

SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

HEARING

MS. [REDACTED]

MARCH 7th, 2018

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APPEARANCES

Mr. Jay Barnes, Chairman
 Mr. Alex Curchin, Senior Counsel/Legislative Director
 Representative Don Phillips
 Representative Jeanie Lauer
 Representative Kevin Austin
 Representative Gina Mitten
 Representative Shawn Rhoads
 Representative Tommie Pierson, Jr.

Also present:

Ms. Alix Hallen
 Mr. Bryan D. Scheiderer

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(The hearing commenced at 8:02 a.m.)

MR. BARNES: I call to order this meeting
 of the House special committee on investigative
 oversight.

Mr. Secretary, please call the role.

MR. CURCHIN: Chairman Barnes.

MR. BARNES: Here.

MR. CURCHIN: Representative Phillips.

MR. PHILLIPS: Here.

MR. CURCHIN: Representative Lauer.

MS. LAUER: Here.

MR. CURCHIN: Representative Austin.

MR. AUSTIN: Here.

MR. CURCHIN: Representative Mitten.

MS. MITTEN: Here.

MR. CURCHIN: Representative Rhoads.

MR. RHOADS: Here.

MR. CURCHIN: Representative Pierson.

MR. PIERSON: Here.

MR. BARNES: All here and accounted for.

Seven present, so everyone is here. So everyone
 knows that in order to -- state your questions
 clearly and loudly enough.

Good morning. Thank you for being here.

While Mr. Simpson is getting coffee, have

1 you ever given testimony before?

2 [REDACTED]: I don't know if I can say.

3 MR. BARNES: Okay. And that's a fair

4 question.

5 This is going to be a conversation, and if

6 there's any question that we that you don't

7 understand the question, it's important to just say,

8 Stop, I don't understand what you're asking. If you

9 can't hear us, stop us. If you need to stop for any

10 reason, feel free to stop and use the restroom,

11 whatever -- for whatever purpose.

12 Now that Mr. Simpson is back, we're going

13 to administer the oath.

14 [REDACTED]

15 being first duly sworn, was examined and testified as

16 follows:

17 EXAMINATION

18 BY MR. BARNES:

19 Q. Can you state your name.

20 A. [REDACTED]

21 Q. And, ma'am, how long have you known

22 Eric Greitens?

23 A. Since, like, 2013.

24 Q. What were the circumstances in which you

25 came to know Eric Greitens?

1 A. He came into the salon for a haircut.

2 Q. Okay. So that was 2013. How was your

3 relationship -- how long did it go? How did it

4 start? Can you describe as a client what it was

5 like?

6 A. It just started where he -- I believe he

7 came in to a couple of my coworkers beforehand, but

8 once he came to me, he became a regular client of

9 mine. And -- I don't know. I saw him pretty

10 regularly, unless he was traveling. Seemed pretty

11 typical, except for I would say we had a lot of -- I

12 mean, I had conversed with most of my clients pretty

13 often, but we got to know each other pretty well,

14 and I thought he was great. I thought he was this

15 perfect guy. I probably knew too much about what he

16 had maybe done in the past, as far as -- I knew -- I

17 knew that he was an author, I knew he was a

18 motivational speaker, I knew he was a Navy Seal, I

19 knew he had volunteered at the Mother Teresa House,

20 I knew that he -- I mean, he -- to -- I mean -- I

21 guess he -- I don't want to say that he was speaking

22 highly of himself, but he found a way to tell me

23 these things, and so I thought he was just

24 wonderful.

25 Yeah, other than that -- I mean, I think

1 it was pretty typical.

2 Q. When did -- at what point in time did you

3 see him socially outside of the context of your

4 workplace?

5 A. That wasn't until March of 2015.

6 Q. And can you describe how that came about?

7 A. So I hadn't seen him for about a six-month

8 period, which was pretty abnormal, and I noticed it.

9 The time before he came in -- so that would have

10 been the summer of 2014, I knew that his wife was

11 having a baby soon, and I had just gotten back from

12 a vacation with my whole family, and I mentioned

13 something about my husband not letting me go to the

14 gym without him being with me -- and he didn't

15 exercise, just to kind of -- I can't remember how

16 the conversation went, but I know that in that

17 conversation that happened in August --

18 Q. Do you mean your husband didn't exercise?

19 A. He didn't -- right. Exactly. My husband.

20 Eric did. He asked about the trip, and I said, They

21 had this really cool gym, but going to the gym was a

22 little annoying at times because my husband refused

23 to let me go by myself, and he would sit there,

24 like, at the machine, the equipment next to me just

25 to watch me and make sure nobody was watching me

1 sort of thing. And I don't know that I went into

2 that detail with him. I just said, Oh, yeah, it was

3 really cool, except for I had my -- my husband, who

4 didn't really exercise, kind of watching me.

5 And that was the first time that I felt

6 like -- maybe the other times where he had boasted

7 about himself a little bit -- he had brought me

8 books -- signed books in the past that I didn't ask

9 for. He would, like, stop in after his visit. So

10 maybe had flirted a little bit here and there, but

11 that was the first time that summer. After that

12 conversation, he was like, Tell me about your

13 husband. I mean, what does he look like? I picture

14 him being this, like -- you know, very confident,

15 tall, you know, handsome man. And I was like, No,

16 my husband is an artist. He's not a big guy,

17 he's -- he's an artist. He's an emotional guy --

18 you know, it's -- and then -- it just felt a little

19 bit, like -- a little flirty.

20 And so after that day -- I didn't see

21 him --

22 Q. So that was in the summer/fall of --

23 A. Summer of 2014.

24 Q. -- of 2014?

25 A. Yes. And then I didn't see him at all --

1 I had heard that following February that he was
2 running for office. And then in March, he came in.
3 And so this would have been the very beginning of
4 March, maybe -- [REDACTED] birthday is March 7th, and
5 I know it was right around then.

6 Q. He came in for an appointment?

7 A. He came in for an appointment. And that
8 week prior to, my husband and I had just separated,
9 and he had just moved into his brother's house -- or
10 was sleeping at his brother's house at that time.
11 So when I saw Eric was coming in that time, I was
12 super nervous because he was one of -- you know,
13 really, my only client that I had somewhat of a
14 crush on and thought he was this great guy, and so I
15 just felt kind of nervous having him come in, and
16 because I thought that maybe he didn't come in to
17 see me after that time because he felt bad flirting
18 with me, because he was having a baby soon.

19 So --

20 Q. So what happened, like, March -- at that
21 appointment in early March?

22 A. So he came in and went to go give me a
23 hug, [REDACTED] it's great to see you, and he noticed I
24 was visibly shaking. So this is the morning -- he
25 was my first client. And he was like, Oh, you seem

1 kind of shaky. Did you exercise? Did you not eat?
2 And I was like, Oh, yeah, no, I didn't -- which was
3 not the case; I was just super nervous. And he was
4 like, Okay, well I'll be right back. And literally
5 just took out the door -- or ran out the door and
6 went across the street to Straub's and came back,
7 and he had, like, a protein shake and a banana and
8 chocolate and a water. He's like, [REDACTED] just sit
9 down and talk to me before you start the
10 appointment. I want you to be -- you know, feel
11 good. And so we sat there and talked for a few
12 minutes before I started his appointment and just
13 filled him in -- I had started school again, and I
14 had started CrossFit. And he had mentioned that he
15 was running for office.

16 So that was about it. And then once we
17 sat down and I was cutting his hair, it was really
18 obvious that he was flirting with me, to me. [REDACTED]
19 you look incredible. You look better than you've
20 ever looked. You're glowing today. I mean, this is
21 just crazy. Something is going on with you. You
22 just look beautiful. And so I was shampooing his
23 hair -- this was at the end of his appointment. And
24 I had just finished, but he was still laying back in
25 the shampoo bowl, and I was standing next to him

1 and -- describing a conversation I had with one of
2 my professors, and I noticed -- I could feel his
3 hand on my leg. And at first I just ignored it,
4 thinking, like, This really -- he's not really --
5 and then he kept doing that and staring at me while
6 I was telling him the story. So I just kept
7 continuing the story, and then he, like, moved his
8 hand all the way up to my crotch, at which point I
9 stepped back and was like, What are you doing? And
10 he just laid back and kind of looked up at me like,
11 I don't know, and didn't say anything.

12 So I just walked back to my chair, and he
13 followed me back there. And I was blow drying, not
14 saying anything at first, I just looked at him and
15 said, Is that why you didn't come in for all of this
16 time? And he just said, I don't know.

17 So -- and I had a coworker right next to
18 me, so we didn't discuss what had just happened, why
19 he felt like that. I went to go walk him up to the
20 front, and he asked -- or [REDACTED] let me show you
21 this thing over here -- he wanted to talk to me
22 about it, and I just said, No. You're married and
23 I'm married. Because I didn't tell him I had just
24 separated. I didn't mention my husband at all. And
25 he said, I know -- like, I know, but -- whatever --

1 I have these feeling -- I don't know. There was
2 just so much unspoken. So I just walked him up to
3 the front, he left.

4 Later on that day, he shows up dressed in
5 his suit and everything, and he had a book for me --
6 his newest book -- and left it with the girls at the
7 front because I had a client. And later on -- I
8 believe it was that night, I received an e-mail from
9 him, which -- the only reason why he had my e-mail
10 was because maybe a year, year and a half prior to,
11 he had asked me for my e-mail so he could send me
12 book suggestions -- because that's the other thing
13 we talked about a lot was what we were reading. But
14 he never used it, he never e-mailed me, so I had
15 totally forgotten he had even had it.

16 So that night he e-mailed me with: Hey,
17 I -- great to see you as always, I dropped off a
18 book for you, let me know that you got it. Also, is
19 there a better way to reach you because sometimes
20 it's hard to book an appointment with you. To which
21 I thought about it before I wrote him back what I
22 was going to write, because I knew -- he doesn't
23 know that I'm newly separated. He also doesn't know
24 my husband is extremely controlling. He looks
25 through everything of mine. My phone, my Facebook,

1 my everything he had access to, and he was obviously
2 extremely -- paying attention to everything at this
3 point, too, so ...

4 So I e-mailed him back with, Great to see
5 you, too, but you -- here is my cell phone number --
6 oh, because I also didn't want to say, Well, you
7 can't have my cell phone number, because I didn't
8 want him to think I'm extremely angry at him,
9 because I was at least curious. Did he have the
10 same feelings for me? Was he going through
11 something similar with his wife? Why did he feel
12 like he could do that? Because he didn't know I was
13 separated. So, anyway -- so I was at least curious.
14 I didn't want to talk to him, but I did want him to
15 call me. So I said, Well, here is my cell phone
16 number; however, the best way to reach me is to
17 still go through the salon, they'll let me know if
18 you can't get an appointment so I can try to get you
19 in.

20 Q. Okay. So that is approximately March 7th?

21 A. Yes.

22 Q. Okay. When was your next contact with him
23 after that?

24 A. So he called my cell phone that -- a phone
25 call I missed because it was [REDACTED] birthday. I

1 knew it had to be him because it was a D.C. number,
2 and the only other person I knew that had a D.C.
3 number was my friend [REDACTED] and it would have
4 showed up as her name. So -- so I called him that
5 following Friday -- so that would have been most
6 likely on a Sunday. And then that following Friday,
7 I called him back, and we were trying to have a
8 conversation in code of sorts of like, I'm really --
9 my friend is really curious -- she's in a situation.
10 She was really curious what happened and why,
11 because this person -- you know, it was kind of in
12 code. The way he was talking, I could tell he was
13 most likely at his house because he wasn't really
14 talking. And -- so he said, Actually -- hey, can
15 you meet me outside of Starbucks in an alley -- oh,
16 because he asked me where I was, and I said -- I was
17 in the Central West End with some of my friends
18 at --

19 Q. Hold on. Let me slow you down, because
20 I'm confused by the timeline.

21 A. Sure.

22 Q. So you missed a call from him on [REDACTED]
23 birthday?

24 A. Right. Yes.

25 Q. Okay. And then you called him -- I

1 believe it was the following Friday?

2 A. Yes.

3 Q. Okay. And you were having this
4 conversation in code the following Friday?

5 A. Correct. Yeah, I went --

6 Q. So that would be approximately -- it's
7 around March 14th or so -- March 13th would have
8 been a Friday.

9 A. Yes.

10 Q. Okay.

11 A. Okay. So he asked where I was, and I said
12 I was at a restaurant in the Central West End -- a
13 Mexican restaurant there. And he said, Well, can
14 you meet me in a few minutes in the alleyway behind
15 Starbucks, because I think I have a solution to your
16 friend's problem. So I said, Okay. And I went over
17 to kind of where he was talking about behind the
18 Starbucks, and I was, like, shaking, because I was
19 nervous to even be talking to him like this. And he
20 kind of hugged me and just said, Listen, calm down,
21 it's not -- it'll be okay. I have an idea of, you
22 know, of a time when we can talk about this openly.
23 Next weekend, my wife is going out of town, you can
24 come over to my house, we can discuss these things,
25 because I don't have -- you know, I have to get back

1 to my house in a minute. And I said, Well, I don't
2 know if I can do that. I knew -- my husband's
3 birthday was that following Friday. I also knew --
4 I don't know how this is going to go.

5 Really quick, just to back up, when Eric
6 called and I saw that missed number, I saved it
7 under my -- I saved his number under my friend
8 [REDACTED] name, worried that if he -- because anytime
9 my husband would see a number that he didn't
10 recognize, he would either call it or text it, just
11 to find out who is contacting my wife. So,
12 meanwhile, during that week, he had done what I
13 thought he would do, which was call that number, and
14 he told me -- he made up a story about how he had to
15 call [REDACTED] -- which he never called [REDACTED] -- I had
16 to call [REDACTED] about something, but I called the
17 number that was on there, and Eric Greitens's
18 voicemail picked up, so what is going on with this
19 guy? So I also didn't know what was going to happen
20 with that with my husband and how I would feel about
21 meeting him the next week, so we left it at, I will
22 call you on Friday -- I told him I will call him on
23 Friday when I'm leaving work and let you know if I
24 feel comfortable coming over to talk about this. He
25 said, Fine.

1 So that following Friday --

2 Q. So this would be March 20th?

3 A. Twentieth. And that is -- that was [REDACTED]

4 [REDACTED] actual birthday. I called him from my

5 salon and I said, I don't feel comfortable coming to

6 your house, can you please meet me at Starbucks or

7 Coffee Cartel, something -- because I had told him I

8 don't have any time other than before work on

9 Saturday, I come could by that week before. He

10 asked if I could come by that weekend, and I said

11 that would be the time.

12 So, anyways, I said, Can we please just

13 meet at Coffee Cartel or Starbucks. And he said,

14 No, [REDACTED] I cannot be seen in public with you. I'm

15 running for office. People are going to be out to

16 get me, they cannot see me with you. And I said,

17 What do they know we're talking about? We can just

18 meet in that room -- Coffee Cartel has a back room.

19 No. I cannot meet you in public. I'm telling

20 you -- especially in the Central West End, people

21 will be looking. And I know I said, Well, I'm

22 not even going to have too much time. And he said,

23 Well, I live right by there, so if you come to my

24 house, if you come in through the back door, nobody

25 will see you, we can talk, you can get back to work,

1 it'll be fine.

2 So he eased my mind enough that I said --

3 and I know during that conversation that we had on

4 that Friday night -- because I said, No, I'm not

5 comfortable being in your house -- I have never

6 cheated on my husband at all. That was not my

7 intention. I'm not going to come to your house -- I

8 feel uncomfortable. And he said, I get it, but

9 you -- I can't meet you in public. Just come to my

10 house and we can still just talk. I said, Okay.

11 So that next morning, I came to his house

12 and came in through the back door --

13 Q. What time was it?

14 A. Approximately, like, 7:00 a.m. on that

15 Saturday.

16 Q. And this was before you had go to work?

17 A. Yeah. So I had to be at work by 7:45,

18 7:50.

19 Q. Okay.

20 A. So I came in through the back door, and he

21 was waiting right there in the kitchen. And he was

22 waiting and did this (indicating) to me as I was

23 walking up.

24 Q. Can you -- can you describe --

25 A. Oh. Like making a shush motion.

1 Q. With his finger over his mouth?

2 A. With his finger over his mouth.

3 And so I just kind of stood there. And he

4 grabbed my purse and my keys out of my hand and sat

5 them at -- there was a countertop kind of right to

6 his right, and he sat this down. And I watched as

7 he went through my purse, taking stuff out and

8 looking through my purse. And he, you know, looked

9 at me a couple of times, basically telling me don't

10 say anything. He searches through my purse, comes

11 over to me and pats me down, like, head to toe -- I

12 guess to see if I was wearing a wire. And then he

13 went back outside, checked to see if anybody had

14 seen me come in or whatever, and comes back inside.

15 And at this point I'm like, Oh, my gosh. I guess

16 this is a Navy Seal thing, maybe this is my -- that

17 he knows my husband -- because I had told him on

18 that Friday night, Just so you know, my husband saw

19 that you called, and he is extremely controlling

20 over stuff like this. I -- you know? So I thought,

21 well, maybe he's doing this because he's worried my

22 husband -- I don't know.

23 So I was shaking, I was so nervous. And

24 he said, [REDACTED] it's okay, calm down. How much time

25 do you have? I said, I only have, like, 45 minutes.

1 And he said, Can you come back later? What time do

2 you get off work? And I said, No, I can't. I get

3 off at four, but I have to go back and get my

4 kids -- because my husband was staying at his

5 brothers, but my kids didn't go there. I was

6 responsible for them, if I wasn't working.

7 So, anyways, he said, Well, okay, I have

8 this idea. And I thought about you so much, and I

9 have this idea, and it's to make you feel good. I

10 feel like you haven't been treated good in so long.

11 And I said, Well, I want to talk to you. I want to

12 know what is going on in your relationship. You

13 don't even know what's going on in mine. And he

14 said, I know, [REDACTED] but we don't have a whole lot

15 of time. Have you exercised today? It was like he

16 was on a mission, sort of, like this kind of high

17 energy -- it was kind of high energy. And I said,

18 No, I haven't exercised. And he said, Will you let

19 me take you through an exercise -- like, through a

20 workout? I just have this idea. It's going to make

21 you feel so good and -- for whatever reason, I

22 trusted him, thought this is okay, this is --

23 somehow we're going to get to this -- I don't

24 know -- I'm going to leave here feeling more

25 clarified that, obviously, he has feeling for me.

1 So he said, I have these clothes I want
 2 you to put on. He had clothes sitting on his
 3 countertop. I want you to go change into these --
 4 take off all of your stuff -- take off everything
 5 you're wearing and put on these clothes. And I just
 6 kind of looked at him like, Oh, God, what do you
 7 have? And he said, Just trust me, just trust me.
 8 [REDACTED] I just want to make you feel good.
 9 So I went -- he has, like, a little
 10 bathroom off his kitchen, and I went in there,
 11 changed into these clothes. The shirt was his --
 12 like, a man's white T-shirt that he had cut a slit
 13 at the top, and the pants were men's pajama pants.
 14 So I came out of the bathroom, and he
 15 said, Follow me downstairs, I'm going to show you
 16 how to do a proper pull-up. So I did what he said.
 17 And at this point, I was intrigued, definitely,
 18 because I thought for sure he really has feelings
 19 for me. He's definitely not going to take it to
 20 any -- past any point that I'm uncomfortable with
 21 because he respects me and -- you know? And maybe
 22 this is going to be some sort of hot workout. We
 23 talked about exercising quite a bit. And the fact
 24 that he asked me to take off everything and put this
 25 on, I thought, Oh, this is going to be some sort of

1 anything I want to do right now, but I'm intrigued
 2 enough and I'm letting him and I trust him -- I
 3 don't know. No, I'm not talking at all at this
 4 point.
 5 Q. Okay.
 6 A. So I just spit it out. He does it and
 7 he's like, You're not going to be a bad girl, are
 8 you? Tries to do it again, to which I just let it
 9 dribble out, because I didn't even want to kiss him.
 10 So then he starts kissing me down my neck and he
 11 starts kissing kind of like down to my chest. And
 12 he takes the shirt and he rips it open. And then he
 13 commented -- I have [REDACTED] from having my kids,
 14 and he commented -- that was the only time that he
 15 broke character was -- he was like, What happened
 16 here on your stomach? Other than that, it was
 17 pretty much like he was in character, so -- anyways,
 18 he starts kissing down my stomach and gets to my
 19 pants, and he pulls down my pants, and then I hear
 20 him kind of, like, step back -- take a step back and
 21 I hear -- I can hear like a (indicating), like a
 22 cell phone -- like a picture, and I can see a flash
 23 through the blindfold.
 24 And -- so, anyways, he says, You're not
 25 going to mention my name. Don't even mention my

1 sexy workout and -- I don't know.
 2 So I follow him downstairs, and he says,
 3 Put your hands on the pull-up rings. And he had
 4 this gauzed tape stuff, and he starts putting it on
 5 my hands. And he was -- he kind of had this
 6 controlling sort of -- again, it was almost as if he
 7 had a -- like we were on a movie set. So he's got
 8 this whole thing down of what he was going to say or
 9 whatever, but he was super -- he was in a controlled
 10 state, which at this point was intriguing to me.
 11 And so he takes this gauze tape and he
 12 puts it around my hands, and then he tells -- or
 13 then he takes a blindfold and puts a blindfold on
 14 me. And then he said, First, before we start a
 15 workout, you have to be hydrated and puts water in
 16 his mouth and tries to spit it in my mouth, at which
 17 point I realized he's trying to kiss me, but I don't
 18 even want to kiss him. So I spit it out, and he's
 19 like -- oh, sorry.
 20 Q. I'm sorry. Have you said anything to him?
 21 A. I haven't said anything.
 22 Q. Okay.
 23 A. I honestly was, like, in shock, because I
 24 was -- I was intrigued, but I'm also -- how -- I'm
 25 not even talking to him. I'm not -- we're not doing

1 name to anybody at all, because if you do, I'm going
 2 to take these pictures, and I'm going to put them
 3 everywhere I can. They are going to be everywhere,
 4 and then everyone will know what a little whore you
 5 are.
 6 So I just stood there, because I was like,
 7 What the fuck? He doesn't have feelings for me, he
 8 just wants to fuck me. So, anyways, I was
 9 completely silent. I didn't say anything,
 10 especially -- so I didn't even -- my husband
 11 traveled for a living, and I didn't even let him get
 12 pictures of me. So I just stood there quietly, and
 13 then he came up close to me and he said, Are you
 14 going to say anything? Are you going to mention my
 15 name? Of course, in my head, I was screaming, Fuck,
 16 all I want to do is tell people right now. I'm
 17 dying. This is the most embarrassing thing that's
 18 ever happened to me. So I just didn't answer at
 19 all, and then he spanked me and said, Are you going
 20 to mention my name? And I said -- I just gritted
 21 through my teeth and I said, No. And he's like,
 22 Good -- now that's a good girl and was, like, back
 23 in his -- whatever -- you know, the thing that he
 24 had in his mind, the thing he was going to do with
 25 me. And he comes around front and starts kissing

1 down my stomach again. And as soon as he got, like,
 2 low on me, I just started freaking out and I started
 3 ripping down my hands. I was like, Get me out of
 4 here. I'm not ready for this. I don't want this.
 5 I don't want this. And then he stood up and started
 6 helping me take down this tape. He was like, [REDACTED]
 7 [REDACTED] calm down, it's okay. It's okay. I was
 8 like, No, I'm leaving, I'm leaving. And I start
 9 walking out -- or going to go up the stairs, and he
 10 grabs me and like -- like, in a bear hug and was
 11 like, Shh, shh, it's okay, calm down, calm down,
 12 and, like, lays me down on this ground in the
 13 basement.

14 Q. Lays you down as in -- did he --

15 A. Not, like, hard, like -- I mean, I was
 16 like a puddle of -- no. I just, like, was crying.
 17 So he, like, hugged me, kind of like laid
 18 down with me. So he was laying there and I was
 19 laying next to him just crying -- like,
 20 uncontrollably crying. And he was like, Shh, shh,
 21 it's okay, it's okay. That's all he was really
 22 saying at this point. And he was trying to, like,
 23 fondle my body.

24 Q. Are you still crying at this point?

25 A. I'm bawling my eyes out. Yeah, so I'm

1 still crying. And then he's like -- I can tell he's
 2 still, like, in it -- he's still in this -- in this
 3 thing that he's got in his mind of whatever he's
 4 doing, and he's still, like, messing with me. He
 5 starts undoing his pants, and he takes his penis out
 6 and puts it, like, near where my face is. And I'm
 7 like -- so this guy literally just wants me for
 8 this, and this is all he wants, and then he'll let
 9 me -- because at this point, too, I also know I have
 10 to be at work, and he's not going to let me leave,
 11 because he's obviously still horny. So I gave him
 12 oral sex at this point. And this -- and this -- and
 13 he finished. He did exactly what I thought he would
 14 do. He was just like, Okay. I literally got up --
 15 he didn't stop me from leaving. I walked upstairs,
 16 went into the bathroom, got dressed, and left and
 17 went to work.

18 So I grabbed my purse as I was leaving the
 19 door, and it wasn't until I got to work that I
 20 realized, I don't have my freaking keys -- because I
 21 always put my keys inside of my purse, and -- so all
 22 day long, I just kept thinking, I don't know what to
 23 do. He's told me I cannot call him. He obviously
 24 will freak out if I call him. I have to get my
 25 keys. I literally can't leave. I can't tell

1 anybody else to go get them because then somebody is
 2 going to know.

3 Q. When you were leaving and gathering your
 4 stuff in your purse, you previously testified he
 5 took everything out of your purse.

6 A. And then he put it back in.

7 Q. Were your keys in your purse when you
 8 walked in the door?

9 A. No. I had them in my hand.

10 Q. Okay. And then you sat them down?

11 A. I didn't. He took them from me. He took
 12 my keys and he took my purse as he did that, and
 13 then he sat them down, and then he just went through
 14 my purse and he put that stuff back in there.

15 Q. Okay. So you're back at work and you
 16 realize that you don't have your keys?

17 A. Right. So all day long I just pondered
 18 what to do. At this point, obviously, I haven't
 19 told anybody. I just kind of made it through work
 20 that day and decided -- just made the ultimate
 21 decision -- because he never brought them back up
 22 there -- because that's what I thought, maybe he'll
 23 find some sort of excuse to bring an envelope to me
 24 or something.

25 So at the end of the day, I just make the

1 decision to walk down there. I knew he knew what
 2 time I got off work because he asked me earlier in
 3 hope that he would be, you know, waiting or
 4 whatever, which he was. I went in through -- or I
 5 walked up to the back door, and he was already in
 6 the kitchen and opened the door and said, You forgot
 7 your keys. I said, Yeah. And I was obviously
 8 pissed. And he said, You're angry. And I said, I'm
 9 really angry. I'm so angry. That is not at all
 10 what I wanted to do, Eric. And he said, I know, I
 11 know, I just -- I kept thinking about you. And I
 12 said, No, you took a freaking picture of me. My
 13 husband doesn't even have a picture of me. You took
 14 a picture of me. And he said, I know, [REDACTED] but
 15 you have to understand, I'm running for office, and
 16 people will get me, and I have to have some sort of
 17 thing to protect myself. And I thought about you,
 18 though, and I felt bad, so I erased it. To which --
 19 you know, I didn't believe him, but at least he,
 20 like, acknowledged that it was messed up and had a
 21 reason why and -- so then I -- he said -- I said,
 22 Yeah, but I wanted to come here to talk to you. And
 23 he said, Well, ask me any question now, I'll tell
 24 you. To which -- I mean, that wasn't really the
 25 case, but because -- I don't know how many questions

1 I asked him. And, really, all he -- about his
 2 relationship, what is going on? What made you feel
 3 like you could do that, because I feel like if you
 4 were in a happy marriage, you wouldn't be doing
 5 that, you know? He just said, Well, my wife had a
 6 baby, we're not really intimate now, and that was
 7 really the only answer I got. Not that they were
 8 separated, not that -- you know, really, anything
 9 else, that was the only reason he gave me.

10 And we talked some, and he was back to
 11 kind of being that guy that I knew from the salon.
 12 It was extremely charismatic, very -- kept looking
 13 at me straight in my eyes and engaged -- like, I
 14 felt like he cared about me. He kept trying to hug
 15 me and touch me and kind of fondle me, meaning,
 16 like, maybe hugging me and trying to put his hand up
 17 my shirt. And at this point, it -- I was really
 18 kind of mixed, because I hated him from earlier, but
 19 I also loved the man that I knew before, so ...

20 I stayed there for about 30 minutes, maybe
 21 45 minutes having this type of a conversation,
 22 having a calming, soothing -- and his excuse was, I
 23 fantasized about you for so long that, you know, I
 24 had this idea, and I thought you would really enjoy
 25 it. So whenever I went to leave -- and he and I

1 both agreed we wouldn't see each other under these
 2 circumstances again -- because I told him, I know
 3 I'm in a vulnerable state, my husband and I just
 4 separated. I don't know what's going to happen with
 5 that, I just know that I'm -- I don't know. I just
 6 feel so uncomfortable with all of this. I just
 7 said, I'm not ready for this.

8 So I left that day, and he -- with the
 9 understanding that we wouldn't see each other like
 10 this, but he would still come in and get a haircut.
 11 And that night I was supposed to be going -- I was
 12 supposed to hang out with a friend of mine -- my
 13 friend [REDACTED]. And she called me, and I said, I
 14 can't go anywhere, can you please just come to my
 15 house? She said, Yeah. What's going on? I said,
 16 Just come to my house, please.

17 So she came over that night, and I told
 18 her what had happened, and she was just -- I
 19 couldn't quit crying. She laid with me in my bed.
 20 I couldn't fall asleep. So -- and her response was
 21 like, [REDACTED] that's -- this is really messed up.
 22 And I didn't even -- at this point, I didn't
 23 necessarily want her or anybody to think bad things
 24 about him, because it was so embarrassing to me,
 25 too. I didn't want him to not want me. It was so

1 embarrassing.

2 So I know -- the few friends that I told
 3 during this period of time, I just -- I didn't want
 4 to believe what they saw, you know, looking
 5 outside -- that wasn't -- I didn't feel the way that
 6 I feel now about it until way later. I was way too
 7 embarrassed to think about it. So I didn't sleep --
 8 I didn't sleep. I called my friend [REDACTED]. I believe,
 9 the next day and talked to her about it and told
 10 her, I can't -- all I can think about is my husband.
 11 I feel so awful. I'm sick about it. I feel like I
 12 have to tell him. And she's like, You know how he
 13 is, [REDACTED] he's going to freak out. He freaks out
 14 if you flirt with somebody. He will really lose his
 15 mind. And I'm just like, I know, but I'm not going
 16 to sleep if I don't tell him. I can't quit thinking
 17 about him. Because now, of course, he seems really
 18 great to me.

19 So --

20 Q. Let me pause. You mean -- "he seems
 21 really great to me." You mean your husband?

22 A. Yeah.

23 Q. Your ex-husband now? To him you're
 24 referring?

25 A. Yes.

1 Q. And so you called [REDACTED] the next morning
 2 and you told her what had happened the previous day?

3 A. Right.

4 Q. Okay. That would be Sunday when you
 5 called her?

6 A. Yes.

7 Q. Okay. So you had the conversation with
 8 [REDACTED] -- I'm sorry for interrupting. I want to go
 9 back where we were.

10 A. Sure.

11 Q. You had the conversation with [REDACTED]. She
 12 said, Your now ex-husband is so jealous, what are
 13 you going to do? You said, I have to talk to him.
 14 I'm not going to be able to sleep?

15 A. (Witness nods.)

16 Q. Okay. And then?

17 A. And so another --

18 Q. Were you still separated at the time from
 19 your ex-husband?

20 A. Yes. He was still living at his
 21 brother's. So the day before I saw Eric, on [REDACTED]
 22 [REDACTED] birthday -- on the weeks -- in
 23 the very beginning of our separation -- I mean, even
 24 right away, he just kept pushing me, my husband,
 25 asking me, Does this mean you want a divorce? You

1 have to tell me, do you want to divorce? He just
 2 kept pushing it and pushing it. We had that
 3 conversation I don't know how many times -- a dozen,
 4 maybe, between the very beginning of March -- it
 5 could have been the very end of February,
 6 whatever -- it was about a week before I saw Eric, I
 7 know that, until now -- this is March 20th, [REDACTED]
 8 birthday. When I got home from work that night,
 9 knowing I had just had that conversation with Eric,
 10 that I'm at least going to talk to him in the
 11 morning about how I have feelings for him or he has
 12 feeling for me or whatever, I get home -- and that
 13 night, [REDACTED] was going out for [REDACTED] birthday with some
 14 [REDACTED] friend, and he looked at me and said, I need
 15 to know tonight. Do you want a divorce or not? And
 16 I said, Fine, if you have to know tonight, yes, I
 17 want a divorce.

18 Q. This was on the 20th?

19 A. On the 20th. So the 21st, I see Eric, now
 20 a mess, as far as emotional -- I have no clue what's
 21 going on. And the 25th, I believe -- 24th --
 22 24th or 25th, at this point, I was going on almost
 23 no sleep, other than a few hours of sleep total over
 24 a four-day period. I make the decision that I have
 25 to tell [REDACTED]

1 MS. LAUER: I'm sorry. Who?

2 MS. [REDACTED]: I made the decision that I
 3 have to tell my husband.

4 A. So I told him, I have to tell you
 5 something, it's really sensitive. Can you meet me
 6 so we can talk about it? And he said, Yeah, we can
 7 meet in the parking lot -- we were at a parking lot
 8 by our house, and he asked me to get in his car, and
 9 I proceeded to tell him everything, except for -- I
 10 didn't tell him that Eric called me a whore.
 11 There's -- by that point, there is no way I can tell
 12 him that, because I thought -- even me just telling
 13 him anything -- he's gritting his teeth the whole
 14 time, like -- I am so angry. When my husband gets
 15 angry, he's really angry. And I know he's so
 16 jealous anyway, so -- and there's no way -- by the
 17 time I got to the point where even I gave him oral
 18 sex, I could not tell him at that point.
 19 Eventually, I did tell him -- because my husband and
 20 I got back together in July, and I told him, you
 21 know, everything.

22 And so after I finished that conversation,
 23 his response was, A, you know, I'm going to get this
 24 guy one day, I'm going to get him. And I just kept
 25 saying, Please, you cannot you can't tell anybody.

1 Don't tell anybody. Please, please, please, please,
 2 don't. And, also, after that day, it was, I need to
 3 get an apartment. I'm going to get an apartment,
 4 you're -- [REDACTED] is going to get an apartment,
 5 because -- I mean, you're exactly what I thought.
 6 You're a home-wrecker -- because he kept saying, you
 7 know, exactly what he knew would get to me.
 8 Probably one of the biggest things I felt so guilty
 9 about was I did go into a married woman's -- I went
 10 into a married woman's home. So he just kept saying
 11 that throughout this whole -- from that point
 12 forward was, you're a home-wrecker, you're a
 13 horrible person. You went to a married woman's
 14 home -- because he knew that -- even though we had
 15 newly separated, they were definitely married. So
 16 it was, you're a home-wrecker, you're a whore,
 17 you've cheated, you -- you know, I have to get an
 18 apartment, and we'll meet with a mediator.

19 So Eric came in for an appointment again
 20 maybe like a week and a half or two weeks later.
 21 And when he came in, the first thing, of course, he
 22 says is, You didn't tell anybody, did you? And I
 23 was just like, Oh, no, knowing that now -- telling
 24 my friends is one thing, because they wouldn't break
 25 my trust, but telling now my soon-to-be ex-husband,

1 who hates me, hates him, is going to do God knows
 2 what, you know, now this on my mind. So I just
 3 said, No, no. And he was like, Good, because I have
 4 to see you again. I cannot quit thinking about you.
 5 You're on my mind all the time. You're the most
 6 incredible woman -- you know, just complimenting,
 7 complimenting -- please tell me when I can see you
 8 again. Which, to me, felt so much better than,
 9 Okay, yeah, he doesn't think of me as a whore, he
 10 doesn't think of me as this thing that he just wants
 11 to get off with.

12 So he asked when was the next time he
 13 could see me. And from this point forward -- so
 14 this would have been early May, you know, maybe --
 15 early to mid-May. I saw him a total of, really,
 16 five times that were consensual -- or wait, no -- I
 17 guess three times. One of the times is the first
 18 time, and then I saw him -- so the next time I
 19 agreed to --

20 Q. (By Mr. Barnes) Okay. So let me back up.
 21 You were not talking about what happened on
 22 March 21st?

23 A. Correct.

24 Q. Now you're talking about what happened
 25 afterwards?

1 A. Afterwards.

2 Q. And you said three other times?

3 A. Correct.

4 Q. Okay. Can you describe -- can we talk

5 about each of those?

6 A. Sure.

7 Q. And sort of the -- just the general --

8 what happened in your relationship with Eric?

9 A. So kind of forward. So I meet -- here's

10 March, and then I do his hair. We've agreed that,

11 Okay, maybe the next time -- because he said, Could

12 you come in early the next time I come in for an

13 appointment to see me, and that way we can actually

14 talk alone and whatever? So that next time I saw

15 him was at the salon. I didn't typically -- the

16 front desk girls would typically get there first,

17 unless you had a client who had to be there early.

18 So that day I did get the keys from the salon and he

19 showed up maybe 30 minutes before his appointment,

20 and that -- he would have been the first appointment

21 of that day. So that would have been the next time

22 that I saw him in more of a sexual sense or more of

23 a social sense. When he showed up, I consensually

24 kissed him -- so that would have been like the first

25 time that I was -- that was totally my decision. He

1 came in -- at that time we stayed clothed and

2 everything, but, essentially, made out. And then

3 he -- my client -- my coworkers showed up, I did his

4 hair, and he left.

5 And then my guess is -- this would have

6 been three, four weeks later --

7 Q. So we're -- now we're --

8 A. In May.

9 Q. May? Okay.

10 A. I was sitting outside of the salon. There

11 was a fountain outside of The [REDACTED], and I was

12 sitting out there reading in between clients, and he

13 drove by and stopped his car and said, [REDACTED] come

14 here. And he said, You just look incredible sitting

15 there. You know, I want to see you so bad. What

16 are you doing tonight, because I actually have the

17 house tonight. Would you come over? And even

18 though my husband had an apartment, the kids never

19 saw the apartment. They never went there. They

20 would stay with me every night, so I knew I couldn't

21 be home late, because my husband was staying with

22 the kids at my house until I got home, but I said

23 maybe I could come by for a little bit. So after I

24 left work that night, I went over to his house --

25 Q. What time was that? Five o'clock?

1 A. No. Probably 6:30, seven at the latest.

2 Because usually I worked until six or 6:30.

3 And then I went down to his house, came in

4 through the back way again. That time would have

5 been -- I consensually partook in both of us --

6 essentially, oral sex. We were in his bathroom the

7 whole time, pretty much. I wasn't there for a super

8 long time. I don't know, maybe 45 minutes, an hour.

9 I don't know. Left. There was nothing really crazy

10 that happened that time or anything. And -- so then

11 the next time that I saw him would have been --

12 wouldn't have been until, like, the end of June.

13 So he had come in to the salon at some

14 point, maybe early June, mid-June and said his wife

15 would be out of town for a week, and he wanted to

16 see me during that week. And so on that Saturday, I

17 went over to his house. I went -- I went out with a

18 few of my girlfriends after work and then went over

19 to his house afterwards. So this -- my guess would

20 have been 10:00 p.m., kind of later. And at first

21 was consensual, you know -- he has a spare bedroom

22 upstairs and took me up there, and we were, like,

23 making out at this point. My guess is at least

24 seminude at this point. And he looks at me and

25 asked me, [REDACTED] have you been intimate with

1 anybody? And I said, What do you mean? And he

2 said, Well, since you and I started -- because he

3 knew that I had been separated from my husband. And

4 I said, Well, I slept with my husband -- because I

5 knew at some point I had. And he slapped me across

6 my face, just like hard to where I was like, What?

7 Eric, what in the heck? You're married. Why

8 would -- what do you mean? And he just said, No.

9 Like, that was -- you're mine. This is -- what do

10 you mean you slept with your husband? You are not

11 supposed to be sleeping with him, you know? And I

12 said, I think you're screwed up from being in the

13 Navy or -- this is -- I grew up with a dad who was

14 0 percent physical with me ever. That was just so

15 bizarre to me, you know?

16 So then -- I know we laid there and talked

17 about him being in the Navy and what happened there.

18 Because I know we talked about -- there was a bomb

19 that went off -- I don't know. That was pretty much

20 our conversation after that, because it was just

21 bizarre.

22 Q. Let me back up. How -- you said he hit

23 you hard.

24 A. Yeah, not like a playful, Oh, you silly;

25 it was like, You're mine, what are you doing?

1 Q. With intent to harm or -- I mean -- I'm
2 trying --
3 A. Just, like -- sure.
4 Q. I'm trying to get something other than
5 just hard. Super hard? Did it knock you down?
6 A. It just swung my face.
7 Q. Okay.
8 A. I didn't have a bruise from it.
9 Q. Was it open -- an open hand?
10 A. Open hand. Uh-huh.
11 Q. Right hand?
12 A. So -- I don't know. That's a good
13 question. I'm not positive.
14 Q. Okay. So you talked, and then what
15 happened?
16 A. I left that night, and I know I saw him
17 one more time that week. And at -- I believe it
18 was -- so if that was on Saturday, on Sunday he
19 called me and told me, I want to be able to talk to
20 you this week. I got, like, a throwaway phone or,
21 like, a burner phone to be able to call you.
22 Because at this point, we really didn't have much
23 communication outside of the salon. So he got this
24 phone that he could call me on, I believe, on that
25 Sunday. And I know we talked a few times that week,

1 but then I saw him one more time, which was in the
2 morning before work. He asked if I would come over
3 and work out with him. And I did that, came over --
4 we did exercise and went through, like, a workout,
5 and then at the end of it, then it turned sexual in
6 nature. And at first it was fine, and then we were
7 in a position that would have been as if we were
8 having sex, like doggy style, but we didn't ever
9 have intercourse throughout all of the times that I
10 saw him. So he was essentially, like, fingering me
11 and -- but in that position, and out of nowhere,
12 just, like, kind of smacked me and grabbed me and
13 shoved me down on the ground. And I instantly just
14 started bawling and was just like, What is wrong
15 with you? What is wrong with you? And I just laid
16 there crying while he was just like, [REDACTED] you're
17 fine, you're fine. You know, not really -- I think
18 he was just -- I don't know. Maybe that's normal,
19 but, to me, it's not.
20 So after that, I got ready and left and
21 went to work. And it was that day that at the end
22 of the day, I went to leave work, and he was waiting
23 outside of The [REDACTED] and he said, I need to talk to
24 you, you have got to follow me, there's an issue.
25 And I said, Okay. So I got in my car and pulled

1 out, and his car was right outside of the garage,
2 and I followed him to -- off of Manchester by --
3 there was, like, a Kmart by there. Pulled into a
4 parking lot by him, and he asked me to get into his
5 car. And he said, Somebody has e-mailed my wife
6 today. I think it's this Democratic operative that
7 lives in my neighborhood. And, of course, in my
8 mind, I'm like, it's my husband, I know he's been
9 following me. I know -- I've seen people who he's
10 had following me. A couple of his -- a friend and
11 his friend's brother, you know, as well.
12 But, anyways, he says, I'm going to fly
13 out. I'm going to go see her, convince her. You
14 know, I -- what I've told her -- and I -- is that
15 you were running in the neighborhood. You came in
16 through the front door to get a -- you came up to
17 the door to get a book for your daughter, and then I
18 gave you a tour of the house, and then you went out
19 the back way. I guess, just in case somebody saw me
20 leaving the back way. So this is the story you're
21 going to tell if anybody asks you.
22 And so I said, Well -- and so at this
23 point, he finally agreed, Yes, you know, I can't see
24 you like this, but I still want to come in and get
25 my haircut. I said, No, do not come into the salon.

1 This is not fair to me, this is not fair to your
2 wife, just leave me alone.
3 So I know he called me one more time that
4 next morning early before he got on a flight to go
5 to see Sheena to convince her that all of this was a
6 lie and that this was nothing. And he told me he
7 was throwing away the phone and that was, you know,
8 going to be it.
9 So that following week, my husband and I
10 had a -- our mediator appointment and -- to discuss
11 the details of our divorce, and my husband was
12 extremely kind to me for the first time since,
13 really, all of our separation had started, and he's
14 like, I don't want this divorce, she's the one that
15 wants it, I'm really sad about it, I love her -- you
16 know? And so after that we discussed, could we give
17 it one last try? I told him, I will not be seeing
18 Eric ever again, I know I won't. And so we decided,
19 yes, we would give it one last try. And that's when
20 we had conversation after conversation after
21 conversation about what did I do with him? When did
22 I see him? How did I see him? What exactly
23 happened?
24 And in October, Eric came in -- or he was
25 walking by the salon and came in to the front desk

1 and said, you know, Does [REDACTED] have anything
 2 available today? Well, her client after this one
 3 canceled if you, you know, want that appointment.
 4 So as soon as he sat down, I was like, Eric, you
 5 have got to stop. I'm back with my husband. And
 6 he's like, What? You cannot be back with this guy?
 7 What do you mean? You haven't told him anything,
 8 have you? And I was just like, No, but you have to
 9 leave me alone. I mean, what about your wife? And
 10 he's like, She doesn't think anything. Everything
 11 is fine. She doesn't think anything. So I said,
 12 Well, okay, just please don't -- don't come in, just
 13 leave me alone. And in that conversation, I felt
 14 like there was enough things said -- like, [REDACTED]
 15 you're on my mind all the time, that I thought, he's
 16 not going to leave me alone.
 17 When I got home that day, I promised my
 18 husband if I ever saw him or talked to him, I would
 19 tell him. So I told my husband, Listen, he came in
 20 today. And my husband flipped out, got super angry
 21 with me, How dare you even cut his hair. And he
 22 said, He's going to continue to do this because he
 23 wants to maintain some control over you, just in
 24 case. And I said -- and part of me thought,
 25 regardless, I do think that's true, so I decided to

1 write that e-mail and sent him an e-mail just
 2 saying, Please think of everyone involved and just
 3 leave me alone. Don't come in at all. And then
 4 that was it. I never saw him again.
 5 Q. So that was October of 2015?
 6 A. Yes.
 7 Q. And you have not since seen Eric Greitens?
 8 A. No.
 9 Q. Okay. Did Eric Greitens or anyone
 10 associated with him pay you or give you anything of
 11 value --
 12 A. No.
 13 Q. -- in exchange for -- let me finish my
 14 question, okay?
 15 A. Oh.
 16 Q. Did Eric Greitens or anyone associated
 17 with him pay you or give you anything of value in
 18 exchange for staying quiet about this?
 19 A. No.
 20 Q. Did Eric Greitens or anyone associated
 21 with him ever offer you anything of value in
 22 exchange for staying quiet about this?
 23 A. No.
 24 Q. Your ex-husband, I believe -- tell me if
 25 this is correct -- is the one who turned the audio

1 recording over to the media; is that correct?
 2 A. Yes. So after that day, he kept saying,
 3 I'm going to ruin this guy, I'm going to ruin this
 4 guy. And it wasn't until October -- the reason why
 5 we for sure went to get a divorce is not simply
 6 because of this. When we got back together, my
 7 husband admitted to sleeping with five women -- with
 8 five women from the time that we first got
 9 separated, two of them being before his birthday,
 10 and then -- the only reason why -- the only reason
 11 why he admitted to it is because I met one of the
 12 women when we first got back together, and when I
 13 met her, I asked him if he had slept with her -- and
 14 he thought maybe I had asked her, because I actually
 15 spoke with her. So he admitted, yes, I did, but you
 16 are the one that wanted to separate, this is your
 17 fault. So -- and I agreed. You know, I was the one
 18 who asked him to go to his brother's, I am the one.
 19 And, plus, I felt so bad for him for what I had
 20 started with Eric. So that was fine. And then he
 21 admitted that following week that he slept with five
 22 women and -- but I just made the ultimate decision
 23 that if we're going to make this work, I can
 24 absolutely look past this. This was when we were
 25 separated, and I'm hoping for his forgiveness, too.

1 And then in October when I told him that
 2 Eric had come in, he told me, I still can't be
 3 married to you. Even after I sent the e-mail, he
 4 said, I still can't be married to you. This is way
 5 too -- too much. And so at that point, I just said,
 6 Okay. I am so tired. I am so tired of being shamed
 7 and hearing how horrible I am. Okay. And so then
 8 he kind of freaked out thinking, Oh, my gosh, it's
 9 really going to happen. So he said, Well, wait. I
 10 need to talk to you. You were right -- I had been
 11 asking him in that maybe month and a half or -- so
 12 just saying, Is there another woman involved?
 13 Because I had met a woman who he worked with, and I
 14 caught them talking alone in August at a concert
 15 that he had. And I asked him if she was one of the
 16 five women, and he said no, she's married, she has
 17 two kids, it's not her. And I said, Okay, I just
 18 knew something was weird. And so I kept asking him,
 19 Are you sure none of these other women are still
 20 involved? You aren't talking to any of them?
 21 Because he had access to everything in my phone --
 22 he had everything, but I was not allowed access to
 23 his stuff because it was me who wanted the
 24 separation -- whatever.
 25 So in October he says, Yes, there is

1 another woman involved right now, and I did sleep
2 with one of the five again -- the one who I met.
3 After I met her, after we were back together, they
4 slept together again at some point while we were
5 back together. And then there was another woman
6 involved, which I believe to be the woman who he is
7 still currently with. So she ended up leaving her
8 husband -- it was just such a mess at that point.
9 I'm like -- so now there's this woman, there's --
10 you slept with somebody else after we were back
11 together -- so much. No, I -- I can't do it. This
12 is too much. And then that's when he started with,
13 Well, you're the one who wanted a divorce, this is
14 your fault, you asked for this. Just wait, because
15 your good reputation, [REDACTED] your outstanding
16 reputation is going to be ruined and so is
17 Eric Greitens'. You guys are going to go down
18 because I have proof of it. And that was the first
19 time he admitted he had proof, but I didn't see it;
20 he just said it.

21 Q. So that was in October of 2015?

22 A. Yes.

23 Q. That -- his name is [REDACTED]

24 A. Yes.

25 Q. [REDACTED] started threatening you --

1 A. Yes.

2 Q. -- with the proof -- let me start over so
3 we have a clear record.

4 In October 2015, [REDACTED] started
5 threatening you with disclosure of the proof that he
6 had regarding you and Eric Greitens; is that
7 correct?

8 A. Yes.

9 Q. Okay. And how did he go about threatening
10 you with that and for how long? Was it a one-time
11 deal?

12 A. No. So it would be random texts that he
13 would send saying, you know, You ruined your kids'
14 family. You have coming to you what you deserve. I
15 can't believe people don't see behind, you know,
16 what you've done. Just wait, this -- you know, when
17 Eric was running for office, you know, multiple
18 times he would say things to me like, you know, If
19 this POS gets into office, this is absolutely
20 insane, he doesn't deserve this, just wait. And I
21 just kept hoping he -- because I would just ignore
22 it. I never would say, Well, you did this, too, or
23 whatever, because at this point, I really just don't
24 want to talk about it, I just want to move on, and
25 I'm hoping he really did not record me.

1 So then right around the election, I had
2 multiple people -- nobody came to me -- nobody from
3 the media, nobody from the political world came and
4 said, Tell me about your story, we want to run a
5 story. Nobody did that. [REDACTED] started claiming to
6 friends and family, anybody who would listen, You
7 don't even know the story that's trying to come out,
8 but I'm protecting [REDACTED] I've paid thousands of
9 dollars to protect her. He also told me the same
10 thing. You deserve it, but I'm -- I'm protecting
11 you, even though you don't deserve it, [REDACTED] -- even
12 though I don't deserve his protection.

13 And, again, nobody came up to me, nobody
14 said anything until after the election. I had
15 multiple people tell me that Koster's campaign had
16 the information but decided not to use it, and that
17 [REDACTED] had tried to get them to use it but refused to
18 give them that tape at that point because that would
19 prove that it was him, and also refused to go on
20 record saying anything. And so at this point, I was
21 just relieved that no matter how hard he was trying
22 to hurt me, that somehow it wasn't going to happen
23 until this past December. That was when the first
24 reporter came in -- I'm in a different salon where I
25 have essentially -- think of, like, a tiny home

1 salon. It's like a little room. And this woman
2 comes in -- she had booked a fake appointment under
3 a fake name, and she came in and announced that she
4 wasn't there for a haircut, that she was working on
5 a story about the governor. And I just started
6 crying. I said, No. No, you do not understand how
7 traumatic this whole thing is. I cannot go there.
8 I have kids. My ex-husband is so, so vindictive, he
9 wants to hurt me so bad. Please do not run this
10 story. She said, Well, I understand, but there are
11 some allegations. Some of these rumors are pretty
12 disturbing. And I said, I understand that, but my
13 ex-husband is so, so evil with this stuff. He just
14 wants to hurt me. Please, please do not do this to
15 me. I have children. I'm in school full time, I
16 work full-time -- my life is so busy. So she was
17 just after -- the only thing that I confirmed or
18 denied was -- she said, There's a rumor that you got
19 paid off, and I said, Well, that's not true. The
20 rest of it, I didn't confirm or deny; I just
21 essentially said, Please, I don't want to do this.
22 And she said, Well, there are rumors of other women.
23 And I said, Well, tell them -- that's one thing. If
24 you find these other women, you can contact me, and
25 I will talk to them, and that's how I left it. I

1 said, Thank you for, you know, respecting me --
 2 because she seemed as though she was not going to do
 3 this story at all. She -- I gave her a hug. She
 4 left my salon, and I called my friend [REDACTED] who had
 5 known about the situation since the very beginning.
 6 She was one of my best -- she was the one that I
 7 saved his number under from D.C., and she's an
 8 attorney. And I said, [REDACTED] this woman just came
 9 in and I'm freaking out. And she said, She's not
 10 going to run a story without your word, [REDACTED]
 11 please, just don't say anything, and it'll be okay.
 12 You'll be fine.

13 And then she -- that woman continued to
 14 call me throughout that month, and I didn't answer
 15 ever. I received other missed phone calls. I never
 16 talked to anybody else. And then the day before it
 17 aired, I got a missed phone call from her, and she
 18 said on my voicemail, [REDACTED] I've just heard a
 19 recording with your voice on it and your ex-husband,
 20 and I know other media people have, too, and
 21 somebody is going to run this story, so we really
 22 want your word. And I called [REDACTED] and I said,
 23 [REDACTED] -- because [REDACTED] had asked me, They're not
 24 going to run it -- do they have any proof? And I
 25 said, Well, [REDACTED] has threatened me that he has this

1 tape, but I can't see him doing it because then it
 2 goes against his story that he's claimed to
 3 everybody that he's just trying to protect me, so I
 4 don't think he would use it, if he even had it. So
 5 when I called her and said they have this tape,
 6 [REDACTED] said, Just don't say anything. I will call
 7 her back. For all you know, it's really jumbled,
 8 you know, you can't even hear it. Because -- who
 9 knows. Maybe he had it in his pocket. So then the
 10 next day, she called -- she called the -- Lauren
 11 back. Because the reporter had texted me saying,
 12 Did you get the voicemail?

13 So [REDACTED] called her back and just said,
 14 Listen, my client was not aware of being taped.
 15 Where did you get this from? And she said at first
 16 she was not telling her, and then she said, Well, I
 17 got it from the ex-husband. And she said, Listen,
 18 she does not want any part of this. Please, do not
 19 do this. And she just said, I know, but somebody is
 20 going to run this story, we just want her word, to
 21 which she just said, No comment, no comment. And
 22 then three minutes before it aired, that woman,
 23 Lauren -- called [REDACTED] my friend, and just said,
 24 We're going live with it. He admitted to the
 25 affair. So that was the first time I ever heard

1 that. I asked my -- my kids were in my room,
 2 because I sleep with them sometimes, and I asked
 3 them to leave the room because I was going to watch
 4 an adult show. And then I heard it -- I heard it
 5 for the first time then, because I was hoping to God
 6 that it didn't really exist. And he said in that
 7 interview that he had to do -- my ex-husband --
 8 because his daughter was being -- getting calls,
 9 which was so untrue. It was my daughter. I had a
 10 daughter when I was in college the first time, like,
 11 three years before I married [REDACTED] and [REDACTED] is the
 12 one who got the missed call. She had no clue what
 13 it was about. She thought it was about [REDACTED]
 14 neighbor, because they asked for [REDACTED] about
 15 an incident, and she just passed along the message;
 16 it wasn't a big deal. And then in the morning --
 17 she was already asleep when that came on, and in the
 18 morning -- the morning after, I went downstairs and
 19 had to wake her up and tell her about everything and
 20 what she might see on TV about her mom.

21 So -- this just makes it so complicated,
 22 because I have -- it's not somebody who -- I didn't
 23 really know that wanted to put this information out
 24 there; it's the father of my kids. So ...

25 Q. I have four more questions for you, and

1 then I think we'll take a break.
 2 The first three are questions I feel like
 3 I have to ask because there have been so many rumors
 4 swirling about, and the first two relate to
 5 something I think you've already answered but I want
 6 to follow up with the particulars.

7 Are you driving a new car?

8 A. No. I have a 2009 van.

9 Q. Okay. So you're not driving around in a
 10 Range Rover paid for by someone unknown?

11 A. No.

12 Q. Okay. Do you know where that -- is there
 13 any, like --

14 A. I know where that came from. So my
 15 current boyfriend just got a new job as a -- he's an
 16 [REDACTED] that will be traveling, and -- his work car
 17 that he got, before it came in -- or a company car,
 18 before it came in, he had two rental cars, one of
 19 them being an Infinity, like, bigger car -- I don't
 20 know what it is -- and one of them being a Tahoe.
 21 And so on two occasions I picked up my kids -- and
 22 this just happened. He just got the job in
 23 November, and he didn't get his current company car
 24 until maybe the beginning of February or something.
 25 Anyway, so I showed up to pick up my kids

1 from my ex-husband in both of those cars, because as
 2 soon as this broke, my boyfriend said, Take my cars,
 3 do not drive your van -- because I was followed in
 4 my van by reporters. And so my sister-in-law went
 5 to go pick up my nephew from my ex-husband's house
 6 and said, Hey, just so you know, [REDACTED] says that you
 7 have some new car and that it's fishy how you got
 8 it. And I said, Well, no this is [REDACTED] rental car.
 9 But he never asked me about it, never -- you know,
 10 just to see, Hey did you get a car or whatever. The
 11 next thing I know, that's a rumor that reporters had
 12 asked Scott about.

13 Q. So the second question is about a rumor,
 14 and that is, Did you just remodel your house?

15 A. So I did kind of update my kitchen. I
 16 painted the cabinets and put new hardware on the
 17 cabinets. I did get new countertops and ...

18 Q. Did that cost, like, \$200,000?

19 A. No. It cost a couple of thousand dollars,
 20 but I paid for it with my own money.

21 Q. Okay. The third question is of a
 22 relationship with Chris Koster. That is another
 23 thing that is bandying about the Capitol, and I feel
 24 like I have to ask you the question. Did you have
 25 any relationship with Chris Koster?

1 room, without revealing whether you spoke to the
 2 grand jury, is there anyone else with whom you
 3 spoke --

4 A. Prior to? My friend [REDACTED]. That would
 5 have been a couple of weeks later.

6 Q. [REDACTED]; is that correct?

7 A. Yes.

8 Q. Okay. And that week -- and she's been
 9 identified in something we received from your
 10 ex-husband. Of course, there's your ex-husband?

11 A. Yes. So that was it at that time. He had
 12 told -- he sat my family down -- at some point [REDACTED]
 13 when I was -- I took a vacation for the first time
 14 ever by myself. I went to Tucson to go hiking in
 15 early June, just to get away from this stuff, and he
 16 sat my family down while I was gone and told them
 17 everything -- told my mom, my sisters, my dad.

18 Q. When was that?

19 A. Early June.

20 Q. 2016 or --

21 A. 2015. He told friends, friends of
 22 friends, anybody who would listen what ...

23 Q. Hold on. He told your family?

24 A. He sat my family down when I was out of
 25 town and told them.

1 A. Zero percent. I mean, he was my client.
 2 He was my client, that is true, but nothing outside
 3 of that. He's like a father to me.

4 Q. And then the last question I want to ask,
 5 and then we'll take a break, is, other than the
 6 people in this room, and without revealing whether
 7 you spoke to a grand jury, who else have you spoken
 8 with about your relationship with Eric Greitens?

9 Now, let me start with examples, because
 10 you said [REDACTED].

11 A. Yes.

12 Q. And what is [REDACTED] last name?

13 A. [REDACTED], [REDACTED].

14 Q. And you said [REDACTED]

15 A. Yes. [REDACTED]

16 Q. And you said [REDACTED]

17 A. Yes.

18 Q. [REDACTED]?

19 A. Yes.

20 Q. But she was your lawyer?

21 A. Yes.

22 Q. She's a friend and a lawyer?

23 A. Correct. And she acted as my attorney in
 24 the very beginning until Scott took over for me.

25 Q. Okay. So other than the people in this

1 And then -- so at that time, that was all
 2 I had told. None of my coworkers -- [REDACTED] was my
 3 coworker, but none of them -- not even -- I have a
 4 really close friend that I didn't tell. She didn't
 5 know anything until this came out. She called me
 6 that night -- I mean, most people knew it was me
 7 because of my voice, but the only other people I
 8 told was -- right after the election, I was at a
 9 dinner with a group of, like, six girls -- one of
 10 them was turning 40, and all of the girls except for
 11 one are Republican and had voted for him, and they
 12 were talking political stuff. I was staying silent.
 13 At this point, they were talking about all of these
 14 women who were complaining about Trump, they're just
 15 babies -- I mean, all of these -- why did they care?
 16 And I don't know, it just got to me. I started
 17 crying. They said, [REDACTED] what's wrong? I said,
 18 Guys, I had something happen that I'm actually
 19 sensitive to Trump's comment about grabbing them --
 20 grabbing women by the pussy whenever you have power
 21 like that. And they were like, What do you mean?
 22 And so I sat there at, like, a fancy restaurant with
 23 all of these women crying with them, telling them
 24 what had happened and -- you know, You guys do not
 25 ever tell anybody, please. And they all were like,

1 Why did you let us vote for him, you know? I said,
2 because I don't want anybody to know, please.

3 So other than them, that was it. And
4 then -- now I've just -- obviously, like I said, a
5 lot of people have asked me about it because they
6 knew my voice and they've heard from -- I mean,
7 everybody, I feel like, knows.

