stepdaughter, yeah. I told her you have to avoid
19 these situations, girl. You have to avoid it. How
20 -- how is an eight and eight and nine year old
21 supposed to avoid situations? What is he talking
22 about? He was being a good dad he said, educating
23 them about the facts of life. That was his way of
24 showing love. So he made every excuse in the book as
25 to why LT would have this knowledge, except the fact
26 of what she said he -- she had this knowledge because
27 he did these things to her. This was knowledge by

1 experience, not knowledge by the defendant telling
2 her about it. Not knowledge about her mom telling
3 her about it.

4 He said he would talk dirty to GT in front of
5 them, (Indiscernible). Does that -- does that make
6 sense? You think -- think GT talked dirty in front
7 of the girls? Does that make sense to you? He saw
8 them having sex, he said. Really? Did GT say that
9 they saw -- the girls saw them having sex? No. Did
10 LT say they -- that? No. None of this. GT denied
11 ever having conversations with LT about sex.

12 So let's talk about the DNA. What did that
13 show? It showed that on three stains that were
14 collected from LT's bed, the comforter -- one on the
15 comforter and two on the sheet, that the DNA from
16 those stains were consistent with Nicholas Hall or
17 another member of the -- of the same male lineage
18 being the source of the Y-Phylo plus DNA profile. In
19 other words, the stain matched his profile or someone
20 in his male lineage. Well, there's evidence that no
21 one from the Hall family was sleeping in LT's bed --
22 except the defendant. There's no evidence that any
23 male in the general -- general population came into
24 LT's bed except Nick Hall. So how did his DNA get on
25 those sheets? What was he doing in there?

26 Well, he was doing what LT said he was doing.
27 That's why his DNA profile is in there. No one

1 else's male DNA profile is in there.

2 Detective Wheeler, when he found out -- now
3 there's some question, well -- well, he should have
4 collected everything. The -- you know, this
5 investigation wasn't thorough because he should have
6 collected DNA from every single room in that house.
7 Really? Nick Hall told him, you know, you're going
8 to find my DNA everywhere because I basically, you
9 know, had -- ejaculated all over in every room with
10 my wife. So, go ahead, yeah. I'm willing to give up
11 my DNA. Why? Because you're going to find my DNA.
12 Of course, they're going to find his DNA. He lived
13 in the house for over a year. He stayed overnight
14 there. He visited -- of course, they're going to
15 find his DNA in every room, and they're going to find
16 that everyone that lived there's DNA in the room.

17 But why did they take the bedding that day on
18 the fourth? Because GT had called and told the
19 detective, listen. I have more information. I had
20 another conversation with LT, I have a video of what
21 she said. As soon as Wheeler heard that, he sent his
22 detectives out there with a -- an alternate light
23 source, they saw staining, he collected the bedding,
24 and it was sent to the lab immediately. He was
25 prompt. He didn't sit on that; he was on it. He
26 didn't take DNA or any samples from any other room
27 because, one, the defendant said, you're going to

1 find my DNA. you're going to find my sperm. Yeah.
2 Everywhere. Everywhere. So why would he do that?

3 He also didn't take it because GT told him any
4 clothing or bedding was either washed and -- or the
5 bedding was replaced. So there was no reason to take
6 anything earlier. He took it as soon as he found out
7 that there was new information that potentially could
8 be helpful.

9 THE COURT: Okay. I'm -- I'm just going to ask
10 you stop for just a minute. We're going to stop the
11 time. One of the jurors asked for a break. That's
12 all.

13 ATTY. PALERMO: Oh. I'm sorry.

14 THE COURT: So, if -- if you could please just
15 -- just go in -- go in -- all -- all of you as a
16 group, and we'll come out. And it's -- I -- I
17 apologize, Counsel.

18 (Jury Panel exits the Courtroom.)

19 THE COURT: Now what are we going to do about
20 switching you out? Because I'm going to go over --
21 I'm going to go over 1:15.

22 THE MONITOR: (Indiscernible)

23 THE COURT: Should I have someone else come in?

24 THE MONITOR: Yes. (Indiscernible)

25 THE COURT: Okay.

26 THE MONITOR: (Indiscernible)

27 THE COURT: Do you want to do it before I start?

1 If you're going to go straight through --

2 THE COURT: I'm going to go straight through,
3 yeah. Yep. So right after this, we'll take a
4 fifteen minute break. Are we off the record right
5 now?

6 THE MONITOR: No.

7 THE COURT: Oh, okay. We could go off the
8 record.

9 (Court in Recess.)

10 THE COURT: And I'm going to tell them we're
11 going to take a short break -- a ten minute break,
12 while we switch out Monitors. Bring them out,
13 Marshal.

14 (Jury Panel enters the Courtroom.)

15 THE COURT: Thank you, Marshall. Counsel
16 stipulate to the presence of all jurors and the
17 alternates?

18 ATTY. PALERMO: Yes, Your Honor.

19 ATTY. BERKE: Defense stipulates, sir.

20 THE COURT: Thank you. You may proceed.

21 ATTY. PALERMO: Thank you, Your Honor. So I
22 think I was talking about Detective Wheeler. As soon
23 as he got a call from GT on June 4th, 2020 about some
24 new information, he immediately sent other detectives
25 out there, take photos, use a light source, gather
26 any -- gather any evidence you can, and they did.
27 They did their job. And that -- those beddings,

1 those three items, the comforter, the mattress cover,
2 and the sheet went to the lab -- State lab the next
3 day immediately. But Detective Wheeler wasn't the
4 one that took them (Indiscernible). He wasn't the
5 evidence officer. That was Detective Murray, who had
6 absolutely no involvement in this case except taking
7 this evidence up.

8 So when you look at some of these sheets that
9 defense counsel put into evidence, they're going to
10 have Murray's name on it. He doesn't know anything
11 about the case. The dates are all messed up. He
12 doesn't know when these incidents occurred. He
13 doesn't know anything about the case. He doesn't
14 know that it's delayed disclosure. He doesn't know
15 anything about the -- this CT 100 kit, except he
16 didn't do it -- I didn't fill this in with this
17 information, but he doesn't know who did. He's only
18 seen this one CT 100 kit form two times in his entire
19 life. Detective Wheeler has never seen it. He --
20 he's not the evidence officer, and Wheeler said, I
21 don't remember ever filling this out. And you know
22 what? Who cares who filled it out? That's kind of
23 the bottom line. Who cares who filled it out and if
24 the date is wrong? Because you heard testimony from
25 Wheeler,

26 You heard testimony from Fortunato, you heard
27 testimony from GT, LT, this was -- the complaint came

1 in on May 22nd, 2020. Fortunato took the complaint,
2 it was a walk-in, GT. She talked to GT, she took a
3 statement from GT, and that case was forwarded to the
4 detective bureau who had experienced in sexual
5 assault. Memorial Day weekend, Detective Wheeler
6 gets it -- the case -- on the 26th. On the 27th, he
7 -- starts his investigation, he calls GT, and he
8 documents everything. He did six police reports out
9 of 17 reports he testified, that were in this case.
10 He documented every phone call. He documented
11 looking at -- hearing the audio tape and what was in
12 it. He documented watching the -- the video that GT
13 said provided new information. He documented
14 everything. He did -- documented the
15 (Indiscernible), he documented looking at the
16 forensic interview. He did a thorough investigation.
17 When information was given that potentially there
18 might be something on this -- in this room on the --
19 on the bedding, he went, and he sent his people out
20 there and he got it.

21 He didn't get DNA from every single room because
22 it made no sense. And remember, he lived there, they
23 all lived there. And remember what the experts
24 testified to; semen, DNA on clothing can degrade
25 under certain circumstances. What? Heat. Heat like
26 what? How about, like, washing pajamas? Heat -- how
27 about washing bedding? How about putting it in a

1 dryer? Water -- heat and water, heat in a dryer, the
2 detergent -- so, no, there was no seminal fluid -- no
3 semen found on those items. But remember, those
4 items, according to GT, the bedding that was on those
5 beds were washed numerous times, and she also changed
6 out the bedding. So remember this disclosure, it --

7 LT talked about a series of events. This wasn't
8 one night where something happened and -- and they
9 could have grabbed the item. That's not what this
10 was. This is a delayed disclosure case. This is a
11 case where multiple incidents happened over a long
12 period of time, and you heard Monica -- Monica
13 Madigan, expert child sexual assault, does thousands
14 of interviews of kids that -- where sexual assault is
15 alleged, delayed disclosure -- not reporting
16 immediately is very, very common. It's one of the
17 common things in child sexual assault cases.