8 Q. Okay.

9 MR. BARNES: Let's take a break and go off
10 the record.

11 (A recess was taken.)

12 MR. BARNES: Thank you. After having
13 taken a short break, I'm going to let vice chairman
14 ask some questions now. And just so you can be
15 aware of what our order is going to be here, we're
16 going to go with our vice chair, ranking member --

17 MS. LAUER: Senior.

18 MR. BARNES: Senior, in terms of
19 legislative experience, and then we're going to go
20 in order of legislative age here. I'm the chairman
21 of the said committee.

22 So Representative Phillips.

23 EXAMINATION

24 BY MR. PHILLIPS:

25 Q. Don Phillips. And is it all right if I

1 call you [REDACTED]

2 A. Yes.

3 Q. Okay. [REDACTED] you'll be pleased to know my
4 questions will be somewhat brief. I think you have
5 been very open, and I appreciate that, and I'm sure
6 the other committee members do. So I don't mean to
7 rehash some of those details that aren't comfortable
8 for you, obviously, and -- I want to kind of cut to
9 the chase as to what we're really doing here.

10 So one thing I wanted to ask about was the
11 picture. Do you know absolutely for a fact that he
12 took a picture -- I know he admitted taking your
13 picture.

14 A. Yes?

15 Q. And did you just see the flash or what --
16 what did he use? His phone? Was that it?

17 A. Yes. I could hear it and I could see the
18 flash.

19 Q. You could hear it click?

20 A. Yeah. It sounded like a cell phone
21 click -- you know, like a (indicating).

22 Q. Okay. And was there a flash to you?

23 A. Yes. I could see it through the
24 blindfold.

25 Q. Okay. Then as far as you know, if there

1 is a picture now, they're going to have to get it,
2 like, forensically, they'll have to pull it up --
3 or -- do you think this phone is gone, he destroyed
4 that particular phone, or would anybody have access
5 to it?

6 A. That's a good question. I don't know. I
7 would assume that he's probably gotten rid of it by
8 now.

9 Q. Okay. All right.

10 A. But I'm not sure.

11 Q. Okay. Was there ever any attempt to
12 blackmail -- I know what -- you testified what was
13 said to you, but was there actually ever any attempt
14 after that for any kind of blackmail or anything?

15 A. No. He would just ask me, Have you told
16 anybody?

17 Q. Okay.

18 A. And it was just -- to me, that was kind of
19 an understanding of, You're not going to tell
20 anybody otherwise something will happen.

21 Q. Okay. Then -- since then, has there been
22 any contact from him to call you and say, [REDACTED]
23 this has all broken down, this has all broke in the
24 media, my job as governor could be in trouble, you
25 need to keep your mouth shut? Has he ever called

1 and said anything like that --

2 A. No.

3 Q. -- since the news broke?

4 A. No. His attorney reached out right after
5 my attorney's name was released -- reached out to my
6 attorney and essentially said, What does your client
7 want out of this? And my attorney said, She wants
8 this to not be the case. She doesn't want to be a
9 part of this. She's a mother -- and he said,
10 Well -- yeah -- I mean, that was the general
11 conversation, was, essentially, Tell me what does
12 she want out of this.

13 Q. So by "what does she want," did you
14 interpret that to mean if you said, You know, I can
15 think of a quarter million reasons why I can keep my
16 mouth shut; did you interpret it as a question
17 leading down that road, like what does she want,
18 meaning monetary?

19 A. I took it more to mean does she want to
20 fight my client on this?

21 Q. Okay.

22 A. Or is she just going to remain quiet and
23 it's going to go away?

24 Q. Okay. So the tone -- you spoke directly
25 to the attorney; is that right?

1 A. I did not.
 2 Q. Oh, you did not?
 3 A. Right. His attorney contacted my
 4 attorney.
 5 Q. Okay. And so that was your take on it.
 6 You didn't see that as some attempt to buy you off
 7 or anything like that?
 8 A. No.
 9 Q. Okay. And then any other staff members
 10 ever get ahold of you after that? Any follow-up
 11 calls or --
 12 A. No.
 13 Q. -- anything?
 14 A. Unless I missed a call that I don't know
 15 what it is. Nobody ever left me a message, and I
 16 never spoke to anyone.
 17 Q. Okay. One other thing real quick. The
 18 thing that he's been charged with by way of grand
 19 jury is invasion of privacy. And -- based on that
 20 picture, that's going to be fairly hard to prove
 21 unless they've got a picture. My question to you
 22 is, if you feel comfortable answering it, do you
 23 feel like your privacy was invaded?
 24 A. Yes.
 25 Q. It's pretty obvious from what you said

1 here and I thank you for your courage and your
 2 candor. I can only imagine how difficult this whole
 3 thing has been for you, and my thoughts are with you
 4 in that respect.
 5 So these are going to be some difficult
 6 questions, and I want to apologize in advance for
 7 them, but, first of all, you described it the first
 8 time on March 21st, when you came to Eric's house at
 9 approximately 7:00 a.m., that he grabbed your purse.
 10 Was that a forceful grab? Could you sort of
 11 elaborate on exactly what your sense was of how that
 12 happened?
 13 A. I didn't pull it away from him, so he
 14 didn't have to pull hard, but he -- it wasn't --
 15 there was no spoken word of, Can I look through your
 16 purse --
 17 Q. Right.
 18 A. -- it was just literally looking at me
 19 with -- making the quiet --
 20 Q. The shh signal?
 21 A. The shh signal. And then looking at me
 22 while he grabbed my purse and keys out of my hand,
 23 and then sat them over -- but looked back at me to
 24 make sure I'm still not talking, and then he started
 25 going through my purse.

1 that -- I knew the answer to that question, but I
 2 needed to be sure, because, you know, in one sense,
 3 you were willing to go there -- to the house. I
 4 mean, you weren't -- you didn't sign up for the
 5 other stuff. So, anyway, that's really all I've
 6 got, and I thank you, again, [REDACTED] for being here
 7 and being open and telling us some things that were
 8 pretty painful for you to share, so ...
 9 MR. BARNES: Back up, because she was --
 10 we had a head shake -- and I'm sorry to play the --
 11 you said -- I'm sorry to play the lawyer role, but
 12 to make a clear record here, the representative
 13 asked you, You didn't sign up -- you came to the
 14 house willingly; correct?
 15 MS. [REDACTED]: Yes.
 16 MR. BARNES: But you did not sign up for
 17 the other things that happened; correct?
 18 MS. [REDACTED]: No. No.
 19 MR. BARNES: No, you did not sign up?
 20 MS. [REDACTED]: No, I did not.
 21 MR. BARNES: Thank you.
 22 EXAMINATION
 23 BY MS. MITTEN:
 24 Q. Hi. I'm Representative Mitten from the
 25 St. Louis area, and, again, I thank you for being

1 Q. Okay. So you never obviously consented to
 2 him doing any of that?
 3 A. No.
 4 Q. Okay. Then did he search your purse at
 5 any other time -- during any of the other encounters
 6 that you had with him? So the second time, I guess,
 7 was in May of 2015, the third time would have been
 8 in June 2015. I can't remember if there was a
 9 fourth time or not, honestly, but --
 10 A. No. The only other thing like that that
 11 he did was when I was in his car, he took my phone.
 12 Q. Right.
 13 A. Because my phone had vibrated at some
 14 point, and he took it to make sure that nothing --
 15 it wasn't being recorded or anything, and he took my
 16 phone and sat it aside, that way I couldn't touch it
 17 while I was in his car.
 18 Q. Okay. And then, again, that first time,
 19 in addition to grabbing your purse and going through
 20 its contents, he also then touched your person
 21 without your consent. Is that a fair
 22 characterization?
 23 A. Yes.
 24 Q. And you believe he was -- he was touching
 25 your whole person? In other words, your --

1 A. Correct.

2 Q. -- clothed chest, buttocks, that sort of

3 thing?

4 A. Yes.

5 Q. Okay. Then -- how was that touch? How

6 would you describe that touch when he was -- that

7 you did not consent to immediately upon your arrival

8 in May of -- excuse me -- on March 21st?

9 A. It just made me more nervous than I

10 already was. But he was -- he seemed as though he

11 knew what he was doing.

12 Q. Okay. Would you describe it as a forceful

13 touch?

14 A. Yes. Not to hurt me, but -- yes. Not a

15 gentle petting, but more, I'm going to see what's in

16 here.

17 Q. Right. Okay. Okay.

18 Then during any of your sexual contacts

19 with Eric, did he ever ask you for your consent

20 beforehand? And I'm going to sort of run through

21 some of these, just so that you understand the broad

22 question, and we'll get a little more specific, but,

23 for instance, did he -- did he ask for your consent

24 before he tied you to the rings?

25 A. No. He just told me to put my hands on

1 the rings.

2 Q. Okay. And did he ask you for your consent

3 before he placed the blindfold on you?

4 A. No. He just placed the blindfold.

5 Q. Did you object verbally or by action?

6 A. Not at this point. I was silent.

7 Q. Okay. Did he ask you for your consent

8 when he tore the shirt that you were wearing -- it

9 was apparently -- the shirt that he had provided you

10 was torn, I believe, pretty quickly after you were

11 blindfolded and bound?

12 A. No, he did not.

13 Q. But you did not consent to that -- to the

14 tearing of that -- your clothing?

15 A. No.

16 Q. Or the clothing you were wearing? It

17 wasn't really even your clothing.

18 A. Correct.

19 Q. And you may have answered this -- or

20 testified to this, so I apologize to have to rehash

21 this, but he tore the white shirt. Did he remove it

22 or tear it all the way off of you?

23 A. He tore it, and then it was just kind

24 of --

25 Q. Hanging?

1 A. Exactly. Because it was still on my arm.

2 Q. Okay.

3 A. But it was just completely open, I guess.

4 Q. And then you testified that you -- that he

5 provided you a pair of male pajama bottoms that you

6 were wearing at the time that you were in the

7 basement. Were those -- was that piece of clothing

8 also removed?

9 A. It was down at my feet.

10 Q. Okay.

11 A. So he pulled it down.

12 Q. So he pulled the -- he pulled those pants

13 down to your ankles. Is that a fair

14 characterization?

15 A. Yes.

16 Q. And you did not consent to that happening,

17 either?

18 A. No.

19 Q. And then he -- you testified that he then

20 kissed you, at least on your upper body?

21 A. Yes.

22 Q. And you never consented to that?

23 A. No.

24 Q. And -- there is some --

25 MR. BARNES: Did you consent to that? We

1 have an ambiguity question in the answer.

2 MS. MITTEN: Did you consent to --

3 MR. BARNES: Yes. Did you consent --

4 MS. MITTEN: To the pulling down of the

5 pants.

6 MR. BARNES: Yes. Yes. But that's not

7 what you asked initially, so I want to back up

8 and -- again, clear record.

9 MS. MITTEN: Thank you. Thank you. I

10 appreciate it.

11 MR. BARNES: Okay.

12 Q. (By Ms. Mitten) Did you consent to Eric to

13 pulling the pajama bottoms down to your ankles?

14 A. No, I did not.

15 Q. Okay. Did you consent -- there's -- the

16 transcript of the tape that we've sort of touched

17 upon -- and I believe we'll touch upon more later --

18 indicates that he was touching you with his fingers.

19 Is that -- did that happen?

20 A. Yes.

21 Q. On March 21st at the 7:00 a.m. -- in the

22 basement, after you were blindfolded, after you were

23 tied, he touched you with his fingers; correct?

24 A. Yes.

25 Q. And did that touching include genital

1 touching of you -- of your genitals by his fingers?
 2 A. Yes.
 3 Q. Did that include -- the word used in the
 4 transcript is "inside." We would call it legally
 5 "digital penetration," so -- sorry to kind of go
 6 down this route, but was there digital penetration
 7 at the March 21st 7:00 a.m. encounter in his home?
 8 A. Yes.
 9 Q. Did you consent to that digital
 10 penetration?
 11 A. Not verbally, no.
 12 Q. Okay. Okay. Would you -- do you believe
 13 you consented in some other fashion to that digital
 14 penetration?
 15 A. I mean, I was silent.
 16 Q. Okay. No, that's not the same, so --
 17 that's fine.
 18 Then you indicated that there was, then,
 19 oral sex at the March 21st 7:00 a.m. encounter --
 20 we'll just call it that. Did you consent to
 21 performing that?
 22 A. It's a hard question because I did it --
 23 it felt like consent, but, no, I didn't want to do
 24 it.
 25 Q. Okay. Do you feel that you were coerced

1 A. Yes.
 2 Q. Okay. And then I'm going to move forward
 3 to -- I believe you testified that you went to his
 4 house again in May of 2015 -- or was that at the
 5 salon? I can't remember.
 6 A. I believe May was at his house.
 7 Q. At his house. Well, let me ask this way:
 8 Were there three times that you went to Eric's
 9 house?
 10 A. Four times, including the March time.
 11 Q. Okay. So March, May, June -- oh, twice in
 12 March.
 13 A. And then June -- well -- okay. So in
 14 March -- I guess it's five, if you include the fact
 15 that I came back that day.
 16 Q. Twice on March 21st.
 17 A. Right. And then in May, and then at the
 18 end of June and the very beginning of July.
 19 Q. Okay. And then that was -- the very
 20 beginning was the July 3rd when the e-mail --
 21 A. Yes.
 22 Q. Okay. Okay. Then in -- it was the --
 23 late June 2015 when he asked you if you had had any
 24 sexual encounters with anybody else; is that
 25 correct?

1 or otherwise forced to do that?
 2 A. Coerced, maybe. I felt as though that
 3 would allow me to leave. That's what he wanted -- I
 4 felt that's what he wanted, and then I would ...
 5 Q. So you didn't feel necessarily able to
 6 leave without performing oral sex?
 7 A. Correct.
 8 Q. When you said no -- and I'm sorry. I'm
 9 sort of backtracking a second here. But, again,
 10 during the March 21st encounter, when you were bound
 11 and blindfolded and he had begun to touch you, you
 12 indicated that you said, No, and he then stopped.
 13 Is that a fair characterization?
 14 A. Yes.
 15 Q. And then he unbound you and removed the
 16 blindfold?
 17 A. Correct.
 18 Q. Did you feel that saying no at that point
 19 extended to the further contact?
 20 A. Oh. Looking back, yes. In the moment, I
 21 was so emotional.
 22 Q. Okay. Would you describe -- I mean, would
 23 you describe one of those emotions as being fear?
 24 A. Definitely.
 25 Q. Physical -- fear for your physical self?

1 A. Correct.
 2 Q. And when he slapped you, did you feel he
 3 was trying to hurt you?
 4 A. I felt like he was trying to claim me.
 5 Q. Okay.
 6 A. More slap sense into me, if that makes
 7 sense at all.
 8 Q. Do you believe that he slapped you with
 9 the intent to hurt you?
 10 A. Not necessarily. I don't know the intent.
 11 Q. Right.
 12 A. I've never been in a relationship like
 13 that, so I'm not sure. It felt to me as if it was
 14 just claiming me.
 15 Q. Okay. Okay. And then what happened after
 16 he slapped you? Was there sexual contact -- I'm a
 17 little bit fuzzy about what happened after he
 18 slapped you.
 19 A. I believe it was just conversation after
 20 that. I remember laying there talking to him about
 21 it -- about him being in the Navy and asking
 22 questions about that. It kind of became more -- I
 23 wanted to understand that. There had been sexual
 24 contact that night prior to --
 25 Q. Right.

1 A. -- but I don't believe afterwards. I --
 2 my -- I just remember asking -- you know, saying,
 3 You're married. I'm so confused. It just didn't
 4 make sense to me.
 5 Q. Okay. So, again, just so that I can
 6 understand here -- so in the June 2015 encounter,
 7 you're at his home, you're engaging in consensual
 8 sexual behavior?
 9 A. Yes.
 10 Q. And then at some point during that sexual
 11 session, for lack of a better term, he asked you
 12 about if you had sex with anybody else, and then
 13 you're slapped, and then you have a discussion. Is
 14 that a fair characterization of the chain of events?
 15 A. Yes.
 16 Q. And then at some point, you leave, and
 17 then the next encounter was, I guess, July 3rd,
 18 probably less than ten days after that slapping
 19 incident? Is that a fair --
 20 A. Yes.
 21 Q. Okay. You discussed at some point Eric
 22 having a second phone or a burner phone. When did
 23 you first become aware of the existence of a second
 24 phone?
 25 A. That week that his wife was going to be

1 out of town all week, I saw him -- I believe she
 2 left -- let's say Thursday or Friday. I saw him
 3 that Saturday, and he did not have it at that point.
 4 Maybe Sunday, the next day, he let me know that --
 5 he had wanted to talk to me more while his wife
 6 gone, so he had gotten this burner phone.
 7 Q. Okay. And that was -- that was not in
 8 March, that was in May or --
 9 A. This would have been end of June.
 10 Q. Okay. That's what I was going to say.
 11 Okay. End of June. So you're not aware of him
 12 having a second or burner phone as of March 21st --
 13 A. Correct.
 14 Q. -- of 2015? Okay. Did you ever see a
 15 photograph that he took of you in any state of
 16 undress?
 17 A. No. He did not show it to me.
 18 Q. So your only personal knowledge is from
 19 hearing a click and seeing a flash on March 21st --
 20 A. Yes.
 21 Q. -- of 2015?
 22 A. And him acknowledging it after he took it
 23 and saying, I'm going to put this picture
 24 everywhere. And then whenever I came back, telling
 25 me that he had erased it.

1 MS. MITTEN: Thank you. Thank you so
 2 much.
 3 EXAMINATION
 4 BY MS. LAUER:
 5 Q. Hi. I'm Representative Jeanie Lauer. And
 6 I will probably not go in order, as my colleagues
 7 have done here; I might jump around a bit.
 8 First of all, can you confirm that it is
 9 your voice on the audio?
 10 A. Yes.
 11 Q. And at what point -- at what point -- or
 12 were you ever aware of this audio being recorded?
 13 A. In October of 2015. So at the end of that
 14 year, whenever my husband and I were for sure
 15 getting a divorce, that's when he told me he had
 16 proof and he had taped that conversation.
 17 Q. But you had never heard it at that point?
 18 A. I had never heard it until it came out on
 19 January 10th in the news.
 20 Q. Okay. We've talked about blackmail, and,
 21 of course, they were talking about more of the
 22 financial thing. I'm going to ask a bit more about
 23 the emotional side, because there were times when
 24 you said that Eric would ask if you had told and
 25 said, Good girl and so forth. Did you feel that

1 there was a threat coming from him, that if you did
 2 say something, that something would happen?
 3 A. Oh, definitely. I -- during this time
 4 period, I was also fearful of the picture, but also
 5 of what I didn't know, what else would he do.
 6 Because this obviously meant a lot to him. It
 7 wasn't until later that I became not as worried
 8 about the picture, more worried of my physical
 9 wellbeing.
 10 Q. Talk about that a bit -- about your
 11 physical -- what caused you to feel that way?
 12 A. I felt as though -- this obviously meant a
 13 lot to him to be running for governor. I knew I had
 14 told my husband -- more -- more importantly than
 15 anybody, and that if the word got back to him, he
 16 would do something to hurt me to make sure that I
 17 couldn't tell anybody else or that, you know,
 18 this -- I would know that I wasn't supposed to be
 19 doing -- you know, telling anybody this.
 20 Q. Did that create a level of fear in you?
 21 A. Yes. So my current boyfriend reminded me
 22 of an incident that happened -- maybe that -- before
 23 he was elected -- while he was running was the worst
 24 period of time -- after my husband and I were
 25 separated. Because I knew he had no reason to

1 protect me now. He doesn't want to; he's made it
 2 clear, and Eric knows he cannot contact me because I
 3 had sent him that e-mail. I was dating my
 4 boyfriend, and every single time I would come home,
 5 I would search my house first and just make sure
 6 nobody was in my house, nobody was hiding and -- but
 7 my boyfriend didn't know -- he knew that something
 8 had happened in my marriage. I told him -- because
 9 he asked why was he so mean to me? And I said,
 10 Well, I did hurt him. I cheated on him at the end
 11 of our marriage, and that was all he really knew at
 12 this point. And he had let himself into my house --
 13 we had been dating for probably four or six months
 14 at this point. My boyfriend let himself into my
 15 house without me knowing. I'm calling his name,
 16 calling his name. I'm looking around my house,
 17 nobody was there. I come up the stairs, and it's
 18 pitch black. And I walked into my bedroom, and when
 19 I went to go switch on the light, he grabbed my
 20 ankle trying to scare me, and I literally started
 21 shaking, crying like -- I mean, freaking out --
 22 which, of course, he was nice about it. He thought
 23 this was going to be so funny. And, of course, it
 24 really didn't hit him until -- he knew about this
 25 whole situation after the election, because I could

1 not quit crying for like a week, and finally he just
 2 said, If you want to tell me something, you can tell
 3 me. So he did know about it when this broke, but I
 4 think he fully got it, why I freaked out to that
 5 point. You know, because at that time -- especially
 6 during the election, because I thought, he really
 7 has a lot to lose, because he hasn't gotten to the
 8 place he wants to get yet, you know?

9 Q. Okay. Which kind of leads into the next
 10 question. When we were discussing your privacy
 11 being invaded, did you ever feel that -- I think we
 12 were talking about the situation when you were at
 13 his house. But at any other time, did you feel that
 14 your privacy was invaded -- and to the point where
 15 what you're describing was fear, going through your
 16 house, or that he drove by while you were sitting
 17 outside reading. Did you ever feel the -- that that
 18 was going on?

19 A. No. He lived in the area, and so he would
 20 walk by the salon sometimes. And I worked right at
 21 the window. To me, it just felt like he was
 22 checking in, just to make sure I still had feelings
 23 for him. It more just felt like that. I felt like
 24 he was at ease when he could tell I had feelings for
 25 him still.

1 Q. Okay. All right. And so when -- you had
 2 been -- you had known him for some time prior to all
 3 of this beginning?

4 A. Correct.

5 Q. And you described that you had a lot going
 6 on with your then husband and some different things,
 7 and you indicated that Eric made you feel -- he had
 8 made you feel -- how would you describe that?

9 A. You mean what was the benefit to it?

10 Q. How did he make you feel when he came into
 11 the salon?

12 A. Oh, he -- I mean, he made me -- so the --
 13 there are a couple of things. At this time, a big
 14 issue in my marriage was that my husband was
 15 extremely insecure. And as I stated -- he's a
 16 [REDACTED], and -- so he's very emotional. And, to
 17 me, Eric seemed like this very strong figure that
 18 could take care of things, whereas, in my household,
 19 I was the one who paid the bills, I was the one who
 20 took out the trash, I was the one cleaning --
 21 whatever -- really did a lot of the stuff, whether
 22 it was female or male associated. And Eric seemed
 23 to me like a very strong person who knew what he
 24 wanted, and he wanted me, and it just felt like
 25 somebody who would take care of me, I guess.

1 Q. So that was comfort to you?

2 A. It was comfort.

3 Q. All right. And so let's follow up on some
 4 of the words you used to describe Eric. You said
 5 that he was controlling, he was charismatic, and
 6 that he was on a mission.

7 A. Correct.

8 Q. Could you describe that a little bit more
 9 as far as how he -- what caused you to feel that
 10 way? What did he do, say; not say, not do?

11 A. Charismatic because he has a way of
 12 looking at you in your eyes and -- while you're
 13 talking, paying attention to certain things that you
 14 say and -- or that I would say. Even throughout
 15 this -- in particular, when we were at the salon,
 16 when he wasn't -- and on a mission, I would say it's
 17 almost as if he gets a testosterone high and he
 18 seems as though that's his focus. He's no longer
 19 caring and looking at you in your eyes and not
 20 telling you things that make you feel close to him.
 21 And controlling, the -- he would always stand very
 22 close to me or whoever he was speaking to, shake
 23 your hand very hard. He's a very -- it just felt
 24 kind of intimidating sort of person. And he seemed
 25 to just want to have all of the knowledge of

1 whatever was going on. So that type of control.
 2 Q. Okay. So when you were with him in those
 3 private situations, did any of these types of
 4 descriptors fit any of the situations you were in
 5 where you felt he was controlling, charismatic, on a
 6 mission, any of those things?

7 A. When I would be alone with him -- there
 8 were moments where I definitely felt as though he
 9 cared about me, and I would see that charismatic,
 10 loving guy, but, in general, it was more -- more of
 11 a testosterone sort of high that I saw that would
 12 get very -- very controlling, as far as what's going
 13 to happen and what he wanted, and then afterwards,
 14 he would kind of -- that was kind of it.

15 Q. And you said at one point that you knew --
 16 or it was like he knew what he was going to say.

17 Like he had maybe a script of this in his mind or --

18 A. Correct. It felt like that.

19 Q. Okay. Tell me a little bit more about
 20 that.

21 A. Some of the things felt as though -- it
 22 just wasn't what -- it was not how he normally
 23 talked to me at all. So it was almost as if he was
 24 in character -- he had stepped into a character, and
 25 we were in some sort of play zone -- which maybe you

1 would be with if you had been with your partner for
 2 a really long time or something. So it was just
 3 odd. I don't know. Not normal talk, I guess.

4 Q. Okay.

5 A. Like, he knew what he was going to say
 6 next. That's a good girl. You're going to believe
 7 that sort of thing.

8 Q. Okay. When you went to his house the
 9 first time, and as Representative Mitten asked,
 10 you've already discussed the purse and the keys, and
 11 then you said he had clothes. Were they there on
 12 the cabinet?

13 A. They were sitting on his kitchen island.

14 Q. On the kitchen island. So it would
 15 appear -- so that was planned to have those
 16 available?

17 A. Yes.

18 Q. All right. So when this was all going on,
 19 the frisking and the taking of your things and put
 20 your clothes on, what was going through your mind at
 21 that time?

22 A. I think it was shocked. I still really
 23 thought he was perfect. He definitely knew -- I
 24 know I had made it clear I had not cheated on my
 25 husband before and that, you know, I didn't want to

1 do anything physical with him. So I think I was
 2 just confused, kind of shocked. And I was curious
 3 enough -- he likes me this much that he has
 4 something planned for our workout? I don't know.
 5 I -- I guess more than anything, confused.

6 Q. Okay. Did you feel like you were being
 7 led into a situation?

8 A. I did. But at this point, not a bad
 9 situation.

10 Q. Uh-huh.

11 A. More that he had a plan and -- like I
 12 said, I think I really thought maybe he will, you
 13 know, have some sort of sexy workout planned, which
 14 is why -- because he said, Change your clothes into
 15 these, and I said, What do you mean? And he said, I
 16 want to take you through a workout, come on. Just
 17 trust me. I want to make you feel good. And I just
 18 feel like you haven't been treated good in so long.

19 So at this point, it was more
 20 curiosity/confusion.

21 Q. Okay. Uh-huh. And so the first situation
 22 was where you were blindfolded and so forth, and
 23 then you went back that night to ask that -- what?

24 A. I came back that day after work.

25 Q. The day. Uh-huh.

1 A. To get my keys.

2 Q. And what was the conversation at that
 3 point?

4 A. It was, What the heck happened? I'm so
 5 angry with you. And that's when I said, You took a
 6 picture of me. My husband doesn't even get pictures
 7 of me. And that's when he explained, [REDACTED] I have
 8 to protect myself, and you have to understand this.
 9 You know, but I thought about you all day and I
 10 feel, you know -- I erased the picture.

11 Q. Uh-huh.

12 A. That was when that conversation occurred.

13 Q. So you expressed that there were different
 14 emotions going on during that time and certainly
 15 during that first encounter, that there was a level
 16 of concern, to whatever degree that might have been,
 17 but then there were follow-up visits and
 18 get-togethers.

19 A. Yes.

20 Q. Why -- because you said you were angry at
 21 him for the picture and so forth, so why would you
 22 continue to have contact with him?

23 A. I've asked myself that so many times. I
 24 think it comes down to a few things. One, I felt
 25 really disgusted with myself that I allowed that

1 first time to happen. Really embarrassed that he
2 thought of me as a whore. And so after my -- I told
3 my husband and he was clear that he did not want
4 anything to do with me, that he wanted to move into
5 an apartment, and when Eric came back in and he was
6 normal and so kind to me, that felt so much better
7 and it allowed me to just ignore any of those bad
8 feelings about myself, in particular. Because if I
9 thought he was this horrible person, I really felt
10 shameful of myself.

11 And so I think I just wanted to feel
12 better about it. I didn't want to think that he
13 thought of me as just a whore. I wanted to think
14 that he actually really liked me and wanted to have
15 a relationship with me of sorts.

16 Q. And was that your intent, too, to have a
17 relationship with him?

18 A. I think at that time -- I think -- I don't
19 even know. I think just to feel better than
20 whatever I felt the day before. Because then I
21 would have -- we had chunks of time where we didn't
22 see each other where I did feel more like myself, I
23 started to feel better. And then when I would see
24 him, it was almost like this excitement would build
25 up, and then I would feel, you know, a ton of

1 emotions again, and then I would feel awful and
2 disgusting and I hated myself and it was horrible.
3 And then I would start to feel better, and then he
4 would come in again -- you know, it was just such an
5 up and down. Because I didn't want to be involved
6 with somebody who was married. I didn't want to be
7 having any feelings for him, in particular because I
8 was so embarrassed about the first encounter. He
9 basically made it clear that he felt like that I was
10 a thing to him.

11 Q. So during your discussion here today --
12 and, again, thank you, as everyone has thanked you
13 for doing this. And you became emotional during --
14 several times during this, and one of the
15 descriptors that you said that triggered the crying,
16 as I believe, was the embarrassment of that. What
17 are the other things that have triggered, just in
18 today, your being upset and crying? What are some
19 of the things that were going on -- those feelings?

20 A. So -- I'm angry that I'm in the middle of
21 this. I am -- of course, I'm upset with myself for
22 any of my involvement with him. In particular,
23 because he was married, but, also, because he didn't
24 share the same type of feelings. And, also, because
25 I was still technically married. But I'm also

1 dealing with things for the first time these past
2 two months that I never did before. I just pushed
3 them aside because it was too scary. I didn't want
4 to think about it. I didn't want to talk about it.
5 I just wanted it to go away, and then maybe it never
6 happened like that. And knowing that I'm in the
7 situation and knowing that at this point, the only
8 parts that Eric has denied are the parts that were
9 hurtful. The other parts weren't traumatic to me at
10 all. You know, it was -- it was consensual, and
11 those parts were not traumatic. The parts that he
12 denies are the parts I'm finally dealing with and
13 going -- I feel sad for that person I was. That was
14 so vulnerable. I was so vulnerable. I just feel
15 really taken advantage of, I think -- and, also, by
16 my ex-husband, hugely.

17 Q. So you had it kind of all around you.

18 A. Yeah.

19 Q. So when you say you were taken advantage
20 of, what do you mean by that?

21 A. So I think when you enter a situation --
22 whatever it is -- a lot of the times you enter it
23 assuming that that other person -- maybe in a
24 conversation or whatever it is you're doing -- you
25 assume that they're coming in with the same sort of

1 background that you have, and in my mind, I was
2 feeling that way. Maybe Eric has this same type of
3 feelings towards me. And that day in particular,
4 and even the other times when I was with him, I
5 don't think his intentions were to love me -- you
6 know, have mutual feelings towards me; I think it
7 was just really, I'm -- I'm horny and you're
8 vulnerable. So I think I felt taken advantage of,
9 as far as -- that's -- he got what he wanted, but I
10 obviously wasn't getting what I wanted. And with my
11 ex-husband, just -- I don't know all of his
12 intentions, other than the -- you know, having --
13 get sympathy and also getting revenge and -- you
14 know? I don't know.

15 Q. When you say your ex-husband was trying to
16 get revenge, is that in regards to you or to
17 Greitens?

18 A. I believe both.

19 Q. Both?

20 A. (Witness nods.)

21 Q. So now that this is all out, what are some
22 of the things that you're -- what concerns do you
23 have now, if you have any?

24 A. How will this affect my kids? Because it
25 has already. What's going to come of all of this,

1 you know? What will people think of me that don't
 2 know me? I've had huge support with family and
 3 friends and clients -- and that's the other thing,
 4 too. Beforehand, I thought what will happen to all
 5 of my clients? I have a huge client base, and I
 6 love my clients, and a big part of why we love each
 7 other is because I am -- I'm a very open book,
 8 normally. This is the one thing I just kept in a
 9 pit in my stomach and I never talk about this. And
 10 so far, that's actually been a pretty good -- my
 11 clients have been pretty good to me, for sure. So
 12 now I think my fear is if this comes -- becomes
 13 public -- I'm in school full time. So far I don't
 14 think the students on campus know, but then how does
 15 that affect my schooling? I only have one semester
 16 left. Does that push me back? Luckily, I'm not as
 17 fearful physically anymore, because I feel like
 18 anybody would be crazy to hurt me because they would
 19 know who it is, so -- that's one huge positive thing
 20 that's happened.

21 Q. Anything else, as far as concerns?

22 A. I can't think of anything.

23 MS. LAUER: Thank you very much, and I
 24 appreciate the emotion that you have. And that's
 25 okay.

1 Thank you, Mr. Chair.
 2 EXAMINATION

3 BY MR. AUSTIN:

4 Q. Ma'am, my name is Kevin Austin, and I'm a
 5 state representative in District 136. I'll try not
 6 to repeat questions we've already had, but I'm going
 7 to bounce around a little bit, so if for some reason
 8 we get out of context and you don't understand,
 9 please tell me or your attorney and I'll rephrase or
 10 go back.

11 A. Okay.

12 Q. So as I understand it, you first met Eric
 13 in 2013; correct?

14 A. Correct.

15 Q. So between 2013 and through 2015, did you
 16 ever talk about Eric either directly to your now
 17 ex-husband or in front of him?

18 A. Yes. So after he had given me -- I
 19 believe to be the second book -- it could have been
 20 the first book, my mom, who is an avid reader, I
 21 showed her the book. My ex-husband was there at the
 22 time. So we had been having marital issues for
 23 about two and a half years prior to 2015. When this
 24 happened, I showed my mom this book, and he was
 25 over -- was listening to my conversation with her.

1 I said, Mom, I have this client who wrote this book,
 2 and he's just this, you know, great guy who has done
 3 all of these wonderful things. And he overheard and
 4 said, Who is this douchebag, what are you talking
 5 about? Who is this person? Let me see that. And
 6 he said, Nobody would give you this unless they're
 7 hitting on you. And that was the start of the
 8 obsession with who is this person? Because I didn't
 9 speak like that about very many of my clients or --
 10 you know? I mean, I spoke highly of people, but I
 11 guess he could sense that I thought this guy was
 12 really great.

13 So when he discovered that that was the
 14 phone number, he was definitely on to, What does
 15 that mean, you know?

16 Q. From your prior testimony, it sounds like
 17 you would characterize your husband as a very
 18 suspicious man.

19 A. Yes.

20 Q. He would go through all of your personal
 21 documents in your phone; is that correct?

22 A. Correct.

23 Q. Do you think he ever had you followed or
 24 surveilled by either friends or professionals?

25 A. Yes.

1 Q. Okay. Friends or a professional?

2 A. I would guess both.

3 Q. Okay.

4 A. He made a comment -- so when we got back
 5 together, he made a comment that he had sent the
 6 e-mail to Sheena, which is what I thought was the
 7 case, that somebody had taken pictures of me going
 8 in and out of the house. So somebody, meaning,
 9 like, private investigator. But I never saw these,
 10 I never --

11 Q. You never -- I'm sorry to interrupt you.
 12 Go ahead.

13 A. No, you're fine.

14 Q. You never saw any documentation or
 15 photographs or video of his surveillance evidence;
 16 is that correct?

17 A. Correct.

18 Q. [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]

23 So this would have been -- yeah, two and a half
 24 years prior. I said, I want a divorce. I can't go
 25 through this anymore. This is too many -- it's just

1 too much. [REDACTED]
 2 [REDACTED]
 3 [REDACTED] We had been in marital counseling, made --
 4 we maintained that counseling, and then that summer
 5 before -- I mentioned we went on vacation. After we
 6 got back from that vacation, I said, I can't do it.
 7 I can't do anymore. So he said, Fine, I'll try
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED] And then
 11 January -- which is the reason I signed up for
 12 school. That's something I had talked about for a
 13 long time. I wanted to finish my degree. So I
 14 signed up -- it was starting in January, and maybe a
 15 week or two prior to that is when he started with
 16 the big emotions again, [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED] I said,
 22 Fine. That was January. February/March is when I
 23 said, I just can't do it.
 24 Q. I read in the transcript -- and I don't
 25

1 know if you have access to this transcript, but I
 2 read in the transcript of the recording that your
 3 ex-husband made between you and him in the parking
 4 lot of the grocery store -- I don't know if you've
 5 seen it or not, but it mentions a man named [REDACTED].
 6 Who was [REDACTED]?
 7 A. That was our marital counselor.
 8 Q. Did your husband see this [REDACTED] before you
 9 and him went to see [REDACTED] for marital counseling?
 10 A. No. We saw him just for marital
 11 counseling. But he had seen him alone afterwards.
 12 So we saw him together, [REDACTED] saw him alone a couple
 13 of times after our separation, and then we saw him
 14 still a few times together, even after we were
 15 separated.
 16 Q. Did your ex-husband have a personal
 17 relationship with this [REDACTED]?
 18 A. No.
 19 Q. Going to the day of 3/21/2015, I still
 20 don't understand. How did you get to Eric's house?
 21 Did you walk? Did you drive?
 22 A. I walked. The [REDACTED] was about a block and
 23 a half up the street from where he lived.
 24 Q. So when you say you left your keys there,
 25 you were -- you just walked back to the salon?

1 A. Correct.
 2 Q. And then later that evening, when you went
 3 back and got your keys, you walked back again to the
 4 salon to get your car?
 5 A. Exactly.
 6 Q. When you first went into the house on
 7 3/21/2015, Eric had some clothes for you. Did you
 8 ever see his phone at that point?
 9 A. Not at that point.
 10 Q. When was first time you saw his phone?
 11 A. I don't know. That's a good question.
 12 I'm not sure.
 13 Q. At some point, you went to the basement to
 14 the exercise equipment?
 15 A. Yes.
 16 Q. And at what point did he produce the tape
 17 and the blindfold?
 18 A. Right whenever we got downstairs.
 19 Q. Were they laying on the table or something
 20 or --
 21 A. I believe -- there's like a -- there was
 22 like a workbench or a like a workout bench right
 23 there, and that's where he had that stuff. And then
 24 there were rings hanging up. There were weights
 25 behind -- I believe it was just right whenever we

1 came downstairs, it was sitting there. He didn't
 2 carry it downstairs, I guess.
 3 Q. Could you describe this tape a little bit
 4 more. I think you said something about gauze tape.
 5 A. It was kind of that stretchy athletic
 6 tape.
 7 Q. And was that something that if you applied
 8 some force, you could rip your hands free, if you
 9 wanted to?
 10 A. Yes. I started to -- I couldn't really
 11 get down myself because it was -- there was just a
 12 lot of it or whatever, but with his help, I was able
 13 to get it down. It wasn't sticky, I guess.
 14 Q. Yeah. Because, you know, you think of
 15 something like Duct tape, that would -- that's
 16 really hard to get that off your skin. But this
 17 gauze tape -- I think I know what you're talking
 18 about.
 19 So when you -- I think you said you
 20 freaked out and said, No, enough, he immediately
 21 stopped his behavior and helped you down from the
 22 rings?
 23 A. Yes.
 24 Q. That basement -- was it a workout
 25 basement?

1 A. No.

2 Q. What was the lighting like down there?

3 A. It was dim.

4 Q. Do you remember if there were, like,

5 fluorescent lights like we have here or was it lamps

6 or ...

7 A. Like a lightbulb.

8 Q. Okay.

9 A. At least on at that time. It was dim.

10 Q. Was there other exercise equipment in this

11 room?

12 A. Yes. There was, like, a rower machine.

13 Q. Was this exercise room or workout room,

14 was it like -- what I would call a great room part

15 of the basement, or was it in a separate room, or

16 how did that --

17 A. It was right whenever you walked

18 downstairs. It was pretty much all of his exercise

19 stuff -- an unfinished basement.

20 Q. And at the point where -- as I read

21 through the transcript, you freaked out and said,

22 No, no, no and then before that, had you given Eric

23 any sort of indication, physically, verbally, or in

24 any way that you did not want to proceed?

25 A. No. I was silent.

1 Q. And let me ask you this then: What was

2 the blindfold? What was it? A workout towel? What

3 was it?

4 A. No. It was -- I believe to be like a

5 blindfold. I mean -- like a long strip of

6 something. It was a dark material. So it wasn't a

7 towel, it was an actual material.

8 Q. Do you know what kind of material it was?

9 A. I don't remember. It was nothing strapped

10 to your -- nothing that I remember specifically,

11 other than I know it was dark and that it was, you

12 know, a blindfold.

13 Q. If I have the order right, first he taped

14 your hands to the rings; correct?

15 A. Correct.

16 Q. And did you have -- were your feet on

17 anything stable?

18 A. The ground.

19 Q. Okay. So your feet were able to touch the

20 ground? You weren't dangling?

21 A. Right. No.

22 Q. And then he put the blindfold around you?

23 A. Yes.

24 Q. When he put the blindfold around you, did

25 you leave your eyes open or did you close your eyes?

1 A. At that point -- probably both. Because I

2 know I kept opening and closing them throughout this

3 time because I was so curious -- because he had

4 something planned. But when he first put it on,

5 maybe my eyes were closed and then I just kept -- so

6 it wasn't super tight, I guess, if you're asking

7 that.

8 Q. How did he bind the blindfold back? Did

9 he tie it or did he have some sort of clasp?

10 A. He tied it.

11 Q. Tied it. And at some point he stepped

12 away from you physically, and what was the sequence?

13 Flash, click, or simultaneous? I don't know.

14 A. I would say simultaneous.

15 Q. And you testified you have never seen the

16 photograph he took of you; correct?

17 A. Correct.

18 Q. And let me ask you this. Do you have any

19 reason to believe that this photograph was

20 transmitted in any manner that allowed access to

21 that photograph via the computer -- and I know it's

22 a long question.

23 A. If it -- so I know he had an iPhone, so if

24 it -- because I have an iPhone, too, so we could

25 iMessage or -- you know? And if he had iCloud, yes.

1 Or if he, you know, connected his phone to his

2 computer or something, yes.

3 Q. And did he have an iPhone? Is that what

4 you said?

5 A. He did.

6 Q. And that was what he had that day?

7 A. Yes.

8 Q. And he that -- you saw that in the

9 basement, that iPhone?

10 A. I would assume that would be the only

11 phone that he would have -- that was the only phone

12 that I was aware that he had in general at that

13 time.

14 Q. And you don't recall one way or the other

15 whether you saw it that very day in the basement?

16 A. Right. I just know that I heard and saw

17 the flash.

18 Q. And before 3/21/15, had either you or your

19 ex-husband had an extramarital affair?

20 A. No.

21 Q. Either before or after 3/21/15, had you

22 ever had -- had you yourself photographed yourself

23 in a state of partial or complete nudity?

24 A. No.

25 Q. Have you ever met a man named Roy Temple?

1 A. No.

2 Q. Have you ever been contacted by anybody

3 from the FBI?

4 A. No. No.

5 Q. Have you ever been contacted from anybody

6 that said they're from Intera, LLC?

7 A. I don't believe I can answer that

8 question.

9 Q. Well, let's --

10 MR. AUSTIN: Am I getting out of --

11 MR. BARNES: Here is my concern, is

12 there's -- if it relates to grand -- things that

13 went in front of a grand jury, I think that --

14 Counselor, are you concerned with grand

15 jury secrecy, without confirming or denying

16 testimony before a grand jury? So I --

17 MR. AUSTIN: I'll just withdraw the

18 question.

19 MR. BARNES: I think the answer to that

20 question may be a crime in and of itself.

21 MR. AUSTIN: Well, let's withdraw the

22 question.

23 Q. (By Mr. Austin) Part of your testimony

24 was, My husband travels -- and I just didn't

25 understand this -- I did not or did let him take

1 pictures of me?

2 A. Oh, I did not.

3 Q. Did not. Okay.

4 Who was the reporter that contacted you

5 and continued to contact you through -- when this

6 was -- came out?

7 A. Lauren Trager.

8 Q. After the election -- I think you

9 testified you were at dinner with six friends. Who

10 were those friends?

11 A. [REDACTED] -- did you want me to spell

12 this?

13 Q. Yes.

14 A. Okay. [REDACTED], [REDACTED],

15 [REDACTED], [REDACTED], [REDACTED]

16 and -- it's [REDACTED]. I can't remember her

17 name right now.

18 Q. That's all right.

19 A. She -- yeah.

20 Q. That's four.

21 A. So there is another girl that's in that

22 group. Her name is [REDACTED] I had

23 told her, actually -- she's part of that group. She

24 happened to not be there that night, and so I

25 talked -- I discussed it with her as well.

1 Q. And that is all of the ladies that were at

2 that dinner?

3 A. Yes. I believe so.

4 Q. And when Representative Phillips was

5 asking you questions, you said Eric's attorney

6 reached out. Who was that, if you know?

7 A. I don't know.

8 Q. It was attorney contact with your

9 attorney; right?

10 A. Correct.

11 Q. So the only conversation you would have

12 would be from what your attorney told you; correct?

13 A. Exactly.

14 MR. BARNES: I would like to take a break.

15 (A recess was taken.)

16 (Exhibit No 1 was marked for

17 identification.)

18 MR. BARNES: Back on the record.

19 Representative Austin.

20 Q. (By Mr. Austin) Ma'am, we have just come

21 back from a recess, and I've handed your attorney

22 what I've marked as Exhibit 1. And I'll just submit

23 to you that that's a transcript of a tape recording

24 made by your now ex-husband of you and him in the

25 parking lot of a grocery store. Have you reviewed

1 that transcript before?

2 A. So I started to read part of it, and I got

3 to the part where he took the picture, and I just

4 couldn't read it, so I have not read any of the rest

5 of it.

6 Q. Okay.

7 A. I've heard some of the things that are in

8 it and can recall some of that, too, but I have not

9 read it -- the rest of it.

10 Q. What page did you get to? Probably 17?

11 MS. MITTEN: There's an index at the back,

12 if that would help you.

13 A. Okay. Yes, I believe it was on 18 that I

14 stopped.

15 Q. (By Mr. Austin) Well -- and it's your

16 testimony that -- I mean, you're emotionally unable

17 to go past that point, as far as reading the

18 transcript?

19 A. Yes.

20 Q. If we can just, then limit it to pages 1

21 through 17, you weren't under oath then, but you are

22 now, and my question will be -- or is, are your

23 answers that you gave then truthful to the questions

24 posed then, and if not, what answers or portions of

25 answers were untruthful?

1 A. I don't believe I told him -- I should
2 having looked at this right before; I didn't.
3 Q. And we can take a break if you want to
4 read it. I mean ...
5 A. I don't believe I told him that he patted
6 me down.
7 Q. And there may have been some omissions,
8 but what you did say was true?
9 A. Oh. Oh. Oh, yes.
10 Q. Is that okay to say?
11 A. Yes.
12 Q. There were omissions, but what you did say
13 was truthful in response to the questions posed?
14 A. Yes.
15 Q. Pages 1 through 17?
16 A. Yes.
17 Q. Okay.
18 MR. AUSTIN: That's all I have.
19 MR. BARNES: Representative Rhoads.
20 EXAMINATION
21 BY MR. RHODS:
22 Q. Ma'am, my name is Shawn Rhoads. I want to
23 ask you some questions -- and it's going to get a
24 little graphic. I'm not trying to be mean to you, I
25 just -- we have to have some clarification on a

1 couple of things. And I want to go back to the
2 day -- the first encounter when you went to his
3 house that morning and where you came in and where
4 he took your purse and keys and looked through all
5 of this stuff.
6 So you come in the house, he takes your
7 purse, your keys, he looks through it and puts it
8 back in there, and then he tells you to change into
9 these clothes that he provided for you there;
10 correct?
11 A. Correct.
12 Q. What were you wearing before -- and where
13 did you go to change?
14 A. I was wearing -- I would have been wearing
15 black pants and a black T-shirt for work.
16 Q. Okay.
17 A. I was dressed in work clothes. And he has
18 a -- he has, like, a very small bathroom right by
19 his kitchen, so I went into there and changed in
20 that room.
21 Q. So were you wearing undergarments
22 underneath those clothes?
23 A. Underneath my clothes?
24 Q. Yes.
25 A. But he told me to take off everything and

1 put pants on.
2 Q. Okay. So you did that?
3 A. I did that.
4 Q. So all that you were wearing was the
5 T-shirt that he provided and the pajama pants that
6 he also provided; correct?
7 A. Correct.
8 Q. So at that point in time -- and maybe you
9 said earlier and I didn't catch it, but what were
10 your thoughts that his intentions were going to be?
11 A. I thought this was going to be some sort
12 of, like, sexy workout. I knew he -- he had asked
13 if I worked out that morning. I knew he -- he said
14 he had this idea that -- something that would be --
15 make me feel really good and I did work out, because
16 he wanted to take me through a workout. And at this
17 point I thought -- we hadn't worked out together
18 ever, so I thought, Oh, maybe it'll be some sort
19 of -- I don't know -- sexy workout.
20 Q. Okay. At that time were you okay with a
21 normal sexual encounter with him if he said, Hey, I
22 just want to have sex in the basement?
23 A. No.
24 Q. Then I want to go forward to the incidents
25 when you were at his house again -- and forgive me,

1 I don't know the date -- when there was alleged --
2 that you said he slapped you.
3 A. Yes.
4 Q. Okay. So you go in the house -- and I'm
5 just making sure I'm correct. You go up to the
6 spare bedroom; correct?
7 A. Correct.
8 Q. Okay. And were you clothed, unclothed --
9 help me through that.
10 A. I believe at this time we were at least
11 partially unclothed. I know there was sexual
12 activity taking place. I know when I got there, we
13 kissed and we talked a little bit, and then he was
14 like, Come upstairs with me. And I know it was
15 sexual in nature at this point. So I believe that
16 at least both of us were partially nude.
17 Q. Okay. Did he take your clothes off or did
18 you take his clothes off or did you take your own
19 clothes off, or how did that happen?
20 A. I don't recall.
21 Q. Okay. And by "partially nude," can you
22 clarify for us how that was?
23 A. When he slapped me, I just remember being
24 bare at the top.
25 Q. Okay. Okay. So let's go to that. So

1 were you sitting on the bed, laying on the bed --
2 how -- where were you in relation to him and him in
3 relation to you when that happened?

4 A. He was standing up, and I was kind of
5 sitting -- laying back like this (indicating) on the
6 bed.

7 Q. Okay. Okay.

8 A. So he was standing in front of me.

9 Q. Okay. And I'm going to bounce around a
10 little bit here, I apologize. So -- because, to me,
11 there's a question when you're -- your ex-husband
12 e-mailed Eric's wife and said, you know, she's in
13 your house or whatever the e-mail said -- or he --
14 yeah -- and you think that someone was following
15 you. So would your husband follow you around
16 periodically or ...

17 A. Yes. So he worked -- works downtown, and
18 there were multiple times that either I or coworkers
19 would see him driving by the salon.

20 Q. Gotcha.

21 A. Where he didn't have to.

22 Q. So -- but you walked from your business --
23 your place of business to that house; correct?

24 A. Correct.

25 Q. So there wouldn't be like you had a long

1 drive where somebody would follow you through town
2 or anything like that?

3 A. Correct.

4 Q. Do you think anybody is following you now
5 because this has all come out, that people are
6 following you around?

7 A. I've only positively known of one instance
8 when I left work. When I got on the highway, I
9 noticed that there was this same car behind me that
10 was behind me right whenever I left work, and this
11 would have been probably a week and a half after the
12 news broke. And I got to the [REDACTED]
13 [REDACTED], and once I got there, I noticed
14 this car was definitely still there, so I'm going to
15 pretend like I'm getting off my exit and get back on
16 the highway and see if they do that. If they do, I
17 know for sure they're following me. When that
18 happened, they did that, so I right then called a
19 friend of mine who is in law enforcement and said,
20 I'm almost positive this person is following me. So
21 he directed me back to -- I essentially got back on
22 the highway, drove back east. This person followed
23 me all the way to [REDACTED]. So from [REDACTED] to
24 [REDACTED]. I went inside a Walgreens
25 and waited for the car to leave. The friend of mine

1 met me there, and he said, I think you can leave,
2 but I'm going to make sure. So when I left, the car
3 was waiting across the street from me, tried to
4 follow me, but he got behind and didn't allow him
5 to, so I was -- and then I went to my mom's.

6 Q. Was he on duty -- like, a uniform police
7 officer or --

8 A. No. Off duty. Just acting as a friend.

9 Q. Just a friend helping you?

10 A. Yes.

11 Q. So what I'm gathering is -- and make sure
12 that I'm right -- is -- in this relationship with
13 Eric Greitens, he was wanting a physical
14 relationship and you were wanting more than that;
15 correct?

16 A. Correct.

17 Q. And that would have been your frustration
18 with kind of how things went down?

19 A. Yes. And, also, that I didn't -- this was
20 really just with myself. I didn't feel like I was
21 acting in ways that I wouldn't -- I didn't feel like
22 in control of my own --

23 Q. Sure.

24 A. -- feelings and thoughts and actions the
25 way that I typically would be, so ...

1 Q. And I'm sorry. I'm backing up. Let's go
2 back to the incidents with the slap. You said
3 afterwards you talked. Do you recall what you
4 talked about and how long were you there after that?

5 A. The only thing I remember for sure is that
6 we talked about his -- what was it like being in the
7 Navy and did he feel like that affected him and,
8 really, just talked mainly about that. Maybe -- I
9 wasn't there a super long time afterwards. I don't
10 know.

11 Q. Is there anything that anybody has not
12 asked you that you feel like we need to know?
13 Because I realize -- and I -- I sympathize with you
14 when you say you don't want your kids involved with
15 this. And what I'm trying to get at was, if there
16 was no angry ex-husband, there was no reportings,
17 where do you think that we would be right now?
18 Would this be an issue?

19 A. I don't -- I'm not sure. That's a great
20 question, because -- I keep thinking, had I -- maybe
21 had I not told [REDACTED] -- I know for sure I would have
22 felt very differently immediately about what
23 happened on March 21st. Because the second I told
24 him, it became his thing, and I was afraid of him
25 and what he would do with it. I really didn't even

1 process it.
 2 So would I have eventually told somebody?
 3 Possibly. But I also didn't want to hurt anybody,
 4 too, so that ...
 5 Q. I understand. And I see where you're
 6 coming from with your business and with -- you know,
 7 you don't want to damage those things. And I
 8 apologize that you're in the middle of this. I
 9 appreciate your cooperativeness, but, again, I just
 10 want to give you the opportunity, if there's
 11 anything somebody hasn't asked that you feel like is
 12 pertinent to what we're doing, we'd love to hear,
 13 because you've been answering questions and not gave
 14 us a free thought.
 15 You can come back to that if you want, if
 16 you want to discuss that.
 17 MS. [REDACTED]: Okay.
 18 MR. BARNES: If you want -- let's finish
 19 our questioning, because he asked you something that
 20 you probably haven't even thought of.
 21 MS. [REDACTED]: Right. I haven't.
 22 MR. BARNES: So if you -- we'll finish our
 23 questions and then give you a short break, if you
 24 want to answer that question --
 25 MR. RHOADS: Well -- and Representative

1 A. Not that I recall.
 2 Q. Okay. Did you consent to that?
 3 A. No.
 4 Q. Okay. Then the second time was a slap on
 5 the face; is that correct?
 6 A. Correct.
 7 Q. And did that leave a mark?
 8 A. Not that I recall.
 9 Q. Okay. Could you describe that a little
 10 bit more? Do you think -- you said it was open
 11 handed, I think; is that correct?
 12 A. Correct. Meaning it could have left a red
 13 mark right away, I guess. It was dark and at night
 14 and we were alone in a room. Did it leave anything
 15 later? No. It was just jarring. It wasn't sweet
 16 and gentle; it was forceful.
 17 Q. Okay. And then the third time.
 18 A. The third time might have actually left a
 19 mark. I know that it actually hurt, and I know that
 20 I actually was really scared and sad when that
 21 happened. The only reason why I say it might have
 22 actually left a mark is because I can remember
 23 afterwards looking in a mirror -- so it was only
 24 maybe a week and a half, two week, tops, later that
 25 my husband and I were back together of sorts -- at

1 Austin took about half of my questions I have, so --
 2 because he seen them, I think, and that's why he was
 3 trying to do.
 4 Thank you, Chairman.
 5 EXAMINATION
 6 BY MR. PIERSON:
 7 Q. Good morning. I'm Tommie Pierson, Jr.
 8 state representative of the 66th district in
 9 St. Louis County, St. Louis City. And I, too, will
 10 kind of have some questions that may not be in
 11 chronological order. The first one is --
 12 apparently, he -- there was -- so Eric hit you
 13 physically?
 14 A. Yes.
 15 Q. How many times do you recall him hitting
 16 you physically?
 17 A. Well, the first time he spanked me
 18 multiple times, but where I actually felt kind of
 19 scared of -- what is he -- I guess I could say it
 20 was more physical was the two times, though. The
 21 one time where he slapped me in the face and the
 22 other time where he slapped me and pushed me.
 23 Q. Okay. So the spanking, did it leave any
 24 mark? Was there any welt or anything of that
 25 nature?

1 least considering it. I remember looking in the
 2 mirror and thinking, Can he see anything? So -- I
 3 think that there's probably a good chance that there
 4 was something there. I didn't take pictures of it.
 5 Q. Did your husband make any comments
 6 about --
 7 A. Not that I remember. Not that I remember.
 8 Q. And that last time, can you talk a little
 9 bit about that situation, kind of what led up to
 10 that and what happened subsequently?
 11 A. Up until that point, the -- that
 12 encounter -- like I said, we had exercised
 13 earlier -- or that same morning, and then it turned
 14 sexual in nature, that was consensual. You know, I
 15 was nude at this point. And I couldn't see him, so
 16 I didn't know what was on his face. He was behind
 17 me. And I like I said, we had not -- we did not
 18 have intercourse during this period of time -- we
 19 never did. But he was mimicking that, of sorts,
 20 behind me, and so I just remember him, like, hitting
 21 and shoving me, and it felt out of nowhere as if,
 22 like, all of the sudden you just got -- I don't even
 23 know. I don't know. Because it was so shocking to
 24 me and it made me fall on the ground -- kind of on
 25 my face and on my side a little bit and just made me

1 start crying. I just know it was really
 2 embarrassing and confusing.

3 Q. How would you describe, I guess, the
 4 source of the crime -- was it physical in nature?
 5 Was it emotional in nature?

6 A. I would say both at that -- that time, in
 7 particular. Because it actually hurt, and, also --
 8 also, it was embarrassing. I don't know what
 9 happened. It was just kind of a bizarre thing to
 10 happen, I guess.

11 Q. The picture that was taken, did any
 12 discussion ever occur about the picture after -- is
 13 it the 21st of March?

14 A. Not that I recall. I only recall him
 15 asking me -- like, each time I did his hair -- in
 16 particular, at the salon, he would say, You haven't
 17 told anybody, have you? It was more that checking
 18 in to make sure I hadn't said anything. But I don't
 19 remember him bringing up the picture again after
 20 that first day. Probably knowing it was -- I mean,
 21 I kind of freaked out, so I don't know if he knew,
 22 let's just not go there -- I don't know. But we
 23 really didn't discuss it after that.

24 Q. Very good. So you never brought up the
 25 picture, either; is that correct?

1 A. No.

2 Q. Okay. Okay.

3 In the time that you-all worked together,
 4 did you-all share any meals or drinks or anything of
 5 that nature?

6 A. He does not drink at all, so it was never
 7 like that. I remember that morning -- I believe it
 8 might have been that last morning -- because that
 9 was the time that we worked out together. He made a
 10 smoothie that was -- like, as I was leaving, he made
 11 a smoothie.

12 Q. Okay.

13 A. That's all I remember.

14 Q. On 3/15 you were -- I believe you
 15 described doing his hair and shampooing his hair at
 16 the salon.

17 A. Yes. This would have been earlier -- or,
 18 like, maybe a week prior to that, yes.

19 Q. Okay. And I believe that was -- or would
 20 you agree that that was the first time where he
 21 touched you in a way that startled you?

22 A. Yes.

23 Q. And what was your reaction when that
 24 happened?

25 A. So I was standing up -- I had actually

1 just finished shampooing his hair, but he was still
 2 laying back in the shampoo bowl, kind of looking up
 3 at me. And at first I just ignored it. I was
 4 thinking -- I think I'm picturing something that's
 5 not really happening, and I didn't look down. And
 6 then once he got up to my crotch, I stepped back and
 7 said, What are you doing? And then that's whenever
 8 he looked up at me like, I don't know. And at that
 9 point -- I think it was just shock, because -- even
 10 though I had had definitely somewhat of this crush
 11 on him, I never pictured that happening. So I think
 12 it was just shock.

13 Q. Do you recall anyone else being in the
 14 room when that happened?

15 A. A coworker was in the room, but she was
 16 not at the shampoo area. She was -- she worked
 17 right next to me at that time at our actual hair
 18 station, and so she was back there, so -- she did
 19 not see that happen.

20 Q. Okay.

21 A. I told two of my coworkers that day that
 22 that happened, but she was not one of the ones who I
 23 told.

24 Q. So there are a couple of coworkers who
 25 were made aware of that incident?

1 A. Yes.

2 Q. Do we know who those individuals are?

3 A. One of them is [REDACTED], who I mentioned,
 4 and another one is a -- the friend that I was saying
 5 is very close to me but I didn't tell anything until
 6 this came out and she called me that night. Her
 7 name is [REDACTED]. Her reaction was so angry
 8 and ticked off at just that, that I felt
 9 uncomfortable telling her anything else after that,
 10 so ...