18 And the other common thing is usually the
19 perpetrator is someone they know, a family member.
20 Secrecy. Keep it a secret. Why? Because one, they
21 could be afraid, they can be embarrassed, they be --
22 could be told not to do it -- LT told you she didn't
23 want to tell because she didn't want to -- she didn't
24 want him doing it to her sister. All common
25 characteristics, and there's no one way a child
26 responds to this. Does a child have to be
27 hysterical? Does a child have to be stoic? Each kid

1 is different.

2 Janet Murphy told you she's done 5,000 medical
3 exams regarding children where there's an issue of
4 sexual abuse -- sexual abuse allegations. Most of
5 those exams are normal. Normal findings, but normal
6 findings doesn't mean it didn't happen, it just means
7 there's no findings -- there's no injury. And that
8 is normal in these cases because in a penile-anal --
9 penile-anal penetration case, and an oral-penile
10 penetration case, you know, you're not going to see
11 injuries. And if you do, they're going to be
12 immediate. If it happened yesterday, yes, you want
13 to examine that child because you might see
14 something. But the area of the anus is an area that
15 basically is expected to expand/contract -- that's
16 what it's there for, it's very vascular. You're not
17 going to see these injuries. So no -- so a normal
18 exam is normal in this -- in these kind of cases.
19 You don't expect to see injury.

20 There's a few things -- few things counsel said
21 that I would take issue with. I do not remember
22 Jennifer and -- Foster saying she was -- that she was
23 adamant that this -- when -- when the kids came, they
24 came on a Saturday because she worked. I don't
25 recall her being adamant about any kind of dates at
26 all. I think she said, and it's your recollection,
27 she wasn't sure what date they came. Whether it was

1 a Saturday, a Friday, a Thursday, a Wednesday -- does
2 it really matter what day they came? Think about
3 that. Who cares? It was in the middle of COVID.

4 What matters is, LT and her sisters were dropped
5 off at their house in Poughkeepsie to be babysat.
6 And while they were there, LT had a conversation with
7 JT, and she finally disclosed to somebody this is
8 what is happening. And as soon as those girls left,
9 Jayda told her mom. And as soon as she heard that,
10 she called GT. And, Jennifer Foster said, GT didn't
11 -- she didn't answer me that day. She had to call
12 her the next day because, you know, they don't always
13 -- you know, they're not constantly on the phone with
14 each other. And when she did tell GT what happened,
15 GT was extremely upset. Extremely upset. These are
16 -- this is a delayed disclosure case. Whether GT
17 brought LT to get that medical exam the day she found
18 out about it or a month later or two months later --
19 you heard Janet Murphy. It will -- it doesn't
20 matter. It -- it's a short window of time where
21 you're going to see an injury. That wasn't this
22 case. These events happened prior.

23 GT is a bad mom because she doesn't want to
24 subject her daughter to a medical exam immediately
25 after she finds out about this? She know what was
26 coming. She knew that the -- the family -- for
27 family justice -- the Center for Family Justice was

1 going to contact her, and she agreed to have her
2 child examined. Examined where you're in a room with
3 strangers, putting your legs up, having your anus
4 examined -- who -- what mom really wants to put her
5 kid through that? And she also told you, yeah. I
6 took that teach to therapy one time, and -- and --
7 and it was bad. She didn't want to do it. I'm going
8 to wait until she's older. Therapy isn't going to be
9 about this case. Therapy is about when she's older
10 and she can deal with this.

11 But GT is trying I -- I submit, trying to
12 protect her daughter as much as she can. And whether
13 she made great decisions about the man she let in her
14 life? Well, that's a different story. But you heard
15 her. She was happy there was a man in her life, a
16 father to her children. The kids -- the kids liked
17 him in the beginning, he was a father figure, he was
18 good to our mom. Everyone was happy until they
19 weren't. Until things started going really downhill,
20 until the marriage started not working. But after he
21 left, it got better, and they were friends. They
22 were friends. And that's why he was surprised when,
23 about a month into -- right before the interview, she
24 wasn't so friendly to him on the phone or in his text
25 messages. Well, sure. Sure, she's not going to be
26 too friendly when she finds out he's doing this stuff
27 to her daughter. But up until that point, they were

1 friends. They had a good relationship. She was
2 allowing him to watch the kids when she saw her
3 girlfriend, and they were okay with that.