11 Q. In the course of your discussions with
 12 Eric, did he ever mention The Mission Continues?

13 A. Definitely throughout the times whenever I
 14 cut his hair. Oh, definitely. That was also a big
 15 draw to him, that he had started this nonprofit that
 16 helped veterans and ...

17 Q. But, subsequently, that was not a topic of
 18 discussion, it was specific or relegated to times in
 19 the salon?

20 A. Correct. When -- yes. When I was alone
 21 with him, it was not -- he wasn't as forthcoming
 22 with discussing things. Like I said, it felt a
 23 little more like he was on a mission.

24 Q. Was there any discussions in relationship
 25 to any campaign-related issues?

1 A. Other than -- I -- when that person
2 e-mailed him -- being my husband -- him mentioning
3 that he thought it was Democratic operatives that
4 lived in his neighborhood that he felt like were
5 always watching him, I know when I came back that
6 first time, that was actually a question I asked
7 him, was, Why did you switch parties? I know that I
8 asked him that, because I just remember that --
9 because he asked if I had any questions for him,
10 because I thought we were going to have a
11 discussion. Other than that, I don't remember --
12 oh, except for he knew that I did Chris Koster's
13 hair. And so he didn't ask about any specifics
14 about him, just, What do you think about him?

15 So other than that, not really. It
16 wasn't -- I'm not a very political person,
17 typically, so that wouldn't have been something we
18 would have discussed; it was more, What type of
19 charities are you working with? What did you -- it
20 was more along the lines of that.

21 Q. So you described Chris Koster as kind of a
22 father figure. Can you describe that relationship a
23 little more?

24 A. Yes. I mean, he had been going to a
25 friend of mine up until -- I didn't start doing his

1 hair until maybe late 2014, possibly, early 2015.
2 Anyways, my coworker moved to New York, and then he
3 started going to me. I knew he was a client of the
4 salon before that, and, in general, he would ask me
5 what was going on in my life and kind of give -- he
6 likes -- or he liked to give advice as to what's
7 going on with school or what's going on with -- he
8 knew I was separated with my husband. We did not
9 discuss anything throughout the election period, in
10 particular, after Eric was not my client. He didn't
11 bring it up. I didn't bring it up. We just didn't
12 discuss that.

13 Q. So there was no discussion of Eric in your
14 conversations with Chris Koster?

15 A. Not -- when they first -- when I first
16 knew that he was running as well, Eric was still my
17 client at that time, and I knew that -- Chris knew
18 that he was my client as well, and I'm sure he asked
19 the same question -- you know, What did you think of
20 this guy? That was pretty much it. Both of them
21 were pretty good about not asking me anything that
22 would make me feel uncomfortable. He didn't really
23 ask anything else in regards to Eric, other than
24 that.

25 Q. And, you know, the incident on 3/21, it

1 seemed very planned. Would you agree with that?

2 A. Yes.

3 Q. In your subsequent encounters with Eric,
4 did those seem planned as well or ...

5 A. Not like the first time. No. The other
6 times seemed a little more just -- I don't know. I
7 didn't feel like I was living a script out, no.

8 Q. If Eric asked you to meet with him now,
9 would you go?

10 A. Positively not alone. With my attorney
11 and his attorney, possibly, but I have no clue what
12 would come of that.

13 Q. How do you deal with stress -- so this was
14 a stressful time during this period. How would you
15 say you deal with stress?

16 A. So I had just started CrossFit that
17 January before -- no, no, no, it was that August,
18 too. During this time, I just weight lifted a lot.
19 I ended up injuring my back because I wasn't
20 sleeping very much, I was just exercising and -- I
21 read -- I was still reading during this time. I was
22 seeing a counselor on my own. I switched to a
23 personal counselor right after the March -- I want
24 to say it was sometime in April, I started seeing
25 her. And I was still reading. I know I read a lot

1 of self-help books during this period of time.

2 Definitely exercising was a huge thing.

3 MR. PIERSON: Thank you. Thank you for
4 your time and your being here today.

5 MR. BARNES: Thank you. I have a few more
6 questions.

RE-EXAMINATION

8 BY MR. BARNES:

9 Q. Were you afraid to ask about the picture?

10 A. Yes. I just didn't want to bring it up at
11 all. So, A, I didn't want to remind him of it. I
12 didn't want to remind myself of it. I really just
13 wanted to pretend like it didn't happen.

14 Q. Did -- the time that you described as
15 being slapped when you were in the spare bedroom,
16 did that cause physical pain?

17 A. More like a stinging -- it didn't make me
18 cry. It wasn't like a, Oh, my gosh, this is
19 absolutely horribly painful, it was more of a
20 stinging shock.

21 Q. The last sexual encounter where you
22 described getting hit, do you feel that that was a
23 punch or a slap?

24 A. It was as if he, like, roughly, like,
25 slapped and grabbed me and shoved me. So I don't

1 know.

2 Q. You testified earlier that you attempted
3 to look in the mirror.

4 A. Yes.

5 Q. How -- approximately how many days after
6 was that?

7 A. Well, I'm sure I did right away -- you
8 know, a day or two after, but I know that -- the
9 memory that I have is after I had gone to the
10 mediator with [REDACTED] I'm thinking, if he knows this
11 or if he sees this, he's going to flip out. So that
12 had to have been a week later.

13 Q. So a week later, you're looking in the
14 mirror to see if there's a mark?

15 A. Yes.

16 Q. Was it still achy or painful at that point
17 in time when you're looking for the mark?

18 A. In that direct area, yes.

19 Q. I want to go back to March 21st as well.
20 And you testified that Eric was kissing you -- let
21 me -- after -- you testified that you started
22 freaking out as Eric was kissing you and coming down
23 the front of your body. Yes?

24 A. Yes.

25 Q. And you freaked out, and he took you and

1 untied the gauze strips; correct?

2 A. Correct.

3 Q. Were you crying at that point?

4 A. Yes.

5 Q. And describe the emotions that you had at
6 that point in time.

7 A. I was definitely fearful. I was so
8 embarrassed and ashamed, because I really felt like
9 a whore because I had let him get me in this
10 position before we've even kissed. I felt really
11 used. I felt like what the -- who are you? I think
12 it was the thing that just kept playing through my
13 mind is, who are you? What is this? What is this?
14 Oh, my God, where am I? Get me out of here --
15 because I just kept saying, Get me out of here. I'm
16 not ready for this. It was also, too, that feeling
17 of, I came here not wanting to do anything --
18 nothing.

19 Q. Did you start walking towards the door?

20 A. Yeah, I -- well, to go upstairs. There's
21 not like a door that closes, but, yeah, I started
22 walking towards the door, and that's when he just,
23 like, enveloped me -- that's a good word. Because
24 it wasn't as if he, like, threw me around. He
25 literally just kind of bear-hugged me and literally

1 walked me up and was saying, [REDACTED] just calm down,
2 calm down, it's okay, it's going to be okay. And
3 then laid me down -- kind of laid down with me like
4 I was a little doll or something.

5 Q. Okay. And when you were laying down,
6 where was he?

7 A. Like, laying next to me.

8 Q. Laying next to you face to face?

9 A. Face to face -- at this point, from what
10 I -- what I'm picturing -- so I don't know if he
11 started behind me -- I know that he was laying face
12 to face with me.

13 Q. Okay. And were you still crying?

14 A. I was crying so hard, yeah.

15 Q. Were you naked at that point in time?

16 A. Yes.

17 Q. Did he have a shirt on?

18 A. I believe so, at this point.

19 Q. Did he have pants on?

20 A. Yes. At this point.

21 Q. Did you unzip his pants?

22 A. No.

23 Q. How -- did he unzip his pants?

24 A. He unzipped his pants.

25 Q. While you were crying?

1 A. While I was crying.

2 Q. And laying on the floor next to him?

3 A. Yes.

4 Q. And what did he do after he unzipped his
5 pants?

6 A. He kind of pulled them down and pulled his
7 penis out.

8 Q. Okay. And -- I'm sorry. These are
9 difficult questions. In relation to your face, how
10 far away?

11 A. Max, 6 inches or something. Close to me.

12 Q. And he is the one who put his penis in
13 that position?

14 A. Yes.

15 Q. Were you still crying at that point?

16 A. Yes.

17 Q. Did you feel afraid to leave?

18 A. No. Not at this point. I feel like he
19 hadn't gotten what he wanted. It was just -- he was
20 still obviously turned on.

21 Q. Would you say you were under duress?

22 A. Yes.

23 Q. Did you feel like you had another choice
24 if you were going to get out of that basement?

25 A. Not at that point.

1 Q. And after feeling you had no other choice
2 at that point in time, is that when there was oral
3 sex?
4 A. Yes.
5 Q. The last time you were hit from behind, I
6 want to make sure -- was it your right hip and --
7 A. Yes. My memory is that I kind of fell
8 into, like -- kind of more into my left, and that it
9 was on my right side.
10 Q. Okay. What's the basement floor like?
11 A. Just a concrete basement floor.
12 Q. I'm sorry. Say --
13 A. We exercised in the basement, so this
14 would have been the last time. And it was after we
15 exercised, so we were still in the basement at this
16 point.
17 Q. (By Mr. Barnes) Okay.
18 MR. BARNES: Okay. I have no further
19 questions.
20 EXAMINATION
21 BY MR. AUSTIN:
22 Q. Just a couple more questions.
23 The basement floor is concrete?
24 A. Yes.
25 Q. There's no rugs or carpeting or anything,

1 moment?
2 MR. SIMPSON: I would. And before we get
3 that far -- and if this isn't the proper time to do
4 so, please let me know. The transcript that you put
5 in as an exhibit, out of respect for my client, I
6 would like to request that any identifying
7 information between her, her ex-husband or anybody
8 else that would lead back to who she is be redacted.
9 I'm am well aware of the potential that this may
10 become public at some point and would like to really
11 redact that. Frankly, anything in this proceedings
12 that would identify her specifically, I would ask
13 for that courtesy from this panel.
14 MR. BARNES: You will certainly have that
15 courtesy.
16 So let's take a five-minute break.
17 (A recess was taken.)
18 MR. BARNES: And so we -- do you want to
19 make a final statement, please feel free to do so.
20 MS. [REDACTED]: I really just wanted to say a
21 couple of things, which is, one, thank you for
22 clearing up the rumors that are out there, because
23 that's been one of the most difficult things is
24 hearing them and knowing -- I've taken the position
25 to truly try to not involve my children as much as

1 it's just concrete?
2 A. Over where the exercise area was, there
3 was some gym -- the squishy mat.
4 Q. Where you were hit the third time, you
5 were on concrete at that point?
6 A. Yes.
7 Q. Let me back up a little bit. You said
8 that -- this was before, that your husband e-mailed
9 Eric's wife. Do you know that for sure, or is that
10 something you're supposing, knowing your husband?
11 A. He told me after we were back together.
12 Q. Okay.
13 MR. AUSTIN: That's all I have.
14 MR. BARNES: Okay. If you want to make a
15 statement, you can. If you want to take a minute to
16 collect your thoughts and -- tell me if you want to
17 take a five-minute break, collect your thoughts, and
18 make a statement or -- really, it's up to you. I --
19 you know, I think Representative Rhoads had a very
20 good question, and he kind of caught you off guard
21 after having -- we're three hours into a barrage of
22 questions for you from seven separate people, and so
23 I think it's fair to let you collect your thoughts
24 before you make such a statement.
25 So do you want to take a break just for a

1 possible, therefore, it is kind of difficult to hear
2 those things and know I don't have a voice. So I do
3 appreciate that. And, also, the lengths that you
4 have taken to make this private, and I really do
5 appreciate that.
6 I really think you guys covered most of
7 the things that I felt and appreciate you for being
8 understanding, because I did not like that person at
9 that time, which is why I'm so emotional. If I
10 liked her, I could tell you guys, He's a jerk and
11 he's a jerk, and I did nothing. So I appreciate
12 your understanding. And it's really hard for me to
13 be vulnerable in front of people I don't know, as
14 opposed to my friends and family, who know that that
15 wasn't me; I was going through a crazy period of
16 time. So I really do appreciate it, because it does
17 help me -- or at least you aren't throwing stones at
18 me if you guys hate me. But thank you.
19 That's it.
20 MR. BARNES: You guys will be excused, and
21 we'll talk about future business of the committee.
22 MR. SIMPSON: Sure.
23 MR. BARNES: Thank you so much.
24 I want to get with you on contact
25 information for the people identified with whom you

1 spoke. I don't want you to read their phone numbers
2 into the record, but I want to get that contact
3 information.
4 MR. SIMPSON: And whether you want to do
5 it -- I'll let you decide. We have provided an
6 answer to some requests for production. As of
7 yesterday, after I got -- after I left my office, I
8 came into the possession of another document that
9 you probably want. If you want it today, you can
10 have it, but I need a photocopy because I have the
11 original.
12 MR. BARNES: We can arrange for that here.
13 There's got to be a copy machine somewhere in this
14 building. So if you want to ask one of the officers
15 outside, I'm confident they'll make a copy.
16 So we'll excuse you. Thank you for being
17 here today.
18 MR. BARNES: Let's go off the record for
19 just a moment.
20 (Discussion off the record.)
21 MR. BARNES: Friday at one, [REDACTED]
22 who is -- who is identified as a witness in
23 [REDACTED] answers to our requests to documents.
24 After that, does the committee believe --
25 MS. LAUER: Will that be here?

1 MR. BARNES: That will be here.
2 Does the committee believe we need
3 [REDACTED] here?
4 MR. RHOADS: I do. I feel like it puts
5 the pieces of the puzzle together.
6 MR. BARNES: Do we want to see if we can
7 get him for next Monday?
8 MS. MITTEN: Can we do 3:00 p.m. on
9 Friday?
10 MR. RHOADS: I'm afraid that conversation
11 is going to take hours and hours.
12 MS. MITTEN: Why should that take hours,
13 though? This is four hours. What do we need to get
14 from [REDACTED] Authentication.
15 MR. RHOADS: I'm afraid there'll be a
16 little game played with his attorney on, Well, we
17 don't want to answer that, we're going to --
18 MS. MITTEN: Fine. He can leave.
19 MR. RHOADS: Regroup and go and then --
20 MS. MITTEN: I'm just thinking -- I don't
21 know what we need from [REDACTED]
22 Can we go off the record for a second?
23 (Discussion off the record.)
24 MR. BARNES: I move that we attempt to get
25 the testimony of [REDACTED] this Friday at

1 11:30 a.m.
2 MS. MITTEN: Okay. Or 3:00 p.m.
3 MR. BARNES: Or 3:00 p.m.
4 Does anyone disagree to that idea?
5 All of those in favor say, aye.
6 (Unanimous "Aye")
7 MR. BARNES: In failure of Friday, I'll
8 ask his lawyer about Monday availability.
9 MR. AUSTIN: Time out. You said earlier?
10 Well, how is this [REDACTED] going to take very long? If
11 he cools his heels out there for an hour, that's not
12 our problem.
13 MS. MITTEN: We could do it at two.
14 MR. BARNES: So do you want me to try
15 three first?
16 MR. AUSTIN: I prefer 11:30 first.
17 MS. MITTEN: Either way. Just see what we
18 can do.
19 MS. LAUER: Is it okay if they see each
20 other?
21 MR. BARNES: 11:30 or two?
22 MS. MITTEN: Or three, if it has to be
23 three. I just want to get it out of the way Friday
24 if he can.
25 MR. BARNES: Okay. And I want to take a

1 roll call vote to close Friday's hearing.
2 So the motion on the floor here is to
3 close Friday's hearing.
4 All of those in favor, voice, yes.
5 Mr. Secretary, please call roll.
6 MR. CURCHIN: Representative Barnes.
7 MR. BARNES: Aye.
8 MR. CURCHIN: Representative Phillips.
9 MR. PHILLIPS: Aye.
10 MR. CURCHIN: Representative Mitten.
11 MS. MITTEN: Aye.
12 MR. CURCHIN: Representative Lauer.
13 MS. LAUER: Aye.
14 MR. CURCHIN: Representative Austin.
15 MR. AUSTIN: Aye.
16 MR. CURCHIN: Representative Rhoads.
17 MR. RHOADS: Aye.
18 MR. CURCHIN: Representative Pierson.
19 MR. PIERSON: Aye.
20 MR. BARNES: The vote is seven aye; zero
21 no to close Friday's hearing. It know everybody is
22 getting excited.
23 We have eight additional witnesses
24 identified, I believe, beyond [REDACTED], [REDACTED] --
25 is everyone in agreement we should attempt to her

1 testimony.
 2 Is that a yes all around?
 3 Yes all around. [REDACTED] is
 4 another. Is everyone in agreement?
 5 MS. LAUER: She was at the dinner?
 6 MR. BARNES: Yeah.
 7 [REDACTED]. Is everyone in agreement
 8 on her?
 9 Okay. [REDACTED] was identified as a
 10 lawyer. I would -- I don't want to try to breach
 11 anyone's attorney-client privilege. Is everyone in
 12 agreement that we're not going to call her as a
 13 witness?
 14 MS. MITTEN: I agree.
 15 MR. PIERSON: With her, she seemed like
 16 she wanted to get some information from [REDACTED] order;
 17 is that correct? Did that breach -- so that would
 18 be a breach if we talked to her --
 19 MR. BARNES: For [REDACTED], yes. [REDACTED]
 20 [REDACTED] was a lawyer for Ms. [REDACTED], and as a
 21 result, I do not --
 22 MR. PIERSON: [REDACTED]?
 23 MR. BARNES: Lauren Trager was the
 24 reporter.
 25 Does anyone believe we should have the

1 reporter?
 2 MS. MITTEN: No.
 3 MR. BARNES: Okay. Then there were the
 4 women who were at the dinner, [REDACTED], [REDACTED]
 5 [REDACTED], [REDACTED], and [REDACTED]
 6 [REDACTED]. And then there was, essentially, I think
 7 [REDACTED], and I heard a [REDACTED] name. I
 8 think that -- I want everybody to think about
 9 whether we need to call them after having spoken
 10 with these other witnesses.
 11 MR. RHODES: Mr. Chairman, I'm afraid
 12 there'll be very limited information with these
 13 women. They were in public talking about this
 14 incident. I doubt she went into detail about
 15 everything in a restaurant with six other women.
 16 MR. BARNES: That's -- that's fair. And I
 17 think these other witnesses that we've already
 18 identified -- we need to talk to them first before
 19 making this decision, but I wanted to put that out
 20 there as something for people to think about, even
 21 as we were getting the next round of testimony.
 22 MS. LAUER: Sure.
 23 MR. BARNES: Okay. The other thing is we
 24 should be receiving documents soon from Michael
 25 Hafner relating to use of The Mission Continues --

1 resources from The Mission Continues private grants.
 2 They may arrive today. We subpoenaed those
 3 documents. They may arrive today. His lawyer has
 4 been in contact with our counsel and should have
 5 them soon, and when we do, we will spread the word
 6 that they have arrived. They will be in the chief
 7 clerk's office with our folders that we're going to
 8 turn into binders. The idea is everyone to have a
 9 binder in there. Let's leave it in there, mainly --
 10 because I don't even trust myself to take documents
 11 outside -- and then take notes in there.
 12 MR. AUSTIN: And we can have access to
 13 those binders --
 14 MS. MITTEN: I believe Representative
 15 Barnes is going to try to get access to the office
 16 so that even after hours we'll have the ability to
 17 force [REDACTED] to let us in.
 18 MR. BARNES: Mr. Curchin -- Alex has that
 19 ability, so he's on permanent call.
 20 MS. MITTEN: Lovely.
 21 So, Mr. Chair, Mr. Simpson indicated that
 22 documents have already been produced.
 23 MR. BARNES: I believe he said they were
 24 mailed -- well, he told me in the hallway they have
 25 been mailed. He said we've sent them.

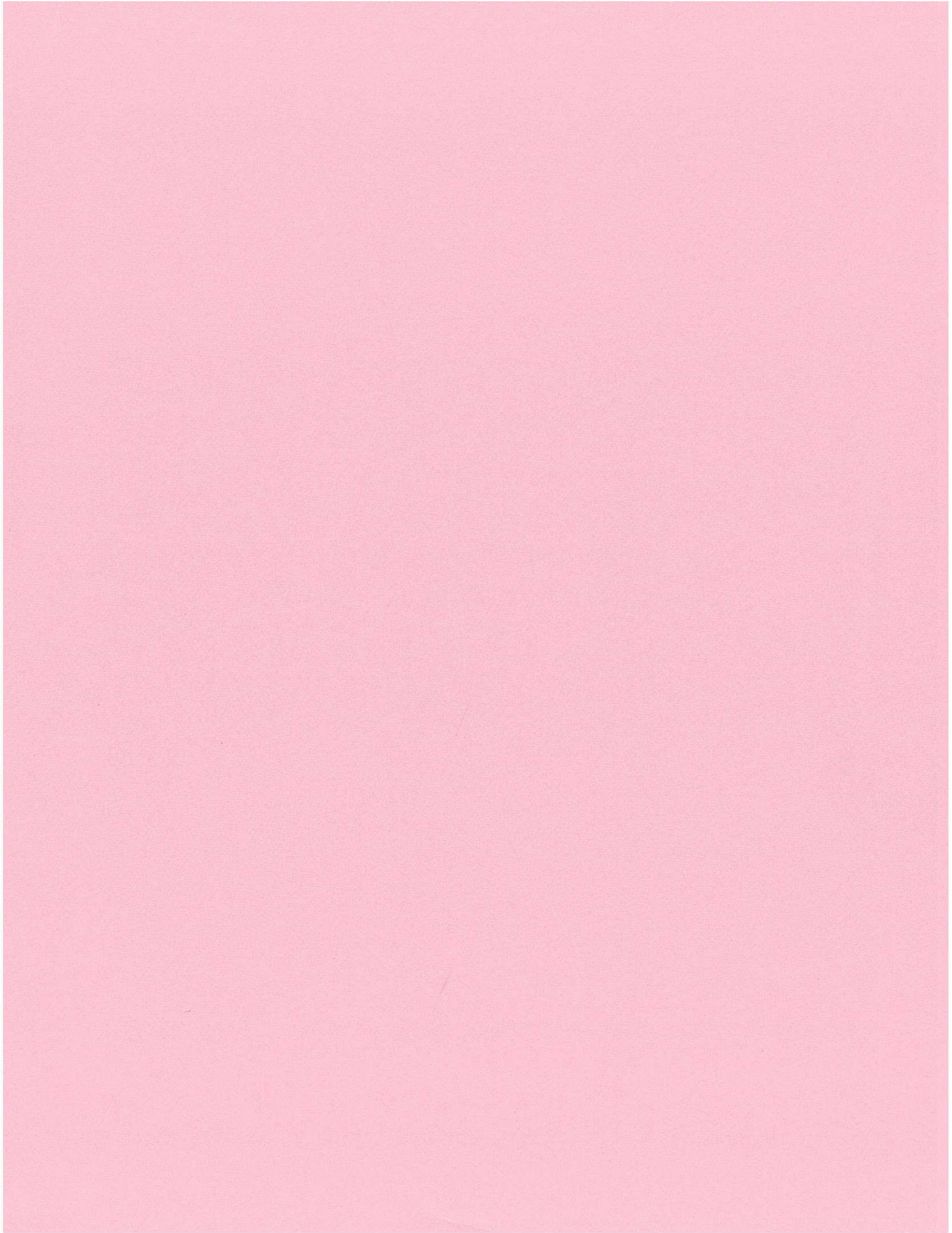
1 MS. MITTEN: So we haven't seen those yet,
 2 and those will be added to our binder folders.
 3 MR. BARNES: And what he has brought here
 4 today is a phone record.
 5 MS. LAUER: Is there any reason to
 6 consider the Boys State?
 7 MR. BARNES: I think -- let's hear from
 8 Mr. Hafner first. Let's look at his documents and
 9 hear from him first. I take that from you, you
 10 think that there is.
 11 MS. LAUER: I would question him.
 12 MR. BARNES: And I'm open to that
 13 possibility. I'm open to what the committee
 14 considers. Obviously, we have people in -- public
 15 statements from people who need to get one of those
 16 people who was quoted publicly to do so. What I
 17 also want to do is bring the board of Boy's State
 18 down here to testify. I think what may be helpful
 19 to them is to send written interrogatories to them
 20 or ask them to sign a declaration or affidavit.
 21 But -- we could direct interrogatories to him to
 22 make sure that we're getting answers to the
 23 questions that we want.
 24 MS. MITTEN: Well -- and my only -- and I
 25 don't know -- is there anything about that that --

1 is there some law that was violated by virtue of
 2 that, or is it just sort of bad behavior?
 3 MR. BARNES: It's potentially a
 4 misappropriation or a theft if you get information
 5 for one purpose and use it for another.
 6 MS. MITTEN: Okay.
 7 MS. LAUER: Without the individuals
 8 knowing about it.
 9 MS. MITTEN: Okay.
 10 MR. BARNES: Potential. And, you know, I
 11 want to go down the path and find out the -- were
 12 there expectations? What were those expectations?
 13 MS. MITTEN: What were the expectations.
 14 Okay. That's fair.
 15 MR. PHILLIPS: And all of this falls in
 16 the guidelines of the resolution to be passed --
 17 MR. BARNES: It does.
 18 MS. MITTEN: Those are also allegations at
 19 that point, I guess.
 20 MR. BARNES: Any further comments or
 21 questions?
 22 MS. LAUER: What about next week so I know
 23 whether or not to pack more clothes or not.
 24 MR. BARNES: So Mr. Hafner will be here on
 25 Wednesday morning at 8:00 a.m. We're going to try

1 to get some testimony on Monday morning and --
 2 MR. RHOADS: As of right now, do you have
 3 testimony lined up for Monday morning?
 4 MR. BARNES: I do not. Because
 5 Mr. [REDACTED] lawyer gave us this list of other
 6 witnesses, we attempted to make contact with all
 7 three of them. I made contact with [REDACTED]
 8 she's coming on Friday. I made contact with [REDACTED]
 9 [REDACTED] regarding Monday at one. She said she had
 10 to check back and see about child care arrangements.
 11 I'm still waiting to hear back. And then [REDACTED] did
 12 not respond to my calls.
 13 MS. LAUER: Did you say there is another
 14 one next Friday?
 15 MR. BARNES: We do not have anything
 16 scheduled for next Friday at this point.
 17 MS. MITTEN: I would pack for it.
 18 MR. BARNES: Is anyone planning to be out
 19 of town on Friday?
 20 MS. MITTEN: Not anymore.
 21 MR. BARNES: I'm glad that looks cannot be
 22 not recorded.
 23 MR. RHOADS: Is it spring break week?
 24 MR. BARNES: No. I'm talking about next
 25 Friday.

1 MR. RHOADS: I'm good. If sounds like we
 2 can eliminate spring break, if at all possible.
 3 MR. BARNES: You mean eliminate testimony
 4 during spring break? Or at the very least, everyone
 5 can have Monday and Tuesday of spring break. Is --
 6 does everyone like the idea of Monday and Tuesday
 7 for spring break?
 8 MS. LAUER: Tuesday, Wednesday, Thursday
 9 is not good for me. I could try to shift things
 10 around.
 11 MR. BARNES: Let's adjourn.
 12 I hereby adjourn.
 13 (The hearing concluded at 12:08 p.m.)
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1 CERTIFICATE OF REPORTER
 2
 3 I, Lisa Ballalatak, a Certified Court
 4 Reporter for the State of Missouri, do hereby certify
 5 that the witness whose testimony appears in the
 6 foregoing hearing was duly sworn by me; the testimony
 7 of said witness was taken by me to the best of my
 8 ability and thereafter reduced to typewriting under my
 9 direction; that I am neither counsel for, related to,
 10 nor employed by any of the parties to the action in
 11 which this hearing was taken, and further that I am
 12 not a relative or employee of any attorney or counsel
 13 employed by the parties thereto, nor financially or
 14 otherwise interested in the outcome of the action.
 15
 16
 17
 18 Lisa Ballalatak
 19 Missouri Supreme Court
 20 Certified Court Reporter
 21
 22
 23
 24
 25



HOUSE SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT
HEARING
MARCH 9th, 2018

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Reporter's Note: Exhibit 2 was retained by the panel.	

APPEARANCES

Mr. Jay Barnes, Chairman
Mr. Alex Curchin, Senior Counsel/Legislative Director
Representative Don Phillips
Representative Jeanie Lauer
Representative Kevin Austin
Representative Gina Mitten
Representative Shawn Rhoads
Representative Tommie Pierson, Jr.

Also present:

Ms. Alix Hallen
Mr. Bryan D. Scheiderer
The Court Reporter:
MS. LISA BALLALATAK, CCR
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(The hearing commenced at 12:59 p.m.)

MR. BARNES: I hereby open this committee of the House Special Investigative Committee on Oversight.

Mr. Secretary, please call the role.

MR. CURCHIN: Representative Barnes.

MR. BARNES: Here.

MR. CURCHIN: Representative Phillips.

MR. PHILLIPS: Here.

MR. CURCHIN: Representative Mitten.

MS. MITTEN: Here.

MR. CURCHIN: Representative Lauer.

MS. LAUER: Here.

MR. CURCHIN: Representative Austin.

MR. AUSTIN: Here.

MR. CURCHIN: Representative Rhoads.

MR. RHOADS: Here.

MR. CURCHIN: Representative Pierson.

MR. PIERSON: Here.

MR. CURCHIN: All here and accounted for.

MR. BARNES: A full committee being

present, we are ready to start. And I believe we

told -- I told the officers to bring the witness in.

Good afternoon. Thank you for being here.

Just go ahead and take a seat. We'll start with

1 administering an oath.
 2 [REDACTED]: Okay.
 3 [REDACTED]
 4 being first duly sworn, was examined and testified as
 5 follows:
 6 EXAMINATION
 7 BY MR. BARNES:
 8 Q. Can you state your name.
 9 A. [REDACTED]
 10 Q. And, ma'am, have you ever given testimony
 11 in a deposition before?
 12 MR. BRIGHAM: I'm sorry?
 13 Q. Have you ever given testimony in a
 14 deposition before -- not --
 15 MR. BRIGHAM: In a deposition.
 16 Q. (By Mr. Barnes) In a deposition.
 17 A. No. No. Never.
 18 Q. In a deposition?
 19 A. No.
 20 Q. Okay. So we're just going to have a
 21 conversation. There are a couple of ground rules.
 22 If someone asks you a question, and you don't
 23 understand it, please don't hesitate to ask them to
 24 stop and rephrase. I see you're nodding your head
 25 now. You can't nod your head in answers to

1 A. Almost ten years.
 2 Q. How would you describe your relationship?
 3 A. Good friends.
 4 Q. And have you worked together or just met
 5 as social acquaintances?
 6 A. No. I met her almost ten years ago. My
 7 husband was friends with her now ex-husband, and so
 8 when I got with my husband almost ten years ago, I
 9 was introduced to [REDACTED] and [REDACTED] and we hung around
 10 as a foursome. A few years after I met her, I --
 11 she also started doing my hair and ...
 12 Q. Have you known [REDACTED] to have a
 13 reputation for truthfulness and honesty?
 14 A. Yes.
 15 Q. And is that her reputation?
 16 A. Yes.
 17 Q. Did [REDACTED] ever speak to you about
 18 contacts she had with Eric Greitens?
 19 A. Yes.
 20 Q. And when was the first time she spoke with
 21 you?
 22 A. I don't remember the specific date, but it
 23 was sometime in March of 2015.
 24 Q. Do you remember it in relation to when the
 25 events happened and how many days after?

1 questions.
 2 A. Okay.
 3 Q. You have to say "yes" or "no."
 4 A. All right.
 5 Q. And if you need to take a break at any
 6 time, just let us know, and we can take a break.
 7 MR. BARNES: And, Counsel, would you like
 8 to introduce yourself?
 9 MR. BRIGHAM: Sure. My name is
 10 Chad Brigham, counsel at Goldenberg, Heller &
 11 Antognoli in Edwardsville, Illinois.
 12 Q. (By Mr. Barnes) And so the way this is
 13 going to work is, I'm going to ask you a series of
 14 questions to start, and then our vice chair is going
 15 to ask some questions, our ranking member is going
 16 to ask you some questions, and then down the line in
 17 terms of legislative seniority. Some people may not
 18 have questions, and we'll -- we will see.
 19 I'm the chairman of this committee. I'm
 20 Jay Barnes. I'm from here in Jefferson City. You
 21 should also know that we have the authority under
 22 our rules -- we will redact your name and protect
 23 your privacy in this process.
 24 Ma'am, how long have you known [REDACTED]
 25 [REDACTED]

1 A. No. She first mentioned him before the
 2 event, that he was a client that had come in that --
 3 there was flirtation, that he was a good-looking
 4 guy, he was a Navy Seal, that he was a Rhodes
 5 Scholar -- I remember that specifically, because I
 6 had no idea what a Rhodes Scholar was, so I had to
 7 go home and Google -- that he had authored some
 8 books. I couldn't even remember his name when I had
 9 gotten back from getting my hair done, so I had to
 10 Google -- I remembered Eric and a word in one of his
 11 books, and that's all I -- I didn't know who he was
 12 or anything.
 13 Q. So she had mentioned previous to March
 14 those types of facts about him?
 15 A. It was probably maybe sometime in early
 16 March, maybe. It wasn't long before I heard about
 17 the event.
 18 Q. Okay. And where were you when -- you
 19 referred to it as "the event" -- and we'll get into
 20 that in a minute.
 21 A. It was a phone conversation.
 22 Q. And who were the parties to that
 23 conversation?
 24 A. Just me and [REDACTED]
 25 Q. And what did she tell you?

1 A. That she had been invited over to
2 Greitens' house. She had suggested that -- she
3 really wasn't comfortable going to his house; she
4 would rather do something like a coffee shop.
5 Q. When you say "she had suggested," was she
6 suggesting that to you or --
7 A. Oh, I'm sorry. To Greitens. That
8 Greitens had suggested that she come over to his
9 house, that she had said that she really didn't feel
10 comfortable going there, that she would rather do
11 something like talk at a coffee shop. He said that
12 he could not do that because he could not be seen in
13 public with her. And so -- that he wanted her to
14 come over to his house. And it was within walking
15 distance of The Chase, where she worked, and that
16 she did -- she did end up going over there.
17 Q. Okay. And did she tell you what happened
18 after she went over there?
19 A. Yes.
20 Q. And what did she say?
21 A. She had went into his house, that he was
22 trying to make her feel comfortable because she was
23 nervous. He had given her some sort of
24 loungewear -- some sort of lounge pant to put on and
25 some sort of T-shirt -- not what she wore over

1 She was married, so she was worried about the stuff
2 being out. She has family that she's close to, that
3 she had gotten upset, and that Greitens was trying
4 to comfort her, telling her that it was going to be
5 okay, and that she did end up performing oral sex on
6 him.
7 Q. Did she tell you the circumstances of how
8 that came about?
9 A. I don't recall. I think it was on a
10 floor -- a basement floor. She was upset, and he
11 was consoling her. That's the only thing I can
12 remember from that, besides the actual act.
13 Q. Did she tell you what happened after that?
14 A. That she had went back upstairs. She got
15 back to the salon. She had forgotten her keys
16 there, so she had to go back to his house. She was
17 upset, she was angry, she was embarrassed, and that
18 he said, Just don't worry about it; I have deleted
19 the picture.
20 Q. When she spoke with you, how many days
21 after the incident do you believe it was?
22 A. I'm not sure of the exact number of days,
23 but it was what I would consider, like, fresh --
24 like, it had -- it had newly happened.
25 Q. And what was her demeanor on that phone

1 there, but clothes that he had had, and that he
2 invited her down to his basement to teach her how to
3 do a proper pull-up -- she's really into fitness.
4 She went downstairs. He had bound her hands to some
5 sort of pull-up equipment with some sort of tape
6 that he had, put a blindfold over her eyes. He had
7 ripped her shirt and pulled down her pants some,
8 because -- she has a hernia scar, and he had made
9 some comment about her -- maybe not a scar -- or
10 something abnormal because of the hernia. He had
11 made some comment about that. She had seen a flash
12 through the blindfold, and that he had taken a
13 picture.
14 Q. Did she tell you whether she had consented
15 to that?
16 A. No, she did not consent.
17 Q. Did she tell you whether she had?
18 A. No. She said she was embarrassed and
19 shocked that he had said that she had better not
20 mention his name because he would then distribute
21 the pictures.
22 Q. Did she tell you about anything that
23 happened after that point in time that she told you
24 about?
25 A. Yes. That she was embarrassed and upset.

1 call?
2 A. Embarrassed. Shocked. My -- when she was
3 telling me this, my very first reaction was that
4 it -- he sounded creepy. It was creepy for him to
5 be taking this picture. It doesn't sound like this
6 was, in my opinion, the first time he had done this,
7 because he was taking this picture and using it to
8 keep her quiet, for whatever reason. I thought it
9 was because he was married. She thought he had
10 feelings for her. I -- I didn't think that was
11 true, but she was pretty set on it. She thought
12 that -- that he cared about her.
13 Q. Did she speak to you at any other time
14 after that about her relationship with
15 Eric Greitens?
16 A. We spoke several times after that, and it
17 probably partly had to do with Greitens, but we
18 talked a lot about her marriage problems and then
19 kind of how the Greitens thing was intertwined in
20 this.
21 Q. Did she tell you of any other -- is there
22 anything else that stands out to you about the
23 things she said about Eric Greitens?
24 A. She did recount a story that occurred -- I
25 want to say it was in July, but I didn't hear about

1 it right when -- I only heard about it maybe a month
2 or so ago when we had met up for dinner, about how
3 she had met him back in -- met him again in July,
4 that he was communicating with her through a
5 TracPhone, and that she had went there. His wife
6 was out of town, that she had -- he had asked her if
7 she had any sort of sexual relationship with anybody
8 since they had been together last. She stated that
9 she had had sex with her husband -- her husband at
10 the time, and that that had made him angry, and that
11 he had slapped her in the face and called her a
12 whore.

13 Q. Is there -- I'm going to ask -- this is
14 similar to the last question I asked. Is there any
15 other conversation you recall?

16 A. That she had sent -- well, she had told me
17 that after the event -- the event at his house with
18 the picture, that he had came in sometime after that
19 to the salon -- it would have been before July --
20 before working hours. [REDACTED] was the only one there,
21 and he had showed up. There was some sort of
22 make-out session only then. She had also commented
23 that -- the way her station was set up at the salon,
24 the whole back wall was windows, and that she could
25 see him several times walking past the windows while

1 she was doing hair. She also ran into him one time
2 at a grocery store -- I don't recall which one --
3 and that he was there with a toddler, and that it
4 was uncomfortable for her. That's all -- and that
5 she had sent him an e-mail -- and this would have
6 been after, even, the July incident, that he
7 couldn't come in and get his hair cut, he couldn't
8 come into the salon anymore.

9 MR. BARNES: I have no further questions
10 for now.

EXAMINATION

11 BY MR. PHILLIPS:

12 Q. I'm Representative Don Phillips, and I
13 just have a couple of questions.

14 One is, do you have any knowledge if [REDACTED]
15 was contacted by Governor Greitens or any of his
16 staff or attorney after the story broke? Did she
17 ever share anything like that with you?

18 A. No.

19 Q. Okay. Do you have any knowledge that she
20 received -- or did she tell you about receiving any
21 kind of compensation or anything related to her
22 remaining quiet on the story?

23 A. She specifically told me she did not
24 receive anything.
25

1 Q. Okay. All right.

2 MR. PHILLIPS: That's all I've got.

3 MR. BARNES: Representative Mitten.

4 MS. MITTEN: I have no questions.

5 MR. BARNES: Representative Lauer.

6 MS. LAUER: Yes, Mr. Chair.

EXAMINATION

7 BY MS. LAUER:

8 Q. Jeanie Lauer from the Kansas City area.

9 And I want to ask you about -- from the period of
10 time -- you're good friends for ten years?

11 A. Yeah.

12 Q. And so over the period of time that she
13 was talking to you about the situation, would you
14 describe -- if you were to, like, chart this out on
15 a graph, her level of emotion as she was talking
16 with you about this? So as an example, after the --
17 when she talked to you about she had met him, he was
18 flirtatious, what her emotions were like when she
19 talked to you, and then after the event -- kind of
20 walk through that -- what her emotions were.

21 A. I feel like they were pretty consistent,
22 that it was anxiety and stress -- because her
23 marriage was so intertwined with it, too. A lot of
24 the conversations, even after the event with
25

1 Greitens, had to do with how it would affect her
2 marriage, if it -- you know, her ex-husband -- her
3 now ex-husband found out. She was embarrassed, in
4 general, but I think that -- she was in such a bad
5 place in her marriage, and I think that she really
6 thought that Greitens had feelings for her. So I
7 feel like she was very conflicted, especially
8 between the actions that Greitens was doing and then
9 what he was telling her, how smart she was and --
10 trying to balance those with the -- his actions,
11 too.

12 Q. Okay. And did she ask you for any advice
13 that you gave to her?

14 A. Yes.

15 Q. And what was that?

16 A. Right after it happened, I told her not to
17 tell her ex-husband all of the details. Several
18 months afterwards, her and [REDACTED] were trying to work
19 on their marriage. They were going to counseling.
20 I told her that she should tell him everything. My
21 fear was if they actually made their marriage work,
22 and then a year went by, and she didn't tell him
23 every single detail, and then [REDACTED] found out
24 something she had left out a year from now, then all
25 of the work that she had -- they had put into it to

1 make their marriage work would all be gone. So I
2 told her that she should be fully honest with him
3 about everything that happened.

4 Q. Okay. When you were discussing the first
5 event that she talked with you -- the first meeting,
6 you said that she said that Mr. Greitens was
7 flirtatious --

8 A. Yes.

9 Q. -- or flirty -- yeah, flirtatious. Did
10 she give you any specific descriptors about what
11 that meant?

12 A. Just that he was extremely complimentary
13 of her. He came off really intelligent and good
14 looking and was paying her a lot of attention and
15 compliments. I know that she was eating up --
16 specifically because she was in such a low spot in
17 her marriage.

18 Q. Okay. And, also, the other thing you
19 said, that she -- she did not feel comfortable going
20 to his house.

21 A. Uh-huh.

22 Q. Could you describe that? Did she use any
23 specific descriptors about what that meant?

24 A. No. Not that I can recall.

25 Q. Okay. And when this whole thing came out

1 into the open, you were still communicating with
2 her?

3 A. Yes. We were still talking. I had no
4 indication that this was going to come out except
5 for the fact that I started getting phone calls from
6 reporters. That's how I first found out about it,
7 that a reporter from Politico called me and left me
8 a message asking for some comment. I had no idea
9 what they were talking about. Thirty minutes later,
10 I got another phone call from a reporter, and that's
11 when my husband and I started Googling on, like,
12 Twitter to see what could possibly it be, and that's
13 when I texted her.

14 Q. So she had not given you any indication
15 that anything was breaking?

16 A. I think she was just keeping everything
17 quiet.

18 Q. And so what is your thought on how these
19 reporters got your name?

20 A. I'm not sure how they got my name, but
21 several of them -- I have gotten calls from the
22 New York Times, CNN. I haven't talked to any of
23 them, so I'm not sure -- they just leave me messages
24 telling me they want some comment and it can be off
25 the record; they just want my voice, but I just -- I

1 haven't talked to any of them.

2 Q. Okay. So you've never responded to any of
3 their requests for interviews?

4 A. No. I haven't even answered the phone.

5 Q. You haven't answered the phone?

6 A. No.

7 Q. What is your relationship with [REDACTED] now?

8 A. With [REDACTED]

9 Q. [REDACTED] I'm sorry.

10 A. Still good friends.

11 Q. Okay. And how would you describe her
12 emotions -- her feelings at this point in time, now
13 that everything has come out?

14 A. Anxiety.

15 Q. Okay.

16 A. Stress. She would -- she never wanted
17 this to come out. She would have never brought this
18 out. She's got minor children; she has her own
19 business and -- a lot of stress.

20 Q. Okay. And as her friend, she may have
21 told you what caused her to continue to interact
22 with Greitens. What was it that -- when she said
23 she didn't feel comfortable and had anxiety and so
24 forth, yet she continued? Did she share -- to what
25 degree did she share with you why she was doing

1 that?

2 A. She thought -- I think she thought he
3 cared for her.

4 Q. She thought he cared for her?

5 A. Yes.

6 Q. And you questioned that feeling?

7 A. Immediately.

8 Q. Okay. And why was that?

9 A. Immediately. Because his actions of
10 binding her and taking a picture, it sounded
11 extremely creepy for me. I mean, I didn't
12 understand why he would take great lengths -- that's
13 a really big step to take for your wife not to find
14 out. You know, you take a picture of someone that
15 you're planning to be intimate with, and you're
16 taking a picture and telling her that you'll
17 distribute if she says his name, I thought, was a
18 very big step to take just so his wife wouldn't find
19 out. I didn't even occur me that it would have been
20 any other reason than for his marriage.

21 Q. Okay. And what did she specifically say
22 that caused you come to the feeling that he was
23 creepy?

24 A. The blindfolding, the picture, not wanting
25 her to tell anybody or he was going to distribute

1 this picture, making her change clothes, I thought,
2 was odd. The whole thing, to me, from an outsider
3 didn't seem like he cared at all; it just seemed
4 like a creepy action to me.

5 Q. Okay. As her friend, were you ever
6 concerned about her safety?

7 A. No. Because I thought it was just -- I
8 was concerned about it leaking out to her house --
9 you know, I wasn't concerned for her safety,
10 because, to me, it was just a married man having an
11 affair with a married woman, so my biggest concern
12 was spouses finding out.

13 MS. LAUER: Thank you, Mr. Chair.

EXAMINATION

14 BY MR. AUSTIN:

15 Q. Hi, I'm Kevin, state representative in
16 District 136.

17 You said earlier that you and [REDACTED] were
18 still -- that was when you were still talking, but
19 then you also said you're still friends; is that
20 right?
21

22 A. Uh-huh.

23 Q. Do you guys still talk?

24 A. Oh, yeah. Regularly. Sorry.

25 Q. And when was the last time you talked with

1 her?

2 A. A couple of days ago.

3 Q. Okay. Was there any talk about these
4 hearings that we're having that you're in today?

5 A. Just that I was really nervous and asking
6 her kind of who was in the room. So -- it's
7 intimidating being on this side.

8 Q. I'm sure it is. And I apologize for that.

9 Did you talk about any of the substance of
10 the questions that you could anticipate?

11 A. No. Just that we were sitting here and
12 kind of that the panel would be there.

13 Q. Physical layout?

14 A. Yeah.

15 Q. Okay. Has anybody besides reporters
16 approached you about this?

17 MR. BRIGHAM: Next question. We better
18 keep that ...

19 Q. (By Mr. Austin) Same question. We'll
20 exclude the circuit attorney's office regarding the
21 grand jury.

22 MR. BRIGHAM: Not narrow enough.

23 Q. (By Mr. Austin) Has anybody from
24 Eric Greitens' office or anybody claiming to be
25 associated with Eric Greitens contacted you?

1 A. No.

2 Q. We have what we believe to be a recording
3 made by her husband -- an audio recording of a
4 conversation between her now ex-husband and her. Do
5 you know of any other recordings that he made?

6 A. No. I was surprised to hear that there
7 were audio recordings.

8 Q. Has anybody besides reporters and law
9 enforcement contacted you about this matter?

10 MR. BRIGHAM: I'm hesitant, just
11 knowing -- I don't know if some of the relationships
12 of -- of the relationships between certain offices,
13 so I think we better not answer that, as well, at
14 this time.

15 Q. (By Mr. Barnes) And I'll just ask you --
16 has anybody from Enttera, LLC, or anybody claimed to
17 be associated with Enttera, LLC contacted you?

18 MR. BRIGHAM: We can't answer that
19 question.

20 Q. (By Mr. Austin) When [REDACTED] was describing
21 that -- the event, if you will, did she in any way
22 describe what the tape was that was put around her
23 hands?

24 A. No. I only recall it just being tape.

25 Q. She just said tape?

1 A. Yeah.

2 Q. Did she in any way describe the blindfold?

3 A. No. Just that it was a blindfold.

4 Q. And did she tell you how she knew there
5 was a photograph?

6 A. A flash of light.

7 Q. And did she ever tell you that she
8 actually saw the photograph -- obviously, no?

9 A. No. That she -- she had saw the flash,
10 and then when she came back to get her keys that she
11 left, that he said, I deleted the picture; don't
12 worry about it.

13 Q. Did you -- did she ever tell you or show
14 you any screenshots she made of any texts or copies
15 of any e-mails between her and Eric Greitens?

16 A. No.

17 MR. AUSTIN: That's all.

EXAMINATION

18 BY MR. RHODES:

19 Q. My name is Shawn Rhoads. State
20 representative from West Plains.

21 Just to kind of clarify a couple of things
22 that you have said before. You said you have been
23 contacted by, like, CNN and -- and whatever. Is
24 that on your cell phone, or is that --
25

1 A. Yes.

2 Q. So someone is giving out your cell phone.

3 A. And my full name. [REDACTED] is what

4 they're asking for.

5 Q. Okay. Well, ma'am, who would you

6 speculate has done that?

7 A. I don't know.

8 Q. Okay. Did [REDACTED] husband -- ex-husband --

9 know your cell phone number?

10 A. Yes.

11 Q. Okay. So you said earlier that you and [REDACTED]

12 often talk. Are we talking five times a week? More

13 than that? Once a day? I'm talking talking -- I'm

14 sorry, I want to clarify. I'm talking, talking on

15 the phone, not texting, because I'm sure I am going

16 to answer that question here in a little bit, too.

17 A. I think that we talked more often back in

18 2015 because I was getting my hair done by her. So

19 for a woman, that's, like, six -- every six to eight

20 weeks that I would see her for a couple of hours,

21 getting my hair done consistently, and then talking

22 between my hair appointments, too. I would say more

23 recently, probably once a month.

24 Q. Okay. Do you text each other very much?

25 A. Probably around the same. Probably once

1 or twice a month, a phone call, text, now.

2 Q. So how many times would you say -- and I

3 realize you can't point that you have talked about

4 the -- any incident or any kind of interaction with

5 Eric Greitens and [REDACTED]?

6 A. I would say quite a bit, but in varying

7 capacities, because, again, a lot of our talks may

8 not have been about the event but more about her

9 marriage and her ex-husband and how all of that was

10 kind of being brought into play because of all of

11 our talks about marriage and all of that stuff.

12 Q. Do you think she was really detailed in

13 what she told you, or do you think that maybe she

14 didn't give you all of the details?

15 A. As far as the event?

16 Q. As to what happened and went on during her

17 interaction with Eric Greitens.

18 A. I don't know. I don't know.

19 Q. Okay. I want to touch on a question that

20 Representative Phillips had asked about

21 compensation. How did that come up in a

22 conversation?

23 A. Because [REDACTED] had made a comment somewhere

24 about -- I think maybe -- I want to say it was --

25 I'm not real sure -- that [REDACTED] had made some comment

1 about how it must be nice for -- basically implying

2 that [REDACTED] had gotten a new car or that she had been

3 compensated. And [REDACTED] was like, Of course I never

4 got paid anything. So it was all centered around

5 some allegations that [REDACTED] thought she had been paid

6 some hush money.

7 Q. I understand. Okay.

8 A. I was trying to remember where I had seen

9 that conversation. I think it was a third-party

10 Twitter account that we suspected may have been set

11 up by [REDACTED], and that's where that conversation came

12 from.

13 Q. Do you know what that Twitter account is?

14 A. It was, like, show_metro, t-o-o, something

15 like that.

16 Q. Do you think it's still active?

17 A. I'm not sure. I try to stay off of there.

18 Q. I understand.

19 So I want to go back to these calls you've

20 been getting. When did they start?

21 A. I don't know the date, but it was the very

22 evening that the -- Greitens made his -- the --

23 Q. So the night of the State of the State --

24 that didn't get over until, like, 8:30 or nine

25 o'clock, and you immediately started getting calls

1 after that?

2 A. Before that.

3 Q. Before --

4 A. Probably -- if I had to guess, like,

5 between six and seven that evening. It was early.

6 Q. Okay.

7 A. The first one.

8 Q. What is your feelings about someone giving

9 out your number and giving this information about

10 you?

11 A. I'm not happy about it because -- I'm,

12 like, constantly watching my phone to make sure --

13 any number -- I'm not able to answer any number that

14 I don't know. Sometimes they're not leaving

15 messages. We do some sort of reverse lookup to see

16 who it is that's calling. Most recently it's been

17 the St. Louis Post Dispatch. I think my last three

18 or four phone calls have been from a Jack Suntrup

19 from the St. Louis Post.

20 Q. Do they say, Hey, I got your number from

21 so-and-so when they leave a message --

22 A. No.

23 Q. They just say --

24 A. Hey, [REDACTED].

25 Q. They can go straight to the point and say,

1 Hey, we need to talk to you about this; call me
2 back?
3 A. Yeah.
4 Q. Okay.
5 A. They could be off the record -- you know,
6 that kind of -- those kind of comments.
7 Q. I understand. I understand.
8 So when you were talking to [REDACTED] on the
9 phone -- and you may have already said this, and I
10 apologize if I'm asking you a second question that
11 you have already answered. Did she seem upset on
12 the phone; did she seem okay on the phone, just kind
13 of like a normal conversation but just say --
14 telling you what's going on or -- I realize that's
15 several conversations, but at any time did you hear
16 an emotional -- her getting very emotional on the
17 phone or anything like that?
18 MR. BARNES: Can you specify the time of
19 the call?
20 MR. RHOADS: The first one -- the first
21 call.
22 A. She was emotional. To be honest, she was
23 emotional in some way on almost every phone call
24 during that time. Because it was either emotional
25 about what had happened with Greitens or it was

1 emotional about the state of her marriage.
2 Q. Okay. And that -- you reminded me of a
3 question that I had typed up that I was going to ask
4 you.
5 My interpretation of when she was here,
6 she said that she was kind of in a -- in a rough
7 place, obviously, with her marriage not being in a
8 good way, and I'm going to ask you, from that point,
9 when that stuff was going on to now, her dealing
10 with problems in her life, saying they are better
11 than they used to -- because at that point in time,
12 when all of this was going on, this alleged -- what
13 we're talking about here was going on, she appeared
14 to be -- and she even said, I was really distraught
15 and confused and just not in a good place and -- you
16 know, obviously it seems like she's a lot better now
17 than she was. Is that correct?
18 A. Oh, my -- yes. Yes.
19 Q. Okay. I said a lot of words but -- sorry
20 about that.
21 Mr. Chair, thank you.
22 MR. BARNES: Representative Pierson.
23 MR. PIERSON: Thank you, Mr. Chair.
24
25

1 EXAMINATION
2 BY MR. PIERSON:
3 Q. I'm Tommie Pierson, Jr., state
4 representative in St. Louis County.
5 So -- just, again, did anyone contact you
6 about Eric Greitens other than reporters -- state --
7 law enforcement or federal law enforcement, any
8 circuit attorney or any staff member of the circuit
9 state's attorney's office, any investigator, expert,
10 or other person retained by or affiliated with the
11 circuit attorney's office?
12 MR. BRIGHAM: Anyone other than that?
13 MR. PIERSON: Yes.
14 A. Nope.
15 Q. (By Mr. Pierson) Has anyone from New
16 Missouri ever contacted you about [REDACTED] or Eric?
17 A. I don't think so, because I'm not sure
18 what that is.
19 Q. Has anyone from Axiom Strategies contacted
20 you about [REDACTED] or Eric?
21 A. Nope.
22 Q. Has anyone from the Dowd Bennett law firm
23 ever contacted you about [REDACTED] or Eric?
24 A. No.
25 Q. Anyone from Scott Rosenblum's office ever

1 contacted you about [REDACTED] or Eric?
2 A. No.
3 Q. Were you under the impression that [REDACTED]
4 believed that Eric did, in fact, delete the photo?
5 A. Yes.
6 Q. So your relationship started with [REDACTED]
7 based upon the relationship with the husband?
8 A. Yes. I met them both at the same time,
9 but my husband knew her -- knew [REDACTED] before he even
10 met [REDACTED].
11 Q. And how would you describe that
12 relationship now?
13 A. Which relationship?
14 Q. Well, the relationship with [REDACTED].
15 A. My relationship with [REDACTED]?
16 Q. Yes.
17 A. It's nonexistent. Once they got divorced,
18 you almost had to pick a side. And I was still
19 getting my hair done by [REDACTED] and -- it was kind of
20 an ugly time. So I have not spoken to him in a
21 couple of years.
22 Q. Did you talk about a conversation where it
23 was relayed to you that -- in an encounter with
24 Eric and [REDACTED] where she got slapped in the face?
25 A. Uh-huh.

1 Q. And you said that he called her a whore?
 2 A. Right.
 3 Q. Have you ever noticed any -- I guess, any
 4 facial -- any bruises or scars or anything of that
 5 nature on [REDACTED]
 6 A. No.
 7 MR. PIERSON: Thank you.
 8 EXAMINATION
 9 BY MR. BARNES:
 10 Q. Have you shared this information with
 11 anyone other than the list that Representative
 12 Pierson -- let's go back. Scratch that. Let's
 13 start it this way.
 14 Prior to January, did you share any of
 15 this with anyone other than [REDACTED]?
 16 A. The attorneys at the law firm that I work
 17 with, when I started getting phone calls. My
 18 husband, also.
 19 Q. You described to us two acts, at some
 20 level, of a physical altercation between Greitens
 21 and [REDACTED]. Are there any other incidents that
 22 you're aware of beyond those two acts?
 23 A. No. Not -- just what information I gave
 24 you today. That's all I know.
 25 MR. BARNES: Okay.

1 Representative Lauer.
 2 MS. LAUER: Yes, Mr. Chair. A few
 3 follow-up questions.
 4 MR. BARNES: Yes, ma'am.
 5 MS. LAUER: Thank you.
 6 EXAMINATION
 7 BY MS. LAUER:
 8 Q. As being a hairstylist -- and in that
 9 business, I know that in my experience, it is very
 10 normal to have conversations with a hairstylist
 11 while you're spending time there and so forth. Was
 12 that natural for her to do with her customers, to
 13 have conversation and just kind of get to know her?
 14 A. I'm not sure. I was already friends with
 15 her by the time I started getting -- having her do
 16 my hair, so I really didn't see her do anybody
 17 else's hair.
 18 Q. Okay. All right.
 19 A. I'm not sure.
 20 Q. At the time -- during the times when she
 21 was talking to -- and you said she had anxiety and
 22 stress about her situation with her ex-husband and
 23 so forth. Did she give you any indication that
 24 there was a concern of what the ex-husband might do?
 25 A. I think that all of us that knew -- my

1 husband, me --
 2 MR. BRIGHAM: Are you asking if [REDACTED]
 3 expressed that to her?
 4 MS. LAUER: Yes. I'm sorry.
 5 A. Yes. That it -- that he would -- that it
 6 was kind of hung over her head that he had this
 7 information.
 8 Q. (By Ms. Lauer) Okay. And continuing with
 9 that, did she share -- did [REDACTED] share with you any
 10 specifics as to what she was concerned that her now
 11 ex might do to her, to Greitens, to anyone?
 12 A. I think she was just afraid he'd tell.
 13 Q. That he would tell?
 14 A. Right.
 15 Q. Whom?
 16 A. Tell whoever would listen -- his friends,
 17 her family, his family. I think that was her
 18 biggest fear, is that he just wouldn't keep it under
 19 wraps. You know, that he had this information; he
 20 was hurt by this information, and that she was
 21 worried about what he'd do with the information.
 22 Q. And did she feel that there was a risk
 23 that he would share this publicly?
 24 A. Yes.
 25 Q. She did state that?

1 A. That she was scared that he would say
 2 something?
 3 Q. Yeah. That he would share this
 4 information publicly.
 5 A. Publicly to not her friends and family?
 6 Q. Uh-huh.
 7 A. I'm not sure.
 8 Q. Okay.
 9 A. I'm not sure how to answer that.
 10 Q. All right. And I just want to confirm the
 11 money -- that she had not received any monies for
 12 keeping quiet and not sharing anything. Have you
 13 been at her home?
 14 A. Have I been to [REDACTED] home?
 15 Q. Uh-huh.
 16 A. Yes.
 17 Q. Have you noticed any remodeling that was
 18 done there in the kitchen area?
 19 A. No.
 20 Q. Okay. Have you noticed that she has a
 21 different vehicle than what she might be driving
 22 originally?
 23 A. No. I haven't noticed anything.
 24 Q. She still has the same vehicle, same
 25 kitchen?

1 A. Nothing that I have noticed.
 2 Q. Okay.
 3 A. But I don't know. I don't really pay
 4 attention to that stuff. Sorry.
 5 Q. And at any -- at any time during her
 6 discussions with you, she shared that she had
 7 feelings for him, that -- and that she did not feel
 8 like that was reciprocated. Is that right? Or did
 9 she feel that there was a love or -- whether you
 10 might call --
 11 A. Yes. Absolutely.
 12 Q. She did feel that?
 13 A. I think she felt that Greitens cared a lot
 14 about her.
 15 Q. Okay.
 16 A. I think that was from the beginning, she
 17 felt that.
 18 Q. Okay. And did she share why she felt that
 19 way?
 20 A. I think because he was saying nice things
 21 to her. He was making nice comments, very
 22 complimentary -- like, this was a new thing for him
 23 to be outside of his marriage. I think she felt
 24 special.
 25 Q. Did she feel excited about that, as in

1 in Illinois that you want to live and don't want to
 2 be dragged down here to Jefferson City, and I wish I
 3 could give you specifics, but I have no specifics at
 4 this time.
 5 MR. BRIGHAM: Could this be used as a
 6 deposition-type testimony, something like that?
 7 MR. BARNES: If we need to go there, we'll
 8 go there.
 9 MR. BRIGHAM: Fair enough.
 10 MR. BARNES: Thank you.
 11 And now I will motion that we recess
 12 until -- he's coming in at 3:30 -- 3:15?
 13 We'll recess until 3:15. All of those in
 14 favor, signify by saying "aye."
 15 (Unanimous "aye")
 16 MR. BARNES: Actually, let me back up.
 17 Having voted and decided that -- the
 18 prevailing side, I'd like to reconsider the motion
 19 to reconvene at 3:15, and instead we will reconvene
 20 at 3:30, the time we actually told him to get here,
 21 and we will each show up 15 minutes early.
 22 So now the motion is to roll call to
 23 reconsider the previous motion.
 24 Mr. Secretary, please call the roll.
 25 MR. CURCHIN: Barnes.

1 joyful?
 2 A. I don't remember her feeling excited about
 3 it; I just remember her feeling anxiety about the
 4 whole situation.
 5 MS. LAUER: All right. Thank you.
 6 Thank you, Mr. Chair.
 7 MR. BARNES: I have just a few more.
 8 EXAMINATION
 9 BY MR. BARNES:
 10 Q. You testified earlier that [REDACTED] said
 11 she was uncomfortable going to Greitens' house.
 12 A. Uh-huh.
 13 Q. Did she express why?
 14 A. Not that I recall.
 15 MR. BARNES: I have no further questions.
 16 Thank you for taking the time to come down
 17 and speak with us today. We appreciate it.
 18 [REDACTED]: You're welcome.
 19 MR. BRIGHAM: Thank you.
 20 Is there a process, just to kind of set
 21 the table for what could potentially happen in the
 22 future, in terms of testimony or --
 23 MR. BARNES: At this point in time, we
 24 will not -- I appreciate the question because you're
 25 trying to plan -- you know, you've got a life and --

1 MR. BARNES: Aye.
 2 MR. CURCHIN: Phillips.
 3 MR. PHILLIPS: Aye.
 4 MR. CURCHIN: Mitten.
 5 MS. MITTEN: Aye.
 6 MR. CURCHIN: Lauer.
 7 MS. LAUER: Aye.
 8 MR. CURCHIN: Austin.
 9 MR. AUSTIN: Aye.
 10 MR. CURCHIN: Rhoads.
 11 MR. RHOADS: Aye.
 12 MR. CURCHIN: Pierson.
 13 MR. PIERSON: Aye.
 14 MR. CURCHIN: Okay. That motion is
 15 carried, seven.
 16 MR. BARNES: So the witness may show up
 17 early. I know everyone wants to go home as early as
 18 they can. So let's -- can we recess to an
 19 indefinite time, and people plan to be back here
 20 about -- let's recess until three o'clock, and we
 21 may stand at ease until such time as the witness ...
 22 All of those in favor of recessing until
 23 3:00 p.m. say aye.
 24 (Unanimous "aye")
 25 MR. BARNES: The ayes clearly have it.

1 We'll stand in recess.
 2 And we can go off the record.
 3 (A recess was taken.)
 4 (Exhibit No. 2 was marked for
 5 identification.)
 6 MR. BARNES: I call us back to order.
 7 And I now move, while we're waiting on the
 8 witness, to close Monday's session, which will begin
 9 at 1:00 p.m.
 10 All those in favor will vote yes, and all
 11 those opposed will vote no.
 12 MR. CURCHIN: Summarize what will be
 13 involved in that.
 14 MR. BARNES: Monday at one we are hearing
 15 from another person I identify is by [REDACTED] as someone
 16 she spoke with in the week or two after March 21st.
 17 Mr. Secretary.
 18 MR. CURCHIN: Barnes.
 19 MR. BARNES: Aye.
 20 MR. CURCHIN: Phillips.
 21 MR. PHILLIPS: Aye.
 22 MR. CURCHIN: Mitten
 23 MS. MITTEN: Aye.
 24 MR. CURCHIN: Lauer.
 25 MS. LAUER: Aye.

1 MR. CURCHIN: Austin.
 2 MR. AUSTIN: Aye.
 3 MR. CURCHIN: Rhoads.
 4 MR. RHOADS: Aye.
 5 MR. CURCHIN: Pierson.
 6 MR. PIERSON: Aye.
 7 MR. BARNES: There were seven ayes. We
 8 vote to close Monday's hearing.
 9 And now we will stand at ease until the
 10 witness arrives.
 11 MR. BARNES: We are now back in session,
 12 having recessed. It is approximately 3:45 in the
 13 afternoon.
 14 Mr. [REDACTED], my name is Jay Barnes; I'm the
 15 chairman of this committee. I'm a state
 16 representative here in Jefferson City. Before we
 17 start, I'm going to swear you in.
 18 [REDACTED]
 19 being first duly sworn, was examined and testified as
 20 follows:
 21
 22 EXAMINATION
 23 BY MR. BARNES:
 24 Q. Please state your name.
 25 A. [REDACTED]

1 Q. And have you ever given testimony in a
 2 deposition -- not in front of a grand jury or any
 3 sort of investigation, just a deposition?
 4 A. No, sir.
 5 Q. Okay. Well, this is not a deposition, but
 6 it's kind of like a deposition, so there's some just
 7 basic ground rules. One is, if you don't understand
 8 a question, that's okay. Stop the person asking the
 9 question and ask them to ask it again.
 10 A. Yeah.
 11 Q. The second rule is, you can't nod your
 12 head yes or shake your head no, you have to answer
 13 "yes" or "no," because the court reporter cannot get
 14 a head shake.
 15 A. Yes, sir.
 16 Q. Okay. And the third rule is if you need
 17 to stop for any reason, just let us know, okay? And
 18 we can do that.
 19 A. Yes, sir.
 20 Q. Okay. You should also know that the
 21 committee will redact your name and certain
 22 information for privacy reasons. We insist that the
 23 rules establishing this committee allow us the
 24 authority to do that, so feel free to speak freely
 25 and know that we have the power with that.

1 A. Thank you, sir.
 2 Q. I want to start with what I've set on that
 3 table, which is an e-mail that was sent by your
 4 attorney to us in response to a request for
 5 documents. Do you recognize this e-mail?
 6 A. Yes, sir.
 7 Q. And how do you recognize it?
 8 A. It was an e-mail that I sent when I had
 9 suspected my ex-wife of being at her home -- being
 10 Sheena -- Sheena's home during a time that she
 11 wasn't there.
 12 Q. Is it a fair and accurate representation
 13 of the e-mail that you sent?
 14 A. Is this the e-mail that I sent?
 15 Q. Yes. Is it a fair and accurate
 16 representation of that e-mail?
 17 A. Yes.
 18 Q. It is, in fact, that e-mail?
 19 A. Yes, sir.
 20 Q. And on page 2, is that the response -- are
 21 these the responses that you received in response
 22 from Sheena Greitens' e-mail?
 23 A. Yes, sir. I think it was an
 24 auto-response.
 25 Q. That's what it looks like to me, as well.

1 A. Yes, sir.
 2 Q. Okay. Did you ever speak with Sheana
 3 Greitens?
 4 A. Not specifically.
 5 Q. Did you -- how did you know that your
 6 ex-wife was at the Greitens' home at the time that
 7 you sent this e-mail?
 8 A. I had driven -- I had driven by multiple
 9 times when I suspected that she wasn't at work when
 10 she was supposed to be at work, and I seen my car --
 11 her car/my car out in the front of the home.
 12 Q. And that was on this date in question, on
 13 July 3rd?
 14 A. Yes, sir. Yeah, I believe. I was on my
 15 way to or from work. It was during the day.
 16 Q. Okay. Your attorney also sent certain
 17 recordings to the committee. Have you listened to
 18 those recordings?
 19 A. In the past, yes.
 20 Q. Okay. Did you participate in those
 21 recordings?
 22 A. Yes, sir.
 23 Q. Were you the person who, in fact, recorded
 24 those conversations that were sent to this
 25 committee?

1 A. Yes, sir.
 2 Q. And have you altered them in any form or
 3 fashion?
 4 A. Absolutely not.
 5 Q. Were -- who had possession of those
 6 recordings before they came to this committee?
 7 A. From my understanding, only myself and my
 8 attorney.
 9 Q. And are those recordings true and accurate
 10 depictions of conversations that you had with your
 11 ex-wife, [REDACTED]
 12 A. Absolutely.
 13 Q. Now, those recordings have a lot of
 14 information in them and conversations that really
 15 are no business of this committee and your marital
 16 relationship with your ex-wife. Obviously, though,
 17 the -- her relationship and your conversation about
 18 her interactions with Eric Greitens are relevant.
 19 So before I ask you the next question, I want to
 20 start with the preface that we don't want to get
 21 into the feelings and the marital strife that you
 22 have; we want to talk about what she told you about
 23 Eric Greitens.
 24 A. Yes, sir.
 25 Q. Okay?

1 A. Yes, sir.
 2 Q. And so other than the recordings that you
 3 sent us -- in particular, recording No. 1, did your
 4 ex-wife ever speak to you about contacts she had
 5 with Eric Greitens?
 6 A. Yes, sir.
 7 Q. And other than what she told you in that
 8 long recording that has been -- parts of which have
 9 been played on the air, what did she tell you?
 10 A. In --
 11 MR. WATKINS: In addition to what was on
 12 the recording.
 13 Q. (By Mr. Barnes) Let me narrow my question,
 14 okay?
 15 A. Okay.
 16 Q. Let's start with -- I believe the date was
 17 March 21st of the incident in the basement.
 18 A. Yes, sir.
 19 Q. Okay. And you had a conversation -- on
 20 what date did you record the conversation in your
 21 car -- I believe it was in the Save-A-Lot parking
 22 lot?
 23 A. That was the following -- it was the --
 24 March 21st was on a Saturday -- 22nd, 23rd, 24th --
 25 so the 25th.

1 Q. Wednesday, March 25th?
 2 A. Wednesday, March 25th was when the
 3 recording was made.
 4 Q. So we obviously know from that recording
 5 what she told you in that recording on March 25th.
 6 Is there anything else she told you that day on
 7 March 25th?
 8 A. On that day, no. That was the extent --
 9 that was the extent of our discussions regarding
 10 that.
 11 Q. When was the next time she talked to you
 12 about the events of March 21st?
 13 A. We spoke about it many times. Many times
 14 after that, probably within a week.
 15 Q. What else did she tell you about the
 16 events of March 21st that is not on the tape
 17 recording?
 18 A. Within a few weeks of the recording, a
 19 period of reconciliation had begun between my
 20 ex-wife and I, and over the course of a month or
 21 two, had many conversations, many hours spent
 22 talking about all sorts of things -- other details
 23 were explained. The story always stayed the same;
 24 just additional details came out.
 25 For instance, she initially didn't tell me

1 that when she walked in, he had -- he asked her to
2 go in the bathroom and put his clothes on, and that
3 the clothes that he removed from her when she was
4 tied up were actually his clothes, being shorts and
5 a T-shirt, which he ripped off of her. That was
6 information that was told to me afterwards. I don't
7 think it was even touched on in the initial
8 discussion.

9 How specific would you like me to get,
10 sir?

11 Q. I would like to know as specific as you
12 accurately recall --

13 A. All right.

14 Q. -- what she told you.

15 A. Okay. In the first one -- in the first
16 conversation about the incident, she said that she
17 forgot her keys and had to return after this, saying
18 that when the picture was taken, she freaked out and
19 asked to leave, left, went to work, forgot her keys,
20 had to come back, but there was only discussion, but
21 it went on for far longer than it should. He was
22 enticing her and comforting her and these other
23 things. And then later, I was -- she told me
24 that -- in the kitchen, actually, when she returned,
25 that he -- that she gave him a blow job in the

1 kitchen, and that's when I learned -- after that,
2 which was not in the initial conversation.

3 Q. What else about that day?

4 A. Yeah, she discussed that she was told to
5 not park anywhere near there and to come -- she kept
6 her car in the Chase garage, walked the few blocks
7 down there, but walked by an alleyway behind the
8 house. She described then how there was a detached
9 garage and a fence that was high. She would be let
10 in through the back door; she went through the
11 fence. The back door then led into a kitchen-type
12 area, which is where the -- he was sitting with her
13 keys on the table, invited her in; they talked, and
14 then it unfolded into more of a sexual encounter.

15 Q. Let's go back to the morning. Did she
16 describe to you anything that happened after she --
17 describe being removed from the exercise rings?

18 A. The only thing she would say was just more
19 detail about the conversation and about how upset
20 she was, that she left; he was apologizing saying he
21 would delete the photo, and that that's not what he
22 wanted, he thought that this is what she wanted, and
23 some other things along those lines.

24 Q. Okay. Is there anything else about that
25 day, in particular, that you recall her talking

1 about?

2 A. Oh, that was -- that was the initial one.

3 Q. Okay.

4 MR. BARNES: I'd advise counsel to let the
5 witness answer the questions.

6 Q. (By Mr. Barnes) After that day, did you
7 have any conversations with your ex-wife about other
8 encounters with Eric Greitens?

9 A. Yes. Many.

10 Q. Can you describe any of those other
11 encounters?

12 A. Yes. During the first reconciliation
13 period, she told me more details about the first
14 encounter. She would tell me about other times
15 where she had conversations with him. She wouldn't
16 necessarily tell me if they were on the phone, but
17 she always said he was very protective, so it's
18 unlikely it was on the phone. I tried to get
19 details about if he was coming into the salon or if
20 she was meeting him otherwise, and she never led on
21 to specifics, necessarily, about conversations that
22 were had in that exact period.

23 Then later, around July -- late July,
24 August, during the second reconciliation period,
25 where I knew lots and lots of information was being

1 withheld from me, I knew something had been going
2 on -- during the period in between the
3 reconciliation periods -- because everything was on
4 a trajectory for reconciliation, and then suddenly I
5 was cut off. I suspected that there was a good
6 reason for that. And then she had a change of heart
7 again. During our second reconciliation, she
8 finally confessed around August time that during
9 that time, that they did have other meetups, one of
10 which she told me about was in a guest bedroom next
11 to his son's bedroom -- it was upstairs. She went
12 into pretty graphic detail and said that in the
13 beginning of the encounter, that he asked her if she
14 had been with anybody else, and she said, Yes, I was
15 with my husband; we were trying to reconcile. He
16 then hit her in the face, according to her -- she
17 said that he hit her in the face. And that during
18 that sexual encounter, while things were happening,
19 he got extremely rough with her, and she was crying
20 and asking him to stop and -- some other sexual
21 detail.

22 Q. What -- you said "and some other detail."
23 What other detail about asking him to stop?

24 A. That he was calling her names, that he
25 called her a whore and similar names. It was just

1 getting very rough in a sexual sense, and she was --
2 she said she was crying at that point and then asked
3 to go to the bathroom.

4 Q. Were there other events that she told you
5 about?

6 A. She led on to other encounters but never
7 got specific in that sense. She told me about a few
8 encounters that happened at work where he would come
9 in unannounced and be in the chair and make
10 appointments and things like that where she was --
11 during reconciliation was telling him to please go
12 away, and he was showing up at her work.

13 MR. BARNES: Representative Phillips.

EXAMINATION

14 BY MR. PHILLIPS:

15 Q. Don Phillips, state representative from
16 District 138, down by Branson.

17 My questioning is going to be a little bit
18 different.

19 The transcript that we -- the transcript
20 that we have, based on the recording that you did,
21 were you ever compensated for the release of that
22 information?

23 A. I spoke to the Post-Dispatch well before,
24 and I have received nothing so far. My lawyer has a
25

1 trust account that someone put something in after
2 speaking to the Post-Dispatch, to cover lawyer fees
3 and all of the things that were about to happen to
4 me financially because of the fallout, but I had
5 spent 15,000 or so dollars of my own prior to all of
6 this, trying to keep all of this quiet, and then
7 everything exploded underneath me. And while I was
8 talking to the Post, someone contacted my lawyer and
9 said he was going to help with legal fees.

10 Q. Okay. So that's the Post-Dispatch. Is
11 there anybody else that has offered you any kind of
12 compensation for the release of any of this
13 information or encouraged you in that regard?

14 MX. SPEAKER2: I want to make sure there's
15 clarity here, because I think what you just said was
16 the Post-Dispatch offered and --

17 MR. PHILLIPS: Did I get that wrong?

18 MR. WATKINS: Yeah. So I'm instructing --
19 you know, my client has been very, very candid with
20 me about the forthcoming nature of my scope of
21 disclosures that can be made.

22 MR. PHILLIPS: Okay.

23 MR. WATKINS: The representation by our
24 firm of Mr. [REDACTED] commenced in September of 2016,
25 before the election.

1 MR. PHILLIPS: Okay.

2 MR. WATKINS: There was significant
3 resources that were expended by my client.

4 MR. BARNES: Counsel, we are not directing
5 questions to you.

6 MR. WATKINS: I understand that, but --

7 MR. BARNES: Counsel, we are not --

8 MR. WATKINS: I understand that --

9 Mr. Barnes, please understand --

10 MR. BARNES: Counsel --

11 MR. WATKINS: -- I have a duty and an
12 obligation to my client. I will not allow him to
13 compromise the integrity of his rights as a client
14 with an attorney. So with respect to anything
15 having to do with finances --

16 MR. BARNES: You can state your objection
17 to the question and he can either answer it or not
18 answer it, but we are not asking questions of
19 counsel.

20 MR. WATKINS: I understand. And I
21 don't -- I'm not answering questions or asking any
22 questions; I'm providing you with information. You
23 can choose to listen to it or choose not to, and
24 that's up to you, but I'm making a record. I will
25 instruct my client to feel free to disclose any and

1 all information that he has that is within the
2 subject matter of the purpose of this committee and
3 to do so --

4 MR. BARNES: And the subject matter of
5 this committee --

6 MR. WATKINS: So I have a duty and an
7 obligation to my client that I will discharge today.
8 Go ahead and answer any questions. If I
9 instruct you not to respond, please do so.

10 A. I -- the Post didn't give me anything, and
11 I have not received any money.

12 Q. (By Mr. Phillips) That's all I needed to
13 know. Thank you.

14 Now, as far as -- what was your motive for
15 releasing the information?

16 A. I didn't want the information released.
17 The only reason I -- the reason that I retained
18 counsel is, A, I felt that the person that had
19 threatened my wife at the time probably knew that
20 she had told me, and I feared for my safety and my
21 life and everything, if he knew that I had
22 information, especially since he had started a
23 campaign shortly afterwards. The guy frightened
24 me -- things frightened me about the situation; I
25 wanted nothing to do with him.

1 So the first thing I told my attorney was,
2 I need a lawyer, somebody in law to have this
3 recording in case I turn up dead so you guys know
4 who to go after. I'm just telling you the exact
5 words that I said to this man.

6 Secondly, I said, I don't want this to go
7 anywhere. I've already been contacted by somebody
8 that knows the rumors. People had contacted me
9 and -- a representative, actually -- a politician
10 guy who I was mutual friends with -- or wasn't
11 friends with him -- we had mutual friends. He
12 contacted me and talked to me and everything, and I
13 realized, this is a political game; I want nothing
14 to do with it. So I went straight to him and said,
15 You've got to represent -- somebody has got to
16 represent me so I can send this to you for you to
17 keep this crap quiet. I need this crap quiet. I'm
18 over the marriage. We were in the process of a
19 divorce. I didn't want it to come out in the
20 divorce. I didn't want anything to happen where my
21 children knew about any of this. I didn't want any
22 of this.

23 Over the course of the last two years,
24 probably once -- once a month, if not more frequent,
25 on occasion, less frequent on others, somebody would

1 members and my boss, no one knew some of these
2 details -- nobody knew these details, and these were
3 coming back to me on my work voicemail.

4 All of that, I'm calling him saying, These
5 people know something, and they're saying that
6 they're going to go with the story with or without
7 me. That's all I kept hearing, and they were -- it
8 was -- was a threat, certainly, the way that these
9 things were being presented to me, saying, We know
10 this; we know this; we're going to go ahead with
11 this with or without you. It was media manipulation
12 where they're telling me they've got something. And
13 all I thought was, either this man was hacked or my
14 phone was hacked. Because around the same time, my
15 Facebook -- my Facebook, my phone, all sorts of
16 digital things that I work with were acting real
17 funky -- and I'm an awfully savvy guy, so I'm -- I'm
18 not super susceptible to being hacked, but I'm also
19 willing to admit that anything can happen, and I'm
20 not the most technical guy. So I'm freaking out
21 thinking that this audio is out there, because all
22 of the details in the audio are being told back to
23 me in the media. Scared me to death.

24 But the kicker for me was, my daughter got
25 a voicemail from the media -- my teenage daughter.

1 contact me, either through a voicemail or leaving a
2 business card or something in my home -- in my front
3 door, in my mailbox, et cetera. Not enough where it
4 freaked me out where I needed to do anything, but
5 enough where I would always send it to my lawyer
6 saying, So-and-so from this station contacted me;
7 so-and-so from this magazine contacted me; please
8 make sure this is quiet.

9 All of a sudden, November, December of
10 last year, I was getting messages four or five times
11 a day from all sorts of places that I -- some that I
12 knew; some that I didn't. Some national,
13 international publications, some small -- a whole
14 bunch that I couldn't keep track of, and I didn't
15 want anything to do with it. But something had
16 happened with a rumor or the story had got into the
17 wrong hands where it was going somewhere.

18 Authorities knew a lot more and apparently
19 were all over this and media was all over this.
20 They were swarming me, and I couldn't -- I couldn't
21 go to work without having work -- voicemails on my
22 work saying -- and I mean down to the details --
23 down to the details I've never told anybody, down to
24 the details I know that he's never told anybody.
25 And aside from -- and I mean a couple of family

1 She forwarded me the voicemail that was sent, and
2 that was it, man. Like, I had to -- we had some
3 serious conversations to be had. There was a couple
4 of media outlets that said that they were going to
5 go with the story right around the time that it was
6 about to break. They gave me a timeline,
7 essentially. Different publications gave different
8 timelines, and, ultimately -- ultimately, I felt
9 like I had, absolutely had to get out in front of it
10 in order to, A, ask whoever broke the story to
11 please not use my ex-wife's name, to please not use
12 my child's name in that voicemail, to please try to
13 protect the sanctity of my family, the privacy of my
14 family. I begged for that, and I needed to get out
15 ahead of the story, because one of the ways that it
16 was being put to me -- and I don't -- no offense to
17 everyone that's in politics, but I know enough about
18 some of these papers that are owned and in the
19 pockets of some of these parties and politicians,
20 that they were going to spin it to make my ex-wife
21 look like some dirty blackmailer or something that
22 was trying to take down the governor, and that's not
23 who she is. We may have our differences, but we're
24 coparents, and we're responsible for these kids, and
25 I don't want them in the limelight. And I certainly

1 don't want my ex-wife in the limelight as a bad
2 person and destroying her reputation in front of my
3 children. And I -- I just felt it necessary -- I'm
4 sorry to cut you off, sir. I just felt that I had
5 no choice but to jump on the grenade, so to speak,
6 and take some of the shrapnel and let -- take some
7 of the fallout for hopefully the benefit of my
8 children and the reputation of their mom.

9 MR. PHILLIPS: And I think that's the very
10 reason I asked you that question, because you
11 undoubtedly care about your children, that's pretty
12 obvious, and your wife cares about those children.
13 You have more than one, I assume?

14 A. Yes, sir.

15 Q. (By Mr. Phillips) I'm using the plural
16 here. Okay.

17 So your testimony, then, is that you
18 didn't voluntarily go and release any information
19 because that would have been harmful to not only
20 your wife's reputation but your children -- and very
21 harmful for them and yours as well. And so anything
22 that's tied into compensation goes through -- I
23 don't understand the trust part of this, but it goes
24 through a trust through your attorney; is that
25 right?

1 A. Yes, sir.

2 Q. Okay.

3 A. I don't want anything. If it was offered,
4 I don't want it.

5 Q. Okay.

6 A. I want to take care --

7 Q. To help with the legal fees, is that what
8 you're saying?

9 A. Yeah. Legal fees and if -- who knows. If
10 something was given or whatever, this is going into
11 a trust for my children. I want nothing. I don't
12 want a thing. I don't want any of this. I don't
13 want a part of this. I don't want to be in the
14 news. I don't want my ex-wife in the news. I don't
15 care about politics. I don't care what happens to
16 this man. I wish him luck. I don't want anything
17 to do with this; I really don't. I cannot overstate
18 that. I don't want to be here.

19 Q. Now, to get back with what you just said
20 real quick. It's hard for me to imagine a husband
21 whose wife has been through this with another man
22 and be that forgiving. Have you always had that
23 attitude? It's like, Oh, well, I wish him the best.
24 I hope he gets along well?

25 A. Yeah.

1 Q. That really doesn't make too much sense to
2 me.

3 A. I think it does, sir, if you were raised
4 with my principles and my parents and my background
5 and my spirituality and the way I am in my life
6 these days, the person I'm in love with, the person
7 that loves me now. Believe me, sir -- I have been
8 through this before. When I was 21 -- I had a child
9 at 17 with my high school sweetheart. My Baptist
10 background told me I had to marry her at 18. I
11 married her at 18. We were never supposed to be
12 married; we were two kids. That woman had an affair
13 on me and cheated on me with some ex-boyfriend.
14 I've been through this before.

15 Q. Uh-huh.

16 A. And that boyfriend ultimately did me a
17 favor, and me that woman are better than ever --

18 MR. BARNES: Let's get back to the focus
19 of --

20 THE WITNESS: I'm just answering the man's
21 question based on a principle, because some men
22 probably couldn't forgive.

23 A. But I guarantee you guys, this man has
24 this much (indicating) to do with my daily thoughts
25 or my life or anything. My life is better than

1 ever, and I want nothing more than a good
2 relationship with the mother of my kids. That's all
3 I care about.

4 Q. (By Mr. Phillips) Okay. All right.

5 A. Truly.

6 Q. Did you say earlier that you had been
7 threatened, or did I misunderstand that?

8 A. No. The -- the media -- the way that was
9 being --

10 Q. The way the media did?

11 A. Yeah, the way the media was presenting
12 these things.

13 Q. Okay?

14 A. Saying -- giving all the details, and
15 we're going with this story, regardless. That's --
16 that was the scariest.

17 Q. Right.

18 A. I'm thinking, you know, what am I going to
19 read in the paper in the morning?

20 Q. I understand that. So there was never a
21 threat coming from the governor's office or any of
22 his people or calls from an attorney or
23 representative of the governor in any way?

24 A. No, sir.

25 Q. Okay. One more question, real quick.

1 Did you give the media or names released
2 to the media of any of -- friends of your wife or
3 your friends or so that they could contact them and
4 get statements from them and so forth?

5 A. I don't recall giving anything to the
6 media. I gave my lawyer the few names of the people
7 that knew the story as I did from my understanding.

8 Q. Okay. So your role would have been
9 passing information along to your attorney?

10 A. Yes, sir.

11 Q. Okay. And then one more thing, real
12 quick, that I happened to think about. Earlier, I
13 think, if I understood you right, you said something
14 about what prompted this e-mail on 7/3 of '15 to
15 Sheena Greitens, was that you saw your wife's car,
16 as I understood it, at his home; is that right?

17 A. Yeah. On the street.

18 Q. Okay. And so, typically, I think you said
19 after that, that she would park her car somewhere
20 else and walk up there to his house. Why would she
21 be careless on that day and have her car parked
22 right out there in plain sight?

23 A. During that period, she was parking at a
24 different garage -- a farther garage because the
25 Chase Park Plaza garage was closed for construction,

1 but I knew she had left the house at an hour that
2 wasn't normal, so on my way to work or wherever I
3 was going, I would drive by there and see if the car
4 was there.

5 And you've got to remember, this was the
6 time -- right after a reconciliation period that
7 seemed to be going well, as far as I was
8 concerned -- all of a sudden, I was cut off. So I
9 was -- I was an emotional disaster. I was sleeping
10 an hour and a half a night. It was the worst time
11 in my entire life.

12 But during this second reconciliation
13 period -- the deterioration of that reconciliation,
14 I was able to really grasp life and accept things
15 and move on. But that summer was --

16 MR. PHILLIPS: Okay. Thank you.

17 MS. MITTEN: I have no questions.

18 MR. BARNES: Representative Lauer.

19 MS. LAUER: Yes, Mr. Chair. Thank you.

20 EXAMINATION

21 BY MS. LAUER:

22 Q. What was your reason for audio taping this
23 conversation?

24 A. Well, I mean, just like I said about the
25 summer, I was an emotional wreck. My -- my wife at

1 the time, I had seen on her phone a few weeks prior,
2 numbers that were connected to his phone -- they
3 were his phone number. I had always known for many
4 years that she had a crush on this guy and that --

5 Q. For how long did you think she had a
6 crush --

7 A. I knew she had a crush on him for a number
8 of years.

9 Q. A number of years?

10 A. Yeah, yeah. Since she had met him. He
11 was just a client that she spoke of in a way that
12 she wouldn't talk about other clients. And we were
13 married for ten years. I know when, you know, my
14 wife at the time, was attracted to another man. And
15 this wasn't the first time.

16 So seeing those types of patterns and
17 going through a number of weeks of not sleeping,
18 knowing that my wife had been texting and calling
19 and potentially meeting with another man had
20 destroyed me, and she wasn't telling me.

21 It's a pretty common practice by me in my
22 profession, and the way that my mind works -- I'm
23 not very organized --

24 Q. I'm sorry. Back up. you said it's a
25 pretty common practice for you to audio people?

1 A. No, no, no. To audio -- let me finish.

2 To use my phone as, like, a memo pad.

3 First of all, I have to drive a lot because my
4 children are in two different school districts, and
5 I -- I'm in music -- I do music for a living. So
6 it's a habit, instead of writing down a memo or
7 jotting down in a notebook, I will use the audio
8 recorder to say, I have to be at 7-Eleven at
9 so-and-so time, or I have a song idea, and I'll sing
10 into my phone. And, you know, I've done that a lot.
11 I've -- I've never recorded anybody before, but I
12 recorded myself taking notes, a lot of -- songs, all
13 sorts of things. And all you know is that something
14 had happened on the 21st, when my wife wasn't
15 sleeping for a number of days. No sleep. Something
16 was tearing her up. I had been torn up for a number
17 of weeks. And on Wednesday morning at 3:00 a.m. on
18 my drive to work that day, she had called me to tell
19 me that she needed to speak to me. And I knew that
20 whatever it was going to be -- from the sound of her
21 voice, it was going to devastate me. So I asked her
22 not to tell me prior to me going to work and to tell
23 me at the end of my workday.

24 I left the office around 11:30 or noon,
25 picked her up, took her to the parking lot -- had

1 been up since three, had not slept, really, in
2 weeks, and knew that something huge was happening.
3 I also knew that it was my legal right to record her
4 in Missouri -- in Missouri -- under the law. So I
5 put the phone in the cup holder, hit record, knowing
6 this was going to be a long and detailed
7 conversation to which I was not going to be
8 emotionally ready to handle all the details.

9 It's as easy of an answer as I can give.
10 That was my motive. Did I know anything like this
11 was coming? Absolutely not. I had no clues. I
12 thought she was going to tell me that she was
13 beginning something on the phone, because that's all
14 I had had prior to that. I had no idea any of this
15 was coming.

16 Q. So using your terms that you used that
17 mechanism as a way -- as memo recorder, basically --

18 A. Yeah. It's called voice memos.

19 Q. So having that conversation as a
20 quote/unquote memo, what was your purpose -- what
21 were you going to do with it as a memo? What were
22 you going to do with it at that point, then?

23 A. I knew that if we were going to reconcile
24 and other conversations were going to go on, if I
25 had learned anything -- if she told me anything that

1 was different, I was going to be able to compare it
2 to the initial story.

3 Q. So you were looking to catch her in some
4 discrepancies?

5 A. I was looking to catch her in some
6 minimalization of it. Because you've got to
7 remember, I didn't know, necessarily, what was
8 coming. I had just known that in the past, if I
9 suspected her of doing something or expected any
10 human of doing some, in an initial confession or
11 discussion, they're going to minimize their role and
12 minimize details and minimize something. It's going
13 to be a concise version. So I just needed something
14 to compare it to.

15 Q. So how long after 3/21 did you start
16 driving by the house and kind of trying to find out
17 where she was at?

18 A. Probably not until the end of the second
19 reconciliation -- I'm sorry -- of the
20 reconciliation.

21 Q. What time was that?

22 A. We're talking May -- May, June --
23 actually, probably -- yeah, May. I was a wreck.
24 And I remember in April and May, I was trying to
25 recalibrate myself. I knew that I was not

1 performing well as an employee or as a father, and I
2 needed to figure out how to sleep. I had talked to
3 my doctor and said, I needed Xanax to sleep. I
4 needed to recalibrate.

5 So I wasn't able to take in everything
6 right off the bat. So I was -- I laid low and just
7 kind of tried to take care of myself during that
8 period and focus on -- I wasn't focused on too much
9 except for that -- and hopefully saving my marriage.
10 That's really all I focused on until something
11 clicked and she said, I don't want to be with you.

12 Q. So your intent is on saving your marriage.
13 You indicated that you are protective of her -- I
14 think that was your word a while ago -- and that you
15 are in a good relationship -- you want to be in a
16 good relationship with her because you're parents of
17 the children; right?

18 A. Yes.

19 Q. So why were you looking for discrepancies,
20 then, as if to try to catch her in something?

21 A. Because there were phone calls and texts
22 that were being hidden from me. I wanted to know
23 the truth. I want to have a relationship that's
24 always based on honesty and truth. When I say that,
25 I'm protecting her --

1 MR. BARNES: Representative, if we could
2 go back to -- I think we're now getting -- we're
3 straying --

4 MS. LAUER: I'm sorry.

5 MR. BARNES: All right. Thank you.
6 I'd like to get back on track.

7 Q. (By Ms. Lauer) In the transcript on
8 page 10, it says, "This won't leave the car."

9 A. Sure.

10 Q. And it did.

11 A. Yes.

12 Q. So why is that discrepancy, then? What
13 happened -- why is there -- why did you say, This
14 will not leave the car -- this conversation will not
15 leave the car, then go to these extents to keep a
16 tape, share it with an attorney, and it ends up
17 public?

18 A. Okay. Again, when this all came and I
19 really found out all of the details, you got to
20 remember that I feared for my life.

21 Q. By whom? Who did you think was going
22 to --

23 A. With this man and his commercials with his
24 guns and the millions of dollars going to politics
25 and this whole game that you hear about and

1 conspiracy this and this person ends up dead and
2 this person is missing and all this kind of crap --
3 I 100 percent feared for my life from the guy that's
4 on TV holding guns talking about this and talking
5 about that.

6 Now, knowing that he had just threatened
7 my wife -- and I just heard this for the first time,
8 and all I'm concerned about is my marriage and
9 whether I can fix this and whether I'm getting all
10 of the details from this encounter. Of course I'm
11 going to say, This won't leave the car, because I
12 never planned on it leaving the car. Never. Never.
13 My intent was -- and my hope was for -- and I would
14 think anybody in that position -- if you can put
15 yourself in that position for a second. I'm a
16 destroyed man hearing about his wife with another
17 man. My hope, as small as it may have been, was
18 that my marriage was going to survive this and this
19 would all be in the past -- between me and her in a
20 van. That was the hope. That was the hope all the
21 way until December, when all of this --

22 MR. WATKINS: December of what year?

23 A. December of last year, when I was -- I
24 felt forced -- my hand was forced to release this
25 thing to protect what was happening. Because if

1 somebody else had already had it -- I don't know how
2 they were going to spin things. I knew that I
3 hadn't edited anything. It can be proved that I
4 hadn't edited anything. This is her telling a story
5 about what happened to her. And if somebody else
6 had the thing, you can manipulate all sorts of audio
7 to serve a purpose, and I didn't know who or what
8 side or what group or what politics were going to
9 play into this, where they can manipulate and use
10 that to then harm my family or harm her reputation
11 or defend themselves in something they were going to
12 have to admit. This is a political game that these
13 people play, and I want nothing in it.

14 So I said, Okay, I'll sacrifice my -- do
15 you know how embarrassing this is to have everybody
16 hear all of this stuff and me damn near crying and
17 groveling and all of that. It would take an insane
18 person to release that.

19 Q. (By Ms. Lauer) At what time did you ever
20 consider getting rid of the audio?

21 A. As soon as my marriage was final. This
22 meant nothing to me. I didn't listen to it; I
23 didn't do anything with it except for, Oh, my God,
24 if this man suspects that she told me, which I --
25 anyone would assume that that conversation had

1 happened, because she then confessed to me that she
2 went back there during -- in between the
3 reconciliation periods. He was calling and trying
4 to FaceTime her and he ended up in the salon in
5 October. When all of that became clear that this is
6 a relationship, but I don't know all the details. I
7 don't know what they discussed; all I know is it's
8 probably likely that if they had a relationship to
9 the intimate degree that they did, she probably told
10 him that he -- I'm sorry -- she probably told --

11 MR. BARNES: Let's stop. I'm going to
12 stop -- we are far in the realm of speculation
13 and -- again, if we could --

14 MS. LAUER: That was beyond what I had
15 asked. That's fine.

16 MR. BARNES: Okay.

17 Q. (By Ms. Lauer) On page 28 -- sorry -- 22
18 and 28, you stated that she was half raped and
19 blackmailed, and then on page 28, you said that she
20 was raped and blackmailed on the transcript. So to
21 what degree did you report that or address that?

22 A. Okay. I -- listen, that was my reaction
23 to what I was being told. I still think -- again,
24 if I had reported anything or -- the only thing is,
25 you are dealing with a destroyed man sitting in a

1 van still hoping that his marriage was reconcilable.
2 I was trying to save my marriage. I loved my wife,
3 and I wanted her back. I lost her for this moment
4 in my head. I lost her for a moment in the past,
5 and I was looking for the future, and all I thought
6 was, This woman is telling me something that
7 happened to her. I love this woman, and she's been
8 violated.

9 I don't know what you want from me. I
10 mean, I'm -- you got more words than I'm willing to
11 say, because I'm not going to listen to these tapes.
12 You think this is something I want to relive and --
13 Q. I'm just -- no, I'm not asking that; I'm
14 just asking what you did in response to that --
15 having that statement.

16 A. I tried to save my marriage.

17 Q. So then --

18 A. I tried save --

19 Q. How many times did you follow her?

20 A. May I respond to that -- I never followed
21 her.

22 Let me respond to what you said, though.
23 I was trying to save my marriage. The only thing
24 that was important to me was to save the marriage,
25 and nothing was going to do but discussing things

1 with my wife and trying to get everything out in the
2 open and honest and keeping it between me and her.
3 If you're asking why I didn't report anything,
4 because I certainly didn't see it helping my
5 marriage. And I'll tell you what, I didn't care
6 about anything but my marriage at the time.

7 Q. Okay.

8 MS. LAUER: Thank you, Mr. Chair.

9 MR. BARNES: Can we take a five-minute
10 recess?

11 (A recess was taken.)

12 MR. BARNES: Representative Austin.

13 MR. AUSTIN: No questions.

14 MR. BARNES: Rhoads.

15 MR. RHOADS: No questions.

16 MR. BARNES: Representative Pierson.

17 MR. PIERSON: No questions, Mr. Chair.

18 MR. BARNES: It's always -- I will have no
19 questions at this time either.

20 I'm always reluctant to say I've got no
21 further questions.

22 MR. WATKINS: For the record, my client
23 will make himself available for supplemental
24 requests for information, documentation, anything
25 above and beyond that we haven't already given you.

1 We're not aware of, but if there is something that
2 triggers, perhaps, the need to disclose something
3 else, he's ready, willing, and able, and that
4 includes a response to supplemental questions that
5 you may have.

6 MR. BARNES: Okay. And we appreciate
7 that, and we appreciate your willingness to come
8 down here.

9 And we already voted to close Monday, so
10 we will close that.

11 THE WITNESS: Can I make a statement real
12 quick?

13 I'm here for you guys; I'm here for my
14 state; I'm here for my country. This is not my
15 fight. Contrary to whatever people would like to
16 spin this into and put on me, I'll take the
17 shrapnel. I don't care about this. I don't -- if
18 my ex-wife -- this is not her fight; this is not my
19 fight. I don't want anything to do with anything
20 that she doesn't want anything to do with. All I
21 care about is my children. That's all I cared about
22 from the get-go. You question what you want. I
23 truthfully don't care what people think of me -- I
24 really don't. I just knew that I felt like I had a
25 choice between something extremely bad and

1 devastating or possibly bad for me, and that is
2 devastating. I just want you guys to know I'm here
3 for you, and I'll do what's legally required of me,
4 but this is not my fight. I have moved on. My
5 children are awesome and healthy and have moved on,
6 and this doesn't benefit them, and it ain't my
7 fight.

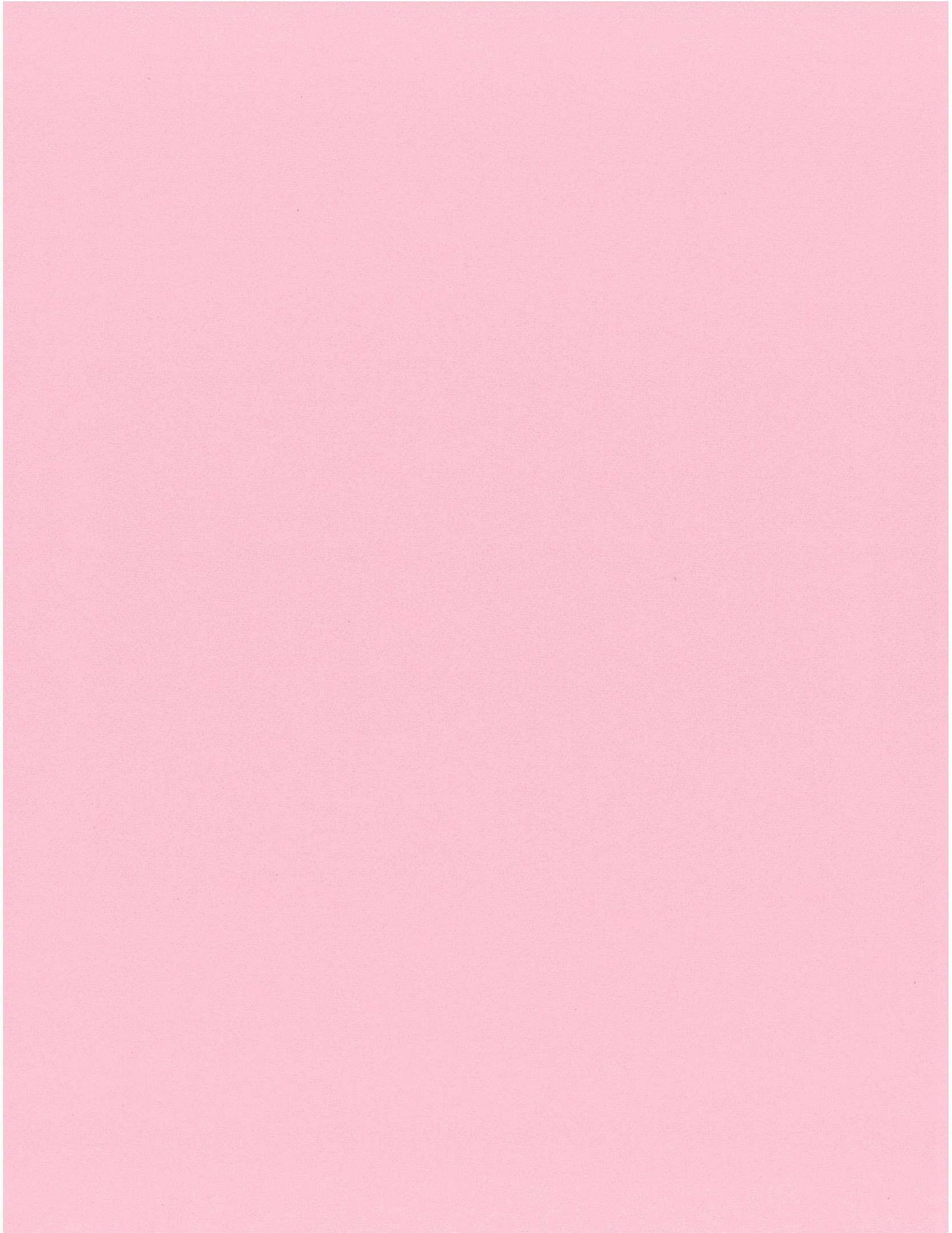
8 MR. BARNES: Thank you. Today's hearing
9 is adjourned.

10 (The hearing adjourned at 4:38 p.m.)

1 CERTIFICATE OF REPORTER

2
3 I, Lisa Ballalatak, a Certified Court
4 Reporter for the State of Missouri, do hereby certify
5 that the witness whose testimony appears in the
6 foregoing hearing was duly sworn by me; the testimony
7 of said witness was taken by me to the best of my
8 ability and thereafter reduced to typewriting under my
9 direction; that I am neither counsel for, related to,
10 nor employed by any of the parties to the action in
11 which this hearing was taken, and further that I am
12 not a relative or employee of any attorney or counsel
13 employed by the parties thereto, nor financially or
14 otherwise interested in the outcome of the action.

15
16
17
18 Lisa Ballalatak
19 Missouri Supreme Court
20 Certified Court Reporter
21
22
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24
25



SPECIAL INVESTIGATIVE
COMMITTEE ON OVERSIGHT

Monday, March 12, 2018

Jefferson City Police Department
401 Monroe Street
Jefferson City, Missouri 65101

COMMITTEE MEMBERS:

Representative Jay Barnes, Chair
Representative Donald Phillips, Vice-Chair
Representative Kevin Austin
Representative Shawn Rhoads
Representative Jeanie Lauer
Representative Gina Mitten
Representative Tommie Pierson Jr.

Also present: Bryan Scheiderer, Legal Analyst
Alex Curchin
Alixandra Hallen, Minority Counsel

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(March 12, 2018)

REPRESENTATIVE BARNES: Call this hearing of
the House Special Committee on Investigative Oversight
to order. Mr. Secretary, please call the roll.

SECRETARY CURCHIN: Representative Barnes.

REPRESENTATIVE BARNES: Here.

SECRETARY CURCHIN: Representative Phillips.

REPRESENTATIVE PHILLIPS: Here.

SECRETARY CURCHIN: Representative Mitten.

REPRESENTATIVE MITTEN: Here.

SECRETARY CURCHIN: Representative Lauer.

REPRESENTATIVE LAUER: Here.

SECRETARY CURCHIN: Representative Austin.

REPRESENTATIVE AUSTIN: Here.

SECRETARY CURCHIN: Representative Rhoads.

REPRESENTATIVE RHOADS: Here.

SECRETARY CURCHIN: Representative Pierson Jr.

REPRESENTATIVE PIERSON: Here.

REPRESENTATIVE BARNES: Seven present. We
have a quorum and, in fact, everyone is here.

I would now move that we vote to close
Wednesday morning's hearing at 8:00 a.m. We are going
to hear from Michael Hafner who pursuant to a subpoena
we sent to him has provided the Committee with documents
about the disclosure and use of a list of donors for The

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1 Mission Continues to the Greitens campaign in early
2 2015. Discussion on the motion to close? Seeing none,
3 I now move that we do, in fact, close that hearing. Mr.
4 Secretary, please call the roll.

5 SECRETARY CURCHIN: Representative Barnes.

6 REPRESENTATIVE BARNES: Aye.

7 SECRETARY CURCHIN: Representative Phillips.

8 REPRESENTATIVE PHILLIPS: Aye.

9 SECRETARY CURCHIN: Representative Mitten.

10 REPRESENTATIVE MITTEN: Aye.

11 SECRETARY CURCHIN: Representative Lauer.

12 REPRESENTATIVE LAUER: Aye.

13 SECRETARY CURCHIN: Representative Austin.

14 REPRESENTATIVE AUSTIN: Aye.

15 SECRETARY CURCHIN: Representative Rhoads.

16 REPRESENTATIVE RHOADS: Aye.

17 SECRETARY CURCHIN: Representative Pierson Jr.

18 REPRESENTATIVE PIERSON: Aye.

19 REPRESENTATIVE BARNES: Seven ayes, zero nos
20 vote to close Wednesday's hearing. And with that, we
21 are ready for today's witness.

22 Good afternoon. Counsel, would you like to
23 note your presence for the record?

24 MR. LUDWIG: My name is Jason Ludwig of the
25 law firm Carson & Coil. I'm here on behalf of [REDACTED]

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1 [REDACTED].
2 REPRESENTATIVE BARNES: Before we start, I'm
3 going to swear you in to start. We'll just talk about
4 kind of the ground rules what we're doing here today.
5 Okay?

6 (Witness sworn.)

7 [REDACTED] being sworn, testified as follows.

8 QUESTIONS BY REPRESENTATIVE BARNES:

9 Q. Can you state your name?

10 A. [REDACTED]

11 Q. And can you spell your name for the court
12 reporter?

13 A. It's [REDACTED]

14 Q. Ms. [REDACTED], have you ever testified in a
15 deposition before?

16 A. No, sir.

17 Q. Okay. So just let me give you some brief
18 ground rules. This is not a deposition but it is a lot
19 like a deposition that we have a court reporter here.
20 When we ask you questions, you cannot answer by nodding
21 your head yes or shaking your head no. You have to
22 actually say yes or no so that our court reporter can
23 make a record of your answers. Do you understand that?

24 A. Yes, I do.

25 Q. In addition to that, if there's anything that

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1 anyone asks you where you don't understand the question,
2 please just ask them to repeat because it's important
3 that if you're going to give an answer you understand
4 what the exact question is that's being asked.

5 A. Okay.

6 Q. In addition to that, if you need to stop for
7 any reason to take a break, just let us know and we can
8 do that. Okay?

9 A. Okay. Thank you.

10 Q. Now, you should also note before starting that
11 this Committee, the resolution which created it gives us
12 the authority to redact names and information for the
13 privacy of witnesses, and we will, in fact, be doing
14 that. So your name will not be displayed out in full
15 for the public. We will, in fact, redact your name from
16 any report. I want to make sure you understood that
17 before testifying.

18 A. Yes, thank you.

19 Q. Okay. How long have you known [REDACTED]

20 A. I've known [REDACTED] since kindergarten since
21 five years old. I'm 35 so about 30 years.

22 Q. So did you go to school together?

23 A. Yes, we did.

24 Q. So elementary school?

25 A. Elementary school.

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1 Q. Middle school?
2 A. We went to Catholic school. So it's K through
3 8, eighth grade.

4 Q. Did you go to high school?

5 A. No, we did not.

6 Q. Okay. But you've known each other even
7 through high school?

8 A. Yes.

9 Q. And even after high school?

10 A. Yes.

11 Q. Have you worked with [REDACTED]

12 A. No, I have not.

13 Q. Just life long friends; is that how you
14 describe it?

15 A. Yes.

16 Q. Does [REDACTED] have a reputation for
17 truthfulness and honesty?

18 A. Yes, she does.

19 Q. And what is that reputation?

20 A. She's never lied to me about anything. She's
21 pretty honest about her life in general.

22 Q. Did [REDACTED] ever speak to you about contact
23 she had with Eric Greitens?

24 A. She did.

25 Q. When was the first time she spoke with you

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1 about contacts with him?
2 A. Approximately mid March of 2015.
3 Q. Do you remember where you were when she spoke
4 to you about it?
5 A. Yes, I do. We were at my parents' home.
6 Q. And where is that?
7 A. That's in --
8 Q. Not address, just city.
9 A. -- St. Charles, Missouri.
10 Q. Is that a home that the two of you had hung
11 out in and played in as children?
12 A. Yes.
13 Q. Were your parents home at the time?
14 A. I believe my mother was home.
15 Q. Was there anyone else who was involved in the
16 conversation you had with [REDACTED]
17 A. No.
18 Q. How did it come about that you were there on
19 that day speaking with [REDACTED]
20 A. We were going to go to dinner and we met at my
21 mom and dad's house.
22 Q. And then before you went to dinner you had a
23 conversation?
24 A. Yes, she gave me a book.
25 Q. Okay. And can you tell me what the book was?

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1 A. It was his book, Eric Greitens' book. I don't
2 know the name of it.
3 Q. What did she tell you about Mr. Greitens and
4 her relationship with him at that point in time?
5 A. Just that she spoke fondly of him, said that
6 she cut his hair and that she thought I would really
7 like the book, and she gave it to me as like an early
8 birthday present. My birthday is in March, the end of
9 March.
10 Q. And did she say anything else at that time
11 about Mr. Greitens?
12 A. Nothing in particular.
13 Q. When was the next time you spoke with her
14 about Mr. Greitens?
15 A. Approximately the beginning of April 2015.
16 Q. And where were you at the time you had that
17 conversation with her?
18 A. At her home in [REDACTED], Missouri.
19 Q. What were the circumstances of your being at
20 the home?
21 A. Coffee, we were just having coffee.
22 Q. Did she ask to speak with you?
23 A. No. It was something that we had done for
24 several years, just to go over in the morning before
25 work or school and have coffee together.

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1 Q. And what day of the week was this? Do you
2 remember?
3 A. I don't recall.
4 Q. Okay. Did she speak to you then about
5 Mr. Greitens?
6 A. Yes.
7 Q. And what did she tell you then?
8 A. She described an encounter that she had with
9 him at his home.
10 Q. Go ahead and describe what she described in
11 that encounter.
12 A. She said that she went to his home and that
13 when she entered his home he had checked her for bugs as
14 far as being bugged, wired I guess, and made her disrobe
15 into one of his dress shirts. And he checked her purse
16 and her belongings for any devices, recording devices.
17 Q. And then what did she tell you happened after
18 that?
19 A. I think -- or she told me that they spoke on
20 the couch or some sitting area for a little bit and then
21 they had gone down to a lower area of the home. I don't
22 know if it's a basement or just some lower part of the
23 home.
24 Q. What happened in the lower part of the home
25 that she described to you?

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1 A. She described to me being helped into some
2 type of device that was hanging, some type of workout
3 equipment that was hanging and having her hands tied
4 behind her back, that she was blindfolded, and that he
5 had pleased her with his hands at that point.
6 Q. Okay. And then is there anything she said
7 after that point in time?
8 A. After that -- During that discussion after she
9 had described that she said that after he had
10 blindfolded her that she had saw a Flash type and
11 recognized that he had taken a photograph of her, and he
12 said that if you mention my name that I'll put this out
13 there or put this on the Internet, something to that
14 effect. And she got very upset and wanted to get down,
15 wanted him to get her down.
16 Q. And what did she describe to you happened
17 after that?
18 A. I don't recall exactly, but she got down, he
19 helped her down, and was trying to comfort her. She was
20 very upset. Freaking out was how she described it. And
21 said that -- He said that "I deleted it. I deleted it."
22 REPRESENTATIVE LAUER: I'm sorry. Would you
23 repeat that?
24 THE WITNESS: He said that he deleted the
25 photograph and was apologetic.

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1 BY REPRESENTATIVE BARNES:

2 Q. And what did she describe to you that happened
3 after that point in time?

4 A. From what I recall, she gathered her clothing
5 and got dressed. And at that point in this conversation
6 she had told me that he was apologetic. I think they
7 sat in the same sitting area or some sitting area and
8 talked and then she left. But she had forgotten her
9 keys.

10 Q. Okay. And did she talk to you about what
11 happened later that afternoon?

12 A. Yeah. I don't know the exact time frame as
13 far as how much time went by before she went and
14 retrieved her keys, but she went back to the house and
15 got her keys at his home.

16 Q. Did she tell you what happened when she
17 returned to the home?

18 A. I don't recall everything about that. I
19 believe that she had said she was still very upset about
20 the situation and embarrassed.

21 Q. How would you describe her demeanor when she
22 was relaying this information to you?

23 A. She was embarrassed but she was not hyper but
24 just sort of excitable when she was telling me the
25 story. Almost like can you believe this type of

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1 excitable is the only word I can describe it I guess.

2 She wasn't hysterical or anything. Upset.

3 Q. Did she tell you anything else on that morning
4 and beginning of April 2015?

5 A. Not that I recall from that conversation.

6 Q. Did you have any further conversation with her
7 about Mr. Greitens that you recall?

8 A. Yes.

9 Q. So that we can give the Committee a road map
10 here, how many different conversations do you recall
11 having after that day?

12 A. We've had several.

13 Q. Had several. Okay. Do you recall any
14 conversations in particular, the next conversation you
15 had with her after the beginning of April 2015?

16 A. The next conversation that we had was about
17 discussing with her husband and confessing to her
18 husband about the encounter.

19 Q. And what was the substance of that
20 conversation?

21 A. That she had told her husband what had
22 happened and told him everything that had happened
23 between her and Eric Greitens.

24 Q. Regarding her interactions with Eric Greitens,
25 did she tell you anything about further encounters she

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1 had with Mr. Greitens?

2 MR. LUDWIG: During that conversation or
3 subsequent conversations?

4 REPRESENTATIVE BARNES: During that
5 conversation.

6 THE WITNESS: During that conversation, the
7 only thing that she had really talked about in that
8 conversation was that her husband did not want her to do
9 his hair any further and come into the salon any more.

10 BY REPRESENTATIVE BARNES:

11 Q. You mean Mr. Greitens' hair?

12 A. Yes.

13 Q. Did you have further discussions with her
14 about interactions with Mr. Greitens?

15 A. Yes.

16 Q. What was the substance of those discussions?

17 A. Another encounter was him coming into the
18 salon. I don't recall if it was after her already
19 asking him not to but that he had come in again and
20 smoothed things over with her, told her that he couldn't
21 stop thinking about her, that he was sorry again.

22 Q. And did she describe to you what happened
23 after those efforts by Mr. Greitens to smooth things
24 over?

25 A. She spoke fondly of him again.

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1 Q. Did she speak to you about any subsequent
2 interactions she had after what you described as the
3 visit to smooth things over?

4 A. I don't know when this incident occurred, I'm
5 not sure if it was from the original encounter or not, I
6 don't know, but there's pieces of things that we've
7 talked about and she had described an encounter where
8 she was really upset and that she had given him oral sex
9 and she said that she just did it so that she could
10 leave.

11 Q. Do you recall when she told you that?

12 A. It was after our original conversations. I
13 don't know if it was a separate occasion that that
14 happened or if it was from the original encounter at
15 their home.

16 Q. How often do you speak with [REDACTED]

17 A. Fairly often.

18 Q. Okay. And so would you describe [REDACTED] as
19 one of your best friends?

20 A. Yes.

21 Q. So to the extent you've had conversations, and
22 I'm asking you about specific details of the dates in
23 which you speak, would you say you speak with her so
24 often that it is difficult for you to identify the exact
25 dates and times upon which information was relayed to

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you?

A. Yes, other than the original conversation when she gave me the book and then the following conversation in the beginning of April. I recall those dates mainly because it was around my birthday and that was the first I had ever heard of him or anything about him.

Q. As to the first conversation, she gave you a gift?

A. Yes.

Q. Are there other conversations you had with her that stick out in your mind about interaction she had with Mr. Greitens?

A. Yes.

Q. And can you relate to us the substances of those conversations and to the extent you recall the times on which you had those conversations?

A. The only -- There's I guess two conversations that stick out that were around probably that summer of 2015, maybe possibly June roughly in that area. One was that his wife had come into the salon not to get her hair done by [REDACTED] but by another lady at the salon. And she was -- She felt very upset about that. She said that she seemed like a really nice woman and she was very ashamed.

Q. And do you recall the other thing that sticks

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out to you?

A. Yes.

Q. And what is that?

A. That she had, and I don't really recall a whole lot about this one, but mainly that she had let him into the salon before hours, and I don't really know why we were talking about that other than her just saying that there was only a few occasions they had been alone together.

Q. Is there anything else you can recall that sticks out to you about the conversations you had with her about interactions with Mr. Greitens?

A. Recently I had specifically called her and asked her about him hitting her, slapping her, Eric Greitens, and she told me that that was true and that she was embarrassed. And I asked her specifically because one of my sisters had read that story. I hadn't seen it anywhere and they had asked me about it. I said that I didn't think that that could be true because [REDACTED], [REDACTED] wasn't -- that's not like her to let someone physically harm her, man, woman or anyone. She's not a violent person.

And I called her and asked her and she told me about that. And the specifics of what happened, I don't know where they were, I don't know that I asked. But

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he, Eric Greitens, had asked her if she had slept with anyone and she said my husband and he slapped her.

Q. And this is what she relayed to you. This would have been --

A. More recent.

Q. -- in the last two months?

A. Yes.

Q. So since the news broke?

A. Yes, she never told me about that prior.

REPRESENTATIVE BARNES: Thank you. And now so our process here is, and I apologize for the length of this process, but each member has the opportunity to ask you questions. And so we're going to start with the Vice Chair and the ranking member and we're going to go in order of seniority. Representative Phillips.

REPRESENTATIVE PHILLIPS: Thank you, Mr. Chair.

QUESTIONS BY REPRESENTATIVE PHILLIPS:

Q. Don Phillips, State Representative District 138, which is down by Table Rock Lake near Branson. Do you call [REDACTED]?

A. Yes.

Q. Okay. I'm going to call her that in reference to my questions. First of all, though, have you spoken to anyone that has already testified before this

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Committee since we started this process? Have you talked to other witnesses?

A. Other than [REDACTED]?

Q. Right.

A. No.

Q. But you have spoken to [REDACTED] since she testified?

A. I spoke with her on a Friday, Friday, this past Friday. So I don't know when she testified.

Q. Did she share with you what she testified to us, what she told us?

A. No, she did not.

Q. Do you have any knowledge of [REDACTED] receiving any kind of compensation for being quiet on this subject? She's not spoken to the media at all and has assumed a certain amount of anonymity to this point. Do you have any knowledge of her receiving any kind of compensation from anyone?

A. No, I do not.

Q. She didn't share anything like that with you?

A. No.

Q. Knowing her like you do, when she told you the story about her and Eric Greitens first encounter, led to the basement and all that, did you think it was odd that she continued to see him after that?