4 Jennifer Foster testified, oh, yeah. You know,
5 kids know everything. She didn't say nine year olds
6 know everything. I specifically asked her, when you
7 say kids know everything, you know, they have their
8 phones, they know everything. Are you talking about
9 nine year old LT? No. No, no, no. I'm talking
10 about teenagers, like her daughter, know everything.
11 There's no evidence that Jayda, at least from what I
12 recall, Jayda wasn't laughing when she heard what LT
13 had to tell her. Jayda took this very, very
14 seriously. LT told you, yeah, she -- she kind of
15 laughed and giggled. She -- she testified, LT, that
16 that happens sometimes when she's nervous. She
17 didn't want to tell her this, but she -- but she did
18 want to tell her it. She didn't, but she did because
19 then it stopped. It didn't happen after this. Once
20 she told, it was over.

21 Weird words. LT used her own words when she
22 told her mom what happened, not anybody else's words.
23 Yeah, do you think it's weird words for a -- an eight
24 year old to talk about a peepee in a butt? Those are
25 weird words; do we talk about those? LT never told
26 her doctors during her exams, that's -- I think, what
27 Counsel was getting at. Yeah, LT didn't tell her

1 doctors during the -- medical exam because it was a
2 secret. It was a secret. Don't tell anybody, and
3 she did it. She didn't tell anyone. She didn't even
4 tell her mom. There was no evidence of scratches on
5 -- on the defendant, no. There was no testimony that
6 there -- there was no testimony that there weren't
7 scratches on him. There -- that question wasn't
8 asked.

9 What would nine year old LT have to gain by
10 making this up? What would 13 year old LT have to
11 gain by making this up? For what purpose? To get on
12 the stand and talk about things that happened --
13 intimate things to her body? What reason would she
14 get on that stand and tell you those things if she
15 didn't experience them -- if she did not experience
16 those instances of sexual abuse?

17 Everyone's talking about use your common sense.
18 All I'm going to say is the same thing, use your
19 common sense. Do nine year olds know about this? Do
20 their parents tell them about it? Why would after
21 five years, she perpetrates this big lie? Does that
22 make sense at all? Does it make sense at all? Thank
23 you.

24 THE COURT: Thank you. Ladies and gentlemen,
25 we're going to take a break and -- and here's why.
26 I'm sorry. Let me make sure I turn this off, so it
27 doesn't beep. Here's why. When -- actually, when I

1 give the charge, the Marshals lock the back of the
2 Court. The -- the public isn't allowed to come in
3 and come out, the focus is supposed to be on the
4 charge itself. So, I'm going to give time for
5 whoever doesn't want to be here for the charge -- and
6 look, it's long. I -- I -- I know it. I -- I can't
7 shorten it up that -- that -- what it is, is what it
8 is, as my kids say.

9 So, it's going to take a while. So, take a
10 break -- I wish I could say, come in here, have some
11 popcorn, sit down, and watch the show. But I don't
12 know where you'd get popcorn, and I -- I don't know
13 if we -- we have a show. It -- it -- it's just the
14 law.

15 So, I'm -- I'm going to take a -- a ten minute
16 break. We actually have to switch out Court
17 Reporters, not because she's tired, but she has an
18 appointment. And then, as soon as we get the new
19 Court Reporter in here, we'll start up. Thank you.
20 Recess, please.

21 (End of Excerpt.)
22
23
24
25
26
27

FBT-CR20-0336785-T : SUPERIOR COURT
STATE OF CONNECTICUT : JUDICIAL DISTRICT OF BRIDGEPORT
v. : AT BRIDGEPORT, CONNECTICUT
NICHOLAS ROBERT HALL : FEBRUARY 19, 2025

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Bridgeport, Bridgeport, Connecticut, before the Honorable Peter A. McShane, Judge, on the 19th day of February, 2025.

Dated this 6th day of March, 2025 in Hartford,
Connecticut.



Ashlee S. Lewis
Court Recording Monitor Trainee

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