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1 A. Yes, I did.
2 Q. Did she share with you why she continued to
3 see him after that?
4 A. Yes.
5 Q. What did she say?
6 A. She said that she didn't want to feel like --
7 I think she believed that he cared about her, and I
8 tried explaining to her that he didn't care about you if
9 he would do something like that, but I believed that she
10 thought he cared about her.
11 Q. Once the story broke, did she ever share with
12 you what she thought about the source of releasing the
13 information to the media?
14 MR. LUDWIG: Do you understand?
15 THE WITNESS: I believe I do. As far as her
16 husband, ex-husband?
17 BY REPRESENTATIVE PHILLIPS:
18 Q. Did she believe he's the one that released the
19 information?
20 A. Yes.
21 Q. She based that on something she told you about
22 a conversation with him or just suspected that he would
23 be the obvious one to do it?
24 A. No. We both saw the Channel 4 news and
25 recognized his voice and his partially blurred face.

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1 REPRESENTATIVE PHILLIPS: Okay. I think
2 that's all, Mr. Chair. Thank you.
3 REPRESENTATIVE BARNES: Representative Mitten.
4 QUESTIONS BY REPRESENTATIVE MITTEN:
5 Q. Good afternoon. I'm Gina Mitten from the St.
6 Louis area and I appreciate you being here today. First
7 of all real quickly, when Representative Phillips asked
8 you about sort of your feelings about Ms. [REDACTED]
9 continuing to see Mr. Greitens, and I probably don't
10 have this quite down yet so bear with me, but you said
11 that [REDACTED] indicated that she thought Eric cared about
12 her and you indicated that you didn't think Eric cared
13 about her because he wouldn't, quote, do that to you if
14 he did. What do you mean by do that in that sentence?
15 A. Take that picture of her.
16 Q. Okay. Did [REDACTED] ever talk to you about having
17 any fear of Eric?
18 A. The only time she mentioned that was in one of
19 the original conversations was that when he said that to
20 her about the photograph or that incident that he
21 sounded different and that she was afraid at that point.
22 Q. And when you say the original conversations,
23 you're meaning the mid March, early April conversations?
24 A. Uh-huh, yes.
25 Q. Did you have any other conversations with

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1 [REDACTED] regarding any other sexual encounters with Eric?
2 A. No, other than that oral sex one that she said
3 she just wanted to leave.
4 Q. Okay. And then I just want to make sure that
5 I'm not mischaracterizing your testimony here that you
6 don't recall if that was -- the oral sex was at the
7 first encounter she had with Eric or a later encounter?
8 A. Right. I don't know for a fact. I can only
9 assume.
10 Q. Okay. Do you believe that she told you that
11 at some point and you just don't remember or is that a
12 possibility I guess would be the better way to put it?
13 A. I don't believe she told me.
14 Q. Exactly when that happened?
15 A. Yes. I don't believe she told me.
16 Q. You don't believe -- Let's just make sure we
17 get our record clear. So you don't believe that [REDACTED]
18 ever told you specifically when the oral sex with Eric
19 occurred?
20 A. That's correct.
21 Q. And you don't recall any other details about
22 that incident of oral sex for lack of a better way to
23 put it?
24 A. No, other than that she felt as though she did
25 that -- that he just wanted to get off is what she said

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1 and that if she did that that she could leave.
2 Q. Okay. So did she indicate some fear during
3 that -- during the encounter that included oral sex or
4 is that your impression?
5 A. That's my impression that she was
6 uncomfortable and wanted to leave and that if she did
7 that that he would let her leave.
8 Q. Did you get the impression that [REDACTED] believed
9 if she did not perform oral sex she would not be able to
10 leave?
11 A. I didn't -- She didn't say that so.
12 Q. Was that your impression though?
13 A. The only impression I had was just that she
14 felt uncomfortable that he was prolonging the stay and
15 that he wanted to get off and that if she did that then
16 he would let her leave.
17 REPRESENTATIVE MITTEN: Thank you. Thank you
18 very much. I know this is difficult. So I appreciate
19 it. No further questions.
20 REPRESENTATIVE BARNES: Representative Lauer.
21 REPRESENTATIVE LAUER: Thank you, Mr. Chair.
22 QUESTIONS BY REPRESENTATIVE LAUER:
23 Q. Good afternoon. Thank you for being here. I
24 know this is not great fun and you never planned on this
25 ever in your life probably. I'm Jeanie Lauer, a

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Representative from Blue Springs which is near Kansas City.

So you've known [REDACTED] for a long time which is great, and would you say that the two of you are confidants, that you confide in each other?

A. Yes.

Q. Does she have other friends that you feel she will confide in?

A. Yes.

Q. Who might those be?

A. I don't know her other -- I don't know her other personal friends too well. I know she has sisters that she would probably confide in and maybe two or three friends that she would confide in that I don't personally know.

Q. And during the time you've known her, has she been an individual who gives you the straight scoop or at sometimes might she dramatize things?

A. She's not a dramatic person. She'll tell me her opinion but she's not judgmental in any way. She's open-minded to everyone.

Q. Okay. So prior to meeting Mr. Greitens, how would you describe her demeanor?

A. Prior?

Q. Just as her.

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A. Just as her?

Q. Just her. How is she? How would you describe her?

A. She's a happy, very good mother, good friend, good daughter, sister.

Q. And based on what you were saying --

A. Hard worker.

Q. -- awhile ago you did see a difference then when she started seeing him and talking about him?

A. Yes. And she was also, you know, going through a rough marriage at the time. So she had probably a lot on her plate at that time.

Q. Okay. Have you ever known her prior to this situation having relationships with others outside of her marriage?

A. No.

Q. So it's not in her character?

A. No.

Q. So when you -- You mentioned that she had expressed or explained what happened with the physical nature of the encounter with Mr. Greitens and that you thought it was not a good deal that he was physical with her --

A. Yes.

Q. -- yet she continued to see him?

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A. Yes.

Q. And then you also said that that would not be in her character to have that happen or to -- Would you explain that a little bit? It's not in her character to accept it?

A. When I found out about the slapping?

Q. Uh-huh.

A. Yes. That's completely out of character for her to allow someone to physically harm her in any way. I say that based on the fact of how she was raised. Her parents didn't have physical punishment in any way, no spanking, no slapping, smacking, and just from past relationships and interactions that either one of us have had that that was an absolute no for her.

Q. So prior again to this event, if something like that had happened, what would you anticipate her reaction would have been to that?

A. If it was her husband or something, she would have left them.

Q. So why is it then do you think -- I know you indicated that she thought he cared for her, but given that physical nature why do you feel she would want to go back given that she would have left him in another situation? That's just your opinion.

A. Yeah. The only opinion, and it is just that,

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is that she was very embarrassed by what had happened. She had been called a whore by her husband and felt as though she was a whore to Eric and was trying to find some thing that she felt that he cared about her for her to feel okay with herself. She was very critical of herself.

REPRESENTATIVE LAUER: Thank you very much. That's all.

QUESTIONS BY REPRESENTATIVE AUSTIN:

Q. I'm Kevin Austin, State Representative District 136. Just a few follow up questions. As I understood your timeline, I understand you may not be too clear, the third contact you had with [REDACTED] regarding Eric Greitens was when you discussed about her confessing to her husband; is that correct?

A. Yeah. The second or third conversation she had mentioned that she told her husband almost immediately after the encounter.

Q. The first conversation was mid March. Second one as I have it, tell me if I'm wrong, was beginning of April. The third one, whenever that was, was the confession to her husband. Have I got the timeline right?

A. No, I think you do. I just -- I don't recall if that second conversation in early April if she had

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1 already told me as far as she confessed to her husband
2 or if she was just telling me about the encounter and
3 then at another conversation. We had several
4 conversations in a short span of time, and I don't
5 remember if it was from the second conversation or the
6 third, but within a week's time or very short period of
7 time she told me she had confessed to her husband.

8 Q. May have been your second conversation
9 concerning Eric Greitens or may have been a subsequent
10 one but within a short period of time that spring of
11 2015, correct?

12 A. Yes.

13 Q. You said that she spoke fondly of him again.
14 Are we now into the summer of 2015?

15 A. Yes.

16 Q. Possibly a June date you said?

17 A. Yes, or early summer, late spring area.

18 Q. And when she described to you about giving him
19 oral sex, approximately when was that?

20 A. I don't recall exactly when the conversation
21 had, but she had just -- The only thing that I remember
22 about the conversation was her telling me that she felt
23 -- she was upset that all he wanted was to get off and
24 that he didn't recognize she was upset and she felt he
25 was prolonging the stay; that if she did this that she

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1 could leave.

2 Q. And the conversation, the approximate date is
3 sometime after that June or July date when she's
4 speaking fondly of him?

5 A. Yes, roughly. I don't really know exactly. I
6 just know that there was another sexual encounter that I
7 was aware of and that was that. I don't know when it
8 happened.

9 Q. And whereabouts in the time frame did she
10 mention to you about the photo being taken, and correct
11 me if I misquote you, but Eric Greitens would have said
12 to her in a different tone that made her afraid, when
13 was that conversation?

14 A. That was that early April conversation.

15 Q. Has [REDACTED] ever told you about other incidences
16 of, for lack of a better phrase, domestic violence
17 against her?

18 A. No.

19 Q. Do you know of any that occurred that she
20 didn't tell you about?

21 A. No.

22 Q. You mentioned that she had two or three
23 friends who she confided in. Who are those friends? Do
24 you know the names?

25 A. I don't know. She didn't tell me who they

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1 were. I have an idea of who her closer friends are.

2 Q. Who is that?

3 A. There's --

4 THE WITNESS: Is that okay to answer?

5 There's like a [REDACTED]. I don't know her last
6 name. There's [REDACTED] and I don't know her last name but
7 I think I could probably recall it if I thought hard
8 enough. And there's [REDACTED] and [REDACTED].

9 BY REPRESENTATIVE AUSTIN:

10 Q. What?

11 A. [REDACTED].

12 Q. Can you spell that?

13 A. I think it's [REDACTED]. Those are just the
14 friends that I know of that she's close with.

15 REPRESENTATIVE AUSTIN: Thank you.

16 REPRESENTATIVE BARNES: Representative
17 Pierson.

18 REPRESENTATIVE PIERSON: Tommie Pierson Jr.,
19 State Representative.

20 REPRESENTATIVE BARNES: I'm sorry. I went out
21 of order. Are you okay? Sorry, Representative.

22 REPRESENTATIVE RHOADS: I don't have any
23 questions.

24 REPRESENTATIVE BARNES: Now Representative
25 Pierson. I wondered why you looked at me why are you

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1 calling me out of order.

2 QUESTIONS BY REPRESENTATIVE PIERSON:

3 Q. Tommie Pierson, State Representative St. Louis
4 County. Thank you for being here. Not many questions.
5 The question I have is around the picture. Did [REDACTED]
6 ever talk about the picture?

7 A. I don't know that she ever saw it or anything.
8 She only described that she had been aware that he had
9 taken a picture. I recall that she had sort of seen
10 some type of flash through the cloth or whatever was
11 blindfolding her and she was upset and he had said he
12 deleted it.

13 Q. And did that picture or that encounter come up
14 in any subsequent conversations that you all had?

15 A. Yes. Mainly because I had said to her he
16 doesn't care about you if he did that to you, and I've
17 said that to her several times.

18 Q. Was there any conversation in relation to the
19 possibility that the picture was not deleted?

20 A. No, not that I recall.

21 Q. Do you recall her sharing with you any other
22 times where perhaps she was bug checked?

23 A. Other than that initial visit, no, not that I
24 recall. She didn't mention to me about that.

25 REPRESENTATIVE PIERSON: Thank you. Thank

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1 you, Mr. Chair.
2
3 REPRESENTATIVE BARNES: I have no further
4 questions. If any other members of the Committee have
5 further questions? Seeing none, that will conclude the
6 testimony. Thank you very much for being here for
7 driving down to Jefferson City to be with us. We
8 appreciate it greatly.

9 THE WITNESS: Thank you.

10 (Witness excused.)

11 REPRESENTATIVE BARNES: Do we have any -- We
12 voted closed Wednesday. I don't think we have anything
13 else pending right now unless anyone else can think of
14 something. That will close today's hearing of House
15 Special Investigative Committee on Oversight.

16 (Off the record.)
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1 CERTIFICATE OF REPORTER
2

3 I, Beverly Jean Bentch, CCR No. 640, within the
4 State of Missouri, do hereby certify that the witness
5 whose testimony appears in the foregoing questioning was
6 taken by me to the best of my ability and thereafter
7 reduced to typewriting under my direction; that I am
8 neither counsel for, related to, nor employed by any of
9 the parties to the action in which this questioning was
10 taken, and further, that I am not a relative or employee
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12 thereto, nor financially or otherwise interested in the
13 outcome of the action.

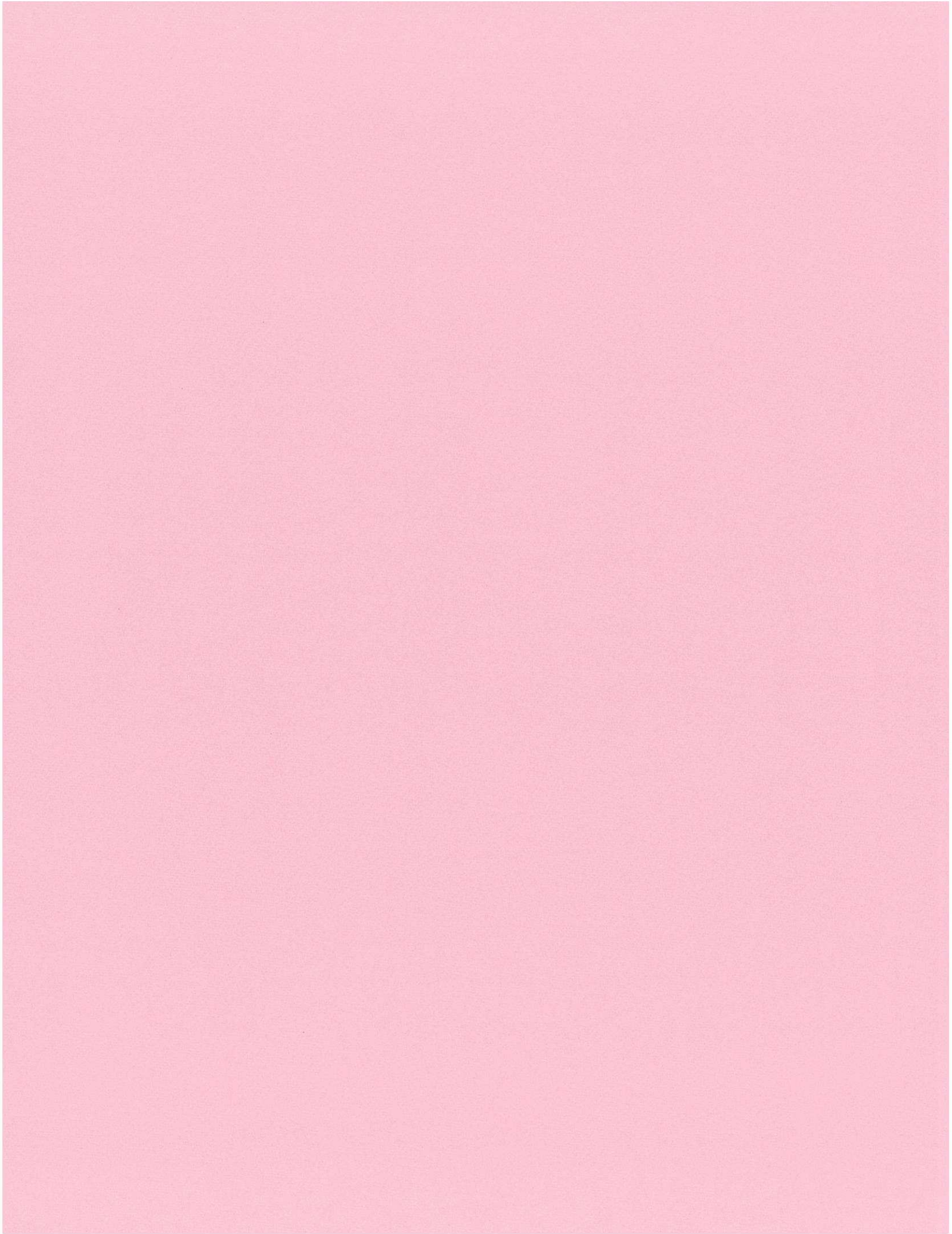
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15 Beverly Jean Bentch

16 Beverly Jean Bentch, CCR No. 640
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SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

Thursday, April 5, 2018

TAKEN AT
Missouri State Capitol, Room B22
201 West Capitol Avenue
Jefferson City, Missouri

MISSOURI HOUSE OF REPRESENTATIVES COMMITTEE MEMBERS
Jay Barnes, Chairman
Don Phillips, Vice-Chairman
Gina Mitten, Ranking Minority Member
Jeanie Lauer
Kevin Austin
Shawn Rhoads
Tommie Pierson, Jr.

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1 ALSO PRESENT:

2
3 Alixandra Hallen, Minority Counsel; Alex Curchin,
4 Committee Majority Counsel; and Bryan Scheiderer,
5 Legislative Analyst.
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P R O C E E D I N G S

CHAIRMAN BARNES: We'll call to order
Missouri House Special Investigative Committee on
Oversight.

Mr. Secretary, please call the roll.

SECRETARY CURCHIN: Representative Barnes?

CHAIRMAN BARNES: Here.

SECRETARY CURCHIN: Phillips?

REPRESENTATIVE PHILLIPS: Here.

SECRETARY CURCHIN: Mitten?

REPRESENTATIVE MITTEN: Here.

SECRETARY CURCHIN: Lauer?

REPRESENTATIVE LAUER: Here.

SECRETARY CURCHIN: Austin?

REPRESENTATIVE AUSTIN: Here.

SECRETARY CURCHIN: Rhoads.

REPRESENTATIVE RHOADS: Here.

SECRETARY CURCHIN: Pierson, Jr.?

REPRESENTATIVE PIERSON: Here.

CHAIRMAN BARNES: Now that we are properly
situated where everyone wants to sit, or almost
situated, today we're going to do essentially a mark-up
session of a draft report. I've taken comments from
various members about points in the Committee report
that we need to have discussion on, and I have marked

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them on the screen and highlighted in color. And my
plan is just to go straight down the list of everywhere
that I have highlighted.

The first is -- we'll call this sensitive
content warning. I think that due to the nature of the
report and the language in it, that it's fair to put
this on the cover so that readers can properly be
apprised that they're about to see descriptions of an
adult nature and, of course, language. Is there any
objection to this?

GROUP RESPONSE: No.

CHAIRMAN BARNES: Seeing none, I'll remove
the highlight. Okay.

REPRESENTATIVE MITTEN: Can we go off the
record real quick?

(AN OFF-THE-RECORD DISCUSSION WAS HELD.)

REPRESENTATIVE MITTEN: Okay. I'm sorry.
Back on the record.

CHAIRMAN BARNES: Okay. Back on the record.
For the record, the discussion that was just had was
regarding how to refer to witnesses in this hearing, so
we are all on the same page as to who is Witness 1, who
is Witness 2, who is Witness 3, who is Witness 4, so
that we are not creating a report whereby we have to
have a series of redactions per name.

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1 REPRESENTATIVE MITTEN: Thank you, Mr. Chair.
 2 CHAIRMAN BARNES: Our first suggested change
 3 is on Page 2, and there was a suggestion mentioning
 4 that Mr. Greitens' declining to testify before the
 5 Committee at this point in time was consistent with his
 6 Constitutional rights. I have no objection to this
 7 change. If anybody else does, please speak them now.
 8 REPRESENTATIVE MITTEN: I have no objection.
 9 REPRESENTATIVE AUSTIN: None.
 10 REPRESENTATIVE RHOADS: I have none.
 11 REPRESENTATIVE LAUER: None.
 12 REPRESENTATIVE PIERSON: None.
 13 REPRESENTATIVE PHILLIPS: None.
 14 REPRESENTATIVE MITTEN: This refusal is
 15 consistent with -- is that --
 16 CHAIRMAN BARNES: Are we capitalizing?
 17 REPRESENTATIVE MITTEN: Yes.
 18 CHAIRMAN BARNES: Did we decide we were going
 19 to capital --
 20 REPRESENTATIVE MITTEN: Yes, we are --
 21 COUNSELOR HALLEN: We have to fix it in all
 22 of the --
 23 REPRESENTATIVE MITTEN: We need to capitalize
 24 it.
 25 COUNSELOR HALLEN: There's going to be a

1 bunch of grammatical changes we need to --
 2 REPRESENTATIVE MITTEN: Greiten. So
 3 declined. And he needs to be specific. Thank you.
 4 CHAIRMAN BARNES: And we can delete this last
 5 phrase if we want -- the committee has treated --
 6 REPRESENTATIVE MITTEN: An equal
 7 Constitutional right.
 8 CHAIRMAN BARNES: Well, I don't -- it's not
 9 an equal Constitutional right before this Committee.
 10 REPRESENTATIVE MITTEN: I guess that's right.
 11 Right. That's true.
 12 CHAIRMAN BARNES: Because if we chose to --
 13 REPRESENTATIVE MITTEN: You're right.
 14 CHAIRMAN BARNES: -- say you can't, we could
 15 say you can't, but we're treating it as if he has had
 16 that right.
 17 REPRESENTATIVE AUSTIN: Yeah. Good.
 18 CHAIRMAN BARNES: Okay. Okay. The
 19 suggestion here, and I don't like how this is worded at
 20 all, the first two sentences here are just --
 21 REPRESENTATIVE MITTEN: Wait, wait, wait.
 22 Before we go there, I would just like to again note for
 23 the record that when we're going through that list --
 24 where are we -- again, that we will need to go through
 25 and capitalize Committee throughout. There may be some

1 other grammatical changes. I don't want to bog us down
 2 with that. And I don't know if this is the appropriate
 3 time to talk about whether -- what -- you know, how
 4 we -- how we want to process this through; in that,
 5 we're going to sit here, we're going to, you know, come
 6 to a consensus or vote, perhaps, on making specific
 7 changes. But my hope would be that then on, perhaps,
 8 Monday morning, you know, we'll have reports back in
 9 the Speaker's office, we'll all have another
 10 opportunity to review --
 11 REPRESENTATIVE AUSTIN: Yes.
 12 REPRESENTATIVE MITTEN: -- the collective
 13 changes. And at that point, my hope would be that what
 14 we will -- what I'm thinking is, maybe we'd produce a
 15 redline with the grammatical changes that I believe --
 16 that the Chair certainly and I have kind of talked
 17 about --
 18 CHAIRMAN BARNES: Agreed.
 19 REPRESENTATIVE MITTEN: -- so that you guys
 20 see that.
 21 CHAIRMAN BARNES: Today is about the
 22 substantive changes.
 23 REPRESENTATIVE MITTEN: That's fine.
 24 REPRESENTATIVE AUSTIN: Scrivener's errors,
 25 grammatical, who cares.

1 CHAIRMAN BARNES: So we'll take the
 2 opportunity --
 3 REPRESENTATIVE MITTEN: Perfect. Just want
 4 to be clear that we're all on the same page about that,
 5 you know, the Committee being --
 6 CHAIRMAN BARNES: And I think you're right,
 7 the redline form is what we need to do for the next
 8 thing.
 9 REPRESENTATIVE MITTEN: Yeah. Yeah, we'll do
 10 that.
 11 CHAIRMAN BARNES: I -- I think actually we
 12 delete this part. I want to point -- I do want to
 13 point out that -- how -- or here's the alternative.
 14 And I'm just talking out loud here, guys, is we could
 15 delete that part.
 16 REPRESENTATIVE MITTEN: I would delete the
 17 first part. I believe that --
 18 CHAIRMAN BARNES: Okay. Is -- hold on.
 19 Before I do that, that was a little bit -- that was a
 20 little bit quick.
 21 REPRESENTATIVE MITTEN: So I'm assuming you
 22 have a back-up?
 23 CHAIRMAN BARNES: I -- I think -- because I
 24 think that, Representative Austin, it was your
 25 suggestion to delete that first part, I think.

1 REPRESENTATIVE AUSTIN: I just said it was a
2 little too much, but I -- but -- I did. But here's
3 what I also like, is that I think we do need to say
4 something about our time constraints. I mean, we've
5 been asked to do -- Jay, and what you said before is,
6 an investigation that would take law enforcement six
7 months to do, we've had to do it in a very much shorter
8 time frame.

9 CHAIRMAN BARNES: We've talked to a number --
10 yeah, we've talked to a number of witnesses and we
11 don't have, necessarily, the resources to hire folks to
12 go out and do a lot of this work. So I -- I think
13 that's fair to keep in. You know, for the part that
14 we're doing today, we've -- we've talked to all the
15 most relevant witnesses, and we've done so in a short
16 time frame.

17 REPRESENTATIVE AUSTIN: We have, but there's
18 still others. I mean --

19 CHAIRMAN BARNES: There are some others.
20 There's --

21 REPRESENTATIVE AUSTIN: There -- there was a
22 request made for interros, et cetera, and, I mean, so
23 I -- I think that -- I mean, we have been under a time
24 crunch, and this isn't also our full-time job as
25 legislators. I mean, we've had to do other things, as

1 well. So I -- I like your statement noting the crunch
2 we've been under.

3 CHAIRMAN BARNES: So what if we keep that. I
4 want to delete the second part of the paragraph,
5 because we are not -- we're going to get to this vote
6 on -- on bifurcating the report, but this obviously
7 references a second part.

8 REPRESENTATIVE MITTEN: Well, I have a
9 problem with that, and here's the thing, first of
10 all -- and I'm -- I'm just going to bring a minority
11 caucus perspective here, is that the significant time
12 and resource constraints were self-imposed. And I -- I
13 believe that saying, you know, these are self-imposed
14 time and resource constraints. We could have gone
15 about this in different -- in a different way. I'm not
16 suggesting that we should have, but I am saying that
17 I -- I have a problem with that sentence.

18 REPRESENTATIVE AUSTIN: Well, self-imposed,
19 now, you mean because we didn't vote to extend our
20 deadline, or self-imposed because we all voted for the
21 resolution in the first place?

22 REPRESENTATIVE MITTEN: Well, I mean, to some
23 extent, yes. And, you know, the second -- the second
24 phrase of that first sentence, I don't -- I mean --

25 CHAIRMAN BARNES: The resource constraints.

1 REPRESENTATIVE MITTEN: Right.

2 CHAIRMAN BARNES: You're saying that if we
3 had so chosen as a body --

4 REPRESENTATIVE MITTEN: Exactly.

5 CHAIRMAN BARNES: -- we could have spent
6 money to hire private investigators --

7 REPRESENTATIVE MITTEN: Yes.

8 CHAIRMAN: -- and counsel at this point in
9 time.

10 REPRESENTATIVE MITTEN: I don't want to
11 diminish what we are doing, but I think that that sort
12 of --

13 REPRESENTATIVE AUSTIN: I don't disagree with
14 what you're saying, Gina, but I'd still like to have
15 something in there to show that, you know, we've had to
16 do this in 40 days or under.

17 REPRESENTATIVE MITTEN: Could we remove the
18 second, third -- first, second, third -- fifth word?
19 No. The Committee operated under --

20 CHAIRMAN BARNES: You know what, let's do
21 this. Let's put this in the parking lot; is that okay?

22 REPRESENTATIVE AUSTIN: Yeah.

23 REPRESENTATIVE LAUER: Is it not though --
24 the time frame was somewhat dictated by the lengthy
25 session?

1 CHAIRMAN BARNES: And by the Resolution.

2 REPRESENTATIVE PIERSON: And the Resolution.
3 I think we should --

4 REPRESENTATIVE MITTEN: Right.

5 REPRESENTATIVE PIERSON: I think we should
6 point to the Resolution here in some way.

7 REPRESENTATIVE PHILLIPS: Why can't we just
8 say 40 days? Just call it like it is instead of --

9 REPRESENTATIVE LAUER: There's a reason for
10 it.

11 REPRESENTATIVE PHILLIPS: That's fine.

12 COUNSELOR HALLEN: Just -- just --

13 REPRESENTATIVE AUSTIN: That's fine. I'm
14 fine with just saying that.

15 REPRESENTATIVE MITTEN: One, two, three --
16 one, two, three -- the fifth word, I don't think that
17 we need to modify time constraints.

18 COUNSELOR HALLEN: You probably can say that
19 word if you want to.

20 CHAIRMAN BARNES: So that's the question. I
21 mean, there's no way we could have got --

22 REPRESENTATIVE MITTEN: No, I understand.
23 I -- I -- I -- I just -- okay.

24 REPRESENTATIVE AUSTIN: And then after
25 Resolution, delete the rest?

1 CHAIRMAN BARNES: I think so.
 2 REPRESENTATIVE MITTEN: Yes.
 3 CHAIRMAN BARNES: Yes, because we're going to
 4 be -- we're issuing a bifurcated report.
 5 REPRESENTATIVE AUSTIN: Okay.
 6 CHAIRMAN BARNES: Do we want to do this, or
 7 do we want to delete the second sentence?
 8 REPRESENTATIVE MITTEN: I would just take
 9 away -- no, no, no. Go -- after procured to -- in -- a
 10 cost. I think that's reasonable.
 11 CHAIRMAN BARNES: Well, no, I -- I would take
 12 the whole sentence out.
 13 REPRESENTATIVE MITTEN: Okay.
 14 REPRESENTATIVE AUSTIN: Okay.
 15 CHAIRMAN BARNES: Okay. And then I'd just
 16 move this up.
 17 REPRESENTATIVE MITTEN: Yes, that's fine.
 18 CHAIRMAN BARNES: All right. I'll remove the
 19 highlight from that. Are we in agreement?
 20 REPRESENTATIVE PIERSON: So now at no point
 21 have we referenced the, I guess, criminal
 22 investigation. Is that an issue?
 23 REPRESENTATIVE MITTEN: I don't think we --
 24 personally, I don't think that we have to spell out
 25 what we're -- what we've done is going to be spelled

1 out in the report itself. We don't have to say, here's
 2 what we did -- here's what we did, and now here's five
 3 pages explaining what we did.
 4 REPRESENTATIVE AUSTIN: You mean, his
 5 declining to testify because of his -- the criminal --
 6 REPRESENTATIVE PIERSON: Or at least --
 7 REPRESENTATIVE MITTEN: That -- that appears
 8 later.
 9 REPRESENTATIVE PIERSON: Okay. I'm just
 10 making sure, since we took it out here, to make sure it
 11 doesn't appear somewhere else. Because I think in some
 12 way that -- I mean, that ties in to what it is that --
 13 that we're doing.
 14 REPRESENTATIVE PHILLIPS: You're saying,
 15 Tommie, we're stating the purpose of our investigation?
 16 REPRESENTATIVE PIERSON: No, I'm just wanting
 17 to make sure that if we take out the fact that there's
 18 a criminal investigation going on concurrent to what it
 19 is that we're doing, I think that's a piece of
 20 information that in some way should be included in
 21 this.
 22 CHAIRMAN BARNES: And I think we still have
 23 it here.
 24 REPRESENTATIVE MITTEN: We do. It's -- we
 25 have it later.

1 REPRESENTATIVE PIERSON: Okay.
 2 CHAIRMAN BARNES: And then there's some of it
 3 later.
 4 REPRESENTATIVE PIERSON: Okay. Very good.
 5 REPRESENTATIVE RHOADS: So I -- Mr. Chairman,
 6 I want to go back to the second sentence.
 7 CHAIRMAN BARNES: The second sentence here?
 8 REPRESENTATIVE RHOADS: Yes.
 9 CHAIRMAN BARNES: Okay.
 10 REPRESENTATIVE RHOADS: It says, the
 11 Committee also notes that Greitens declined to
 12 participate in it's fact-finding process. Can we put
 13 that --
 14 CHAIRMAN BARNES: Kind of like you're
 15 suggesting, later on in the document?
 16 REPRESENTATIVE RHOADS: As long as they're
 17 consistent, because that wouldn't be consistent as the
 18 other one. It would say --
 19 REPRESENTATIVE MITTEN: Time.
 20 REPRESENTATIVE RHOADS: At this point in
 21 time, due to --
 22 REPRESENTATIVE MITTEN: Just at this time,
 23 not point in time; it's just a time.
 24 REPRESENTATIVE RHOADS: Do we want to put in
 25 there, due to a criminal case or --

1 REPRESENTATIVE MITTEN: I thought there's a
 2 paragraph that specifically talks about that.
 3 SECRETARY CURCHIN: There is, Paragraph 3.
 4 There is. And instead of at maybe at this point in
 5 time, be more deferent by the issuance -- or at the
 6 time of the issuance of this report.
 7 REPRESENTATIVE MITTEN: At this time,
 8 that's -- the report is dated, so it's as of today, you
 9 know.
 10 REPRESENTATIVE AUSTIN: All right. Let's
 11 move on.
 12 CHAIRMAN BARNES: Are we good?
 13 REPRESENTATIVE MITTEN: Less is more.
 14 CHAIRMAN BARNES: Okay. All right. Our
 15 wordsmithing. So here are some ideas. One idea is, to
 16 varying degrees, the members of the Committee -- so
 17 right now it says Witness 1 was a credible witness.
 18 Option one: To varying degrees, the members of the
 19 Committee believe Witness 1 was a credible witness.
 20 That's one option.
 21 I believe Representative Rhoads had an option
 22 that might be easier.
 23 REPRESENTATIVE RHOADS: I just put that the
 24 witness appeared to be a credible witness.
 25 REPRESENTATIVE AUSTIN: I like varying

1 degrees better.

2 REPRESENTATIVE RHOADS: I don't -- I'm not an
3 English major, so you need to word it to where --

4 REPRESENTATIVE MITTEN: Let me ask this. Is
5 there any member of this Committee that believes
6 Witness 1 was not credible?

7 REPRESENTATIVE RHOADS: I think my --

8 REPRESENTATIVE AUSTIN: I can't -- I can't
9 give a blanket statement that -- to say to everybody
10 who reads this that I found her 100 percent credible.
11 REPRESENTATIVE LAUER: Can we say overall?
12 REPRESENTATIVE RHOADS: I cannot say that
13 every fact that she told us -- everything that she told
14 us is 100 percent truth, because we have nothing to go
15 on.

16 REPRESENTATIVE MITTEN: There's no way.
17 That's not what you're saying though. It's saying, do
18 you find her to be credible; that's different than
19 saying --

20 REPRESENTATIVE RHOADS: But how do I say
21 she's credible?

22 REPRESENTATIVE MITTEN: Well, because --
23 well, because if I tell you that the sky is blue, you
24 decide. Do you think that I'm telling the truth or do
25 you think that I'm not? That doesn't mean that it is,

1 in fact, the truth. Do you think that I'm telling the
2 truth.

3 REPRESENTATIVE RHOADS: But --

4 REPRESENTATIVE MITTEN: Credibility is
5 different.

6 REPRESENTATIVE RHOADS: But -- but the thing
7 is though, is what Witness 1 said in Committee, how do
8 we prove that that's exactly what happened?

9 REPRESENTATIVE MITTEN: That's not what
10 you're saying. You're saying, we found her to be
11 credible.

12 CHAIRMAN BARNES: You're saying -- and I
13 think everyone would agree that, overall, she was a
14 credible witness. I know there are some members who
15 have -- who --

16 REPRESENTATIVE RHOADS: She appeared credible
17 to me. She appeared to be.

18 REPRESENTATIVE MITTEN: Well, Rashomon,
19 that's probably a reference that's --

20 REPRESENTATIVE PHILLIPS: So, Shawn, you're
21 saying we have no proof, so, therefore --

22 REPRESENTATIVE RHOADS: Exactly.
23 Unfortunately, the problem is -- and I get it -- is we
24 don't have somebody else that was involved in that
25 situation that said X, Y, and Z happened, yes, that's

1 correct. Okay?

2 REPRESENTATIVE MITTEN: You never have that.

3 REPRESENTATIVE RHOADS: Look, I know, but --

4 CHAIRMAN BARNES: All right. Hold on, hold
5 on, hold on. Hold on, let's slow down, because we're
6 all interrupting each other. We are all interrupting
7 each other, so --

8 REPRESENTATIVE MITTEN: Fair enough.

9 CHAIRMAN BARNES: And we're around this
10 circle table, so it's more of a conversation. I want
11 it to be conversational, but I also don't want
12 everybody to be interrupting each other. So I'm going
13 to then start calling on people. And I still want it
14 to be free-flowing, but Representative Austin, and
15 then --

16 REPRESENTATIVE MITTEN: I'll -- yeah.

17 REPRESENTATIVE AUSTIN: Okay. I have some
18 doubts about the veracity of some of the things she
19 said. And the reason I say it is, one is, she kind of
20 gave conflicting testimony. And she allowed herself, I
21 believe, to be kind of led down this one path, and then
22 she'd say something else when she was asked similar
23 questions.

24 So I can't sit there and say to whoever reads
25 this report that I found her credible, knowing that

1 they'll take from that that I believe everything she
2 said in there is 100 percent truth.

3 REPRESENTATIVE LAUER: Well, the definition
4 of a credible witness is, competent to give evidence
5 and is worthy of belief.

6 REPRESENTATIVE AUSTIN: Number -- part one,
7 I'm okay with; part two, worthy of belief? What
8 is -- I mean --

9 CHAIRMAN BARNES: Well, here's --

10 REPRESENTATIVE AUSTIN: We need to define
11 that.

12 CHAIRMAN BARNES: -- a couple of things.
13 First, I think the standard of, if there's not someone
14 else saying it, we can't say it's credible, is not a
15 real-world standard. There's thousands of criminal
16 trials every single year where you would never be able
17 to get a conviction if that were the real-world
18 standard.

19 Number two, there are things about her
20 testimony that lend credibility to her. The first is
21 regarding the first instance, up until the point where
22 she was taken down. Her testimony before our Committee
23 is entirely consistent with what she said in a car with
24 her husband when she -- her husband promised that --
25 that it would never get out of the car. It's a tearful

1 conversation, and that's what she says there.

2 After that point in time, we have friends of
3 hers that corroborate certain things that she said at
4 certain points in time. Now, some -- one was within
5 three to four days, another one was -- I think both of
6 them were within a week. And the details don't match
7 up 100 percent correct, but --

8 REPRESENTATIVE AUSTIN: Nor should they.

9 CHAIRMAN BARNES: Nor should they. Exactly.
10 If they matched up perfectly, we would be highly
11 suspicious of them matching up perfectly.

12 In addition to that, the things that she said
13 that happened after the things that were already in
14 that call are so embarrassing that I don't see a person
15 making facts that embarrassing up when there's nothing
16 in it for her.

17 And she testified to us that -- she testified
18 that she felt guilty herself. She felt shame and
19 embarrassment, and that she didn't like that person, I
20 think she said at some point in time, which is not --
21 she didn't come in and play this victim of all victims
22 part.

23 REPRESENTATIVE MITTEN: Innocent, yes.

24 CHAIRMAN BARNES: She said she was -- she
25 said, you know, there are things that I really regret.

1 And I think that that adds to her credibility. This is
2 not -- these are not the types of things that I imagine
3 her making up, in any respect, and her demeanor when
4 she was telling this. Yes, there were times where
5 she -- there were leading questions, but most of it --
6 the start of it was free-flow. It was, what happened
7 next, what happened next, what happened next.

8 And if we go later in the document, where
9 there's that conflict, we need to know where there is
10 that conflict, and it is noted in the document.

11 REPRESENTATIVE MITTEN: May I -- I have some
12 proposed language from our superstar, Alix Hallen here,
13 which is, Witness 1 provided credible testimony from
14 which the Committee drew the following facts.

15 REPRESENTATIVE AUSTIN: I don't want to say
16 facts, but I'll say evidence. But here's what -- why
17 don't we do Shawn's --

18 REPRESENTATIVE MITTEN: From which the
19 Committee found -- finds the following.

20 REPRESENTATIVE AUSTIN: The Committee finds
21 Witness 1 to be, overall, a credible witness.
22 Credibility is defined as, and then we use Jeanie's
23 definition.

24 REPRESENTATIVE RHOADS: And while you're
25 typing, I'll -- I'll make my case, as well.

1 CHAIRMAN BARNES: I'm not going to delete
2 what's up there; I'm going to put all the options up
3 there.

4 REPRESENTATIVE RHOADS: I -- I --

5 CHAIRMAN BARNES: Because I -- well, the good
6 thing is, we have a reporter here who can read it back,
7 but I want -- the Committee finds -- so hold your
8 thought, let me write this down so we've got multiple
9 options on the board.

10 The Committee finds Witness 1 to be an
11 overall credible witness -- and what did you say next?

12 REPRESENTATIVE AUSTIN: Credibility is
13 defined as -- and then Jeanie's definition.

14 REPRESENTATIVE LAUER: I'll find it.

15 REPRESENTATIVE PHILLIPS: Do we really need
16 to define that? I don't think so.

17 CHAIRMAN BARNES: I think I'm fine with that
18 definition, because I think what Representative Austin
19 is saying is, there's certain things in this
20 testimony --

21 REPRESENTATIVE AUSTIN: I need to take this.

22 CHAIRMAN BARNES: Let's take a short break.

23 (A BREAK WAS TAKEN.)

24 CHAIRMAN BARNES: Back to -- after a short
25 phone call break, we are back, and Representative

1 Rhoads has the floor.

2 REPRESENTATIVE RHOADS: I guess to say an
3 overall credible witness, is that any different than
4 saying credible witness?

5 REPRESENTATIVE MITTEN: Yes.

6 CHAIRMAN BARNES: I think that it is. I
7 think overall is a -- is a word of limitation on --

8 REPRESENTATIVE PHILLIPS: Uh-huh.

9 REPRESENTATIVE AUSTIN: I think it is, too.
10 I think it shows there's little areas that --

11 REPRESENTATIVE RHOADS: All right.

12 REPRESENTATIVE PHILLIPS: Yeah. I like that.

13 REPRESENTATIVE MITTEN: Can we delete the
14 definition?

15 REPRESENTATIVE AUSTIN: Yeah.

16 REPRESENTATIVE MITTEN: We don't need that.

17 CHAIRMAN BARNES: I like -- I like having it
18 in. I'm open either way. I --

19 REPRESENTATIVE PIERSON: I say less is more.
20 I say we can -- I think the overall helps --

21 REPRESENTATIVE PHILLIPS: I actually like
22 having it in, but I can go either way.

23 REPRESENTATIVE LAUER: I'm either way. I
24 think it just does give a level of standard as to what
25 we were all basing it on. It doesn't matter to me.

1 CHAIRMAN BARNES: Representative Rhoads, does
2 it bother you one way or another? Do you have a strong
3 preference?

4 REPRESENTATIVE RHOADS: I think -- I think we
5 could go with the majority on that. I don't -- I don't
6 see that -- I mean, I don't think that having a
7 definition there really adds or takes away. I mean, I
8 think it's --

9 REPRESENTATIVE PHILLIPS: I think most people
10 understand the word credible.

11 REPRESENTATIVE RHOADS: They should know what
12 credible means.

13 CHAIRMAN BARNES: Okay. There it is. Okay.

14 So are we -- I can take the highlight off of this?

15 REPRESENTATIVE MITTEN: Yes.

16 CHAIRMAN BARNES: Are we in agreement on
17 that? Okay.

18 Okay. Paragraph 2, I -- and this is going to
19 be a theme. We have -- every witness we -- I think
20 every witness, other than Witness 1 -- well, and
21 Witness 3 -- we asked whether they had a reputation for
22 truthfulness and honesty. And the answer we got, no
23 matter who we were asking about it, was yes. So I am
24 in favor of taking it out all around.

25 So the other thing is, technically, that sort

1 of question isn't relevant until it's been questioned
2 in some respect.

3 REPRESENTATIVE AUSTIN: I'm for taking it
4 out, but you're not meaning take it out of the
5 transcript?

6 CHAIRMAN BARNES: No.

7 REPRESENTATIVE AUSTIN: Just out of our
8 report?

9 CHAIRMAN BARNES: Just out of the report. I
10 don't think it adds anything.

11 REPRESENTATIVE MITTEN: I think that taking
12 it out of the transcript could be sort of a gross
13 violation of our duty, frankly.

14 CHAIRMAN BARNES: Yeah.

15 REPRESENTATIVE MITTEN: But I'm fine with
16 taking it out.

17 REPRESENTATIVE PHILLIPS: Yeah.

18 REPRESENTATIVE LAUER: And just to confirm,
19 the transcript will be part of the report --

20 CHAIRMAN BARNES: Yes.

21 REPRESENTATIVE LAUER: -- or an appendix to
22 the report?

23 CHAIRMAN BARNES: Okay. In addition to
24 grammatical changes, we are going to have to go through
25 and check that our citations stayed correct after the

1 edits and -- because we have -- remember, we have
2 corrections to the transcript coming, and we're making
3 edits to the document right now that -- did I spell
4 confidant right? I don't think that I did.

5 REPRESENTATIVE MITTEN: Yes. Also, I just
6 want to -- I want to make, again, clear for the group
7 again and for the record, that any corrections to the
8 transcript are really just typographical errors.

9 Sometimes, you know, a word gets jumbled, especially --
10 well, I know some of my testimony was jumbled, because
11 I talk really fast, and I know there were times when
12 Chairman Barnes couldn't be heard. So we are not
13 making anything remotely close to substantive changes;
14 I believe that those changes have been available for
15 review, or if they haven't been, they will be. But I
16 want to make it clear that --

17 CHAIRMAN BARNES: Well, let's just give an
18 example. Vice-Chairman John Phillips is what one of
19 them said, and so -- it's Don Phillips.

20 REPRESENTATIVE MITTEN: It's Don Phillips.

21 SECRETARY CURCHIN: I think confidant does
22 not have an E on it.

23 CHAIRMAN BARNES: Does not have an E? Okay.

24 REPRESENTATIVE MITTEN: Yes. So -- so the
25 changes that we will be getting in the transcripts are

1 going to be the redactions, which we're going to talk
2 about, I believe, later today. And then whatever
3 corrections, which I believe also for the most part are
4 going to be -- we're going to try to throw them up on
5 the screen.

6 CHAIRMAN BARNES: Okay. No one marked this
7 paragraph about Witness 3. I'm going to mark it now,
8 because I think we're going to need to come back to it
9 after our discussion about redactions. So if someone
10 could take down a note that we're going to have to come
11 back to Paragraph 3 --

12 COUNSELOR HALLEN: I've got it.

13 CHAIRMAN BARNES: -- at the very end. So
14 Paragraph 4 here, consistent with what we just had,
15 we're going to delete this.

16 REPRESENTATIVE MITTEN: Take away the E.

17 REPRESENTATIVE PHILLIPS: E off confidant.

18 CHAIRMAN BARNES: Okay. I'll take away that.

19 REPRESENTATIVE MITTEN: What?

20 CHAIRMAN BARNES: No, I'm just --

21 REPRESENTATIVE MITTEN: Oh, it's highlighted.

22 Okay.

23 REPRESENTATIVE LAUER: It doesn't leave much
24 of a sentence.

25 CHAIRMAN BARNES: I think that's a -- I think

1 that's a -- since how long she's known the witness. I
 2 think that's --
 3 REPRESENTATIVE LAUER: Uh-huh.
 4 CHAIRMAN BARNES: Okay. So Paragraph 5, what
 5 we want to do is track the language from above; is that
 6 correct? Okay. So let's go get our language from
 7 above.
 8 REPRESENTATIVE LAUER: You might want to just
 9 highlight what we've done in a different color so we
 10 can easily go back and reference some of these things.
 11 REPRESENTATIVE PIERSON: Well, I think
 12 we're -- I think we're --
 13 CHAIRMAN BARNES: This sentence right here,
 14 is that what we want to take?
 15 REPRESENTATIVE MITTEN: We still are going to
 16 reference the criminal case? I just want to -- I can't
 17 remember where -- so we're keeping both of those
 18 sentences?
 19 CHAIRMAN BARNES: Yes, that's my intent.
 20 REPRESENTATIVE MITTEN: Yes, that's fine.
 21 CHAIRMAN BARNES: Is everyone in agreement
 22 with that change?
 23 GROUP RESPONSE: Yes.
 24 CHAIRMAN BARNES: Okay. This is further
 25 detail that I think is very important to put -- to put

1 in here in -- in Paragraph 6, which is the relationship
 2 prior to the incident of March 21, 2015. And I, again,
 3 I follow the same pattern of just quoting from the
 4 transcript.
 5 REPRESENTATIVE MITTEN: Can we trim some of
 6 this of this though? I mean, it's in the transcript
 7 and I -- it just seems to me that an ellipsis, again,
 8 starting from, seemed pretty typical until we got to
 9 know each other pretty well; it's, like -- no, no.
 10 Not -- you're going -- that's not what I'm talking
 11 about. I'm talking about, like, the third line.
 12 CHAIRMAN BARNES: Well, hold on. I'm cutting
 13 down up front because --
 14 REPRESENTATIVE MITTEN: Okay. Yeah. Yeah.
 15 CHAIRMAN BARNES: I mean, let's just go line
 16 by line. He became a regular --
 17 REPRESENTATIVE MITTEN: Yeah.
 18 CHAIRMAN BARNES: -- client of mine.
 19 REPRESENTATIVE MITTEN: I saw him pretty
 20 regularly as he was traveling. Seemed pretty typical,
 21 ellipsis. We got to know each other pretty well, and I
 22 thought he was great. You know what I'm saying; this
 23 stuff is in the transcript verbatim. We don't
 24 necessarily -- again, less is more.
 25 CHAIRMAN BARNES: Do we want to ellipsis all

1 of this?
 2 REPRESENTATIVE MITTEN: Sure.
 3 CHAIRMAN BARNES: Yes or no?
 4 GROUP RESPONSE: Yes.
 5 CHAIRMAN BARNES: I would almost take this
 6 out except for -- that it puts context to the second
 7 part of the sentence.
 8 REPRESENTATIVE MITTEN: Right. I agree.
 9 REPRESENTATIVE LAUER: Leave that in.
 10 REPRESENTATIVE MITTEN: I agree. And again,
 11 it's only a couple of sentences, but it's in the
 12 transcript, and clarity --
 13 CHAIRMAN BARNES: Yes, ma'am, I agree in
 14 unanimity on that point. Okay.
 15 REPRESENTATIVE MITTEN: I don't think we
 16 need -- going back to -- what was that, seven? We
 17 don't need the, fall to March, Greiten didn't make any
 18 appointments. Just on or about March 7th, Greiten
 19 returned for, you know, came -- made an appointment or
 20 came for a haircut.
 21 CHAIRMAN BARNES: No, I think it matters,
 22 because if you look at the transcript, that gap in time
 23 is something that she testified to.
 24 REPRESENTATIVE MITTEN: Okay.
 25 CHAIRMAN BARNES: All right. You're -- I

1 could be amenable to that.
 2 Representative Rhoads? Representative
 3 Austin?
 4 REPRESENTATIVE AUSTIN: Yeah.
 5 REPRESENTATIVE MITTEN: Just the first
 6 sentence. You could even just say on or about
 7 March 7th, Greiten returned after a six -- you know,
 8 a --
 9 REPRESENTATIVE LAUER: What was the start
 10 date?
 11 REPRESENTATIVE MITTEN: It's, like, 2013,
 12 wasn't it?
 13 REPRESENTATIVE LAUER: Is there a date up
 14 above that says --
 15 REPRESENTATIVE MITTEN: Then again, it was,
 16 unless he was traveling. I saw him regularly unless he
 17 was traveling.
 18 REPRESENTATIVE AUSTIN: Let's just leave it
 19 in.
 20 CHAIRMAN BARNES: Leave it in.
 21 REPRESENTATIVE AUSTIN: You may think it's a
 22 bit verbose, but come on.
 23 CHAIRMAN BARNES: Okay. Now I see footnote
 24 three here and -- where is footnote three? This is for
 25 the declining to testify, and so I think that

1 correspondence with counsel, that should be included in
2 the record. And we're going to have to get exhibit
3 numbers for that stuff. And what I would propose is,
4 we just append it onto the end of the -- whatever
5 exhibit number we're on now, we just do -- we just do
6 one exhibit that contains all of that traffic.

7 REPRESENTATIVE MITTEN: May I make a
8 suggestion, which is that we just -- exhibits that were
9 used in the course of witness testimony would have
10 numbers; exhibits that we -- came to us outside of
11 witness testimony would have letters? Maybe that's
12 more confusing though; that's kind of a lawyer thing.

13 CHAIRMAN BARNES: I think it's --

14 REPRESENTATIVE MITTEN: You may be right
15 about that.

16 CHAIRMAN BARNES: I think it's more
17 confusing.

18 REPRESENTATIVE MITTEN: You may be right
19 about that.

20 CHAIRMAN BARNES: We'll just put our exhibits
21 in number order --

22 REPRESENTATIVE MITTEN: In number order,
23 and -- yeah.

24 REPRESENTATIVE LAUER: Because we had
25 a 15A.

1 REPRESENTATIVE MITTEN: That's a lawyer
2 thing.

3 REPRESENTATIVE LAUER: And that was a subset
4 of 15, so we used --

5 CHAIRMAN BARNES: Well, 15A -- 15A was a --
6 the A was created by the parties to that agreement, not
7 by us.

8 REPRESENTATIVE LAUER: Okay.

9 CHAIRMAN BARNES: Okay. So here's another
10 deal, Witness 1 testified straight out of the
11 transcript. I'm fine with it.

12 GROUP RESPONSE: Fine.

13 CHAIRMAN BARNES: Okay. Everybody's waiting
14 on somebody else to say something.

15 REPRESENTATIVE MITTEN: No, I mean, it is
16 what it is.

17 REPRESENTATIVE LAUER: That's the facts.

18 CHAIRMAN BARNES: Well, but, Representative,
19 I want to make sure everybody has a chance to actually
20 read it that I've added to the document.

21 Okay. Next.

22 REPRESENTATIVE MITTEN: This -- on
23 Paragraph 8, it needs to be in with witness testified
24 that during the March 7th appointment, Greitens moved
25 his hand.

1 REPRESENTATIVE LAUER: 2015?

2 REPRESENTATIVE MITTEN: Yeah, 2015.

3 CHAIRMAN BARNES: I -- guys, I don't want
4 to -- once we start in a year, until we're in a new
5 year, we don't need to put the year in every single
6 paragraph.

7 REPRESENTATIVE AUSTIN: Agreed.

8 CHAIRMAN BARNES: Nobody's going to be
9 confused that this was different.

10 REPRESENTATIVE MITTEN: I think folks that
11 haven't been living with it like we have --

12 CHAIRMAN BARNES: Yeah, but it flows together
13 as a document. Okay. New -- new phrase, and I'll just
14 shut up, because I'm -- I added this here and you guys
15 were waiting for me to say something.

16 REPRESENTATIVE MITTEN: What?

17 REPRESENTATIVE AUSTIN: I'm good with
18 Paragraph 9.

19 CHAIRMAN BARNES: Paragraph 10 is the code
20 conversation.

21 REPRESENTATIVE AUSTIN: I'm good with
22 Paragraph 10.

23 REPRESENTATIVE MITTEN: Oh, right, okay.
24 Good grief. Is this now 42 pages of --

25 CHAIRMAN BARNES: No.

1 REPRESENTATIVE MITTEN: -- solely related to
2 the --

3 CHAIRMAN BARNES: No.

4 REPRESENTATIVE MITTEN: -- charges to
5 Witnesses 1 through 4?

6 CHAIRMAN BARNES: We're going to be less
7 than 30 pages.

8 REPRESENTATIVE MITTEN: Okay.

9 CHAIRMAN BARNES: There's nothing wrong with
10 detail.

11 REPRESENTATIVE AUSTIN: Could we go down a
12 little bit?

13 CHAIRMAN BARNES: Yes.

14 REPRESENTATIVE AUSTIN: Yep.

15 CHAIRMAN BARNES: Okay. And then I deleted
16 what I had there previously, so I had that --

17 REPRESENTATIVE PIERSON: What is this -- what
18 does that word go with, the t-w-o-n?

19 REPRESENTATIVE MITTEN: Oh, is there a bad
20 hyphen?

21 REPRESENTATIVE AUSTIN: I think it's between,
22 isn't it? What is that?

23 REPRESENTATIVE MITTEN: Let's go up again.

24 REPRESENTATIVE AUSTIN: Can you go up a
25 little bit?

1 CHAIRMAN BARNES: Oh, yeah.
 2 REPRESENTATIVE MITTEN: Out of town. Thank
 3 you.
 4 CHAIRMAN BARNES: Out of town. Okay. All
 5 right. I'm going to un-highlight this.
 6 REPRESENTATIVE MITTEN: Wait a minute, is
 7 there -- I don't have hyphen you comma; is that
 8 accurate? It should be you know, that last sentence in
 9 the quote. I don't know -- well, I can go and look at
 10 the actual transcript.
 11 CHAIRMAN BARNES: How about we do this,
 12 because it's not pertinent either way? How about we
 13 just do that?
 14 REPRESENTATIVE MITTEN: No, no, just take
 15 away the don't have, because I have to get back to my
 16 house in a minute. Yeah.
 17 CHAIRMAN BARNES: Yeah. Okay. Where are we
 18 next?
 19 REPRESENTATIVE PIERSON: We're making
 20 progress now.
 21 REPRESENTATIVE AUSTIN: Look at this.
 22 CHAIRMAN BARNES: Okay. This was -- I agree
 23 with this and leave it to what was in there. I was
 24 trying to do a summary. And what -- I need to take the
 25 strike off.

1 REPRESENTATIVE MITTEN: So --
 2 CHAIRMAN BARNES: I think that change is
 3 relating to let the -- let the testimony speak for
 4 itself.
 5 REPRESENTATIVE MITTEN: Delete again; delete
 6 again. You've got two semicolons. Yes.
 7 CHAIRMAN BARNES: This is an additional
 8 citation to -- where's 41 -- to something -- to this
 9 type of testimony, about being taken down, and so I
 10 just want to cite everywhere in the record there's
 11 discussion of it.
 12 REPRESENTATIVE MITTEN: Oh, right. Uh-huh.
 13 CHAIRMAN BARNES: And if people are reviewing
 14 this and you see anything that we missed -- we missed
 15 something else that's in the record that relates to
 16 something we've already cited, point it out. I mean, I
 17 did my best to find every place -- every place in the
 18 record. I added this, because it's better with the
 19 context of the specific question that was asked.
 20 REPRESENTATIVE MITTEN: Well, wait a minute.
 21 I know that she was specifically asked about being
 22 coerced.
 23 CHAIRMAN BARNES: I believe that is in there
 24 somewhere; yes. So that's earlier. It's a hard
 25 question --

1 REPRESENTATIVE MITTEN: The second line.
 2 CHAIRMAN BARNES: -- because I did, it felt
 3 like consent, but, no, I didn't want to do it. She
 4 further explained coerced maybe. I felt as though --
 5 do you want to say when directly asked?
 6 REPRESENTATIVE MITTEN: No, I'm okay.
 7 CHAIRMAN BARNES: Okay. And this is what
 8 happens back at the house, her testimony about back at
 9 the house.
 10 REPRESENTATIVE MITTEN: The man that I knew
 11 before -- last sentence.
 12 CHAIRMAN BARNES: Yes, ma'am. Okay. Let me
 13 save this before I --
 14 REPRESENTATIVE MITTEN: It's control S.
 15 CHAIRMAN BARNES: Yes, yes, yes, yes, yes.
 16 REPRESENTATIVE MITTEN: I mean, this is just
 17 really recitations of the testimony.
 18 CHAIRMAN BARNES: Well, but it does so in a
 19 fashion that merges --
 20 REPRESENTATIVE MITTEN: Right, I get that.
 21 CHAIRMAN BARNES: -- the testimony together
 22 in a fashion that is readable.
 23 I do not know why this is highlighted. Does
 24 anyone know why this is highlighted? I know why it's
 25 highlighted, because this is what happens after she

1 testified that he slapped her and they had this
 2 conversation. And I think that what happens after that
 3 is important to put in the report itself.
 4 Discussion, if any?
 5 REPRESENTATIVE LAUER: No.
 6 CHAIRMAN BARNES: So what I did was the -- do
 7 we have the -- the current -- before I added that
 8 change. I'm not sure why that's highlighted, because
 9 it's the same in this copy that I have in front of me.
 10 So that may have been an accidental highlight. I
 11 apologize for that. This -- I had this highlighted.
 12 This was highlighted, and I've looked -- it's the same
 13 as it was before.
 14 This is what was new, it's 56. Discussion?
 15 Is everyone fine with adding --
 16 REPRESENTATIVE MITTEN: You're adding that?
 17 CHAIRMAN BARNES: We are adding this. Any
 18 objections? Seeing none. Okay. This is the details
 19 on the --
 20 REPRESENTATIVE RHOADS: Mr. Chairman, can we
 21 go back?
 22 CHAIRMAN BARNES: Yeah.
 23 REPRESENTATIVE RHOADS: 63, 64 -- wait a
 24 minute. Never mind. I apologize. Go ahead. You --
 25 you added numbers.

1 CHAIRMAN BARNES: Yeah, I've added numbers,
2 so your --
3 REPRESENTATIVE RHOADS: Okay.
4 CHAIRMAN BARNES: -- 63 and 64 are different.
5 Okay. So 65 is -- this is the -- we want to add this
6 constitutional language again?
7 REPRESENTATIVE LAUER: Uh-huh.
8 CHAIRMAN BARNES: Do we -- can we do it in a
9 footnote this time? The Committee notes once again --
10 REPRESENTATIVE MITTEN: Yes.
11 REPRESENTATIVE RHOADS: That's fine.
12 CHAIRMAN BARNES: Okay. So let me --
13 REPRESENTATIVE MITTEN: It's an automatic
14 numbering; it's not going to like that.
15 CHAIRMAN BARNES: Yeah, we've got to fix
16 that.
17 REPRESENTATIVE PHILLIPS: Is there a legal
18 reason we keep saying this point in time after
19 everything?
20 REPRESENTATIVE MITTEN: I agree. There is no
21 reason to do that. It just says, at this time, is all
22 that's needed. The report is dated.
23 REPRESENTATIVE PHILLIPS: See, because right
24 there, it says, or answer interrogations under oath.
25 It doesn't say, at this point in time. It just seems

1 like all that is extra if it doesn't need to be in
2 there.
3 REPRESENTATIVE MITTEN: You know what, that
4 could actually be changed to say, Greitens declined to
5 testify, comma, provide documents, or answer
6 interrogatories under oath at this point in time
7 stating, through counsel, that he --
8 REPRESENTATIVE LAUER: At this time.
9 REPRESENTATIVE MITTEN: Oh, sorry. Did I say
10 that?
11 REPRESENTATIVE PHILLIPS: You did.
12 REPRESENTATIVE MITTEN: At this time. Look
13 at that, I'm guilty of my own crime.
14 REPRESENTATIVE AUSTIN: Okay. At this time
15 is now, but at the point we asked --
16 REPRESENTATIVE MITTEN: Well, at this time is
17 the date of the report.
18 REPRESENTATIVE AUSTIN: But that's not when
19 he declined. He declined when we asked him earlier.
20 REPRESENTATIVE MITTEN: Well, then you would
21 say as of March 20 --
22 REPRESENTATIVE AUSTIN: At that time.
23 REPRESENTATIVE MITTEN: Right. Exactly. So
24 that's why if you say, at this time, you know.
25 REPRESENTATIVE PHILLIPS: What's wrong with

1 just saying he just declined to testify, period?
2 CHAIRMAN BARNES: Amen.
3 REPRESENTATIVE MITTEN: I'm fine with that,
4 too.
5 REPRESENTATIVE AUSTIN: Yeah.
6 REPRESENTATIVE PHILLIPS: I mean, really,
7 that's the bottom line.
8 REPRESENTATIVE MITTEN: I would be fine with
9 that.
10 REPRESENTATIVE AUSTIN: Okay.
11 REPRESENTATIVE PHILLIPS: That covers it all;
12 that covers all of it.
13 REPRESENTATIVE MITTEN: There. There you go;
14 I think that's perfect.
15 CHAIRMAN BARNES: And also you need to split
16 up the documents and the interrogatories from the
17 testimony, because that's a separate -- those are
18 separate issues.
19 REPRESENTATIVE MITTEN: That's why. Okay.
20 Thank you.
21 REPRESENTATIVE AUSTIN: Okay. But he has
22 offered to testify, you know, later on after the --
23 REPRESENTATIVE MITTEN: That's in there.
24 CHAIRMAN BARNES: But -- but that's in here,
25 that he would be willing to testify at the conclusion

1 of the criminal case.
2 REPRESENTATIVE AUSTIN: Oh, okay. Sorry.
3 REPRESENTATIVE MITTEN: Yeah.
4 REPRESENTATIVE PHILLIPS: Uh-huh.
5 CHAIRMAN BARNES: I can get rid of some
6 commas, and I can get rid of that. Okay. These are --
7 let's see, I think -- so I'm going to do a slow fly by
8 here, and everybody -- here, you can look at the copy.
9 We've got one, two -- I think there are four
10 paragraphs, and I think they -- they kind of flow --
11 REPRESENTATIVE AUSTIN: These are news
12 reports.
13 CHAIRMAN BARNES: Well, they're more than
14 news reports, they are recordings. They are audio
15 recordings or video recordings of his statements, so
16 they're not -- this is not at all, hey, we've got a
17 transcription from a reporter, and who knows if the
18 transcription is correct. It is -- and we've -- I've
19 cited them. And what I -- actually, what I want, you
20 know, I would hope is that we've got this document. I
21 can set forth the -- the links of where these are for
22 people to review and make sure that I've got -- got it
23 right, what was said.
24 REPRESENTATIVE AUSTIN: Right. So -- but our
25 resolution says we are to administer an oath -- none of

1 these folks have been administered an oath. Now, we
2 are accepting some documents that weren't -- a
3 foundation was laid, I understand, but most of them we
4 have had foundations. And I mean, this is in the
5 public sphere, I mean, as far as news reports.

6 CHAIRMAN BARNES: I think a couple of things.
7 As to reliability, so laying the foundation -- for the
8 video, I think we can lay the foundation ourselves
9 based on we can see that it is, in fact, him. There
10 were lots of news reports where we can call the
11 reporter in to testify that they were there -- someone
12 in the room, that they were there, and, yes, that's
13 what they heard him same.

14 For the tape recording, it's clearly his
15 voice -- the tape recording of the Associated Press.
16 It's clearly his voice. It appears to be an interview
17 that was set up by the Governor's office for the --
18 the -- so let's take these one at a time. Sorry.

19 The Associated Press interview, the entire
20 interview is posted here at this SoundCloud.com. It is
21 clearly his voice. It appears that it was an interview
22 set up by the Governor's office. He was asked
23 questions that this Committee would have asked.

24 REPRESENTATIVE AUSTIN: Oh, but, now that's a
25 little problematic, because now, obviously, you're

1 saying, well, we're taking the Governor's testimony as
2 if he were here. But he's not here and he's not under
3 oath as we are required under the Resolution to put our
4 witnesses under.

5 REPRESENTATIVE RHOADS: And quick question to
6 add to that, that would be like taking Witness 3's
7 statement from the news media and entering it as well.

8 CHAIRMAN BARNES: Well, a couple of things.
9 Number one, if it's, in fact, a statement of Witness 3
10 that is an audio recording, it would be admissible as a
11 statement of a party or -- he would be -- he's not
12 necessarily a party; he's a witness. It -- this type
13 of stuff is admissible in trials as statements of a
14 party. Yes, he's not under oath, but it is, in fact,
15 his statement.

16 REPRESENTATIVE RHOADS: But, yes. The other
17 thing is, and I apologize, are we 100 percent sure that
18 what you're quoting up here was not edited in any way?

19 CHAIRMAN BARNES: I would encourage you to
20 read the -- to listen to the interviews.

21 REPRESENTATIVE RHOADS: I just don't think
22 that it has any place in our report.

23 CHAIRMAN BARNES: They're his words.

24 REPRESENTATIVE RHOADS: Doesn't matter.

25 REPRESENTATIVE AUSTIN: Maybe -- I mean, the

1 audio portion? Now, maybe we can have a little give
2 there, but it's still not under oath, but let me ask
3 you this --

4 CHAIRMAN BARNES: I -- I think we should -- I
5 think that that should be noted, but also I, you know,
6 I think that's obvious, but fine with noting it.

7 REPRESENTATIVE AUSTIN: Well, I don't know if
8 we have to note it if we do put it in. But let me back
9 up just a little bit and just ask a couple of
10 questions. Since this is an investigative Committee,
11 there aren't parties. So admission of a party
12 opponent, I think is improper law.

13 What is it when you have a statement against
14 interest of a witness; what's the law there? Do you
15 guys -- I don't remember that.

16 CHAIRMAN BARNES: Statement against interest
17 if it --

18 REPRESENTATIVE MITTEN: It's hearsay.

19 CHAIRMAN BARNES: It's an exception to
20 hearsay.

21 REPRESENTATIVE AUSTIN: Unless -- but does it
22 have to be contrary to their interest? I mean, it's
23 not just anything. Like, I always think of as a
24 admission of a party opponent, you can throw anything
25 in there and get it into evidence. But if it's a

1 witness -- just a witness, it has to be something
2 contrary to their interest.

3 CHAIRMAN BARNES: Well, I think, obviously,
4 he's a -- he is a party in some sense. There's two --
5 I think there's two parties here: Witness 1 and the
6 Governor. So also the rule -- I mean, those are the
7 conflicting sides. I mean, this is audio; this is a
8 recording from the Associated Press that's been online
9 and reported, and the Governor's office didn't say he
10 was misquoted or that there was anything wrong with the
11 recording.

12 The other one is a -- is a video from a press
13 conference that you can see the words coming out of his
14 mouth. It's a 40-minute press conference. They're
15 words that came out of his mouth; we didn't put them in
16 there. There's no editing of the transcript that is
17 obvious at all, and I would -- I want to encourage that
18 we get people to actually go look at this and check how
19 I've done this. But he said it; they're his words.

20 REPRESENTATIVE AUSTIN: Yeah. I'm trying to,
21 you know, also defend my position about statement
22 against interest and the rules of hearsay on all this,
23 but there's just something that just strikes me in my
24 gut that's wrong that we're putting in AP reports, even
25 my beloved KY3 reports in here.

1 CHAIRMAN BARNES: But it's not an AP report.
2 We are putting in what he said on a -- sort of like
3 Witness 1 was tape recorded in a car and that is
4 relevant. And --

5 COUNSELOR HALLEN: And it's part of our
6 transcript.

7 CHAIRMAN BARNES: And it's part of our
8 transcript.

9 REPRESENTATIVE AUSTIN: After a foundation
10 was laid.

11 REPRESENTATIVE RHOADS: With people under
12 oath.

13 CHAIRMAN BARNES: She wasn't under oath in
14 that car.

15 REPRESENTATIVE AUSTIN: No, but she --

16 REPRESENTATIVE RHOADS: Well, she -- she
17 testified under oath that that was her in -- in the --
18 in the audio recording.

19 CHAIRMAN BARNES: Yes, she did. Are you --
20 Representative Lauer?

21 REPRESENTATIVE LAUER: Oh, sorry.

22 CHAIRMAN BARNES: Well, you had your hand up.

23 REPRESENTATIVE LAUER: Yeah. Okay. We
24 cannot not have -- we do not have a direct statement
25 from him, because he did not come forward to testify.

1 And without that, we -- without this, we have no
2 reference to him and his position. That would be
3 absent. So given that this exists, it seems to me we
4 should include it, because it does complete the
5 framework of the entire picture and it includes
6 information that we have regarding him -- or of him.

7 CHAIRMAN BARNES: I've got it up here; we'll
8 play it for the Committee. I mean, this is --

9 REPRESENTATIVE RHOADS: I don't think playing
10 the -- the tape doesn't do anything. I mean, that's
11 not -- the whole thing is, is that we're quoting --
12 we're quoting newspaper and media stuff that --

13 CHAIRMAN BARNES: This isn't --

14 REPRESENTATIVE RHOADS: If we're going to do
15 that, we're going to -- we're going to quote

16 Witness 3's interview on whatever TV station it was on.

17 CHAIRMAN BARNES: Okay. It's his statement.

18 REPRESENTATIVE RHOADS: I mean --

19 CHAIRMAN BARNES: They're words that came out
20 of his mouth. It's not that it was in a news report,
21 it's that there were words -- this is -- these --

22 (VIDEO PLAYED.)

23 CHAIRMAN BARNES: Let's listen to this
24 without a transcript of the audio, because that -- I
25 mean --

1 (VIDEO PLAYED.)

2 CHAIRMAN BARNES: So that is his voice. That
3 is his statement about facts that are fundamental here.
4 It is admissible in any type of proceeding, because it
5 is a statement of -- any type of proceeding relating to
6 this, because it's a statement of a party. It's going
7 to be admissible in the criminal proceeding.

8 REPRESENTATIVE AUSTIN: Because he's a party.
9 He's not a party here. This is an investigative
10 committee. Hey, how do you want to resolve this,
11 Mr. Chair?

12 CHAIRMAN BARNES: They're -- they're his
13 words. Representative Pierson? I'm sorry.

14 REPRESENTATIVE PIERSON: It sounds like the
15 difference between what we allowed as admissible that
16 happened in the car with Witness 1, and this is that
17 Witness 1 had an opportunity and Witness 3 had an
18 opportunity to, under oath, confirm that that's who
19 said what we are allowing as evidence.

20 So we did not get an opportunity to do that
21 with these statements, so can we put -- or make that
22 statement that, you know, we were not able to -- some
23 kind of qualifying statement? I think having this kind
24 of -- I would be in favor of keeping this in there with
25 some kind of qualifying statement of, we did not have

1 an opportunity to, you know, confirm. But I think with
2 reasonable -- I mean, I believe that that was his
3 voice. I believe that these were his statements; some
4 type of a qualifying statement.

5 REPRESENTATIVE MITTEN: Can I?

6 CHAIRMAN BARNES: Yes, ma'am.

7 REPRESENTATIVE MITTEN: It seems to me, and I
8 don't -- I guess we'd have to go back to the paragraph
9 that started all of this. But it seems to me that the
10 Governor has made a decision not to testify. We can
11 all debate the reasons for that and we can write that
12 up in our report. But the bottom line is that this
13 Committee is making in its findings that the Governor
14 has declined to come and appear. The Governor has
15 declined to produce documents. The Governor has
16 declined to answer written interrogatories, and the --
17 and we can still say this is out in the public.

18 And as an -- as an -- basically, this is a
19 way for this Committee to say, we recognize that the
20 Governor has not authenticated this information. And
21 maybe that's the qualifying statement that
22 Representative Pierson would like to see.

23 But I agree, I think that -- I think that it
24 should be in here. This is -- this is pertinent to our
25 investigation, and just because it's not under oath,

1 the public -- let the -- let the public look at these
2 words and decide for themselves.

3 CHAIRMAN BARNES: Sorry. I just wanted to
4 pull it up. So this one's not just audio, this is a
5 video of -- of him. I mean, there's no case to be made
6 that these are not authentic.

7 And then the third one is -- let me pull the
8 third one up. The fourth one, I think there's --
9 there's a case. We can -- we can talk about that in a
10 moment. The -- so the third one, again, is --

11 (VIDEO PLAYED.)

12 CHAIRMAN BARNES: This is clearly Governor
13 Greitens. So -- and then the third one is an interview
14 on KMOV, which is a spliced interview. They don't
15 provide -- otherwise, we have -- one, two, and three we
16 have all the way through. We have, like, a 30-minute
17 uninterrupted for the press conference. We have 20
18 minutes uninterrupted for the Associated Press
19 interview, and then we have three minutes uninterrupted
20 for Missouri Press Association.

21 Here we have an interview that is clearly
22 spliced together, and so to the extent there's
23 authentication problems or anything, this -- this is
24 the one that more relies on a news report, is this
25 fourth one.

1 REPRESENTATIVE AUSTIN: Jeanie, what do you
2 think?

3 REPRESENTATIVE LAUER: My thought is that
4 absent him testifying, this is, indeed, evidence that
5 has been put forth, including the verification that it
6 is, indeed, him in person and in audio. And that,
7 again, absent of him testifying, we are including this
8 as part of the report.

9 REPRESENTATIVE RHOADS: I think that if we
10 want to include this in the report, this stuff's
11 already out there, why would it need to be in our
12 report if it's already out in the public?

13 CHAIRMAN BARNES: It's relevant to the --

14 REPRESENTATIVE MITTEN: Yeah, the story.

15 REPRESENTATIVE PIERSON: Yeah. These are
16 directly --

17 REPRESENTATIVE RHOADS: I just -- I don't --
18 I don't see that that's something that we did in our
19 Committee. We've never even discussed this in
20 Committee. In any of our investigations, this portion
21 was never discussed in front of the Committee at all.

22 CHAIRMAN BARNES: That is true. That is
23 true.

24 REPRESENTATIVE RHOADS: And that's the sole
25 reason why it needs to be gone.

1 CHAIRMAN BARNES: Well, we can notice it up
2 for Monday and watch the videos in full.

3 REPRESENTATIVE RHOADS: That's what I'm
4 saying is, the report's preliminarily made and we're
5 going to have to have a hearing so we can watch TV
6 programs and news stories.

7 CHAIRMAN BARNES: We can -- we can watch them
8 today. I mean, this is what -- I would encourage every
9 member of the Committee to double verify -- and I've
10 got the citations down here -- to double verify the
11 exact words and to watch these videos. We've -- we've
12 got the links. It's not like I'm pulling this out
13 of --

14 REPRESENTATIVE RHOADS: I also think that if
15 we're going to do that, then we need to subpoena who
16 was taking the audio recording so they can authenticate
17 it.

18 REPRESENTATIVE MITTEN: This is not a trial.
19 This is an investigative report.

20 REPRESENTATIVE RHOADS: I agree. But if
21 we're going to -- if we're going to go through the
22 steps that we've went through to get to the point where
23 we're at, we can't just go, well, it's okay for this
24 one.

25 REPRESENTATIVE MITTEN: I don't think that

1 that's what anybody's saying. That's certainly not
2 what I'm saying. My attitude is, because the Governor
3 declined -- and -- and I'm not trying to weigh in on
4 those -- on the basis or the reasons for that decline
5 or why he declined. But because the Governor has
6 declined, it does seem to some degree that we would be
7 remiss if we did not point out that the Governor has
8 made public statements that, you know, as we're seeing
9 here, as -- as the Chair is outlining in his draft.

10 CHAIRMAN BARNES: Do you believe that that
11 was, in fact, Governor Greitens?

12 REPRESENTATIVE RHOADS: I mean, sure, it
13 looks like him, but I'm not talking about that. I'm
14 talking more about the audiotapes, the cut news
15 stories, that kind of stuff. I mean, that's not work
16 the Committee did. None of it is.

17 CHAIRMAN BARNES: That's true, there -- it --
18 it's also relevant to our inquiry. And if we want
19 to notice it up on Monday and watch the videos -- watch
20 the videos with the court reporter.

21 REPRESENTATIVE MITTEN: We can notice up --

22 REPRESENTATIVE LAUER: If I were called in --

23 REPRESENTATIVE RHOADS: Well, let's notice it
24 up tomorrow. Let's do it. I'm here; let's go.

25 COUNSELOR HALLEN: We already are.

1 CHAIRMAN BARNES: We can do Monday.
 2 REPRESENTATIVE RHOADS: Well, we'll do
 3 tomorrow morning.
 4 REPRESENTATIVE LAUER: If I were called in to
 5 this Committee and asked to testify on the phone call I
 6 got from Greitens, it would -- I would say, during that
 7 conversation, he said he admitted to the affair, that
 8 he -- he said he did not blackmail, he said that there
 9 was no violence. That's what he told me on the phone.
 10 So we have numerous people in the body who have been
 11 contacted with those statements.
 12 REPRESENTATIVE AUSTIN: Let me throw this --
 13 oh, go ahead.
 14 REPRESENTATIVE LAUER: That's all right. I'm
 15 fine.
 16 CHAIRMAN BARNES: Well, I think, can we --
 17 Representative Phillips hasn't -- and maybe you don't
 18 want to say anything, because I think we --
 19 CHAIRMAN BARNES: I think everybody's talked
 20 except for Representative Phillips, and then you've got
 21 a suggestion for another idea.
 22 REPRESENTATIVE AUSTIN: Yeah, I do.
 23 REPRESENTATIVE PHILLIPS: I don't see
 24 anything wrong with referencing it; I don't. I think
 25 it ties into the fact that he wasn't willing to talk to

1 us, but he was more than willing to talk to the press.
 2 It's documented there. I don't think it -- I don't
 3 think it's a problem.
 4 REPRESENTATIVE AUSTIN: Not that this is how
 5 you have to handle it because you're Chair, but if we
 6 took a vote, I think it would be five to two about
 7 coming in. Having said that, both Tommie and Jeanie
 8 have some qualifying language or intro language. Now,
 9 here's -- put that in there.
 10 Now, here's maybe the hard part. Do we want
 11 to footnote Shawn and my's objection? Just say, we
 12 object to this intro, but we'll side with the --
 13 CHAIRMAN BARNES: I'd be -- yes, I'm open to
 14 that. I also think --
 15 REPRESENTATIVE AUSTIN: But that gets us down
 16 a path where, do we want to go?
 17 REPRESENTATIVE MITTEN: Yep.
 18 REPRESENTATIVE RHOADS: I think we're going
 19 to hit that path on another issue, too, aren't we?
 20 CHAIRMAN BARNES: Not -- maybe on -- on the
 21 redaction issue?
 22 REPRESENTATIVE RHOADS: Well, I -- possibly,
 23 yeah. I mean --
 24 CHAIRMAN BARNES: Yeah, you're talking about
 25 the redaction issue. I'm fine -- I am absolutely fine

1 with that, because I don't think -- you don't
 2 dispute -- I think if you listen to the audio and you
 3 watch the video, there's no person that can dispute
 4 that that is, in fact, Governor Greitens.
 5 REPRESENTATIVE AUSTIN: My complaint is not
 6 that I'm worried about the CIA or KGB coming in here
 7 and putting words, you know, on the -- on these tapes,
 8 you know. Also they're all in one piece, they're not
 9 spliced like that KMOX one or KMOV, whatever it is.
 10 CHAIRMAN BARNES: Do you want to take KMOV
 11 out because --
 12 REPRESENTATIVE AUSTIN: I do, but --
 13 CHAIRMAN BARNES: -- of the splicing? I'm
 14 fine with that.
 15 REPRESENTATIVE AUSTIN: The ones that are in
 16 their entirety, but I still just -- I just didn't want
 17 any media reports in here.
 18 CHAIRMAN BARNES: Well, let's put --
 19 MR. RHOADS: I echo the same comments as
 20 Representative Austin.
 21 CHAIRMAN BARNES: I -- I'm in favor of taking
 22 KMOV out, because it is spliced together.
 23 REPRESENTATIVE MITTEN: Look at that
 24 compromise.
 25 REPRESENTATIVE RHOADS: You didn't hear what

1 I said just a minute ago, did you?
 2 REPRESENTATIVE MITTEN: I'm hoping you all
 3 remember what I said later.
 4 REPRESENTATIVE RHOADS: I don't think any
 5 media reports should be in our report.
 6 CHAIRMAN BARNES: So it's this Paragraph 70,
 7 which is the St. Louis television station? Are we okay
 8 with taking that out, because that was not the full
 9 interview?
 10 REPRESENTATIVE PHILLIPS: Yep.
 11 REPRESENTATIVE MITTEN: Correct.
 12 REPRESENTATIVE LAUER: The one that was him
 13 standing there speaking, was that a press conference?
 14 CHAIRMAN BARNES: That was a press conference
 15 on the State budget.
 16 REPRESENTATIVE LAUER: Okay. So that would
 17 have been controlled by him, that is him, that's him
 18 saying it.
 19 CHAIRMAN BARNES: Well, I would add, the
 20 Associated Press interview was in his office, and if
 21 you listen to it, there's a press person there
 22 directing the interview saying, okay, we've got to wrap
 23 up here; clearly set up by his office in preparation
 24 for being asked these questions. Which we might not
 25 have asked that question exactly, but we would have

1 certainly asked that question in some way.

2 So Representative Austin, can we -- let's --
3 why don't we put this in the parking lot to think about
4 how you want to word that footnote and come back to it,
5 or do you want to do it now?

6 REPRESENTATIVE PHILLIPS: Or do you want to
7 do it?

8 CHAIRMAN BARNES: Or do you want to do it?

9 REPRESENTATIVE PHILLIPS: If you're going to
10 object anyway, it doesn't matter, does it?

11 REPRESENTATIVE MITTEN: I would like to go on
12 record that -- just that I do -- it seems to me that if
13 we're going to have a report that includes footnotes of
14 who disagrees with what, we could end up with a lot of
15 footnotes.

16 CHAIRMAN BARNES: No, but I don't know that
17 there -- I don't know that he's -- that they're
18 disagreeing as to the fact that it was said and that it
19 was Governor Greitens. They're disagreeing as to its
20 inclusion in the report.

21 REPRESENTATIVE MITTEN: Right. And I
22 would --

23 REPRESENTATIVE AUSTIN: Possibly the record
24 we're making right now is sufficient to record our
25 objections; I don't know. Let's -- let's think about

1 it and come back.

2 CHAIRMAN BARNES: Okay. I'll leave it
3 highlighted. And we agreed to delete the XMOV, which
4 was edited -- an edited report.

5 REPRESENTATIVE AUSTIN: And I don't remember
6 the qualifying language that Tommie and Jeanie had;
7 though I hope they do.

8 CHAIRMAN BARNES: We'll figure it out.

9 REPRESENTATIVE LAUER: It was absent his
10 testimony.

11 CHAIRMAN BARNES: We'll come back to it.
12 Okay. Paragraph 70. Representative Austin, I --

13 REPRESENTATIVE AUSTIN: Oh, is this --

14 CHAIRMAN BARNES: This is her fear, and I
15 think -- she's expressing fear to both Governor
16 Greitens and to her ex-husband.

17 REPRESENTATIVE AUSTIN: First place, I had a
18 question as to who she's talking about fear of, because
19 if you look at Page 80, Lines 13 through 16, to me it's
20 clearly saying the ex-husband. Jay and I both kind of
21 read it, maybe she's meaning both.

22 But let me just ask this overall, what's the
23 relevancy of -- of her feelings, at this point, of
24 fear. I mean, with -- certainly without -- I mean, the
25 only supportive evidence we might have is she testified

1 that -- that the ex may have surveyed her either by
2 having friends or professionally, and that Eric
3 Greitens walked by her salon afterwards. So I -- I
4 mean, but I don't see how it's relevant, her fear.

5 CHAIRMAN BARNES: I think it's -- her fear is
6 relevant to credibility, and because there's the
7 suggestion, at least in the public space, about the
8 fact that she did not come forward of her own accord
9 for a long period of time, that somehow that cuts
10 against her credibility. And the fact that she had
11 fear both of Governor Greitens and of her ex-husband is
12 relevant to suggest why she would not come forward.

13 And it goes to what I think is not atypical
14 behavior of someone who's been a victim of sexual
15 assault or violence in this sort of fashion to have
16 that kind of fear and to testify to that kind of fear.

17 REPRESENTATIVE AUSTIN: Is that evidence
18 weighty enough to deserve a paragraph in a report?
19 It's certainly in there as an exhibit.

20 REPRESENTATIVE MITTEN: My gosh, we're on
21 Page 22 and we've had 15 pages of what they could
22 arguably consider to be not relevant to the extent that
23 we're reciting transcripts. So it seems to me,
24 honestly, I -- it's, like, I don't see the problem. If
25 the point of this is to pull out portions of the

1 transcript in order to basically write a more concise
2 story of what this Committee has heard, yeah, it's
3 relevant.

4 REPRESENTATIVE LAUER: I would go a step
5 further and say, the relevance has to do with that very
6 last line.

7 REPRESENTATIVE MITTEN: Yeah.

8 REPRESENTATIVE LAUER: I was not as concerned
9 about the picture, but worried about my physical well
10 being. That is significant in this situation to her
11 whole make-up and everything that's going on.

12 REPRESENTATIVE RHOADS: Let's back up.

13 CHAIRMAN BARNES: I -- I also think it's
14 important to -- we get this next line; she's also
15 fearful of her ex-husband.

16 Representative Rhoads?

17 REPRESENTATIVE RHOADS: Please remind me the
18 time where she's referencing that she was --

19 REPRESENTATIVE MITTEN: During this period?

20 REPRESENTATIVE RHOADS: -- worried for her
21 physical well being. Was that during the first sexual
22 encounter?

23 CHAIRMAN BARNES: No, this is -- this is
24 later. This is 1-11, so 79 -- I've got her testimony
25 here in front of me.

1 REPRESENTATIVE RHOADS: I guess we could
2 reference it to which visit that she made to his house
3 that she was fearful for her life.

4 CHAIRMAN BARNES: Well, but that's not --
5 REPRESENTATIVE MITTEN: Well, we don't know
6 that.

7 CHAIRMAN BARNES: So let me -- let me just
8 read from the transcript for you. So this is
9 Representative Lauer, she says, starting on Page 79,
10 Line 20: Okay. We've talked about blackmail and, of
11 course, they were talking about more of the financial
12 thing. I'm going to ask a bit more about the emotional
13 side, because there were times when you said that Eric
14 would ask if you had told, and said good girl and so
15 forth. Did you feel that there was a threat coming
16 from him, and that if you did say something, that
17 something would happen?

18 And her answer is, oh, definitely. Oh
19 definitely. I -- during this time period, I was also
20 fearful of the picture, but also of what I didn't know;
21 what else would he do, because this obviously meant a
22 lot to him. It wasn't until later that I became not as
23 worried about the picture, more worried about my
24 physical well being.

25 And then Representative Lauer asks, talk

1 about that a bit, about your physical; what caused you
2 to feel that way?

3 And then she says, I felt as though this
4 obviously meant a lot to him to be running for
5 governor. I knew I had told my husband, more -- more
6 importantly than anybody, and that if the word got back
7 to him -- and I think that him refers then to Governor
8 Greitens -- he would do something to hurt me to make
9 sure that I couldn't tell anybody else, or that, you
10 know, this -- I would know that I wasn't supposed to be
11 doing -- supposed to be doing, you know, telling
12 anybody this.

13 REPRESENTATIVE RHOADS: Okay. Well, thank
14 you. I was trying to clarify where that was.

15 REPRESENTATIVE LAUER: It gets confusing.

16 CHAIRMAN BARNES: And so this is after -- I
17 think because of where it is in the report, it is clear
18 that it's not relating back to the first incident.
19 Maybe I should -- why don't we just put, testified to
20 her fear after --

21 REPRESENTATIVE RHOADS: After her four sexual
22 encounters with -- or their four visits.

23 REPRESENTATIVE LAUER: After encounters with
24 Greitens.

25 CHAIRMAN BARNES: After encounters with

1 Greitens.

2 REPRESENTATIVE RHOADS: Well, they were all
3 sexual encounters.

4 CHAIRMAN BARNES: Well, not necessarily; she
5 had some that weren't.

6 REPRESENTATIVE RHOADS: The one where she
7 went and got her keys back.

8 REPRESENTATIVE LAUER: Well, the one in the
9 alley.

10 CHAIRMAN BARNES: K-Mart.

11 REPRESENTATIVE RHOADS: The one at K-Mart,
12 yeah.

13 CHAIRMAN BARNES: Alley. Phone call.

14 REPRESENTATIVE RHOADS: Okay.

15 CHAIRMAN BARNES: Haircuts.

16 REPRESENTATIVE AUSTIN: So since this was all
17 after these feelings of fear that arose, this goes to
18 her credibility --

19 CHAIRMAN BARNES: I think --

20 REPRESENTATIVE AUSTIN: -- in your guys' --
21 in your belief?

22 CHAIRMAN BARNES: Yes.

23 REPRESENTATIVE MITTEN: Uh-huh.

24 REPRESENTATIVE LAUER: Absolutely.

25 CHAIRMAN BARNES: Are we -- can I move on

1 to 71?

2 REPRESENTATIVE AUSTIN: Wasn't it pretty much
3 like the same things?

4 CHAIRMAN BARNES: It -- it's related, and I
5 think that more than one member might not want this to
6 come out. I don't know, and this is just a particular
7 example of that fear manifesting itself.

8 REPRESENTATIVE MITTEN: Could we, maybe on
9 this one, because it's very long and it -- to just say
10 that she has testified to a particular instance of
11 her --

12 CHAIRMAN BARNES: And footnote where it is in
13 the record?

14 REPRESENTATIVE MITTEN: Exactly. It just
15 seems that that's a lot of ink.

16 CHAIRMAN BARNES: Absolutely. Absolutely,
17 Representative. You are getting your brevity wish
18 here.

19 REPRESENTATIVE MITTEN: Thank you.

20 CHAIRMAN BARNES: Okay. What else?

21 REPRESENTATIVE AUSTIN: The last ones, I
22 think, are still my complaints about, you know, is
23 this -- what's the purpose here talking about this?
24 And -- I mean, it certainly evokes sympathy, I got it,
25 but that -- I mean --

1 CHAIRMAN BARNES: Well, but it's more than
 2 sympathy. It also goes to credibility that --
 3 REPRESENTATIVE MITTEN: Yes.
 4 CHAIRMAN BARNES: -- she doesn't want to be
 5 here. I mean, imagine her sitting in her bedroom and
 6 having to tell the children to leave the room because
 7 this report is about to air that is so embarrassing to
 8 her, that no woman would ever want this on television
 9 about them with their children in the room.
 10 REPRESENTATIVE MITTEN: Could we continue to
 11 curser down, just because I'm trying to see what
 12 else --
 13 CHAIRMAN BARNES: And this --
 14 REPRESENTATIVE LAUER: Something about her
 15 daughter?
 16 REPRESENTATIVE MITTEN: I would take out that
 17 second paragraph.
 18 CHAIRMAN BARNES: This one?
 19 REPRESENTATIVE MITTEN: Yeah, that it --
 20 whose daughter it was. I don't know that that
 21 really -- personally, and then to tell her --
 22 CHAIRMAN BARNES: We could -- if we get rid
 23 of that paragraph, we need to get rid of the next two.
 24 REPRESENTATIVE MITTEN: Keep the third.
 25 CHAIRMAN BARNES: This one?

1 REPRESENTATIVE MITTEN: Yeah. Wait a minute.
 2 Go back up. Sorry.
 3 CHAIRMAN BARNES: Let me put that paragraph
 4 back up there. What --
 5 REPRESENTATIVE MITTEN: Just do control 2.
 6 CHAIRMAN BARNES: I don't -- I'm not hip with
 7 all your computer expertise here, okay?
 8 REPRESENTATIVE MITTEN: You could have just
 9 ended after not hip.
 10 CHAIRMAN BARNES: Okay.
 11 REPRESENTATIVE MITTEN: Well, wait, maybe
 12 it's --
 13 CHAIRMAN BARNES: You know what we could do,
 14 Witness 1 testified she learned the story was going to
 15 air minutes before it went live, and then explain --
 16 comma, explain the circumstances of the airing of the
 17 report, and then explain how she was -- had to tell her
 18 family members about it.
 19 REPRESENTATIVE MITTEN: I'm fine. Yeah.
 20 REPRESENTATIVE LAUER: Yeah, that's good.
 21 REPRESENTATIVE MITTEN: Her children -- her
 22 child about it.
 23 CHAIRMAN BARNES: Can we take a short break?
 24 (A BREAK WAS TAKEN.)
 25 CHAIRMAN BARNES: Okay. Back from break.

1 So the plan relating to the Associated Press
 2 interview, the Missouri Press Association video, and
 3 the budget and press conference video, is that at the
 4 conclusion of our hearing today -- actually, before we
 5 gavel out, the court reporter will take down a
 6 transcription of those audio so that we have her
 7 transcription rather than a member's transcription of
 8 it. And the citations will be to where it is online so
 9 that people viewing it out in public can listen to it
 10 for themselves, and to the transcript that we're
 11 creating here today.
 12 REPRESENTATIVE AUSTIN: So if I understand it
 13 right, we'll have two paragraphs that have the -- the
 14 interview and video -- audio and video of an interview
 15 in toto, and we'll have another one where it's just an
 16 audio in toto, and that's going to be the two
 17 paragraphs. And it will only say, here it is, here's
 18 the cite reference, and then it will also represent an
 19 exhibit, which will be the court reporter's
 20 transcription of what is said in the airings?
 21 CHAIRMAN BARNES: It will be three.
 22 REPRESENTATIVE AUSTIN: Okay.
 23 CHAIRMAN BARNES: Because there's the
 24 Associated Press, there's the Missouri Press -- I'm
 25 sorry. I'll do it in chronological order of when they

1 were made. Missouri -- Associated Press was first,
 2 then I believe there's the Budget Press Conference,
 3 then there was the Missouri Press Association video.
 4 And my thought was to take the relevant questions out
 5 and put the relevant questions and answers in the
 6 report, because it -- for example, in the Budget Press
 7 Conference, there's ten questions about the budget.
 8 There's no need -- but she would take a transcription
 9 of the entire press conference.
 10 REPRESENTATIVE AUSTIN: Okay. For the
 11 reasons I've stated earlier, I certainly just register
 12 my objection to including any of those three, but --
 13 CHAIRMAN BARNES: But if we're going to do
 14 it, do you agree that that's the best way to do so?
 15 REPRESENTATIVE AUSTIN: Yeah, I agree with
 16 that.
 17 CHAIRMAN BARNES: Okay. All right. We have
 18 this last paragraph and then we're going to circle back
 19 to some things.
 20 So paragraph 81, Witness 1 testified to her
 21 concerns. Again, I think this is relevant to state of
 22 mind and to her coming forward right now or talking to
 23 our Committee. I wouldn't even say that she has come
 24 forward. She has talked to people at this point in
 25 time, but that's why I think her concerns should be in.

1 REPRESENTATIVE AUSTIN: And I -- and I don't
2 think her state of mind subsequent to the events that
3 we're talking about is -- is relevant. I just -- I
4 just don't get it, I mean. And they talk about
5 somebody's emotions as they are now or after the events
6 that we're investigating; I just don't see how it's
7 relevant. I just can't see it.

8 CHAIRMAN BARNES: And -- and here's my
9 question about that is, one thing that we've heard --
10 and not just this case, I think it's a lot of cases --
11 is, people see a lapse in reporting something like this
12 as some sort of evidence of lack of credibility by the
13 person saying it. And I think that her state of mind
14 after it happened is relevant to the reporting or not
15 reporting.

16 And if we're comfortable as a Committee
17 saying, a lapse in time and not the -- the failure to
18 immediately report this has no bearing on the
19 credibility of what is said, okay, then all of this
20 stuff is -- is not necessary, because that's the
21 conclusion that it goes to is, there are reasons people
22 in this situation don't report right away. And I think
23 that her fear goes to one of those reasons.

24 REPRESENTATIVE AUSTIN: Now, I can --
25 conversely, I think, putting in her fears right here,

1 people will infer that there's actual threats of
2 violence used by either Eric Greitens or her ex.

3 CHAIRMAN BARNES: But --

4 REPRESENTATIVE AUSTIN: You're saying that if
5 we just put it in a paragraph that, hey, from our
6 review of the transcript in total, we see no reason to
7 believe that her delay in reporting is -- in any way
8 affects her credibility. I -- I mean, that's something
9 I can --

10 REPRESENTATIVE RHOADS: She's never reported
11 anything though.

12 REPRESENTATIVE MITTEN: No.

13 REPRESENTATIVE AUSTIN: But I can live with
14 that; it's not being -- saying she's not credible, you
15 know.

16 REPRESENTATIVE RHOADS: And I think even now,
17 since it came to light in January, she could have went
18 to the police and made a report, and she's failed to do
19 so.

20 REPRESENTATIVE AUSTIN: Instead of those two
21 paragraphs talking about her kids and the fear she had,
22 if we put in something to allay your concerns that
23 people don't read in to this that there's a credibility
24 factor in her delaying in her reporting or not
25 reporting, I mean, I -- I'm okay.

1 CHAIRMAN BARNES: Okay. Representative
2 Phillips?

3 REPRESENTATIVE PHILLIPS: I don't know.

4 REPRESENTATIVE LAUER: Could you go back to
5 the beginning of that dialogue so I can get the
6 reference back in check?

7 CHAIRMAN BARNES: I want to make it clear in
8 the transcript here, we have no evidence of an actual
9 physical threat after these encounters were -- were
10 over. I just want to make that -- that clear, so that
11 there's no mistaking that.

12 REPRESENTATIVE RHOADS: Now, am I right in
13 saying that there has not been any contact between him
14 and her since the last encounter that they had?

15 REPRESENTATIVE: That was her testimony.

16 REPRESENTATIVE PIERSON: That was her
17 testimony.

18 REPRESENTATIVE PHILLIPS: Uh-huh.

19 CHAIRMAN BARNES: Since -- yes, since
20 the -- the email in October of '15.

21 Is that correct? Does everyone agree with my
22 recollection?

23 REPRESENTATIVE LAUER: Yeah.

24 REPRESENTATIVE PHILLIPS: Uh-huh.

25 REPRESENTATIVE MITTEN: With Greitens, you

1 mean?

2 REPRESENTATIVE RHOADS: Correct.

3 CHAIRMAN BARNES: So, Representative Austin,
4 are you proposing we would take 70, 71 -- 70 and 71
5 would come out, and then we'd leave 72 and -- actually,
6 in their place we would say --

7 REPRESENTATIVE AUSTIN: In the review of the
8 evidence in total, this Committee does not view
9 Witness 1's delay or -- I don't want to say failure,
10 but non-reporting of these events to -- to lead us to
11 question her credibility. I mean --

12 REPRESENTATIVE LAUER: Is it a question
13 or --

14 REPRESENTATIVE RHOADS: Uh-huh.

15 REPRESENTATIVE AUSTIN: The concern that was
16 expressed was -- because when she didn't come forward
17 with this --

18 REPRESENTATIVE LAUER: Uh-huh.

19 REPRESENTATIVE AUSTIN: -- that she's not
20 telling the truth now.

21 REPRESENTATIVE LAUER: Who thought of that
22 concern?

23 SECRETARY CURCHIN: Disclosure.

24 REPRESENTATIVE MITTEN: Yeah. Disclosure.

25 SECRETARY CURCHIN: Instead of involving.

1 REPRESENTATIVE MITTEN: I agree.
 2 CHAIRMAN BARNES: Delay.
 3 SECRETARY CURCHIN: Delay.
 4 REPRESENTATIVE MITTEN: No. Or decision to
 5 not -- I mean --
 6 SECRETARY CURCHIN: Or lack of public
 7 disclosure.
 8 CHAIRMAN BARNES: Yeah.
 9 REPRESENTATIVE AUSTIN: Well, why even say
 10 public, because even if she reported it to the police,
 11 that would -- you wouldn't want to include that.
 12 REPRESENTATIVE RHOADS: Well, if she reported
 13 it to the police, it wouldn't be public.
 14 REPRESENTATIVE AUSTIN: Right. So just
 15 leave --
 16 CHAIRMAN BARNES: Lack of reporting of the
 17 events to law enforcement or others as bearing on her
 18 credibility.
 19 COUNSELOR HALLEN: And/or after enforcement.
 20 CHAIRMAN BARNES: That gets us out of this
 21 space of having this -- I think that she did have
 22 fears, but there was no -- we have no evidence of any
 23 actual, physical threat. And so it's relevant to the
 24 extent it's to her state of mind, but I -- we don't
 25 want to create any misimpression that there was an

1 actual physical threat out there.
 2 REPRESENTATIVE AUSTIN: And it's still in the
 3 transcripts, which will be part of our report.
 4 CHAIRMAN BARNES: Okay. Representative
 5 Phillips?
 6 REPRESENTATIVE PHILLIPS: Uh-huh.
 7 CHAIRMAN BARNES: Representative Lauer?
 8 REPRESENTATIVE LAUER: Sure. Okay. Now
 9 wait, are we taking -- we're taking 70 out then?
 10 CHAIRMAN BARNES: 70 and 71.
 11 REPRESENTATIVE LAUER: Okay. Could we go
 12 back up to 69 -- let's see, where we're at.
 13 CHAIRMAN BARNES: 69 is interviews. So 70
 14 and 71 are out. In review of the evidence, this
 15 Committee does not view Witness 1's lack of reporting
 16 of the events to law enforcement or others as bearing
 17 on her credibility.
 18 REPRESENTATIVE LAUER: Okay. Well, I go back
 19 to that very last line about her being concerned about
 20 her physical well being, whether that's real or
 21 imagined.
 22 CHAIRMAN BARNES: Hold on. Witness 1's
 23 non-reporting of the events. Of these events?
 24 Oh, I hate it when it does that; I don't know
 25 what that means. How do I fix that?

1 REPRESENTATIVE MITTEN: What?
 2 CHAIRMAN BARNES: All right. Okay.
 3 Representative Lauer?
 4 REPRESENTATIVE LAUER: We took out that part
 5 about, I wasn't as much worried about the picture as I
 6 was for my physical well being. Is that correct, we
 7 took that out?
 8 CHAIRMAN BARNES: Yes.
 9 REPRESENTATIVE LAUER: Real or imagined,
 10 that -- that I -- that creates a level of severity to
 11 the events.
 12 CHAIRMAN BARNES: I think that --
 13 REPRESENTATIVE LAUER: Or the significance of
 14 the events or --
 15 CHAIRMAN BARNES: I think that it does, but
 16 it goes to her state of mind, and I think the purpose
 17 of going to her state of mind is to say that, look, the
 18 fact that she didn't report this right away doesn't
 19 mean -- doesn't go to her credibility. There --
 20 because there's other -- there -- we have this other
 21 evidence of her state of mind, which is a reason.
 22 Representative Rhoads?
 23 REPRESENTATIVE RHOADS: I don't have the
 24 transcript to say go back to, but did she reference
 25 that at that point in time in her life that there was a

1 lot going on and that she's a different person than she
 2 was then?
 3 CHAIRMAN BARNES: Yes, she did.
 4 REPRESENTATIVE MITTEN: Let me see if I can
 5 find that.
 6 REPRESENTATIVE RHOADS: Which, obviously, I
 7 think you could tell by interviewing her and what she
 8 talked about the actions that she did then and the way
 9 she was handling herself now. I gathered that she,
 10 obviously, was dealing with a lot, and that she's
 11 probably at a better place now than she was then.
 12 REPRESENTATIVE: So to speak.
 13 CHAIRMAN BARNES: Yeah, I think more than so
 14 to speak. I think most -- most definitely.
 15 REPRESENTATIVE RHOADS: Even with the actions
 16 that are going on.
 17 REPRESENTATIVE MITTEN: So the parts that he
 18 denies are the parts we're finally dealing with, and I
 19 feel sad for that person I was that was so vulnerable.
 20 Is that what you're talking about?
 21 CHAIRMAN BARNES: Yeah. Yeah, here we go,
 22 and we have that at 71. I'm also dealing with things
 23 for the first time these past two months --
 24 REPRESENTATIVE MITTEN: Yes.
 25 CHAIRMAN BARNES: -- that I never did before.

1 I just pushed them aside because it was too scary. I
2 didn't want to think about it, I didn't want to talk
3 about it, I just wanted it to go away, and that maybe
4 it never happened like that.

5 REPRESENTATIVE RHODES: Okay. Thank you.

6 REPRESENTATIVE LAUER: Mr. Chair, I'm just --
7 one more, please?

8 CHAIRMAN BARNES: Yes, ma'am.

9 REPRESENTATIVE LAUER: If I had an incident
10 occur and I came to any one of you and said, I'm very
11 uncomfortable with this, that creates a level of
12 severity or seriousness. If I come to you and say, I'm
13 really fearful of my physical well being, that is a
14 whole other level. And for that person, whether it is
15 perceived by the outside world or not, for that person
16 that is a reality. It -- it is a level of state of
17 mind, but it also is a -- a thing that impacts their
18 total behavior, their -- everything they're going to do
19 during the day. It's going to run -- run through that
20 person, so it's more than just a statement.

21 CHAIRMAN BARNES: I think that's true, but I
22 also -- I'm concerned about -- we want to be clear that
23 we have no evidence of an actual physical threat. And
24 I think that getting to -- the reason I -- I wanted to
25 include that was to get to the state of mind to -- to

1 get to this issue of the idea that is floated out there
2 publicly, at least, that, oh, if it wasn't reported,
3 you know, then it must not have been so bad or must not
4 have happened.

5 REPRESENTATIVE LAUER: Okay.

6 CHAIRMAN BARNES: I -- I think the point of
7 that is to rebut that general idea that if someone
8 doesn't report it right away, it must not have
9 happened, which that's not true as it -- in some cases
10 it could be true and some cases not, but --

11 REPRESENTATIVE MITTEN: Generally speaking.

12 CHAIRMAN BARNES: Generally speaking in this
13 area. I mean, we could talk to experts in this area,
14 who I think will tell you that, again, her actions are
15 not atypical of people --

16 REPRESENTATIVE LAUER: True.

17 CHAIRMAN BARNES: -- in this situation. And
18 so in place of having all of that, if we just get to
19 the larger point of the non-reporting has no bearing on
20 her credibility based on what she's told us, that gets
21 us to the -- that actually gets us to the conclusion --
22 it skips past those facts and gets to the conclusion to
23 which those facts, I believe, are relevant.

24 REPRESENTATIVE LAUER: Okay. Yeah, my
25 underlying -- I -- I get that now. My underlying

1 concern is that we're not over-diluting that statement.

2 CHAIRMAN BARNES: Yeah, I don't -- I don't
3 think that we are diluting it. And, I mean, it's still
4 going to be in the transcript.

5 REPRESENTATIVE LAUER: Yes.

6 CHAIRMAN BARNES: Remember that, so -- I
7 would imagine these transcripts are going to be picked
8 apart, not just -- you know, people are going to read
9 our report first, and then they're going to go pick
10 these transcripts apart, and then they're going --
11 they're going to ask, well, why didn't they include
12 this in the report.

13 REPRESENTATIVE MITTEN: Yes.

14 CHAIRMAN BARNES: So --

15 REPRESENTATIVE LAUER: Because it's in the
16 transcript.

17 CHAIRMAN BARNES: Well, because it is, and
18 there are some things that are not in the report; we
19 also know they're in the transcript.

20 Okay. So 80, those are present concerns, and
21 I feel like that goes to, again -- I think this goes to
22 her credibility, and it was kind of her -- I think
23 that's what she might have said at the end when we
24 said, do you want -- you know, we've given a couple of
25 witnesses the opportunity to end with a statement. So

1 I would -- I would leave that in.

2 REPRESENTATIVE AUSTIN: I don't see the
3 relevance.

4 CHAIRMAN BARNES: I mean --

5 REPRESENTATIVE MITTEN: I mean, again, I
6 think we could be using ellipses with a lot of this.
7 We start with, you know, how will this affect my kids,
8 because it has; what's going to come of all this --
9 dot, dot, dot. What will people think of me or, you
10 know, what's going to come of this, what will people
11 think of me -- dot, dot, dot.

12 CHAIRMAN BARNES: Every time we use
13 ellipses --

14 REPRESENTATIVE MITTEN: I have a huge client
15 base --

16 CHAIRMAN BARNES: -- we are making a judgment
17 as to our words, not witnesses' words.

18 REPRESENTATIVE MITTEN: That's not true.
19 We're just -- we're -- we're -- I disagree with that,
20 but -- and the transcripts are available. I mean,
21 that's part of my concern is that I think that we're
22 putting in a lot -- if we're trying to tell sort of a
23 succinct story, I think that we could be far more
24 succinct.

25 REPRESENTATIVE LAUER: Should we put

1 something in the report then that says this -- this is,
 2 indeed -- not like a summary, but this is the key
 3 findings and the actual transcript is available for --
 4 CHAIRMAN BARNES: Oh, my plan is to attach
 5 the transcripts --
 6 REPRESENTATIVE MITTEN: Yes.
 7 REPRESENTATIVE LAUER: Okay.
 8 CHAIRMAN BARNES: -- to the digital report.
 9 REPRESENTATIVE LAUER: But do we need to
 10 state that right at the beginning?
 11 REPRESENTATIVE MITTEN: Okay.
 12 CHAIRMAN BARNES: I -- no, I think it will be
 13 obvious --
 14 REPRESENTATIVE LAUER: Okay.
 15 CHAIRMAN BARNES: -- to anyone who gets the
 16 report the transcripts are -- it will be one packet.
 17 REPRESENTATIVE LAUER: Okay.
 18 CHAIRMAN BARNES: My idea is that Trevor will
 19 send out a single packet that -- so -- and then
 20 wherever -- if it's posted online, it will be all
 21 together.
 22 REPRESENTATIVE AUSTIN: I mean, certainly it
 23 evokes sympathy for her. She has her kids, she has her
 24 clients, she's in school, she's trying to move on with
 25 her life. I just don't see why that's relevant to the

1 actions that occurred in 2014, '15, and '16.
 2 CHAIRMAN BARNES: I think it goes to, again,
 3 her credibility. It also is a good -- for purposes of
 4 a report that wraps up, it's, like, her last statement.
 5 It is a wrap-up of where we are to finish the report,
 6 and I think it does go to her credibility again. It
 7 goes to -- this is the one thing I've just kept in the
 8 pit of my stomach; I never talk about this.
 9 REPRESENTATIVE RHOADS: Yeah, but that's --
 10 that's vague. I'm sorry. But that's a vague
 11 statement. What did she put in the pit of her
 12 stomach?
 13 CHAIRMAN BARNES: I think if you go to her
 14 statement up here about the -- the -- I'm dealing with
 15 this, the parts that Eric denies are the parts that
 16 were hurtful, the other parts were traumatic to me.
 17 She's talking about these things that she pushed aside
 18 because it was too scary.
 19 REPRESENTATIVE RHOADS: I get it, but, again,
 20 what did Eric deny?
 21 CHAIRMAN BARNES: Well --
 22 REPRESENTATIVE RHOADS: We haven't talked to
 23 Eric.
 24 CHAIRMAN BARNES: Well, here's what he --
 25 here's what he's publicly said. We have his public

1 statements that she's aware of.
 2 REPRESENTATIVE RHOADS: I understand -- I
 3 understand that she quoted a news article or media
 4 whatever --
 5 CHAIRMAN BARNES: This is not a news article,
 6 these are the -- his words from a tape recording and
 7 from a video.
 8 REPRESENTATIVE RHOADS: Of a news -- a media
 9 outlet.
 10 CHAIRMAN BARNES: That he said -- this is not
 11 a -- they're his words.
 12 REPRESENTATIVE RHOADS: Well, I mean, we
 13 can -- we can get around that. I mean, I don't -- I
 14 think probably both those sections. I mean, I made it
 15 clear I'm not happy with referencing the -- the media
 16 on that, and I'm probably with Representative Austin on
 17 this section of that.
 18 CHAIRMAN BARNES: Paragraph 80?
 19 REPRESENTATIVE RHOADS: Correct.
 20 CHAIRMAN BARNES: Representative Lauer?
 21 REPRESENTATIVE LAUER: I think this goes back
 22 and -- and confirms what we just said as to why she
 23 didn't report. She just wanted to move on. She didn't
 24 want to have it out in the public, she didn't want to
 25 have to report it, she didn't want to have to deal with

1 it; she was just trying to move on.
 2 CHAIRMAN BARNES: And then it's also not
 3 weighed down by the physical violence language for
 4 which we have no evidence of an actual threat being
 5 made.
 6 Representative Pierson?
 7 REPRESENTATIVE PIERSON: Well, we know
 8 what -- I mean, we know what Governor Greitens is doing
 9 now, and we know what this woman is doing now, and it
 10 kind of puts it in that context.
 11 REPRESENTATIVE LAUER: That's the same things
 12 Greitens said. We've -- we've reconciled this; we're
 13 moving on and we're --
 14 REPRESENTATIVE PIERSON: Yeah. And it's kind
 15 of her current state.
 16 CHAIRMAN BARNES: Well, I don't -- it's not
 17 the same thing. I don't think it's the same thing he
 18 said.
 19 REPRESENTATIVE AUSTIN: And what he said is
 20 not in our report.
 21 REPRESENTATIVE LAUER: Well, yeah.
 22 CHAIRMAN BARNES: So --
 23 REPRESENTATIVE PIERSON: I'm fine with it
 24 being there.
 25 CHAIRMAN BARNES: Okay. Representative

1 Phillips?

2 REPRESENTATIVE PHILLIPS: I'll just -- you

3 know, I haven't had a problem with it, but I told you I

4 didn't have a problem with much of any of it -- we've

5 been picking apart.

6 CHAIRMAN BARNES: Representative Mitten?

7 REPRESENTATIVE MITTEN: I'm okay with it.

8 CHAIRMAN BARNES: Let's -- it's a potential

9 parking lot, let's go up to our real conflict. Right.

10 So -- okay. So in my plan here, we're going

11 to vote in a little while to -- well, why don't we just

12 vote now to bifurcate the report -- because now that

13 we're at this point.

14 So I move that this Committee bifurcate this

15 report such that we release the part that we have

16 reviewed so far today next week, and we place all of

17 the stuff relating to The Mission Continues and the

18 campaign in a separate report to be released at a later

19 time.

20 Discussion on that motion?

21 Seeing none, Mr. Secretary, please call the

22 roll.

23 SECRETARY CURCHIN: Chairman Barnes?

24 CHAIRMAN BARNES: Aye.

25 SECRETARY CURCHIN: Vice-Chair Phillips?

1 REPRESENTATIVE PHILLIPS: Aye.

2 SECRETARY CURCHIN: Representative Mitten?

3 REPRESENTATIVE MITTEN: Aye.

4 SECRETARY CURCHIN: Representative Lauer?

5 REPRESENTATIVE LAUER: Aye.

6 SECRETARY CURCHIN: Representative Austin?

7 REPRESENTATIVE AUSTIN: Aye.

8 SECRETARY CURCHIN: Representative Rhoads?

9 REPRESENTATIVE RHOADS: Aye.

10 SECRETARY CURCHIN: Representative Pierson?

11 REPRESENTATIVE PIERSON: Aye.

12 CHAIRMAN BARNES: By a vote of seven ayes,

13 and zero no, you have voted for a bifurcation. And

14 I -- I should have put this before, but I want to state

15 this on the record. I think I talked to everyone

16 individually today on the House floor. We have, in The

17 Mission Continues and campaign part of the report, we

18 have a substantial number of emails that still need

19 review that are already in our possession. And we

20 have, based on the witness testimony we received this

21 week, maybe ten, maybe more -- somewhere around there,

22 but a significant number of new paragraphs that the

23 members of this Committee have not had any opportunity

24 to review before today's hearing. And I don't think

25 it's fair to just plop this up on the screen and say,

1 hey, let's discuss and vote on it very quickly.

2 REPRESENTATIVE AUSTIN: And it's not fair to

3 the recipients of this report for us to sit there and

4 do willy-nilly knee-jerk reactions.

5 CHAIRMAN BARNES: That's exactly right.

6 REPRESENTATIVE LAUER: Agreed.

7 CHAIRMAN BARNES: So I -- what I would

8 propose to the Committee is, after we're finished here

9 today, I will cut everything relating to The Mission

10 Continues and the campaign out of the report, paste it

11 into a different document that will then become the

12 first draft of Report No. 2. Which also means as we go

13 up here, where we -- starting here, on this -- on

14 March 14, 2018, all of that is going to come out of the

15 report, all of those bullet points, because they relate

16 to -- it's going to create an interesting situation

17 with our exhibits, because our exhibits

18 span -- but -- but we're good. Okay.

19 REPRESENTATIVE LAUER: So along with that,

20 Mr. Chair, do we need to ask for a continuance?

21 CHAIRMAN BARNES: We will -- we will get to

22 that.

23 REPRESENTATIVE LAUER: Okay.

24 CHAIRMAN BARNES: Now, for the big

25 discussion. Paragraph 3, Witness 3, the ex-husband of

1 Witness 1. First, I want to just ask the open

2 question. Is there anyone who believes that Witness 3

3 is a credible witness?

4 REPRESENTATIVE RHOADS: I'm going to go on

5 the record and say absolutely not.

6 CHAIRMAN BARNES: I'm going to go on record

7 with you and say absolutely not.

8 REPRESENTATIVE LAUER: I agree.

9 REPRESENTATIVE AUSTIN: I join.

10 REPRESENTATIVE RHOADS: I think if you read

11 his --

12 REPRESENTATIVE PHILLIPS: I don't believe

13 he's credible either.

14 REPRESENTATIVE RHOADS: If you read the

15 transcript, he contradicts himself several times.

16 CHAIRMAN BARNES: So the debate here is in

17 our redactions. Do you want to pull up -- can we get

18 that on the screen?

19 REPRESENTATIVE MITTEN: I can.

20 REPRESENTATIVE AUSTIN: Well, hold on; time

21 out. What do we -- I mean, the redactions are kind of

22 like part two.

23 CHAIRMAN BARNES: Yeah, actually, we need --

24 we probably need to be off the record. But it relates

25 to how Paragraph 3 is going to be written, which is

1 about Witness 3.

2 REPRESENTATIVE AUSTIN: See, I don't

3 understand quite either what you're getting here on

4 Paragraph 3, for the reasons set forth below. Well,

5 there's nothing below, there's an attached transcript.

6 CHAIRMAN BARNES: There are some things about

7 Witness 1 set forth below -- about Witness 3 -- I'm

8 sorry -- about Witness 3, but it's way below. So let's

9 get -- we can start by deleting this, okay?

10 REPRESENTATIVE AUSTIN: Yeah.

11 CHAIRMAN BARNES: We could add a sentence

12 here that says, the Committee only accepts Witness 3's

13 testimony for purposes of authenticating --

14 REPRESENTATIVE MITTEN: No. I mean, why

15 would we need to say that?

16 REPRESENTATIVE: Say -- say what?

17 REPRESENTATIVE MITTEN: The Committee only

18 accepted the testimony, I mean --

19 CHAIRMAN BARNES: No, we accepted the

20 testimony. We only -- the only thing he's -- that he

21 says that I think is worthwhile is that he

22 authenticates the tape recording.

23 REPRESENTATIVE MITTEN: Again, I have a

24 hard -- his testimony is what his testimony is, and it

25 seems to me the testimony should just be out there.

1 I -- I -- I --

2 REPRESENTATIVE AUSTIN: You mean just cut out

3 Paragraph 3 altogether?

4 REPRESENTATIVE MITTEN: Well, no, because he

5 did authenticate -- here's -- here's -- here's the way

6 that I see this. He did authenticate the recording,

7 and obviously the recording is something that is a part

8 of our report. And the recording, to some extent, and

9 portions of the transcript, is already out in the

10 public domain. So this Committee, as part of its

11 investigation, has said this recording is authentic.

12 We believe -- do we believe that the

13 recording is authentic? I believe that. I'm happy to

14 go on record saying that. And the rest of his

15 testimony is just his testimony. It's out there. Why

16 does our report have to go specifically into --

17 CHAIRMAN BARNES: Well, I think that -- to

18 that point, a little bit, we don't testify as to

19 credibility of witnesses to or for either. And I think

20 we all thought -- I -- general consensus might have

21 been that Witness 4 was the most credible witness of

22 all. Maybe not, I don't know.

23 But -- go ahead Representative Austin.

24 REPRESENTATIVE AUSTIN: So I mean, Gina, are

25 you saying leave Paragraph 3 as it is, don't add

1 anything else, and we'll move on?

2 REPRESENTATIVE MITTEN: Yeah.

3 REPRESENTATIVE AUSTIN: Well, I don't know

4 that I disagree with that. I know, what's happening

5 here?

6 REPRESENTATIVE RHOADS: Are you talking about

7 putting the sentence back in it that you took out; is

8 that what you're talking about, Representative Mitten?

9 REPRESENTATIVE MITTEN: Yeah, just leave it

10 as it is.

11 REPRESENTATIVE AUSTIN: Yeah. And then if

12 we -- if we happen to redact something from his

13 transcript, then we do.

14 REPRESENTATIVE MITTEN: Right. It's not his

15 transcript, it's Witness 1's transcript.

16 REPRESENTATIVE AUSTIN: Oh, it's -- yes.

17 REPRESENTATIVE RHOADS: I'm going to -- I'm

18 going to -- you may not ever hear this again, but I do

19 agree with Representative Mitten.

20 REPRESENTATIVE MITTEN: For the record --

21 COUNSELOR HALLEN: You've got to quit now.

22 REPRESENTATIVE MITTEN: Yeah, exactly, I

23 think I'm about to have a heart attack.

24 CHAIRMAN BARNES: All right. We'll take it

25 out.

1 REPRESENTATIVE AUSTIN: No, as is.

2 CHAIRMAN BARNES: We'll leave it as is.

3 REPRESENTATIVE MITTEN: Right, yeah.

4 CHAIRMAN BARNES: Leave it as is. So that --

5 we've -- okay.

6 REPRESENTATIVE PIERSON: Because --

7 because did Witness 1 also authenticate the recording?

8 CHAIRMAN BARNES: Witness 1 also

9 authenticated the recording.

10 REPRESENTATIVE MITTEN: Yes.

11 REPRESENTATIVE AUSTIN: No, only to, like,

12 Page 17.

13 REPRESENTATIVE MITTEN: That's true.

14 CHAIRMAN BARNES: That's right. That's

15 right.

16 REPRESENTATIVE AUSTIN: Okay. Got you. But

17 she did say it was her voice.

18 CHAIRMAN BARNES: It says it's her voice, but

19 she never listened to it and she didn't read the --

20 REPRESENTATIVE MITTEN: And she didn't want

21 to.

22 REPRESENTATIVE PIERSON: Okay.

23 CHAIRMAN BARNES: Why is -- do we know why

24 this is highlighted; did I miss that?

25 COUNSELOR HALLEN: Because we didn't have an

1 exhibit number.

2 REPRESENTATIVE RHODS: Yeah, because it says

3 see EX, and then capital XXX.

4 REPRESENTATIVE PIERSON: Then what about

5 this?

6 CHAIRMAN BARNES: We have to -- we have to

7 number these exhibits, that's why that's there.

8 REPRESENTATIVE MITTEN: I think you wanted

9 just a colon there, because then you're quoting.

10 CHAIRMAN BARNES: I -- I don't -- if no one

11 has an issue with this paragraph, it might have been an

12 accidental highlight.

13 REPRESENTATIVE MITTEN: I think that --

14 actually, I think that that needs to be moved to the

15 beginning -- the beginning of Paragraph 7. Witness 1

16 testified from the fall -- dah, dah, dah, dah.

17 CHAIRMAN BARNES: Oh, you know what -- what's

18 the difference between the footnotes in 6 and 7? So 6

19 is 7,2 to 9, 19; 7 is 9,11 to 9, 18. Okay. We've got

20 a -- there's a distinction there, so let's leave those

21 separate.

22 REPRESENTATIVE AUSTIN: Okay. Time for

23 redactions?

24 CHAIRMAN BARNES: Yes. How do we want to --

25 well, the first question is, how do we -- I want to

1 make a record of how we're handling this. It's kind of

2 hard for us to have a redactions conversation on the

3 record, because we've got to talk about the substance

4 of the redaction --

5 REPRESENTATIVE MITTEN: No. We can --

6 CHAIRMAN BARNES: -- or we're going to redact

7 the whole darn thing.

8 REPRESENTATIVE MITTEN: We can absolutely do

9 it. We'll put the things up, and it's by page and line

10 number.

11 REPRESENTATIVE LAUER: But that's --

12 CHAIRMAN BARNES: But we -- but we have to

13 talk about the contents of the page and line number. I

14 mean, we're going to debate whether to do it or not, in

15 debating whether to redact something.

16 REPRESENTATIVE MITTEN: I understand. I

17 would ask that we try it and see if we run into

18 trouble.

19 CHAIRMAN BARNES: Fair enough.

20 Representative Austin?

21 REPRESENTATIVE AUSTIN: I bet you there's

22 only one or two redaction issues, correct?

23 REPRESENTATIVE MITTEN: Exactly.

24 CHAIRMAN BARNES: Yes. And they're -- I

25 think they're related.

1 REPRESENTATIVE AUSTIN: Do we want to take --

2 do we want to take a restroom break before we get into

3 the redactions?

4 REPRESENTATIVE MITTEN: Sure.

5 CHAIRMAN BARNES: I'm fine with that. Let's

6 go off the record.

7 (A BREAK WAS TAKEN.)

8 CHAIRMAN BARNES: We're back from break to

9 speak about redactions and --

10 REPRESENTATIVE MITTEN: Can I just make a

11 proposal?

12 CHAIRMAN BARNES: Well, yes, in just a

13 minute. I think the Committee is in agreement on -- go

14 ahead Representative Mitten.

15 REPRESENTATIVE MITTEN: Well, okay, so I

16 propose that we do not redact the portions on basically

17 the late 40's, I think. In the transcript for

18 Witness 1, the pages, I think it's about 47 through 49,

19 but we do redact on Page 9, Lines 18 through 21 --

20 excuse me, through 22. Did I say Line 9?

21 CHAIRMAN BARNES: You said Page 9.

22 REPRESENTATIVE MITTEN: Page -- I'll get this

23 right. Page 96, Lines 18 through 22; Page 97, Lines 1

24 and 2; Page 97, Lines 8 through 11; Page 97, the middle

25 of Line 17 to this on Line 19.

1 Wait a minute. That might be a little bit --

2 what page are you on there? Oh, there we go. Let's go

3 down to Line 17. Yeah. No, no, no. We want the --

4 from -- from -- after the again on Line 17, into I said

5 on Line 22. Yeah.

6 CHAIRMAN BARNES: Does everyone concur with

7 that?

8 GROUP RESPONSE: Yes.

9 CHAIRMAN BARNES: Hearing all ayes and no

10 objections, everyone agrees to that redaction.

11 In addition to this redaction, we have --

12 there has been available the transcripts where there

13 are a number of other redactions for which I don't

14 think there's any great controversy. If anyone has any

15 other areas they deem need to be redacted right now,

16 speak up.

17 Seeing none, we have a redaction plan.

18 REPRESENTATIVE MITTEN: Great. And just if I

19 could, I want to make it clear on the record, and I

20 believe that our disclaimer may have already addressed

21 that, but I don't believe that other than names, there

22 are some references to dates that could be seen as

23 identifying. I -- I -- I don't believe we have

24 redacted anything of substance, other than -- other

25 than information that could be -- readily identify the

1 Witnesses 1, 2, 3, or 4, or their family members or
2 their locations of their homes for instance.

3 If I have somehow forgotten something, I hope
4 that somebody on the Committee will remind me. And if
5 I come across something in my travels over the weekend,
6 I will certainly remind the members.

7 CHAIRMAN BARNES: We will all need Monday and
8 Tuesday to take a look at this with fresh eyes.

9 REPRESENTATIVE MITTEN: Yes.

10 CHAIRMAN BARNES: And it's very -- I think
11 it's very important to -- we don't want to
12 unintentionally let something out. For example, today,
13 Representative Pierson found a footnote in the report
14 that contained a -- a witness' name.

15 Okay. So, so ends our discuss on redactions.

16 We have -- so we've moved for bifurcation.

17 And our due date depends on how you judge this
18 calendar, is either Saturday, Monday, or Tuesday. I'm
19 going to move that we release this report on Wednesday,
20 which is 24 hours later. We're going to go through the
21 process of making sure -- dotting I's, crossing T's on
22 redactions and this report, and notify -- notifying
23 members of this body and both Caucuses shortly before
24 making the report available to the public.

25 I think that we owe that to our colleagues

1 who have placed a lot of trust in us to do this and
2 have been asking us many question for the last 40 days
3 about where we are and how's it going and what's going
4 on. And I think we deserve -- they deserve to know
5 before the public release of the information.

6 Discussion on the motion?

7 REPRESENTATIVE MITTEN: When you say they
8 deserve to know, what does that mean?

9 CHAIRMAN BARNES: I think that we should have
10 discussions with -- Caucus discussions about the facts
11 of the report shortly before it becomes public. I'm
12 not talking about 24-hours' notice. If -- if people
13 don't think they can trust their Caucus members for 30
14 minutes --

15 REPRESENTATIVE PHILLIPS: Oh, it will become
16 public alright.

17 CHAIRMAN BARNES: It's on its way to becoming
18 public, so any tweet storm that follows will soon be
19 swallowed by the report itself.

20 REPRESENTATIVE PIERSON: Is there -- so -- so
21 the Resolution -- the Resolution said -- yeah, we need
22 to --

23 REPRESENTATIVE MITTEN: Let's go off the
24 record.

25 (AN OFF-THE-RECORD DISCUSSION WAS HELD.)

1 CHAIRMAN BARNES: And so, now I move that we
2 extend the Committee until May 18, 2018. Further
3 discussion on the motion?

4 REPRESENTATIVE MITTEN: Chair, with all due
5 respect, I have expressed some concerns about the
6 ability to perform -- and I suspect that I'm not alone
7 in this -- to perform my legislative duties during the
8 course of this, you know, in order to accommodate the
9 needs of this Committee, and I -- I want to express
10 those concerns again. I think that it has been --
11 there are some ways in which Majority leadership has
12 been accommodating, but there are some ways in which
13 they have absolute -- I don't feel that they have been.
14 And it certainly puts an additional burden on us.

15 I would hope that we would be able to explore
16 hiring some assistants to help with the -- with the
17 work of this Committee. If we're going to extend it
18 and we're going to do it by Committee vote and not by a
19 new resolution, I do think that some of these things
20 need to be -- at least I personally feel that I need to
21 express my concerns about this, and I -- I -- I just
22 feel that that's important.

23 So my hope would be that we can work together
24 moving forward if this Committee is going to stay
25 intact until the end of session, because it has -- and

1 I can't speak for any other member but myself, but it
2 has been a -- a -- a strain.

3 CHAIRMAN BARNES: Representative Pierson?

4 REPRESENTATIVE PIERSON: And I echo the
5 sentiments of Representative Mitten. Even as we go
6 into further investigation, it seems that we are moving
7 into a realm of evidence review, so it's kind of a
8 different flavor and feel to the investigation that is
9 just headed into a kind of a different realm of depth.
10 Again, with evidence review, as opposed to interviews
11 and those types of things, which I think require some
12 expertise in some areas, which require more time. And
13 so I -- I echo what Representative Mitten has
14 expressed.

15 REPRESENTATIVE MITTEN: And I just -- I'm
16 sorry. I want to reiterate -- I will -- I'm sorry.
17 Well, here's the thing, as we move --

18 CHAIRMAN BARNES: Representative Mitten?

19 REPRESENTATIVE MITTEN: -- as we move towards
20 the -- you know, we're coming around the bend to the
21 end of session and -- and the idea that my -- at least
22 my colleague, Tommie -- and I actually feel this way
23 about all members of the Committee. To the extent that
24 this Committee meets while we are in session, it is a
25 problem for me, and it's going to -- it's going to be a

1 bigger problem as we start getting -- as we go from
2 waist deep to shoulder deep in bills that are going
3 to -- you know, that have the potential to end up on
4 the Governor's desk.

5 And I -- I -- at the time this Resolution was
6 drafted, you know, I think that we all worked together
7 in good faith, and I appreciate that, but I do have
8 concerns that as we're going to be -- you know, as the
9 Floor Leader schedules six or eight hours or ten hours
10 on the floor, in addition to trying to prepare for and
11 take witness testimony or review documents, that's
12 going to be problematic, and I feel that that needs to
13 be expressed.

14 CHAIRMAN BARNES: Further discussion? Point
15 is taken. I think that we have worked together to try
16 to avoid missing session. We've missed -- is it twice,
17 and not that much those two days. But even though we
18 had a missed session, taking away preparation time is
19 also important. You have my continued commitment, the
20 members of this Committee, we're all bearing a heavier
21 load here because of this Committee, both time wise and
22 brain space. And I don't think it's been a cake walk
23 for anyone to be on this Committee and adding it to the
24 other responsibilities they had. And so you have my
25 commitment that I will work with the two of you and

1 every member of this Committee to try to make these
2 things work and to work with leadership about that, as
3 well.

4 Representative?

5 REPRESENTATIVE LAUER: I might just add that,
6 I agree, everyone's worked well together and in good
7 faith. And to end it now, I feel that we would not
8 have completed due diligence in the process. This is
9 significantly important, and so is the legislative part
10 of this, too; they're all important. But, of course,
11 we don't want to cut anything short. And I would
12 suggest that we try to balance this as best we can with
13 the Chair's help.

14 CHAIRMAN BARNES: Further discussion?

15 Seeing none, all those in favor will vote.

16 Mr. Secretary, please call roll.

17 SECRETARY CURCHIN: Representative Barnes?

18 REP BARNES: Aye.

19 SECRETARY CURCHIN: Representative Phillips?

20 REPRESENTATIVE PHILLIPS: Aye.

21 SECRETARY CURCHIN: Representative Mitten?

22 REPRESENTATIVE MITTEN: Aye.

23 SECRETARY CURCHIN: Representative Lauer?

24 REPRESENTATIVE LAUER: Aye.

25 SECRETARY CURCHIN: Representative Austin?

1 REPRESENTATIVE AUSTIN: Aye.

2 SECRETARY CURCHIN: Representative Rhoads?

3 REPRESENTATIVE RHOADS: Aye.

4 SECRETARY CURCHIN: Representative Pierson,
5 Jr.?

6 REPRESENTATIVE PIERSON: Aye.

7 CHAIRMAN BARNES: By your vote of seven aye
8 and zero no, you have voted to extend the Committee,
9 the Resolution under which it is operating, until
10 May 18, 2018.

11 I now move that we vote to issue -- I now
12 vote that we cancel tomorrow's hearing.

13 SECRETARY CURCHIN: Do you need to vote on a
14 report issuance date?

15 REPRESENTATIVE MITTEN: Yes.

16 SECRETARY CURCHIN: Okay.

17 REPRESENTATIVE MITTEN: If we're exceeding.

18 SECRETARY CURCHIN: You've already extended
19 the authority of the Committee.

20 REPRESENTATIVE MITTEN: Not the -- not the
21 deadline for the report.

22 SECRETARY CURCHIN: Okay.

23 CHAIRMAN BARNES: For the Committee's
24 knowledge, we have canceled tomorrow's hearing because
25 we got through the stuff we needed to do today.

1 I now move that we vote to release the report
2 on Wednesday of next week. We've got a little more
3 work to do, and I want to make sure that we've got this
4 right and the report that we're speaking of relates to
5 everything that we've reviewed today.

6 Discussion on the motion?

7 REPRESENTATIVE MITTEN: Just briefly. I'm
8 sorry, guys. I know -- I know we all need -- want to
9 get out of here. I appreciate the Chair working with
10 us in this regard. I, obviously, am not particularly
11 happy about the delay. I am going to support the
12 delay.

13 Can -- you know, there was some discussion
14 earlier about being on the record; I do believe that
15 it's important that the issuance of the -- that we
16 comport with the Resolution. I just want to make sure
17 our record is clear because we went down a different
18 path and then came back and had a motion withdrawn, and
19 I think that it's important that because the Resolution
20 has a specific outline of who in the body is able to
21 receive information from the members of this Committee
22 as to the witnesses or the testimony or the evidence,
23 that we all understand that that has not been changed,
24 and that our report will be issued contemporaneously
25 with any discussions that anybody wants to have with

1 members of their Caucus. Is that a fair
2 characterization?

3 CHAIRMAN BARNES: I think that's a fair
4 characterization. I think we punted the issue of that
5 notification until next week and further discussions on
6 the mechanics of that.

7 REPRESENTATIVE MITTEN: Okay. So is the idea
8 then that we're going to release, what, the end of
9 business on Wednesday? Is there a time that we're
10 talking about?

11 CHAIRMAN BARNES: I would guess in the
12 afternoon on Wednesday would be --

13 REPRESENTATIVE MITTEN: Okay.

14 CHAIRMAN BARNES: And I don't want to set a
15 specific time --

16 REPRESENTATIVE MITTEN: I understand.

17 CHAIRMAN BARNES: -- in this motion. I just
18 want to state that we will -- we will release the
19 report on Wednesday of next week, which would be --

20 SECRETARY CURCHIN: April 11.

21 CHAIRMAN BARNES: April 11th. So Wednesday,
22 April 11th. And it's a 24-hour delay.

23 REPRESENTATIVE MITTEN: I understand. I
24 understand.

25 REPRESENTATIVE LAUER: Then could I clarify,

1 Mr. Chair?

2 CHAIRMAN BARNES: Yes, ma'am.

3 REPRESENTATIVE LAUER: That this would be the
4 Speaker's decision to make, as far as the release of
5 the information, or is it the Committee's?

6 CHAIRMAN BARNES: I -- I believe that it's
7 the Committee's decision to make the release of the
8 report.

9 REPRESENTATIVE LAUER: Okay.

10 CHAIRMAN BARNES: And we're going to do it --
11 my motion is to do it on Wednesday.

12 REPRESENTATIVE LAUER: Okay. Thank you.

13 REPRESENTATIVE PIERSON: And is it the
14 Committee's decision on how the report is released, as
15 well, the mechanics of that?

16 CHAIRMAN BARNES: I think that it is the
17 Committee's decision, but -- I believe that next week
18 Monday, Tuesday, Wednesday, we're going to have a
19 broader conversation amongst -- how -- Majority Party
20 and Minority Party leadership about mechanics. We are
21 not -- you know, we're not an island here. We're --
22 our colleagues put a lot of trust in us and want to
23 consult with others.

24 So the motion on the table is to release the
25 report on Wednesday, April 11th. All those in favor

1 will vote yes.

2 Mr. Secretary, please call the roll.

3 SECRETARY CURCHIN: Representative Barnes?

4 CHAIRMAN BARNES: Aye.

5 SECRETARY CURCHIN: Representative Phillips?

6 REPRESENTATIVE PHILLIPS: Aye.

7 SECRETARY CURCHIN: Representative Mitten?

8 REPRESENTATIVE MITTEN: Aye.

9 SECRETARY CURCHIN: Representative Lauer?

10 REPRESENTATIVE LAUER: Aye.

11 SECRETARY CURCHIN: Representative Austin?

12 REPRESENTATIVE AUSTIN: Aye.

13 SECRETARY CURCHIN: Representative Rhoads?

14 REPRESENTATIVE RHOADS: Aye.

15 SECRETARY CURCHIN: Representative Pierson,

16 Jr.?

17 REPRESENTATIVE PIERSON: Pass. I need a
18 comeback. Aye.

19 CHAIRMAN BARNES: By your vote of seven aye
20 and zero no, you voted to release the report on
21 Wednesday of next week.

22 Representative Mitten?

23 REPRESENTATIVE MITTEN: Do we want to meet

24 Monday?

25 COUNSELOR HALLEN: We need to notice up.

1 SECRETARY CURCHIN: We are noticed up.

2 REPRESENTATIVE MITTEN: Perfect. Perfect.

3 Do we need to close it?

4 SECRETARY CURCHIN: Two o'clock. We need to
5 vote to close it if you want it closed.

6 CHAIRMAN BARNES: Okay. Let's vote to close
7 it. I vote to close Monday's hearing at two p.m. All
8 those in favor will vote aye.

9 Mr. Secretary, please call the roll.

10 SECRETARY CURCHIN: Representative Barnes?

11 CHAIRMAN BARNES: Aye.

12 SECRETARY CURCHIN: Representative Phillips?

13 REPRESENTATIVE PHILLIPS: Aye.

14 SECRETARY CURCHIN: Representative Mitten?

15 REPRESENTATIVE MITTEN: Aye.

16 SECRETARY CURCHIN: Representative Lauer?

17 REPRESENTATIVE LAUER: Aye.

18 SECRETARY CURCHIN: Representative Austin?

19 REPRESENTATIVE AUSTIN: Aye.

20 SECRETARY CURCHIN: Representative Rhoads?

21 REPRESENTATIVE RHOADS: Aye.

22 SECRETARY CURCHIN: Representative Pierson,

23 Jr.?

24 REPRESENTATIVE PIERSON: Aye.

25 CHAIRMAN BARNES: By your vote of seven aye,

1 zero no, you have voted to close Monday's hearing at
 2 two p.m.
 3 REPRESENTATIVE LAUER: Will we be in this
 4 same hearing room then?
 5 REPRESENTATIVE MITTEN: Here.
 6 CHAIRMAN BARNES: We will be in this hearing
 7 room.
 8 Okay. Now that we're finished, I would like
 9 to create a -- the transcript of these two -- these
 10 three items up here. And so I'm going to hold the
 11 Committee hearing open for purposes of creating that
 12 transcript. Is there any objection --
 13 REPRESENTATIVE MITTEN: Nope.
 14 CHAIRMAN BARNES: -- to that?
 15 REPRESENTATIVE LAUER: None.
 16 REPRESENTATIVE RHOADS: I have a question.
 17 What's the process; she's going to sit in here and --
 18 REPRESENTATIVE MITTEN: She's got to leave;
 19 we're going to get a new court reporter.
 20 THE COURT REPORTER: She's waiting outside.
 21 REPRESENTATIVE RHOADS: And she'll come in,
 22 watch it, transcribe it?
 23 CHAIRMAN BARNES: Yes.
 24 REPRESENTATIVE LAUER: And you will be here
 25 with her?

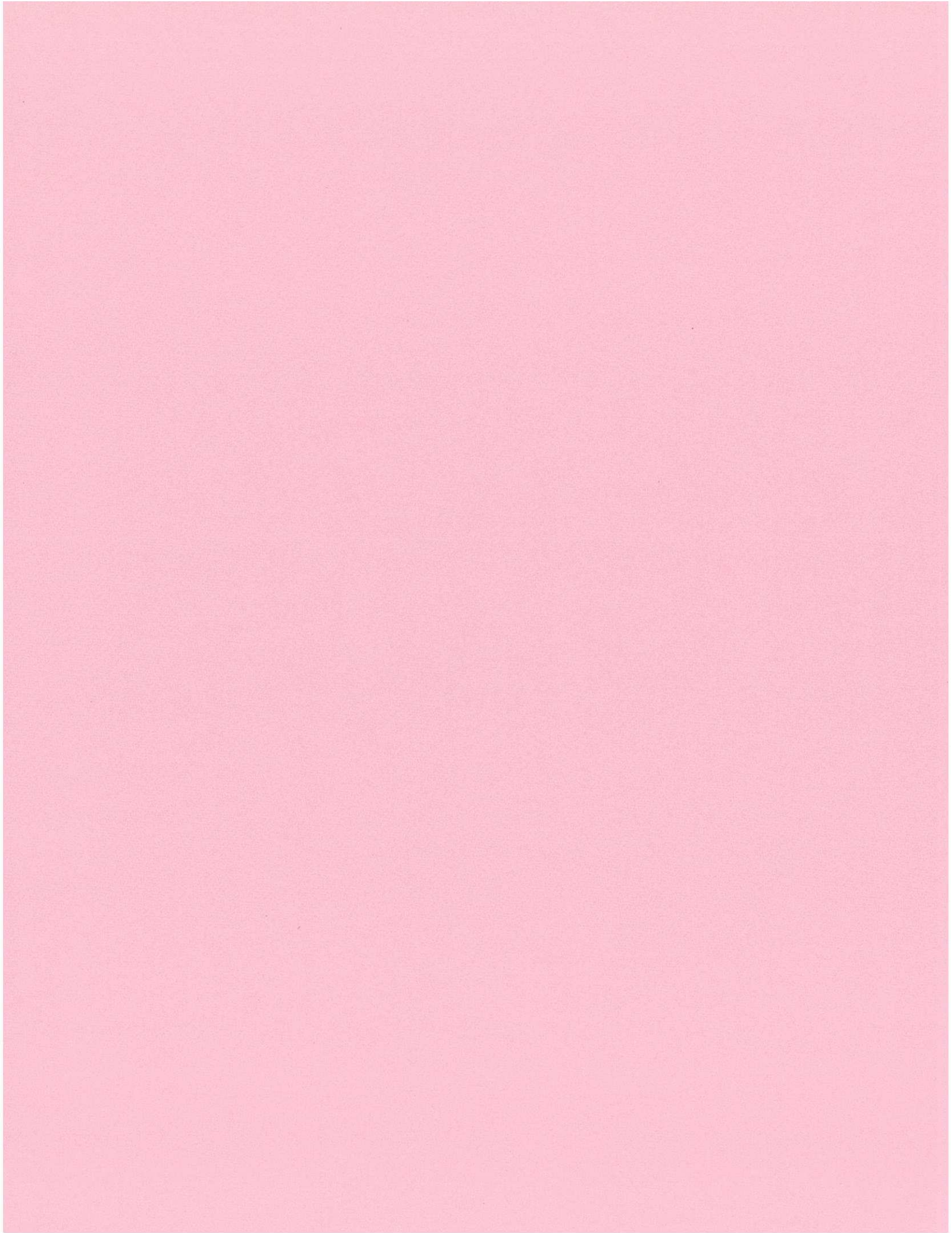
1 CHAIRMAN BARNES: I will -- I will stick
 2 around. Yeah, if you've got a long drive, drive home.
 3 All we're going to do is, I'll create a record of what
 4 we're watching and then we'll --
 5 REPRESENTATIVE MITTEN: Can we let her go
 6 now?
 7 CHAIRMAN BARNES: But we're not going to end
 8 today's hearing. I will end the hearing --
 9 REPRESENTATIVE MITTEN: Can we stand in
 10 recess for a minute while we switch court reporters?
 11 CHAIRMAN BARNES: We will stand in recess
 12 while we switch court reporters. We will then do a
 13 transcript and I will conclude the hearing at the end
 14 of the day.
 15 (HEARING WILL STAND IN RECESS.)
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 25

C E R T I F I C A T E

1
 2
 3 STATE OF MISSOURI)
 4) ss
 5 COUNTY OF HOWARD)
 6
 7 I, Tammy F. Ballew, Certified Court Reporter
 8 for the firm of Capital City Court Reporting,
 9 P.O. Box 446, Jefferson City, Missouri 65102, do hereby
 10 certify that I was personally present at the
 11 proceedings had in the above-entitled cause at the time
 12 and place set forth in the caption sheet hereof; that I
 13 then and there took down in Stenomask the proceedings
 14 had, and that the above and foregoing is a true and
 15 accurate transcription, to the best of my ability, of
 16 said proceedings.

17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand this 8th day of April, 2018.
 19

20 Tammy F. Ballew
 CAPITAL CITY COURT REPORTING
 21
 22
 23
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 25



GOVERNOR ERIC GREITENS' PUBLIC STATEMENTS

1. Associated Press Interview with Missouri Governor Eric Greitens and David Lieb and Summer Balentine taken January 20th of 2018
2. YouTube video of Governor Eric Greitens reveals Budget Plans, Monday, January 22, 2018
3. YouTube video of Governor Eric Greitens questions and answers on February 8, 2018

Transcribed By: SHELLY L. STEWART, CCR (No. 619)
 CAPITAL CITY COURT REPORTING
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 Jefferson City, Missouri 65102
 Telephone: 573-761-4350
 The Lake: 573-365-5226

A P P E A R A N C E S

- 1 The following were present at the Missouri State Capitol
- 2 for the audio/video playing of the three public statements
- 3 by Governor Eric Greitens
- 4
- 5 JAY BARNES, Chairman of the Special Investigative Committee
- 6 on Oversight
- 7
- 8 ALIXANDRA HALLEN, Minority Counsel,
- 9 House of Representatives
- 10
- 11 SHELLY STEWART, Certified Court Reporter
- 12 Capital City Court Reporting
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P R O C E E D I N G S

CHAIRMAN BARNES: It is Thursday, April 5th, 2018 at 4:00 p.m. The rest of the members of this Committee have been excused to drive home under the agreement that at this point in time we will have a court reporter transcribe three public statements that Governor Eric Greitens made relating to the relationship with witness one.

The first such recording is an Associated Press interview with Governor Greitens that occurred in mid-January 2018 and which is present on the website soundcloud.com in what appears to be its full form.

There are two reporters in the room identified, and you can identify them by voice one is Mr. David Lieb, another is Ms. Summer Balentine and Governor Eric Greitens.

The transcription will start now.

(AUDIO PLAYING WHILE COURT REPORTER TRANSCRIBING.)

QUESTIONS BY MR. LIEB AND ANSWERS BY GOVERNOR GREITENS:

Q. First of all, thanks for agreeing to meet with us.

A. Well, thank you guys for making the time to come out. I appreciate it.

Q. I want to ask you about a question right up front here. Are you going to resign from office?

A. David, I'm staying. I'm staying. We're strong.

Sheena and I are strong. Our team is strong. And we're excited about what we can do together.

In fact, one of the things I'll tell you that's happened in this process is we've reached out to a lot of people and a lot of people have reached out to us.

And two of the best conversations I had over the course of this were actually with two senators. And the other senators who I've had some disagreements with on policy, but they are people who have experienced some pain in their life, and some suffering, some hardship, and they were some of the thoughtful, caring people in this whole process.

And our conversation, I think, really reset our relationship. And I'm hopeful about what we can all do together moving forward.

Q. You've apologized --

A. Yes.

Q. -- for a personal mistake and acknowledged being unfaithful to your wife. Your attorney has denied some of the other allegations that were included in that audio recording made by your hairdresser's ex-husband. We know these are going to be sort of difficult and maybe uncomfortable questions.

A. David, I want you guys to ask every question you have, sir, please.

1 Q. Very well. Did you tie or bind the hands or
2 blindfold your former hairdresser?

3 A. David, this was a consensual relationship. There
4 was no blackmail. There was no violence. There was no
5 threat of violence. There was no threat of blackmail.
6 There was no threat of using a photograph for blackmail.

7 All of those things are false. The mistake that
8 I made was that I was engaged in a consensual relationship
9 with a woman who is not my wife. And that is a mistake for
10 which I am very sorry, sorry to Sheena. I'm sorry to our
11 boys. I'm sorry to our family, to our friends and to
12 everyone who has been affected by that.

13 Beyond that this is -- it's a private matter, and
14 everyone involved has asked for privacy, and I respect
15 that, and I would ask you to as well.

16 Q. Did -- did you actually take a photo of her?

17 A. As I said, this was a consensual relationship,
18 David. There was no blackmail. There was no threat of
19 using a photograph for blackmail. And there was no
20 violence.

21 The mistake that I made, as I said, was that I
22 was engaged in a consensual relationship with a woman who
23 wasn't my wife. And beyond that, everyone -- Sheena,
24 everyone has asked for privacy. Again, we would ask you to
25 respect that.

1 Q. When did this begin?

2 A. You know, David, this started and ended years ago
3 and it was -- it all took place in 2015.

4 Q. That audio-recording would indicate that it was
5 March of 2015, is that approximately --

6 A. Yeah.

7 Q. -- when it began?

8 A. Approximately.

9 Q. Okay.

10 A. Again, for Sheena and I this is -- it's a private
11 matter that we wanna -- we wanna -- that we've dealt with
12 privately.

13 It was hard when we dealt with it, but with a lot
14 of help from family and friends and a lot of faith, we've
15 moved forward together and we're stronger as a result.

16 Q. When did it end?

17 A. This all -- it ended in 2015.

18 Q. I mean, but if it started in March, when did it
19 end?

20 A. It ended in the -- in the fall of 2015.

21 Q. Fall, okay. So there -- there was -- you had
22 more contact with her than that one audio-recording that
23 was released in March?

24 A. David, again, this is -- it's a private matter.
25 And what I would ask you, and everyone, is to respect the

1 fact that Sheena and everyone has asked for privacy in
2 this.

3 Q. Did you tell her about it, Sheena that is, back
4 in 2015, or did it not get discussed with her until, like,
5 recently?

6 A. No. Sheena and I dealt with this years ago.
7 Sheena and I dealt with this back in 2015, and we dealt
8 with it privately. We dealt with it together, and we moved
9 through it together.

10 And it was hard and -- what was hard about it was
11 that I caused pain for the people who moved me the most.
12 And my job as a husband and a father is to protect my
13 children and to protect my wife, and I caused pain to them,
14 and that was hard.

15 Q. You indicated there was never any violence, but I
16 want to ask you this directly, because it's come out,
17 someone alleged it: Did you ever slap your former
18 hairdresser?

19 A. Absolutely not.

20 Q. Okay.

21 A. And I also -- I wanna to be clear, there are all
22 of these rumors and falsehoods that have been reported,
23 completely irresponsibly. There was a story that was out
24 that while Sheena was giving birth, that I was with another
25 woman and slapped her.

1 And it's preposterous. We didn't even have a
2 child that year. And when we did have children, I was
3 there with Sheena in the delivery room.

4 These are outlandish, absolutely false stories,
5 and they're also hurtful. They're hurtful to Sheena.
6 They're hurtful to our family.

7 When Sheena has friends who call her and Sheena
8 picks up the phone and they read these things that are
9 false, it is hurtful.

10 Q. Besides your former hairdresser, have you ever
11 had a romantic or sexual relationship with anyone else
12 while you were married?

13 A. No. I made the mistake with one woman, sir. I
14 made a mistake with one woman, and I'm deeply sorry for the
15 mistake that I made. I'm sorry to everyone involved and
16 everyone who has been affected.

17 QUESTIONS BY MS. VALENTINE AND ANSWERS BY GOVERNOR
18 GREITENS:

19 Q. So you had created an exploratory committee to
20 run for office in early 2015, then you embarked on this
21 extramarital affair at the same time that you're making
22 preparation to run for office, but that seems like a pretty
23 risky move politically. What were you thinking?

24 A. You know -- you know, Summer, this was -- as I
25 said, this was a private matter that Sheena and I dealt

1 with. It was -- it was -- we dealt with it privately. And
2 it ended years ago before I was ever governor, and we're
3 moving forward.

4 We're going to continue. We're staying strong as
5 a family. We staying strong as a team and continue to
6 serve the people of Missouri.

7 Q. Some voters would say that a marriage vow is the
8 most important promise a person makes and argue it's even
9 more important than an oath to uphold the constitution.

10 What would you say to those voters who wonder
11 what this affair says about your character and integrity?

12 A. Yeah, what I'd say is that I made a mistake. I
13 made a personal mistake in my marriage years ago.

14 And I'm incredibly grateful to Sheena for her
15 forgiveness and her love. And I'm grateful to everyone
16 who's provided love and compassion and support to this
17 whole process.

18 And that is one point that's important I want to
19 make, is that amidst the storm of negativity and craziness
20 and falsehoods, Sheena and I, in the center of that storm,
21 felt a tremendous amount of love and compassion.

22 And I am going to work every day to be the
23 husband that Sheena deserves, the father that my boys
24 deserve, and to be a great governor for the people of
25 Missouri.

1 QUESTIONS BY MR. LIEB AND ANSWERS BY GOVERNOR GREITENS

2 Q. Have you talked with or been subpoenaed by the
3 St. Louis Circuit Attorney's Office --

4 A. No.

5 Q. -- in relation to this affair?

6 A. No. I have not been contacted by anyone at the
7 Circuit Attorney's Office. I have not been contacted by
8 anyone at the FBI.

9 My attorneys have never been contacted by anyone
10 at the FBI on this or any other matter. And as far as my
11 conduct, there's nothing to investigate.

12 Q. Are you familiar with this Eli Karabell person
13 who says he was a volunteer on your transition and says
14 that he was interviewed by the FBI in November?

15 A. I do not know him. I know a number of members of
16 the staff do.

17 Q. I know you made various calls to lawmakers; did
18 you call each and every one of them?

19 A. We called almost all of them.

20 Q. Both Republican and Democrat?

21 A. Republicans and Democrats, Senate and House.
22 It's really important for us to work together, and one of
23 the things that I am so hopeful about is that, you know,
24 God has a way of making sure that good things can come,
25 even from difficult situations.

1 And we work with a lot of people here and talk
2 with a lot of people here, and are working with lot of
3 people here who want to work with us to get things done.
4 Wanna work with us to get things done for the 13,000 kids
5 in Missouri's foster care.

6 They wanna work with us to get things done for
7 law enforcement officers. They wanna work with us to get
8 things done for military families and veterans.

9 They wanna work with us to get things done to put
10 money back in the pockets of the people of Missouri. And
11 I'm really hopeful about the work that we can do together
12 with Republicans, with Democrats, with people in the
13 legislature and with people all over the State of Missouri.

14 Q. And I know you reached out to lawmakers and a lot
15 of people --

16 A. Yeah.

17 Q. -- have you also talked with either Vice
18 President Pence or Donald Trump about this?

19 A. No.

20 Q. Okay. Anyone in their administration or national
21 party leaders?

22 A. No.

23 Q. Okay. How do you think this affects any future
24 plans you might have for other offices?

25 A. You know, what we do every day, every day is that

1 I wake up every morning and go to bed every night and ask
2 for God's strength and wisdom to serve the people of
3 Missouri.

4 And that's what I'm going to do. That's what I
5 did this morning. That's what I'm going to do tomorrow
6 morning, and that's what I'm going to do the day after
7 that.

8 We're a hundred percent focused on serving the
9 people of Missouri, and that's what we're going to continue
10 to do.

11 Q. I know there is a rally that's going on outside
12 starting at one o'clock to support Donald Trump, and most
13 of the other statewide Republican officials are there; are
14 you going to that?

15 A. No.

16 Q. Why not?

17 A. You know, it was really important for us to
18 get -- to get a lot of work done for the people of
19 Missouri.

20 I think you've seen we're back to work. You've
21 seen what we're doing last week. You've seen what we're
22 doing -- what we're doing next week.

23 Q. Your critics are suggesting that you're hiding
24 from the public by not going to the Trump thing or not
25 holding your tax tour that you were going to do. Are you

1 hiding?

2 A. No. No. The fact is, we've been talking -- we
3 put out the statement as soon as this came out. You've
4 seen other statements. We've reached out to people.

5 And we are, we're going to continue to go out and
6 engage with and be with the people of the State of
7 Missouri.

8 We'll continue to do -- we will do our tax tour.
9 We'll do our statewide tour, and we're gonna get great
10 things done.

11 QUESTIONS BY MS. BALENTINE AND ANSWERS BY GOVERNOR
12 GREITENS:

13 Q. There are legislators who have questioned your
14 ability to effectively lead and implement your agenda in
15 light of all of this.

16 I know you said that some have spoken with you
17 and said they're interested in working with you to
18 accomplish these things, but realistically, you know, how
19 do you respond to some of those questions about your
20 ability to implement these policies?

21 A. We're staying. We're moving forward. We've got
22 a great team. We got a great team and we got a lot of
23 people both here in Jefferson City and around the State of
24 Missouri who want to get things done, and that's what we're
25 going to do. We're going to move forward and we're going

1 to get things done for the people of the State of Missouri.

2 QUESTIONS BY MR. LIEB AND ANSWERS BY GOVERNOR GREITENS:

3 Q. The woman, the former hairdresser, has not come
4 forward publicly. No one has been reporting her name out
5 of respect for her, but have you or anyone associated with
6 her -- with you, paid her --

7 A. No.

8 Q. -- in exchange for her silence?

9 A. No.

10 Q. Okay. Did she -- people have asked if you tried
11 to blackmail her, and you said absolutely not. Did she try
12 to blackmail you on this?

13 A. No.

14 Q. Okay. Does -- has her ex-husband tried to
15 blackmail you on this?

16 A. No.

17 Q. Okay. I want to go back to the small details
18 there, and we've already addressed the violence and the
19 slapping thing.

20 A. Right.

21 Q. When you acknowledged being unfaithful to your
22 wife, are you saying you actually had sex with this woman?

23 A. Yeah. David, this is a private matter. Everyone
24 has asked for privacy, Sheena has, everyone involved. And
25 I would ask you to respect that.

1 Q. Okay. I'm just going through the list of --

2 A. Yes, sir.

3 Q. -- things professionally.

4 A. Yes, sir. Yes, sir. Yes, sir. And I
5 understand, and I appreciate that.

6 Q. Have you talked with her since this all blew up
7 in the news?

8 A. No.

9 Q. Okay.

10 A. My understanding is that she's asked for privacy,
11 and I respect that.

12 Q. One of the other -- speaking of the privacy sort
13 of things, rumors have floated out there because I've seen
14 it reported that Sheena is in Washington, I guess, with her
15 family which leads people to speculate that she left you.
16 Not the case? What --

17 A. It's another absolutely false and hurtful rumor.
18 The fact is Sheena and I dealt with this privately years
19 ago, and we've also dealt with this together.

20 You know, we went into a meeting together the day
21 after this, and as we went in, people were so supportive,
22 so loving. They knew exactly what Sheena and I needed, and
23 they were there for us. And the days after we had
24 beautiful mornings with our boys.

25 One of the great joys for me is to wake up every

1 morning and go in and see Jacob, who is one and a half
2 years old, who sees me and starts bouncing in his crib.

3 And Joshua, who wants to wear his pajamas to
4 preschool. And Sheena and I wake up every day knowing that
5 we've got an awesome family and fantastic boys.

6 Today, this morning, she is on a preplanned
7 vacation that we've had planned since last fall for the
8 boys to spend time with their grandparents. And we were
9 not going to allow this to interrupt time for Sheena and
10 the boys and their grandparents.

11 UNIDENTIFIED SPEAKER: I want to jump in real
12 quick here. We're at 15 minutes. If you have maybe one
13 final question, we're happy to do that, and then we need to
14 move on to the next one.

15 QUESTIONS BY MS. BALENTINE AND ANSWERS BY GOVERNOR
16 GREITENS:

17 Q. You had said that you've received love and
18 support as you've been reaching out on this?

19 A. Yeah.

20 Q. I'm wondering how this might affect your
21 relationship with lawmakers moving forward, especially in
22 the Senate where you've butted heads with lawmakers in the
23 past and have been fairly critical of some lawmakers in the
24 legislature?

25 A. Well, first let me say the love and support has

1 been tremendous from people all over the state. And we are
2 very grateful to friends, to family, of people who've
3 reached out.

4 You know, this has been hard, and hard on our
5 families. I want to see my parents, and they're reading of
6 the falsehoods, and they're reading all of the rumors. And
7 I walked into my house -- their house, and my mom is on the
8 phone with my 95-year-old preschool teacher, who had called
9 my mom to say I love you. I care about you. We care about
10 Eric and your family, and we are here for you.

11 We have had tremendous love and support from
12 people all over the state. And we have, we've reached out
13 to legislature -- members of the legislature, and they have
14 reached out to us.

15 And I'm very confident that together we can do
16 great work. I'm very confident that God has a way of
17 bringing good from difficulty.

18 God has a way of helping people in the midst of
19 pain to emerge with wisdom.

20 God has a way of helping you to move through
21 suffering and actually become stronger.

22 And I am very confident that working with members
23 of the legislature, Republicans and Democrats, Senate and
24 House and people all over the State of Missouri that we can
25 accomplish great things together.

1 Q. I know you've written a whole book about
2 resilience, but --

3 A. Yeah.

4 Q. -- sort of puts it to a new personal test.

5 A. Yeah. One of the -- one of the most wonderful
6 moments for me -- and I want to say again, this has been
7 hard, and I think people from the outside, they see all of
8 the craziness and the negativity and the falsehoods and the
9 rumors.

10 Inside there's been a tremendous amount of
11 support. And one of the nicest moments was when my buddy,
12 who I wrote those resilience letters to, called me.

13 And he just said hang in there, Mr. G. He said
14 we're all rooting for you, talking to all the guys. We're
15 behind you. You changed my life. You had my back. I've
16 got yours.

17 UNIDENTIFIED SPEAKER: Thank you guys so much for
18 making the time to come in on a Saturday.

19 GOVERNOR GREITENS: Yeah.

20 UNIDENTIFIED SPEAKER: We appreciate it.

21 MS. BALENTINE: Yes. Thank you.

22 GOVERNOR GREITENS: Thank you, David. I
23 appreciate you.

24 MR. LIEB: Yeah. Thank you, sir.

25 (END OF AUDIO.)

1 CHAIRMAN BARNES: The previous transcript was
2 from an interview that took place on January 20th, 2018.

3 The next transcript is from a video posted on
4 YouTube of a press conference that Governor Greitens held
5 to discuss the state budget on January 22nd, 2018.

6 It was posted to You Tube by the Columbia Daily
7 Tribune on January 22nd, 2018.

8 (YOUTUBE VIDEO STARTED WITH COURT REPORTER
9 TRANSCRIBING THE FOLLOWING.)

10 The economy is growing. Missouri's businesses
11 are creating jobs. People are going back to work.
12 Missouri has the lowest unemployment rate it's had in
13 17 years.

14 More manufacturing jobs are here in Missouri than
15 there were a year ago, and we moved up nine places in the
16 rankings of the best states in the country.

17 Because our economy is getting better, our budget
18 situation is stronger than it was a year ago.

19 You'll remember when we came into office, there
20 were plans to spend over \$600 million that we didn't have
21 in the budget.

22 So we faced a choice. We could raise taxes or
23 cut spending. We did the hard work of cutting spending.

24 The budget we're introducing today is a common
25 sense conservative budget. We're watching out for the tax

1 dollars of the people of Missouri, making important
2 investments in Missouri's future. And also making the top
3 choices that are necessary to make sure that we don't
4 burden Missouri's children with them.

5 In our work we protect every dollar and every
6 cent we can.

7 Just last week we announced we got rid of another
8 80 cars and saved the people of Missouri another 2 million
9 dollars.

10 We pay attention to every dollar and every cent,
11 because dollars and cents matter. We pay attention to them
12 because we remember that every single dollar this
13 government spends was earned by the hard work of Missouri
14 and is the people's money.

15 You've all been given a summary of the budget.
16 The full budget is available online. We're happy to roll
17 out the budget today and take questions on the budget from
18 the media today.

19 We'll also be doing a Facebook live later this
20 week to answer questions about the budget from people all
21 over the State of Missouri.

22 Our budget director, Dan Haug, will also be
23 holding a press conference a little later to review the
24 budget in detail.

25 I want to walk through a few of the areas where

1 we made some investments, and also be clear about some of
2 the tough choices we made.

3 Our budget increases funding for our (inaudible),
4 and you'll see increased funding for infrastructure, for
5 education, for programs to support our most vulnerable
6 (inaudible).

7 We're able to afford those investments by making
8 top decisions to balance our budget and protect taxpayers'
9 dollars.

10 Our government doesn't create jobs, but it can
11 create the conditions of which businesses can grow and
12 prosper.

13 That's why this budget includes an increase of
14 162.8 million dollars to help build roads and repair roads
15 and bridges.

16 We're also investing 25 million dollars to
17 establish a new jobs and infrastructure fund that will
18 assist local communities, and build the infrastructure
19 necessary to create jobs.

20 We're also investing 7.6 million dollars to
21 improve our (inaudible). This is an important investment.
22 It will help our farmers and other businesses to sell
23 Missouri goods around the country and around the world.

24 We're also investing in our future by supporting
25 our teachers and students. Since we took office, we've

1 increased the funding that schools receive by almost
2 200 million dollars.

3 This year's budget has 87.5 million dollars more
4 for schools than last year, and a total funding of 6.1
5 billion dollars is a record investment in the State of
6 Missouri for elementary and secondary education.

7 We're proud to make that commitment. We also
8 want to see that those dollars get to students and
9 teachers.

10 Teachers in Missouri are not getting the pay that
11 they deserve, and that's why the 2019 budget increase is
12 paid for teachers and state-funded schools.

13 And we're sending more money than ever to our
14 elementary, middle and high schools. We want to see that
15 our school districts follow our lead and increase teacher
16 pay.

17 Last year we introduced an initiative to bring
18 high-speed broadband to rural public schools at no cost to
19 the school themselves, and we're continuing that investment
20 of 6 million dollars this year.

21 We've also made some investments in programs to
22 support vulnerable children. We put in 5.3 million dollars
23 in new funding, a new line item to help reduce the backlog
24 of children in the foster care system who need legal
25 assistance so they can move to a safe, stable and loving

1 home.

2 The budget also includes an increase of 3.3
3 million dollars in funding to care for children who have
4 been abused or neglected and removed from their homes.

5 There's also, in this budget, an increase of
6 8.5 million dollars for the First Steps Program, which
7 provides earlier intervention services for families with
8 young children with disabilities and developmental illness.

9 We've also included 8.4 million dollars in new
10 funding to provide instruction and therapy to young
11 children with disabilities through the early childhood
12 special education program.

13 We're making investments in our veterans and
14 public safety. We put 1.7 million dollars in the new
15 funding to ensure that veterans' homes residents are
16 provided with the quality care that they deserve, and the
17 quality care that their families expect.

18 Our budget increases pay for the highway patrol
19 and for front-line corrections officers. It provides
20 needed safety and forensic investigation equipment, and it
21 increases funding for drug treatment homes.

22 We're including 3.6 million in new funding for
23 adult, family and veterans' treatment core programs which
24 provides effective treatment for substance use disorders
25 and opioid incarceration -- opioid incarceration in the

1 correctional system.

2 We're making a number of critical investments,
3 including 3 million dollars in new funding to expand the
4 crime lab at the Missouri State Highway Patrol's General
5 Headquarters.

6 We're also expanding our fight against the opioid
7 epidemic. We've invested 4.7 million dollars in new
8 funding for peer recovery coaches and hospital emergency
9 departments and faith and community recovery support
10 services.

11 And we've allocated three quarters of a million
12 dollars in new funding to reduce opioid involved deaths in
13 training, education and the distribution of opioid
14 antagonists like Naloxone to first responders and law
15 enforcement.

16 Now despite the fact that Missouri's economy is
17 growing and we're in a stronger position than we were last
18 year, what continues to be the greatest challenge in the
19 budget is the explosion in federally mandated and other
20 health care spending.

21 When we came into office, spending on health care
22 was at 10 billion 334 million dollars. And in this budget
23 it's at over 11 billion 633 million dollars. That's a 1.3
24 billion dollar increase in just two years.

25 The State of Missouri spends more money on health

1 care than we do on K through 12 education, community
2 colleges, technical colleges, domestic violence shelters,
3 veterans programs, our judicial system, public safety and
4 our corrections system combined.

5 That massive spending increase on health care
6 means we have to tighten up in other areas of government
7 and spend less money.

8 We're making some important investments with this
9 budget. We're also having to make some hard choices.

10 There's been a growth in administrative costs at
11 many of our universities. We want to thank university
12 leaders who work in partnership with us to identify
13 savings.

14 As just one example, President Choi and others
15 did a study with PricewaterhouseCoopers and identifying
16 \$70 million dollars in savings.

17 The UM system is going to save up to 2 million
18 dollars just by getting rid of cars that they don't need.

19 We were happy to help them find those extra costs
20 and glad that they were eager to work with us to bring
21 those administrative costs down.

22 We appreciate their strong leadership, and we
23 also appreciate the important role that they play in moving
24 forward.

25 We've had to make tough choices this year, and

1 while we're increasing funding for elementary and secondary
2 education by 87 million dollars, higher education will see
3 a 7.7 percent reduction.

4 This wasn't a choice we paid lightly. We have
5 been working with the universities to try to help them to
6 manage the budgets better.

7 Last year we had a choice. We could raise taxes
8 or cut spending. We face that choice again this year.

9 And, again, we are not raising taxes on the
10 people of Missouri. Instead, we told departments to
11 tighten their belts. We reduced the total number of state
12 employees and we made tough choices.

13 We did that because that's what the people of
14 Missouri sent us here to do, to look after their tax
15 dollars and build a common sense, conservative budget that
16 makes sense.

17 I'm proud of the work that our cabinet, our team
18 and others have done on this. We've already had good
19 meetings with House and Senate budget chairs, and I look
20 forward to working with members of the House and Senate to
21 get a balanced budget passed.

22 And I would be happy to take any questions.

23 REPORTER: Governor Greitens?

24 GOVERNOR GREITENS: Yes, sir.

25 REPORTER: Phillip Joens with the Jefferson City

1 News Tribune.

2 GOVERNOR GREITENS: Yes, sir.

3 REPORTER: A 2016 study showed that Missouri
4 state workers pay ranks last among state workers in the
5 50 states. Do you plan to call for or issue a proposal to
6 increase the pay of state workers?

7 GOVERNOR GREITENS: Yes, sir, I do. And what was
8 your name again, sir?

9 REPORTER: Phillip.

10 GOVERNOR GREITENS: Yeah, Phillip. Yeah, thank
11 you so much for your question, sir.

12 So first of all, one of the things that we're
13 doing, Phillip, is in our budget for every state employee
14 who is making \$50,000 or less, they will see an increase in
15 pay of \$650.

16 And we -- that's going to happen when we get
17 civil service people on past this legislative session, and
18 we're confident we can get that passed.

19 We've talked with a lot of members of the House
20 and the Senate so they will see that increase in pay soon.

21 What you'll also see, sir, is that we're going to
22 invest an additional 61.2 million dollars in state employee
23 health care.

24 You'll see that we're fully funding the
25 contribution for state employee pensions at 14.4 million

1 dollars.

2 And one of the other things that you'll see,
3 sir, is that there are targeted pay adjustments of 4.5
4 million dollars for specific jobs in the State of Missouri,
5 but we want to see those pay adjustments to make sure that
6 Missouri is offering a competitive wage for those
7 positions.

8 REPORTER: Thank you.

9 GOVERNOR GREITENS: You're very welcome, sir.

10 REPORTER: Last year there was a lot of debate
11 over in-home health care patients and the best way to try
12 to fund that. You vetoed the choice that came out of here.
13 What -- what would you -- what type of
14 (inaudible) would you like to see will be acceptable to
15 provide or restore that funding?

16 GOVERNOR GREITENS: Yeah, so -- so first of all,
17 I think -- well, the way we think about -- what was your
18 name again, sir?

19 REPORTER: Marshall (inaudible).

20 GOVERNOR GREITENS: Marshall, so one of the
21 things that we do is that we think about our health care
22 funding in the context -- or we think about that question
23 in the context of our overall health care fund.

24 So as I mentioned, when we came into office, we
25 were looking at 10.3 billion dollars in the health care

1 budget.
2 We're now at over 11.6 billion dollars. It's an
3 increase of 1.3 billion dollars that we are putting into
4 health care funding just over the course of the last two
5 years.

6 We look forward to continuing to work with
7 members of legislature and members of (inaudible) and any
8 proposals that they have to help us to -- to -- to slow
9 down and control the costs of what government is spending
10 on health care.

11 And the same time also work with them to make
12 sure that we're improving the quality of health care for
13 people in the State of Missouri.

14 So, again, when we think about this, we think
15 about it in the context of the massive increase in health
16 care spending, which we need to -- which we need to
17 control.

18 And I'm happy to work with anyone who has
19 proposals to make sure that we're taking care of the most
20 wonderful Missourians.

21 REPORTER: Governor, Lauren Trager with KMOV.
22 You made some remarks recently, but there's one point we
23 want to clarify: Did you take a picture of the woman in
24 question?

25 GOVERNOR GREITENS: Yeah, Lauren, so I'm happy to

1 address this for everyone here once. And to make sure that
2 we can do this so that we can move on and talk about the
3 budget and other important priorities that are before us.

4 As I said before, I made a personal mistake years
5 ago before I was elected, a personal mistake for which I
6 take full responsibility.

7 And it's something that Sheena and I have dealt
8 with years ago. We dealt with it by the book. We dealt
9 with it openly. And it was hard, but with a loving family
10 and a lot of prayer and tremendous support, we made it.

11 And I am grateful, grateful to Sheena for her
12 forgiveness and grateful to God for his forgiveness. I'm
13 also grateful that the people around the State of Missouri,
14 who at this time come to us with tremendous love and
15 compassion and prayer, who helped us through a very
16 difficult time.

17 And we also appreciate those who understand that
18 this is a private issue, that Sheena and I dealt with years
19 ago that's now been dragged into the public.

20 We look forward -- I look forward to work with
21 legislators in this building, people around the State of
22 Missouri in getting their priorities passed and making a
23 difference for them.

24 A lot of what's been put out is not true.

25 There was no blackmail. There was no violence. There was

1 no photograph for blackmail. There was no threat of using
2 a photograph for blackmail. There was no threat of
3 violence.

4 The mistake that I made was that I was engaged in
5 a consensual relationship and a mistake for which I am
6 deeply sorry.

7 REPORTER: Governor, the specific question was --

8 GOVERNOR GREITENS: And for Sheena and I --

9 REPORTER: -- was about the picture, was it
10 taken?

11 GOVERNOR GREITENS: For Sheena and I -- for
12 Sheena and I that is where the story begins and ends.

13 Everyone involved has asked for privacy. I'm
14 going to respect that privacy, and I would ask you to
15 respect that privacy.

16 And to set the record straight, I've never been,
17 and my attorneys have never been contacted by law
18 enforcement on this or any other matter.

19 Sheena and I are moving forward. We are blessed
20 with beautiful children and a fantastic family.

21 Many of the rumors that have been put out are
22 false, and they have been hurtful, hurtful to Sheena,
23 hurtful to our family, hurtful to the people we love.

24 We are grateful, though, that we believe that the
25 people of Missouri will see through this.

1 We move forward with the knowledge every morning,
2 and we wake up and we are blessed having a beautiful
3 family. And we have a wonderful mission in front of us of
4 protecting, serving and working with the people of
5 Missouri.

6 REPORTER: Adriana Diaz of CBS News. Governor,
7 you say that the affair that you had was consensual. Now,
8 the woman's now ex-husband asked her if she was quote,
9 "half raped and blackmailed," and she said yes.

10 How do you --

11 GOVERNOR GREITENS: Ma'am --

12 REPORTER: -- account for the difference --

13 GOVERNOR GREITENS: Ma'am --

14 REPORTER: -- in these two accounts?

15 GOVERNOR GREITENS: Ma'am, I have addressed
16 everything in the answer that I just gave you and in the
17 interviews that we did over the weekend.

18 We are now -- there's been a lot of people in the
19 State of Missouri who are counting on us. There's 13,000
20 kids in the Missouri foster care system. They need us to
21 get this work done, important work in this budget, the
22 important priorities that are before us.

23 We have law enforcement officers, military
24 families and veterans who are counting on us to get this
25 work done, and that's what we're focused on today.

1 REPORTER: Governor, the people of Missouri also
2 need to trust you. The question is: Why did she say she
3 was blackmailed and you say she wasn't?

4 GOVERNOR GREITENS: I answered your question, and
5 we answered them in interviews throughout the weekend.

6 Does anyone have a question on the budget?

7 REPORTER: Governor, you're here to lay out a
8 budget for the future of Missouri.

9 GOVERNOR GREITENS: Yes, sir.

10 REPORTER: I've spoken with several lawmakers who
11 question your ability to lead in light of this scandal.

12 Why do you think you still can lead the State of Missouri?

13 GOVERNOR GREITENS: We answered those questions.

14 REPORTER: You have not answered that question.
15 Why are you now confident in your ability to lead the
16 state, sir?

17 GOVERNOR GREITENS: Sir, we answered that
18 question, and we answered them over the course of the
19 weekend.

20 Do you have a question on the budget, sir?

21 REPORTER: Do you have any plan to resign?

22 GOVERNOR GREITENS: Sir, I've answered that
23 question, and we answered them over the course of the
24 weekend.

25 Do you have any questions on the budget, sir?

1 REPORTER: That was the question on the budget.
2 Lawmakers here are saying they have lost faith in your
3 ability to lead.

4 GOVERNOR GREITENS: Sir --

5 REPORTER: That does affect the budget and your
6 entire agenda going forward.

7 GOVERNOR GREITENS: Sir, we answered those
8 questions this weekend. There's a lot of important work
9 here, a lot of important work.

10 REPORTER: And you still think you're the person
11 to effectively get that done?

12 GOVERNOR GREITENS: Sir, we've got a lot --
13 again, we answered those questions this weekend. We
14 answered them here.

15 We are moving forward. There's a lot of
16 important work that needs to be done, important work that
17 needs to be done that we talked about here.

18 There's kids in our foster care system, there are
19 families who are counting on us to get this right. There's
20 important work that we need to do for public education, and
21 that's why we made a record investment in public education.

22 We're moving forward to get the people's business
23 done. It's a wonderful opportunity and a blessing for us
24 to do that.

25 REPORTER: Governor --

1 GOVERNOR GREITENS: Who has the next question on
2 the budget?

3 REPORTER: Governor Greitens --

4 GOVERNOR GREITENS: Yes, sir.

5 REPORTER: Jack Suntrup with the Post Dispatch.

6 GOVERNOR GREITENS: Yes, sir.

7 REPORTER: Do you or your staff still use the
8 text deleting app Confide?

9 GOVERNOR GREITENS: Jack, again, we're here to
10 talk about the budget. We're here to talk about the
11 budget.

12 REPORTER: Well, I --

13 GOVERNOR GREITENS: Sir, so we're here to talk
14 about the budget. We are cooperating fully with the
15 attorney general's inquiry.

16 We have complete confidence in our policies and
17 our procedures. And as I've said many times we follow the
18 law.

19 Any questions on the budget?

20 REPORTER: Phillip Joens, do you support the tax
21 reform plan like Senator Eigel, just wondering?

22 GOVERNOR GREITENS: You probably saw last week,
23 we rolled out our principles for tax reforms. And we're
24 really excited about our tax reform plan.

25 It's going to cut rates for 97 percent of

1 Missourians. And we're going to be rolling out next week
2 that plan in detail. And also we have a statewide tour
3 around the State of Missouri to talk about all of the
4 details for that plan.

5 We've also been in touch just very recently with
6 Senator Wallingford, the Chairman of the Committee. We
7 look forward to working him.

8 Our team's been in touch with Senators Eigel and
9 Keeney (phonetic spelling). I think that we have a
10 wonderful opportunity to reduce taxes on the people of
11 Missouri and we're going to -- we're going to do so.

12 We look forward to working and cooperating with
13 members of the Senate.

14 Yes, ma'am.

15 REPORTER: Yes. Governor, Kat Reed with 41
16 Action News in Kansas City.

17 GOVERNOR GREITENS: Yes, ma'am.

18 REPORTER: When we spoke to some lawmakers today,
19 they mentioned that when I told them there was a four p.m.
20 press conference today about the budget, they did not know
21 these recommendations were coming out.

22 Can you talk to us a little bit about the contact
23 you've had with lawmakers and your faith and the ability to
24 work on this with them?

25 GOVERNOR GREITENS: Yeah. I'm very confident

1 that we're going to have a really cooperative, good
2 relationship working on the budget.

3 In fact, not only did Dan Haug, our budget
4 director, and our team meet with Chairman Fitzpatrick and
5 Chairman Brown last week, I've spoken to them multiple
6 times including as recently as a couple of hours ago.

7 So we're really confident that we're going to be
8 able to work for and with them to make sure that a lot of
9 these important agenda items, again, get addressed in this
10 budget.

11 Yes, ma'am.

12 REPORTER: Alisa Nelson, MissouriNet.

13 GOVERNOR GREITENS: Yes, ma'am.

14 REPORTER: Can you talk a little bit about what
15 your proposal includes for the Ag Department?

16 Also what happens with state worker pay for those
17 that make more than \$50,000 a year?

18 GOVERNOR GREITENS: Yes, ma'am. So, Alisa, the
19 focus, ma'am, of the raise for state employees is those
20 that are making \$50,000 or less.

21 The people who are making \$50,000 or less, they
22 will see a \$650-a-year increase in their pay, and, again,
23 when we get this civil service reform passed.

24 And our budget director, Dan Haug, when he does
25 his follow-up with you, can also talk in detail about

1 positions within Missouri, within Missouri government. And
2 some of those are people who are making more than 50,000
3 dollars.

4 And then I'm sorry, ma'am. I think you had a
5 first part to your question?

6 REPORTER: Ag Department, can you give us some
7 highlights about that?

8 GOVERNOR GREITENS: So a couple of -- couple of
9 important points, one of the things that you will see in
10 our detailed budget outline is a lot of work that we're
11 doing to make sure that we're supporting farmer and
12 ranchers. Director Haug will go through all of the
13 details in the budget for Ag specifically, but I'll just
14 mention a couple of highlights.

15 One of the things that we heard from a lot of
16 farmers and ranchers around the state is that they wanted
17 to see increased investment in infrastructure to make sure
18 that we could move goods to market.

19 So a couple of specific things that we're doing
20 there. I mentioned the 162.3 million dollars that we are
21 investing in infrastructure.

22 In addition to that there's an additional seven
23 plus million dollars that we are investing in (inaudible).

24 Because of Missouri's position in the country and
25 because of the fantastic farmers we have here, we believe

1 that making these kinds of investments will help Missouri
2 farmers move their goods to market.

3 There are a couple of other infrastructure
4 investments at the county levels, partnerships with, which
5 again, Director Haug can talk you through in detail.

6 And the last thing I'll mention just on the
7 infrastructure side is the 25 million dollar jobs in
8 infrastructure.

9 So what we're doing with the jobs and
10 infrastructure fund is the State of Missouri is investing
11 25 million dollars.

12 And when we have counties or communities at the
13 local level who have an opportunity for economic
14 development and they want to invest in infrastructure, when
15 they put up a hundred dollars, the State of Missouri will
16 put up a hundred dollars and make those investments in
17 infrastructure together so that we can help to bring jobs.

18 So those are just some of the key things that
19 we're doing in Ag.

20 And what you'll see as well in the press release,
21 if you haven't seen it already, is a lot of support from
22 the agricultural community around the state for making some
23 of these key investments.

24 REPORTER: Governor, my name is Mike (inaudible)
25 from Kansas City. Will you support and campaign for an

1 increase in fuel tax?

2 GOVERNOR GREITENS: So, Mike, when we -- when
3 we -- when we roll out our tax plan in detail next week,
4 sir, you'll see that this is a plan we're really proud of.

5 It is a bold plan. It's going to reduce taxes on
6 97 percent of Missourians, and that's what we want to do.
7 We want to cut taxes for the people of Missouri.

8 Our plan will not include an increase in the gas
9 tax.

10 REPORTER: Why not?

11 GOVERNOR GREITENS: Well, sir, right now we don't
12 want to raise taxes on the people of Missouri. What we
13 want to do is lower taxes on working families throughout
14 Missouri. Again, we will be rolling out all the details
15 for that plan next year.

16 REPORTER: Governor, in an effort to move forward
17 as you stand on other issues, will you agree to (inaudible)
18 with every media outlet about this matter, and will you be
19 cooperating with the circuit attorney's office --

20 GOVERNOR GREITENS: Ma'am --

21 REPORTER -- investigators?

22 GOVERNOR GREITENS: Ma'am, we've addressed
23 those questions. I've addressed --

24 REPORTER: With every media outlet and
25 (inaudible).

1 GOVERNOR GREITENS: Ma'am, we've addressed those
2 questions here today. We addressed them in interviews this
3 past weekend, and I can tell you we are moving forward.

4 REPORTER: You declined to speak with KMOV.
5 Would you agree to sit down with us?

6 GOVERNOR GREITENS: Ma'am, we're moving forward.
7 And we're moving forward because that's what the people of
8 Missouri (inaudible).

9 We're moving forward because we've got a lot of
10 people around the State of Missouri who are counting on us
11 to get results for them.

12 And that's what Sheena and I are doing. That's
13 what our family is doing. That's what our team is doing.
14 We're moving forward.

15 REPORTER: Summer Balentine, The Associated
16 Press.

17 GOVERNOR GREITENS: Yes.

18 REPORTER: You're already getting some pushback
19 from lawmakers over the cuts to higher education; why cut
20 in that area?

21 GOVERNOR GREITENS: Yeah. So look, there are
22 tough choices that have to be made in the budget. As
23 you've seen, we're increasing funding for elementary and
24 secondary education by over 87 million dollars.

25 We are also increasing funding for programs for

1 vulnerable children by almost 30 million dollars. These
2 are really important investments for us to make for the
3 State of Missouri.

4 But in any budget you also have to make tough
5 choices. Now the good news is I really appreciate the
6 cooperation that you have of a lot of leaders in higher
7 education who have worked with us to identify cost savings.

8 So as I mentioned earlier, PricewaterhouseCoopers
9 sat down with President Choi and the University of Missouri
10 system, and they identified over 70 million dollars in
11 savings just within the UM system.

12 So we are fully confident that we can address
13 administrative overhead, take that cost out while
14 continuing to do great work here in the State of Missouri.

15 I'll also mention now -- I think it's
16 important -- there is an increase that we are diverging in
17 higher education, scholarships that we're putting in for
18 students.

19 I believe that the increase is somewhere on the
20 order of 6.5 million dollars. And, again, Director Haug
21 will have all of those details about the increase in
22 scholarship funding for higher education.

23 REPORTER: David Lieb, AP.

24 GOVERNOR GREITENS: Yes, sir.

25 REPORTER: Your sheet here says you are

1 recommending 40 million dollars in cost containments to
2 Medicaid. What are you proposing to cut?

3 GOVERNOR GREITENS: Yes, sir. So one of the
4 things that we're doing with the Medicaid program is
5 exactly what you said. There's a number of places where we
6 can contain costs.

7 And the Director Haug and Steve Corsi, the
8 Director of our Department of Social Services can talk you
9 through what we're thinking in terms of those specific cost
10 containment items. And I'll make sure they get you those
11 details as we have them.

12 But, again, Medicaid is the largest drawing cost
13 for State of Missouri's budget, as I said from 10.3 billion
14 to 11.6 billion dollars. And we're confident that there
15 are a number of cost containment measures that we can put
16 in place. And unfortunately I don't have those details
17 with me.

18 REPORTER: In general, would it be the people
19 receiving?

20 GOVERNOR GREITENS: No, sir. In general, what
21 we're doing is we think that there are a number of ways for
22 us to contain costs, deal with administrative overhead and
23 make sure that we're still providing services to most
24 vulnerable Missourians. It's really important for us to do
25 that.

1 I'll also ask -- you know, Director Haug can talk
2 you through in detail, for example, some of the increased
3 investments in Medicaid to make sure we are taking care of
4 the most vulnerable people in the State of Missouri.

5 I'll ask Director Haug, for example, to talk you
6 through in detail what we're doing with the 65.8 million
7 dollar investment in the Department of Mental Health
8 to make sure that we're taking care of 1,399 individuals
9 who have disabilities or are in need of additional
10 assistance.

11 REPORTER: Does your budget proposal include any
12 cuts in state worker positions?

13 GOVERNOR GREITENS: We are -- we are reducing on
14 the state workforce, and we continue to do so. Right now
15 the state workforce is the smallest that it's been in
16 decades.

17 And, again, Director Haug can talk you through in
18 detail where all of those positions are.

19 Big picture for us, what's important for us to
20 get done in this legislative session is to get civil
21 service reform passed.

22 We want to make sure that we can pay good workers
23 more. And right now this system holds us back from doing
24 that.

25 We want to be able to invest in and reward people

1 who are doing good work.

2 We also want to make sure that we can move people
3 into jobs where they can do the best possible, best
4 possible work for the people of the state.

5 REPORTER: Governor, yes or no, did you ever take
6 her picture?

7 GOVERNOR GREITENS: Sir, again, I just answered.
8 We answered them over the course of the weekend, and we are
9 moving forward.

10 REPORTER: Governor, (inaudible) KMOV. Is there
11 a reason you're not choosing to speak with everyone in a
12 public setting?

13 GOVERNOR GREITENS: Ma'am, we are -- we have
14 spoken to people in a public setting. We addressed these
15 questions in multiple interviews over the course of the
16 weekend.

17 REPORTER: But with specific outlets?

18 GOVERNOR GREITENS: But, ma'am, we have addressed
19 the specific outlets.

20 REPORTER: Is there a reason you won't address it
21 with everyone?

22 GOVERNOR GREITENS: Ma'am -- ma'am, we've
23 addressed this question. We've addressed it. We've
24 addressed them over the course of the weekend. I've
25 answered your question and we're moving forward.

1 Yes, sir?

2 REPORTER: Mike (inaudible) again.

3 GOVERNOR GREITENS: Yes, sir.

4 REPORTER: Governor, with all due respect what a
5 lot of people want to know is what were you thinking? You
6 jeopardized your political career, your family. What were
7 you thinking?

8 GOVERNOR GREITENS: Mike, again, I appreciate
9 your question and others. As I said, I've addressed those
10 questions here. We addressed them this weekend in multiple
11 interviews, and Sheena and I and our team are moving
12 forward to serve the people of Missouri.

13 Any other -- any other questions?

14 REPORTER: With all due respect, Governor, you
15 haven't answered the photo questions.

16 GOVERNOR GREITENS: Sir -- sir, I've answered
17 your question. We answered them with multiple outlets this
18 weekend, and we're moving forward.

19 Any other questions on the budget?

20 REPORTER: Relating to the tax proposal you
21 outlined last week.

22 GOVERNOR GREITENS: Yes, sir.

23 REPORTER: The 2014 cuts are just now taking
24 effect?

25 GOVERNOR GREITENS: Yes, sir.

1 REPORTER: Why do you think the state already
2 needs another tax cut?

3 GOVERNOR GREITENS: Yeah, so what's really
4 important to understand, especially as it relates to the
5 budget, is that this is a revenue neutral tax cut.

6 So it's revenue neutral, and I'm really proud of
7 the work that the team has done on this.

8 Again, I'd be happy to sit down with you and
9 others to kind of talk to that in detail when we roll that
10 proposal out next week and again do the statewide tour.

11 Thank you again so much for showing up. Director
12 Haug will be available to answer your detailed budget
13 questions. I appreciate everybody coming today. Thank you
14 guys very much.

15 (END OF YOUTUBE VIDEO OF GOVERNOR GREITENS
16 "REVEALS BUDGET PLANS" SPEECH.)

17 CHAIRMAN BARNES: The next video is a YouTube
18 video taken by the Columbia Daily Tribune again at a
19 session with the Missouri Press Association in the
20 Governor's mansion on or about February 8th, 2018.

21 (YOUTUBE VIDEO PLAYING NOW.)

22 GOVERNOR GREITENS: This is a shy group. This is
23 a really, really shy and tired group.

24 (INAUDIBLE).

25 REPORTER: I appreciate that.

1 Thanks for inviting us, Governor. I'm
2 Christopher Ave from the Post Dispatch. It should be noted
3 I think that when Governor Nixon, your predecessor, had
4 these gatherings he didn't have any knives out, like there
5 were no knives. So to your credit there are knives out
6 here.

7 So let's just get this out of the way. In the
8 matter of the affair, did you take a photograph of the
9 woman? That is a question that hasn't been clearly
10 answered.

11 GOVERNOR GREITENS: Actually, Christopher, we
12 have answered all of those questions.

13 REPORTER: So what is the answer to that one?

14 GOVERNOR GREITENS: We've answered them in
15 multiple interviews with multiple people. We're ready --
16 we're ready to move forward, which we have, we are, and we
17 have.

18 I think what you'll note, what's exciting to see
19 is the way that people of Missouri are responding to our
20 agenda.

21 I think -- I think that you probably saw last
22 week we did events around the state in Macon, Palmyra,
23 Jackson, Springfield, Joplin and Kansas City and had
24 hundreds of people who were coming out because they were
25 excited about the work that we're doing.

1 They're excited about the fact that we are
 2 working to cut taxes for the people of Missouri.
 3 They are excited about the fact that we are
 4 making sure that we're building an economy where families
 5 can prosper.
 6 They're excited about the fact that we're cutting
 7 regulations on the people of Missouri. And we're really
 8 excited about that agenda, and we're going to continue to
 9 work on, talk about and get that agenda passed because it's
 10 the right thing to do for the people of Missouri.
 11 REPORTER: One follow-up?
 12 GOVERNOR GREITENS: Yeah.
 13 REPORTER: Just one follow-up. Thank you. Have
 14 you or any of your representatives been contacted by any
 15 law enforcement or prosecutors in regards to the matter of
 16 the affair?
 17 GOVERNOR GREITENS: Again, we've answered all
 18 those questions, and you know that the answer is no. You
 19 know that the answer is no because you've seen that
 20 question answered multiple times.
 21 REPORTER: A week ago.
 22 GOVERNOR GREITENS: Yeah, and you've seen that
 23 answer -- that question answered multiple times.
 24 REPORTER: Thank you.
 25 GOVERNOR GREITENS: So does anyone have any

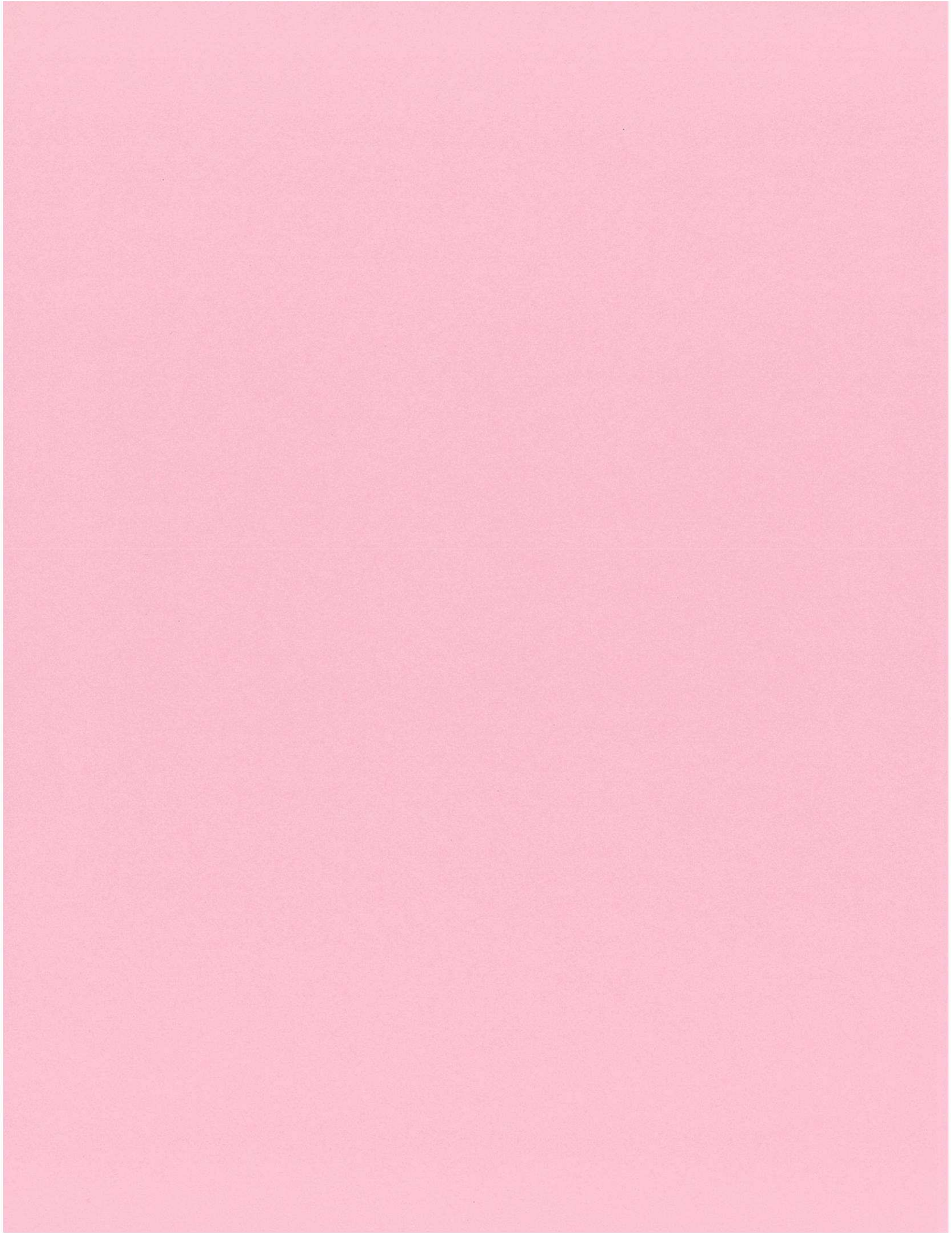
1 questions about the business in front of the people of
 2 Missouri?
 3 (END OF YOUTUBE VIDEO.)
 4 CHAIRMAN BARNES: Having gone through the videos
 5 and the audio recordings of the statements made by Governor
 6 Greitens in January and early February of 2018 in public
 7 settings, this will now conclude today's hearing of the
 8 Missouri House Special Investigative Committee On
 9 Oversight.
 10 (END OF PROCEEDINGS.)
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C E R T I F I C A T E

1
 2
 3 I, Shelly L. Stewart, Certified Court Reporter, within and
 4 for the State of Missouri, do hereby certify that I was
 5 personally present at the proceedings had in the
 6 above-entitled cause at the time and place set forth in the
 7 caption sheet hereof; that I then and there took down in
 8 Stenotype the proceedings had and produced with
 9 computer-aided transcription and that the foregoing is a
 10 full, true and correct transcript of such Stenotype notes
 11 so made at such time and place.
 12
 13 IN WITNESS WHEREOF, I have hereunto set my hand on this
 14 7th day of April 2018.
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 SHELLEY L. STEWART, CCR
 CAPITAL CITY COURT REPORTING



SPECIAL INVESTIGATIVE
COMMITTEE ON OVERSIGHT

Monday, April 9, 2018

State Capitol Building
201 W. Capitol Avenue
Jefferson City, Missouri

COMMITTEE MEMBERS:

Representative Jay Barnes, Chair
Representative Donald Phillips, Vice-Chair
Representative Gina Mitten, Ranking Minority Member
Representative Jeanie Lauer
Representative Kevin Austin
Representative Shawn Rhoads
Representative Tommie Pierson, Jr.

Also present: Bryan Scheiderer, Legal Analyst
Alex Churchin, Legislative Counsel to
Speaker of the House
Alixandra Hallen, Minority Counsel

REPORTED BY: Tracy Taylor
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573.999.2662

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WWW.TIGERCRCR.COM 573.999.2662

REPRESENTATIVE BARNES: Call to order
this meeting of the Special Investigative Committee on
Oversight. Mr. Secretary, please call the roll.

SECRETARY CURCHIN: Representative
Barnes.

REPRESENTATIVE BARNES: Here.

SECRETARY CURCHIN: Representative
Phillips.

REPRESENTATIVE PHILLIPS: Here.

SECRETARY CURCHIN: Representative

Mitten.

REPRESENTATIVE MITTEN: Here.

SECRETARY CURCHIN: Representative Lauer.

REPRESENTATIVE LAUER: Here.

SECRETARY CURCHIN: Representative

Austin.

REPRESENTATIVE AUSTIN: Here.

SECRETARY CURCHIN: Representative

Rhoads.

REPRESENTATIVE RHOADS: Here.

SECRETARY CURCHIN: Representative

Pierson, Jr.

REPRESENTATIVE PIERSON: Here.

SECRETARY CURCHIN: All here and

accounted for.

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REPRESENTATIVE BARNES: By your vote of
seven present, none absent, we are all here.

What I wanted to do today was a couple
things. First, Alix Hallen took the report that we
went through Thursday and made a series of grammatical
edits and capitalizing Committee everywhere that it
was. I accepted all of those for which I deemed there
would be no objection whatsoever in this Committee, to
save us time.

I, perhaps to her dismay, rejected
changes that put ellipses in direct quotes from
witnesses, to leave as many witness quotes as we
could.

And then there are a couple things
remaining. That's the first thing I'd like to do --
let's write this down. All right? The second
thing -- create an order of business here -- is to
discuss the letter that we received from the First
Lady.

SECRETARY CURCHIN: Okay. Are we on --
probably redact this discussion if it's not going to
be part of the record.

REPRESENTATIVE BARNES: Well, I'm going
to -- let's keep the discussion in. I just want to
talk about the fact that we received a letter. And

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it's been publicly reported that we did receive a
letter and it's been publicly reported what the
general contents of that letter was.

The third item is that attorneys for
Governor Greitens filed a Motion to Compel this
morning in the case in the City of St. Louis, and I
want to briefly speak about that.

The fourth item is going over
correspondence between myself and, in a few cases,
others and the Governor's counsel. And what I'd like
to do is mark those as exhibits and enter them into
the record. There's been -- I don't know. I wouldn't
characterize them as leaks because they're their own
letters that have been released in the last four or
five days, but I think it's important that we give a
context to those letters, both of which were sent in
response to correspondence from me apprising them of
we expected to hear from them in some form or fashion.

The articles only talk about the response
and never set forth the correspondence that led to
them. And so I think it's clear -- it's good to have
a clear record as to why those responses were sent to
this Committee.

And then if there's -- does any -- before
we even start, does anyone else have anything to add

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1 to this list? And we can add it later as well. After
2 we get through these four, I'm open to adding
3 additional things.

4 REPRESENTATIVE MITTEN: Can I look at
5 your list?

6 REPRESENTATIVE LAUER: Are we going to
7 talk about the time frame of the report?

8 REPRESENTATIVE BARNES: Yes.

9 REPRESENTATIVE LAUER: Okay.

10 REPRESENTATIVE MITTEN: Yeah, I think my
11 questions all come down to --

12 REPRESENTATIVE BARNES: I'll add that as
13 five.

14 REPRESENTATIVE MITTEN: -- process,
15 timing.

16 REPRESENTATIVE BARNES: All right. So
17 first thing's first. I'm just going to scroll down
18 until we meet our first --

19 REPRESENTATIVE MITTEN: Okay. Can I add,
20 like, next steps?

21 REPRESENTATIVE BARNES: Sure.

22 REPRESENTATIVE LAUER: Is it the --

23 REPRESENTATIVE BARNES: Given the
24 temperature, permission granted to remove jackets.

25 REPRESENTATIVE LAUER: Is it the intent

1 for us to review this report and complete it at this
2 sitting, or will we have an opportunity to go back and
3 look at it individually again?

4 REPRESENTATIVE BARNES: I think it's to
5 do this, look at it individually and sign tomorrow.

6 REPRESENTATIVE LAUER: Okay.

7 REPRESENTATIVE BARNES: Again, because
8 I -- you know, we want to go through this one more
9 time and have an opportunity to review.

10 So let me go down -- okay. So Footnote 3
11 is -- and we'll cover this in a minute -- the
12 correspondence with Greitens' counsel. They are not
13 yet marked as exhibits and they're going to be marked
14 as exhibits, so that's just a placeholder for that.

15 Also want to note that after we get to a
16 document today, Alex or Alix and Alexes should go
17 through and check that all of the citations to the
18 record are accurate. I think they're pretty close,
19 but we want them to be entirely accurate.

20 Okay. So the first change -- and this is
21 something that I made. Footnote 32, paragraph 30,
22 Representative Phillips asked if she felt like her
23 privacy was invaded. She answered yes. And I want to
24 add something to the footnote that you did not go
25 through the elements of the crime.

1 REPRESENTATIVE PHILLIPS: Right.

2 REPRESENTATIVE BARNES: There's a common
3 interpretation of the phrase, "Did you feel like your
4 privacy was invaded?" And then there's the technical,
5 legal interpretation of the phrase in the statute.
6 And I want to make clear that we're speaking to --
7 that was a common interpretation. We didn't ask her
8 for a legal conclusion there.

9 Is everyone in agreement to adding that
10 to the footnote?

11 REPRESENTATIVE AUSTIN: Good.

12 REPRESENTATIVE BARNES: Okay. I think
13 this is a good suggestion from Alix, which is to break
14 these paragraphs up. The first -- first of all,
15 because it's a really long paragraph. But the first
16 paragraph talks about whether she consented; and then
17 the new second paragraph talks about the conflicting
18 testimony at that particular time. And I'll give you
19 guys time to read.

20 REPRESENTATIVE MITTEN: Oh, right. Then
21 it just re-numbers. I got it. So that was just one
22 monumentally long -- makes sense.

23 REPRESENTATIVE BARNES: Yes. And I think
24 where the breakdown makes sense is where we say,
25 "Later, Witness 1 presented conflicting testimony as

1 to whether she was physically afraid at that
2 particular moment."

3 REPRESENTATIVE PIERSON: So those were
4 two different times during the questioning?

5 REPRESENTATIVE BARNES: Two different
6 times during the questioning. And I believe what
7 happened here is Representative Mitten asked a series
8 of questions and then when we came back around, I
9 asked a series of clarifying questions. And -- and
10 she testified that she was definitely in fear for her
11 physical self at one point. And then another time she
12 said -- when asked, "Did you feel afraid to leave?"
13 She answered, "No, not at this point."

14 Now, there's some ambiguity and, you
15 know, hindsight is always 20/20. The follow-up
16 question should have been, What did you mean -- what
17 do you mean by "not at this point"? But we didn't ask
18 that -- I didn't ask that follow-up question in the
19 moment.

20 And so it could be that she could have
21 reconciled those two statements. She could have said
22 when she said "not at this point," she was speaking
23 about something different than what she said to you.
24 But we have the testimony we have at this point and I
25 think it's important to put both of those in there.

1 And it would be -- it would be a little bit misleading
2 to not include both of those statements in there.
3 REPRESENTATIVE MITTEN: No, I get it. I
4 get it. I get it. Yep, fine.
5 REPRESENTATIVE BARNES: Further
6 discussion? Everybody fine with this?
7 REPRESENTATIVE AUSTIN: Good.
8 REPRESENTATIVE BARNES: Is anybody not
9 fine with it?
10 Okay. I'm going to --
11 REPRESENTATIVE MITTEN: Accept, accept.
12 Not reject.
13 REPRESENTATIVE BARNES: Fine. You guys
14 win on your -- okay. Accept, accept, accept, delete
15 comment, no, accept. Okay. Now, watch this magic.
16 Okay. Alix?
17 REPRESENTATIVE MITTEN: We will fix this.
18 REPRESENTATIVE BARNES: Yeah. Somebody's
19 going to have to fix this.
20 MS. HALLEN: Yeah, we'll fix it. Stuff
21 is going to get messed up with all the footnote --
22 when we have to make footnote changes.
23 REPRESENTATIVE MITTEN: There. You're
24 good.
25 REPRESENTATIVE BARNES: But it's not --

1 REPRESENTATIVE MITTEN: It's not
2 formatted -- okay. Yeah, we'll fix that. That is not
3 a Committee Chair's --
4 REPRESENTATIVE BARNES: I cannot be
5 trusted with that format fix.
6 REPRESENTATIVE MITTEN: -- duty. You
7 cannot be trusted with a format fix. Yeah.
8 REPRESENTATIVE BARNES: Okay. Paragraph
9 68. So after everyone left Thursday, we had the court
10 reporter stick around and make a transcript of those
11 statements that were on YouTube -- or two of them were
12 on YouTube, one of them was on SoundCloud. And so the
13 rep-- what Alix did is took the words straight from
14 the transcript and changed the citations so that they
15 cite to the transcript.
16 REPRESENTATIVE MITTEN: And we're waiting
17 for those transcripts.
18 MS. HALLEN: We have them.
19 REPRESENTATIVE MITTEN: Oh, we have them?
20 Okay.
21 REPRESENTATIVE BARNES: Let me fix this
22 stuff. Accept, accept, accept, accept, accept.
23 REPRESENTATIVE MITTEN: Are we meeting
24 tomorrow?
25 REPRESENTATIVE AUSTIN: At noon.

1 REPRESENTATIVE MITTEN: Okay.
2 REPRESENTATIVE AUSTIN: We better
3 schedule meetings every day because you never know
4 what's going to come up.
5 SECRETARY CURCHIN: We have one scheduled
6 for Wednesday as well.
7 REPRESENTATIVE BARNES: Yeah, I think at
8 this point in time, following your advice,
9 Representative Mitten, we are just going to notice up
10 for every day; and if we have to cancel, we have to
11 cancel. But that's the -- better safe that we've got
12 something noticed up if we need to meet than to be
13 scrambling for notice.
14 Okay. Come on.
15 REPRESENTATIVE PHILLIPS: I know we'll
16 talk about this, Jay, but what are going to be our
17 marching orders for the press? Because they're going
18 to interview everybody that they possibly can
19 concerning this topic.
20 REPRESENTATIVE BARNES: Let me add that
21 to the list.
22 REPRESENTATIVE PHILLIPS: Okay.
23 REPRESENTATIVE LAUER: I'm already
24 getting requests for appointments.
25 REPRESENTATIVE PHILLIPS: It won't just

1 be us. It will be everybody.
2 REPRESENTATIVE BARNES: Sorry, guys. I
3 want to make sure though that everybody got a chance
4 to look at this. I think that this is it. Okay.
5 Come on.
6 Okay. I'm going to accept this deal in
7 the footnotes and then I'm going to accept these as --
8 let me back up. I'm going to reject this first one
9 because I want to put the publicly-available link in
10 there.
11 MS. HALLEN: Oh, yeah. That's fine.
12 REPRESENTATIVE BARNES: Does everyone
13 agree to that?
14 REPRESENTATIVE AUSTIN: Yes.
15 REPRESENTATIVE LAUER: Uh-huh.
16 REPRESENTATIVE BARNES: See AP interview
17 with --
18 REPRESENTATIVE PHILLIPS: In most sources
19 when you reference God, the H is capitalized in "His
20 forgiveness."
21 REPRESENTATIVE BARNES: Where did you see
22 that?
23 REPRESENTATIVE LAUER: Last line, first
24 word.
25 REPRESENTATIVE PHILLIPS: I'm grateful to

1 Sheena for her forgiveness, grateful to God for His
 2 forgiveness. I think it's pretty common to capitalize
 3 the H in "His."
 4 REPRESENTATIVE BARNES: Good catch. I'm
 5 going to delete the mark of the video. This would
 6 be --
 7 MS. HALLEN: You can just reject that
 8 change.
 9 REPRESENTATIVE BARNES: Yes. Okay.
 10 Accept, accept, accept, accept, accept, accept.
 11 MS. HALLEN: Just go back. Hit --
 12 REPRESENTATIVE BARNES: Reject, reject.
 13 MS. HALLEN: And then just accept that
 14 one.
 15 REPRESENTATIVE BARNES: I don't want to
 16 reject that change because we still want that. Right?
 17 Okay. There we go. All right. So file, save as.
 18 Okay. The next question, moving on to
 19 Topic 2 -- take one and pass it down. I think
 20 everyone received an e-mail this weekend from the
 21 First Lady. Most of it relates to Witness 3. I don't
 22 know that it -- not I don't know. I am 100 percent
 23 confident it does not change any member of this
 24 Committee's conclusions about Witness 3. It adds to
 25 our conclusions about Witness 3.

1 This morning I sent an e-mail in response
 2 to her and thanked her for her letter and asked if she
 3 sent this intending it to be made a part of the public
 4 record. My intent is if she says yes, we will include
 5 this further redacted copy. If she says no, then we
 6 will not include it as part of the record.
 7 REPRESENTATIVE MITTEN: Hasn't she
 8 responded?
 9 REPRESENTATIVE PHILLIPS: Uh-huh.
 10 REPRESENTATIVE RHOADS: I received e-mail
 11 from her at one o'clock.
 12 REPRESENTATIVE MITTEN: Yes. Saying no.
 13 REPRESENTATIVE BARNES: She said no.
 14 REPRESENTATIVE MITTEN: Correct.
 15 REPRESENTATIVE BARNES: Is everyone in
 16 unanimous agreement that we will not include this -- I
 17 move then that we do not include this letter in our
 18 report. Again, I think it solidifies feelings that
 19 members of this Committee already had.
 20 REPRESENTATIVE AUSTIN: I just read her
 21 response, the one o'clock response. Yeah, I'm for not
 22 including it.
 23 REPRESENTATIVE LAUER: Agreed.
 24 REPRESENTATIVE BARNES: I would --
 25 SECRETARY CURCHIN: Without objection.

1 REPRESENTATIVE BARNES: Without
 2 objection, we will not include that e-mail in the
 3 report. Seeing no objection, we will not include the
 4 e-mail in the report.
 5 Let's take a break for one second.
 6 (Off the record.)
 7 REPRESENTATIVE BARNES: The next issue
 8 is -- for today is the Motion to Compel that was filed
 9 this morning. And, again, I believe everyone -- at
 10 least my e-mail shows that everyone got a copy of
 11 this. Can everyone put the letter in a stack here
 12 that we'll -- so it's no longer just floating around?
 13 So the first thing is I'm going to move,
 14 on the next item at issue, that we create exhibits for
 15 all of the correspondence with Greitens' counsel.
 16 This is also correspondence. It's a publicly-filed
 17 document. So does everyone agree that this should be
 18 an exhibit attached to the report?
 19 REPRESENTATIVE AUSTIN: I do.
 20 REPRESENTATIVE LAUER: I do.
 21 REPRESENTATIVE MITTEN: I have not had a
 22 chance to review it, but what is the status of the,
 23 quote, gag order in that case? That's my only
 24 concern.
 25 REPRESENTATIVE BARNES: Well, this

1 isn't --
 2 REPRESENTATIVE MITTEN: I haven't looked
 3 on Case.net, for instance, so I just don't know.
 4 REPRESENTATIVE BARNES: This is a
 5 publicly-filed document.
 6 REPRESENTATIVE MITTEN: So it's a
 7 pleading available on Case.net?
 8 REPRESENTATIVE BARNES: It's a pleading
 9 available on Case.net. It was sent to us. And we are
 10 under no obligation to follow the nondisclosure order
 11 in the Circuit Court case.
 12 REPRESENTATIVE MITTEN: Well, I guess one
 13 could -- would assume that it's not part -- subject to
 14 the gag order because it came from one of the
 15 attorneys involved now that I think that through,
 16 but --
 17 REPRESENTATIVE BARNES: Well, from my
 18 perspective, we are not a party to that case, we are
 19 not subject to the nondisclosure order. And I don't
 20 think there's a constitutional way we could ever be
 21 subject to the nondisclosure order in that case.
 22 REPRESENTATIVE MITTEN: I guess my only
 23 concern is that has any -- has a member of the
 24 Committee -- because I have not -- gone through the
 25 publicly-available pleadings in that matter to see

1 what other, if any -- there exists any other pleadings
2 filed that would also be pertinent to attach?

3 REPRESENTATIVE BARNES: Well, the reason
4 this is different is because this was sent to us by a
5 party to that litigation. This was sent to us by
6 Greitens' counsel.

7 REPRESENTATIVE MITTEN: And that makes it
8 different because?

9 REPRESENTATIVE BARNES: Because it's a
10 communication from his counsel to this Committee in
11 particular.

12 REPRESENTATIVE MITTEN: Well, but we just
13 made an opposite -- go ahead.

14 REPRESENTATIVE AUSTIN: I haven't seen
15 anything that I thought was relevant. The only thing
16 that makes this relevant is a somewhat cite to her --
17 to Witness Number 1's testimony.

18 REPRESENTATIVE MITTEN: Right.

19 REPRESENTATIVE BARNES: Yes. And so the
20 second question would be whether at this point in time
21 we would no-- or take this exhibit and footnote in our
22 report where there is some sort of reference to
23 testimony that's in the report right now.

24 REPRESENTATIVE AUSTIN: And I guess my
25 thoughts are we do. Because I don't think the

1 defendant's attorneys are making up quotes, you know.
2 We don't have the actual transcript, which means maybe
3 we could reconcile her testimony, maybe we can't
4 because we don't have the transcripts.

5 Because as you know, when you cite lines
6 from a deposition, you're not -- certainly not going
7 to make up stuff from the deposition, but you're going
8 to cite stuff that's favorable to your client. I
9 mean, that's what I would -- that's what I do as an
10 attorney.

11 So -- but having said that, it's still
12 apparently sworn testimony from her that they quote.

13 REPRESENTATIVE MITTEN: These are not --
14 these are not quotes.

15 REPRESENTATIVE AUSTIN: Yeah.

16 REPRESENTATIVE BARNES: They are -- no,
17 there's no citations.

18 REPRESENTATIVE AUSTIN: I agree there's
19 no citations.

20 REPRESENTATIVE BARNES: The deposition
21 was taken Friday. They may not have the full
22 transcript yet.

23 REPRESENTATIVE MITTEN: Well, I'm looking
24 at the second paragraph under --

25 REPRESENTATIVE BARNES: What page are you

1 on?

2 REPRESENTATIVE MITTEN: Page 3, second
3 paragraph under B. This just looks -- this is not
4 quoted. But in an event never previously disclosed,
5 she now admits, blah, blah, blah. We don't know what
6 the context of that was. We're just taking this at
7 face value without looking at a transcript, and I do
8 have a little heartburn about that.

9 REPRESENTATIVE AUSTIN: Well, if you look
10 on page 2, there certainly are quotes.

11 REPRESENTATIVE PHILLIPS: Where they do
12 quote her though, it's pretty much out of context. I
13 mean, they're framing it the way they want and then
14 they're quoting her, it looks like.

15 REPRESENTATIVE AUSTIN: I mean, we're
16 adding as exhibits news reports. At least we have
17 somebody here under oath.

18 REPRESENTATIVE PHILLIPS: Well, I'm not
19 opposed to entering it.

20 REPRESENTATIVE BARNES: I'm comfortable
21 with adding it as an exhibit to this.

22 REPRESENTATIVE MITTEN: Well, hang on a
23 second. First of all, to response to your comment,
24 we're adding news reports that are direct questions
25 and answers that have been transcribed. This is

1 editorializing and this is just very different, in my
2 opinion. And I see the quotes on the second page.
3 And, frankly, those quotes comport with the testimony
4 that was given to this Committee.

5 REPRESENTATIVE AUSTIN: Well, let's look.
6 I mean, there's a couple things brought up. One is
7 about did she ever see the phone. Second one, she's
8 referring to this dream. And then there's another
9 part where she's talking about --

10 REPRESENTATIVE MITTEN: A FaceTime --

11 REPRESENTATIVE BARNES: So let's take
12 them one issue at a time. So the first issue,
13 Representative Austin, is on -- this is on page 2.
14 This is regarding the phone, seeing the phone.

15 REPRESENTATIVE MITTEN: Right.

16 REPRESENTATIVE BARNES: And I believe
17 that is consistent with her testimony before us.

18 REPRESENTATIVE MITTEN: It is absolutely
19 consistent with her testimony before us.

20 REPRESENTATIVE AUSTIN: What did she say,
21 just so we'll know?

22 REPRESENTATIVE BARNES: Sorry. I'm
23 making sure I've got the right quote.

24 REPRESENTATIVE AUSTIN: No, that's fine.

25 REPRESENTATIVE BARNES: Page 99, line 6

1 through 9.
2 "Question: When you first went into the
3 house on 3/21/15, Eric had some clothes for you. Did
4 you ever see his phone at that point?
5 "Answer: Not at this -- at that point."
6 Line 10, "When was the first time you saw
7 his phone?
8 "Answer: I don't know. That's a good
9 question. I'm not sure."
10 Page 103, line 15, "You testified you
11 never -- you have never seen the photograph he took of
12 you. Correct?
13 "Answer: Correct."
14 Then on line 23 she testifies that she
15 knew he had an iPhone.
16 And then the question on page 104, line 3
17 is, "And did he have an iPhone? Is that what you
18 said?
19 "Answer: He did.
20 "And that was what he had that day?
21 "Yes."
22 There's some ambiguity in that question
23 because she might have known that he had an iPhone
24 that day, but she's not testifying that he [sic] saw
25 it that day --

1 REPRESENTATIVE MITTEN: She saw it.
2 REPRESENTATIVE BARNES: -- in front of
3 us.
4 "And you saw that in the basement?"
5 She says, "I would assume that would be
6 the only phone that he would have. That was the only
7 phone that I was aware of that he had in general at
8 that time.
9 "Question: And you don't recall one way
10 or the other whether you saw it that very day in the
11 basement?
12 "Answer: Right. I just know that I
13 heard and saw the flash."
14 And so actually it's a good --
15 Representative Austin, I think these were your
16 questions. It was a good follow-up question to go
17 back to make sure that there was no ambiguity. She
18 says there, I think on line 16, right, she doesn't
19 recall one way or another whether she saw the phone
20 that very day in the basement. And I think that's
21 consistent with what's here on page 2 of the motion.
22 REPRESENTATIVE AUSTIN: Sort of; it's
23 sort of not, in my mind. Because she's saying, I
24 don't know if it's because I'm remembering it or a
25 dream or I don't know if I felt I saw it happen. I

1 saw it -- I mean, I don't -- I'm not for sure what
2 she's --
3 REPRESENTATIVE MITTEN: But -- I'm sorry.
4 Finish. I'll let you go ahead and finish.
5 REPRESENTATIVE AUSTIN: No, go ahead.
6 REPRESENTATIVE MITTEN: I'm going to have
7 to get a talking stick, if I'm not careful.
8 Look, here's the thing. This is not a
9 transcript. This is not sworn testimony. I believe
10 that every attorney in this room understands what we
11 do when we take testimony and we write a motion about
12 it.
13 And I don't have a problem to the extent
14 that this contains quoted testimony, although I would
15 still argue that we don't -- without the full
16 transcript, it's being taken out of context, which is
17 part of why this very Committee is producing all of
18 the transcripts, so that nothing can be taken out of
19 context by the general public. And that, I think, is
20 a part of our duty to the public.
21 To release this -- if you go to the next
22 page, this is not direct quotes. This is -- this
23 is -- we have no idea what that questioning looks
24 like.
25 And I'm sorry, but the Governor, as we

1 spoke at great length on Thursday, made a personal
2 choice not to come and testify before this Committee.
3 That was the Governor's choice. We all understand
4 that. That doesn't mean that the Governor then gets
5 to say, But here's a motion my lawyers filed that may
6 or may not take testimony under oath out of context,
7 and that should be included in our report. I just --
8 that is not what this Committee is supposed to be
9 about.
10 REPRESENTATIVE RHOADS: I see what you're
11 saying, but to go back to the other point, we're
12 taking testimony where he wasn't under oath at an
13 interview and --
14 REPRESENTATIVE MITTEN: Those are direct
15 quotes.
16 REPRESENTATIVE RHOADS: Doesn't matter.
17 He wasn't under oath, was he?
18 REPRESENTATIVE MITTEN: Those are direct
19 quotes. If this had a list of direct quotes, I would
20 have a very different view of it, but this doesn't.
21 REPRESENTATIVE RHOADS: We can take -- we
22 can take -- we don't want this, but when we got
23 somebody that's not under oath, we'll take that
24 public --
25 REPRESENTATIVE MITTEN: When you can see

1 the questions and answers, those I guess, you know,
2 one could argue are statements against interest,
3 whatever. But I just -- this is -- this is not --
4 this is not direct quotes. Whether it's under oath or
5 not, it is not.

6 It is an attorney doing their -- they're
7 very good attorneys. I'm sure that they're doing a
8 very good job. I'm not trying to question that at
9 all. But that's what you do when you're a lawyer; you
10 make an argument. This is an attorney's argument, not
11 actual testimony or direct evidence.

12 REPRESENTATIVE RHOADS: So as the
13 non-attorney in the room --

14 REPRESENTATIVE BARNES: And there's more
15 than one.

16 REPRESENTATIVE MITTEN: Oh, there's more?

17 REPRESENTATIVE RHOADS: On behalf of this
18 one anyways, so my question is, is if it was said in
19 the deposition, even though they didn't quote it,
20 would they have put it in here? Are you allowed to
21 put that in there and file it in a motion?

22 REPRESENTATIVE BARNES: They'd be
23 treading on very dangerous ground because they know a
24 transcript is on the way. So my guess would be that
25 these were -- somebody was there taking copious notes

1 of what was being said and that's how they put it in
2 there. And there's -- there's going to be a
3 transcript to follow. They're probably being produced
4 today.

5 REPRESENTATIVE AUSTIN: As an officer of
6 the court, I would never misquote somebody in there.
7 But having said that, to address maybe what Gina's
8 saying, well, there are some direct questions. Now,
9 we don't get the question before and the answer
10 before, the question after and the question after --
11 or the answer after, but, you know, I'm not saying
12 they're -- those things are in context. I don't think
13 we can say it's taken out of context. We just don't
14 know.

15 But we do have some direct quotes. And
16 to me, if nothing else, it bothers -- what I find
17 bothersome, especially for the line of credibility
18 because now we're maybe getting two different stories,
19 and maybe not. Maybe they can be reconciled and maybe
20 they can't. So now we have this coming -- this. you
21 know, eleventh-hour bombshell coming on, but yet it's
22 there.

23 REPRESENTATIVE BARNES: Hold on. I don't
24 know that I would characterize anything in this motion
25 as a bombshell.

1 REPRESENTATIVE AUSTIN: Okay. Maybe I'm
2 going too far.

3 REPRESENTATIVE BARNES: You weren't
4 surprised as to what was said, at least on page 2 that
5 we're talking about right now, about her not
6 testifying about seeing the phone, because she told us
7 she didn't see the phone.

8 REPRESENTATIVE MITTEN: Let me put it
9 this way --

10 REPRESENTATIVE BARNES: Hold on. And let
11 me -- hold on just a second.

12 REPRESENTATIVE MITTEN: I'm sorry. I
13 thought you were done.

14 REPRESENTATIVE BARNES: And I want to go
15 back. I sent Mr. Dowd an e-mail on March 23rd, 2018
16 and the last paragraph of that e-mail said this: We
17 also discussed the possibility of reviewing discovery
18 from the criminal case pending in the City of
19 St. Louis. We are happy to review evidence from that
20 case and are supportive of a motion by either party to
21 make an exception to the current order against
22 disclosure to third parties.

23 However, in the event any such evidence
24 is provided, we will insist on having a complete set
25 of evidence. In other words, we will not accept

1 cherry-picked evidence from either the Circuit
2 Attorney's office or your client.

3 Now, having said that and drawn that
4 line, I think that we still need to include the motion
5 in the documents of the Committee. It's already a
6 publicly-filed document. We may also have a footnote
7 that we told defense counsel we support any motion to
8 release the evidence from that case, but it can't
9 be -- it shouldn't be cherry-picked evidence.

10 And it is obvious any lawyer is -- when
11 they file a motion -- maybe the words aren't
12 cherry-picked. Right?

13 REPRESENTATIVE AUSTIN: Right.

14 REPRESENTATIVE BARNES: The words are
15 you're going to use the testimony that best fits your
16 client and attempt to --

17 REPRESENTATIVE MITTEN: Minimize.

18 REPRESENTATIVE BARNES: -- minimize any
19 testimony that doesn't. So, of course, we don't have
20 that other testimony. But this is what we have from
21 them at this point. And I think it would be fair to
22 include this, if nothing else, as an exhibit to the
23 report.

24 REPRESENTATIVE MITTEN: All that I can --
25 I could just restate what I've said before with the

1 addition of the fact that I think that there's two
2 sort of money quotes right here. The first was
3 Representative Austin saying we don't know. And that
4 to me is indicative of we don't know enough to add
5 this to our report, which is a reflection upon this
6 Committee's work. And I don't think that we -- I
7 think that we don't know is probably not a sufficient
8 basis.

9 The other thing is --

10 REPRESENTATIVE BARNES: Well, hold on.
11 When you say "we don't know," you mean what else is in
12 that transcript?

13 REPRESENTATIVE MITTEN: Right. Exactly.
14 We don't know. Which falls into the comments that you
15 just made, Mr. Chair, which is that an attorney is
16 going to cherry-pick and they're going to minimize
17 what's not there.

18 So here's one of my questions is, so for
19 instance, if at one place this basically says that
20 Witness 1 acknowledged the recordings made by her
21 ex-husband contained lies, okay, maybe there's another
22 place in the transcript where she says the exact
23 opposite. And those are facts that would not be
24 cherry-picked by one side to a criminal case.

25 I mean for all of these reasons, this --

1 this pleading is a publicly-available record. I have
2 absolute faith and confidence that the members of the
3 press are going to take what they want out of this and
4 make sure that the public is made fully aware of its
5 contents. This Committee's role is not to take
6 cherry-picked pleadings filed by one party in a
7 criminal case, particularly in light of the very well
8 thought-out comments that you made, Mr. Chair, to the
9 Governor's counsel.

10 REPRESENTATIVE AUSTIN: Well, I mean, but
11 on the other hand, this Committee's also made a couple
12 of value judgments; one is the credibility of Witness
13 1. So if we sit there and say we don't even take this
14 into account, I don't think we're doing ourselves any
15 service by not taking it into account, saying, Well,
16 this may -- I mean, this may or may not affect that
17 value judgment. And in my mind, it might have -- it
18 might affect now that statement that we agreed upon
19 last Thursday.

20 REPRESENTATIVE BARNES: Well, as it
21 relates to the phone -- seeing the phone, she
22 testified in front of us --

23 REPRESENTATIVE MITTEN: That's what she
24 testified to us. It's page 3.

25 REPRESENTATIVE BARNES: "You don't recall

1 one way or the other whether you say it that very day
2 in the basement?

3 "Answer: Right. I just know that I
4 heard and saw the flash."

5 And in -- and then this motion is, "You
6 can't say you saw it on his person -- being the
7 phone -- you can't say you saw him put it down in the
8 kitchen, take it from the kitchen or put it anywhere
9 in the basement?"

10 She says, "Yes, I cannot say." That's
11 what she -- I cannot -- I don't -- you don't recall
12 either way whether you saw it.

13 REPRESENTATIVE AUSTIN: But on page 2, I
14 think we can infer that she's remembering she saw it,
15 but she doesn't know if she remembered it because she
16 actually saw it or she saw it in a dream. I mean,
17 she's saying something by this because I remember I
18 was -- through a dream or if I saw it as it actually
19 happened.

20 REPRESENTATIVE BARNES: If anything, I
21 think that that second paragraph -- so it says --
22 apparently recognizing the difficulty, which is --
23 it's a -- ignore the lawyering in the sentence and
24 start with the factual part of it.

25 "The Assistant Circuit Attorney later

1 asks Witness 1, Did you see what you believed to be a
2 phone. She answered."

3 First of all, there's an ellipses.

4 REPRESENTATIVE AUSTIN: There is.

5 REPRESENTATIVE BARNES: So what did she
6 say in the ellipses before they got to this?

7 REPRESENTATIVE AUSTIN: I hear you.

8 REPRESENTATIVE BARNES: "I haven't talked
9 about it because I don't know if it's because I'm
10 remembering it through a dream or -- I'm not sure, but
11 yes, I feel like I saw it after that happened but I
12 haven't spoken about it because of that."

13 To me, what that answer says is I wasn't
14 sure whether I saw the phone itself or not so I
15 haven't said that I saw the phone. Because the things
16 that I am stating are the things that I am confident
17 that I experienced. And the things that she says
18 she's not confident about experiencing are the things
19 that she's not stating.

20 REPRESENTATIVE MITTEN: For the record,
21 only page 1 -- or page 2 has any quotes whatever. The
22 rest of it is just pure argument.

23 REPRESENTATIVE PIERSON: And even the
24 quote that was just stated by Mr. Chair has the
25 ellipses and a lot of "its" with no direct mention of

1 what it is and that's -- that's troublesome.
2 REPRESENTATIVE BARNES: Representative
3 Lauer?
4 REPRESENTATIVE LAUER: Going back to
5 page 2 and under A, second paragraph, when they're
6 doing the questioning and she says in the third line,
7 "I haven't talked about it because I don't know." So
8 it's obviously not a fact. If you don't know, it's
9 not a fact. Right? And then she continues, "I feel
10 like I saw it." But that's not a fact if you feel
11 like it.
12 And then we go on to the next paragraph,
13 I'm sorry, the third line of the last paragraph that
14 her recollections may well be from a dream or vision,
15 not fact. And then we go on --
16 REPRESENTATIVE BARNES: But that -- hold
17 on.
18 REPRESENTATIVE LAUER: Okay.
19 REPRESENTATIVE BARNES: That is their
20 words.
21 REPRESENTATIVE LAUER: That's their
22 words, right.
23 REPRESENTATIVE BARNES: And the only
24 quoted words were as to seeing the phone.
25 REPRESENTATIVE LAUER: Right. I'm with

1 you on that.
2 REPRESENTATIVE BARNES: So defense
3 counsel extrapolating from that statement about seeing
4 the phone --
5 REPRESENTATIVE MITTEN: Right.
6 REPRESENTATIVE BARNES: -- to then try to
7 get at everything else --
8 REPRESENTATIVE MITTEN: Color.
9 REPRESENTATIVE BARNES: -- is good
10 lawyering, but it doesn't tell us that that, in fact,
11 was said anywhere else --
12 REPRESENTATIVE LAUER: Exactly.
13 REPRESENTATIVE BARNES: -- in the
14 deposition.
15 And my bet would be that if those words
16 were said, something similar to what is in that
17 paragraph, that we would have a direct quote instead
18 of words of lawyers.
19 REPRESENTATIVE LAUER: Because then in
20 the last sentence, moving onto the next page, "It was
21 not until after" --
22 THE COURT REPORTER: I'm sorry? I didn't
23 hear what you said.
24 REPRESENTATIVE LAUER: I'm sorry. The
25 last sentence on page 2, "It was not until after hours

1 of testimony that Witness 1 -- she was having a dream
2 or vision."
3 Now we're into a more finite, that she
4 was. And then, of course, it takes a big leap into
5 they may well extend. That's just editorializing.
6 So I'm agreeing with you, Mr. Chair, that
7 I think that the quotations are the key part and the
8 rest is what you're saying is -- without seeing all of
9 that, this all is superfluous, the rest of this stuff.
10 It's their opinion, it's their editorializing.
11 REPRESENTATIVE RHOADS: Well, and I'll
12 interject this. We've interviewed one side of this
13 whole thing. Regardless of who said they couldn't
14 testify now or not, which doesn't -- which really --
15 pertaining to what has happened, we have interviewed
16 one person.
17 And even though that one person through a
18 recording may have said this again, through whatever,
19 it doesn't necessarily make it a fact. It may be you
20 believe what Witness 1 said, but we've yet to be able
21 to corroborate that into this person did this, other
22 than they've told this story once and then told it
23 again.
24 I think on this document obviously, you
25 know, Witness 1 is being quoted, but it's -- you know,

1 whatever the defense has done in producing their
2 document, I think we have to take it as the quotes
3 that are there. And like I believe Representative
4 Mitten said, you know, the press is going to do
5 whatever they want to do with it. It's kind of like
6 our report. You know --
7 REPRESENTATIVE MITTEN: If I could --
8 REPRESENTATIVE BARNES: Well, whoa, whoa,
9 whoa, whoa. There's a tremendous difference between
10 this motion and our report.
11 REPRESENTATIVE LAUER: Uh-huh.
12 REPRESENTATIVE RHOADS: No, I get that.
13 REPRESENTATIVE BARNES: And this idea --
14 there is a false narrative being played by Governor
15 Greitens' lawyers in this that somehow he cannot
16 testify. It happens every single day in this state,
17 in this country that there are parallel criminal and
18 civil or administrative proceedings going on.
19 It happens in every DWI case in the state
20 of Missouri. The Department of Revenue does not pause
21 license revocation proceedings for criminal trials to
22 happen. You can testify if you want in those, you
23 cannot testify if you don't want, you have the
24 Constitutional right to testify or not testify, and
25 this Committee respects that. But the idea that the

1 Governor is unable to testify is very simply a false
2 narrative.

3 REPRESENTATIVE RHOADS: I don't think I
4 said that. I said for whatever reason, he chose not
5 to testify. I mean, I think that there are other
6 means and areas that we could have went out and looked
7 to people, you know. I mean, I don't know if we want
8 to go down that road right now or not. But I think
9 there's some -- there's some left on the table, so to
10 speak, for what we could have done as a Committee.

11 REPRESENTATIVE PHILLIPS: What would be
12 an example of that?

13 REPRESENTATIVE RHOADS: We could have
14 interviewed the Interra (phonetic) folks on their
15 investigation or what they could have -- at least
16 tried to. That's just a start. I mean, I'm just
17 looking at it from a criminal perspective of when I
18 would investigate a crime. If something touches
19 something else, you've got to go that route. You got
20 to go down that and you got to go here and you got to
21 go there.

22 REPRESENTATIVE MITTEN: If I could just
23 remind the Committee briefly that this Committee had a
24 very long discussion as witnesses came to testify
25 about the fact that we wanted to hear from witnesses

1 and not from their attorneys. We were very specific
2 about that and for, I believe, good reason at the time
3 and I don't believe that any of those reasons have
4 changed. So that sort of -- to address -- further
5 address the motion before us.

6 As to your comments, Representative, I
7 mean are you implying that we should hold off on
8 releasing any report until we --

9 REPRESENTATIVE RHOADS: I never said
10 that.

11 REPRESENTATIVE MITTEN: Okay. No, I just
12 want to ask. You know, I want to make sure that I'm
13 understanding what you're saying.

14 REPRESENTATIVE RHOADS: Here's the deal
15 with the report. If you don't put the report out on
16 time, then you're not doing what you said you were
17 going to do. Right?

18 REPRESENTATIVE MITTEN: Okay.

19 REPRESENTATIVE RHOADS: So you have to do
20 that. Regardless of what it does, you have to do
21 that. I feel like that that's what's in our House
22 Resolution, that's what we need to do, we need to
23 honor that.

24 I just wish we could have went a little
25 different way about it. I feel like that the report

1 has to go out on the day it's supposed to go out. It
2 needs to, without a doubt.

3 REPRESENTATIVE MITTEN: Okay. I just
4 wanted to make sure I understand.

5 REPRESENTATIVE BARNES: Representative,
6 to the extent there is anything in this report that is
7 incomplete, it is by the choice of Governor Greitens
8 and his lawyers.

9 REPRESENTATIVE RHOADS: I don't -- I
10 don't think that's right. I think there's more --

11 REPRESENTATIVE BARNES: He is free to not
12 testify and he is free to testify.

13 REPRESENTATIVE RHOADS: I'm not
14 addressing that. He can do whatever he wants to do.
15 If he don't want to testify, don't testify. But I
16 feel like we could have done more. And not trying
17 to -- not trying to belittle what we've done. I think
18 there's been a lot of work done, but I feel like
19 there's some left on the table still.

20 REPRESENTATIVE BARNES: Let me ask this.
21 Let me go back to page 2. And that is -- so I pulled
22 up on the screen what we have in our current report
23 that relates to the testimony on page 2.

24 Paragraph 31 says, "Witness 1 testified
25 that she never saw an actual picture nor did she

1 recall, quote, the first time she saw his phone."

2 What I would propose is either adding
3 directly in the body or in a footnote that a motion
4 from Greitens' counsel filed on this date asserted
5 that in a deposition, Witness 1 stated these things.
6 And also noting that that motion did not provide a
7 full transcript of those proceedings and so there very
8 well could be other relevant testimony that was left
9 out.

10 Also noting that unless somebody can find
11 another direct quote somewhere --

12 REPRESENTATIVE MITTEN: Which I cannot.

13 REPRESENTATIVE BARNES: -- which I
14 cannot, that I don't -- the other items are not words
15 of witnesses, they're words of lawyers. And so to the
16 extent that there are words of witnesses in here, I --
17 like Representative Austin said, I'm going to trust
18 that as officers of the court, those places where they
19 have direct quotes are either exactly accurate or
20 really close to it and the reason they're not accurate
21 is because they don't have a full transcript yet. And
22 so I think that it is -- we are capable of putting
23 them in this report.

24 REPRESENTATIVE MITTEN: So you'd like to
25 make a footnote as to paragraph 31 just indicating

1 that a motion was filed that -- I mean my attitude is
2 a motion was filed in the criminal case that says --
3 that basically comports with that.
4 REPRESENTATIVE BARNES: I think the
5 testimony is consistent.
6 REPRESENTATIVE MITTEN: Right. So is
7 that what the footnote says?
8 REPRESENTATIVE AUSTIN: I think just -- I
9 mean reference just her quotes where --
10 REPRESENTATIVE BARNES: Do we add a new
11 paragraph here?
12 REPRESENTATIVE AUSTIN: We're not adding
13 a -- we're not going to --
14 REPRESENTATIVE MITTEN: I think it should
15 be part of the footnote.
16 REPRESENTATIVE BARNES: Footnote or new
17 paragraph?
18 REPRESENTATIVE AUSTIN: New paragraph.
19 REPRESENTATIVE MITTEN: This is -- I'm
20 sorry. I'm sorry.
21 REPRESENTATIVE BARNES: Hold on. We are
22 going to have a footnote, Representative, that notes
23 that we are relying on their duty as officers of the
24 court to not make up these quotes. I think that we
25 can trust that the quotes themselves are accurate or

1 very close to it.
2 REPRESENTATIVE MITTEN: Type and I'll
3 read.
4 REPRESENTATIVE BARNES: What's today's
5 date?
6 SECRETARY CURCHIN: It's the 9th.
7 REPRESENTATIVE MITTEN: Filed in the
8 criminal case.
9 MS. HALLEN: 2011, holy moly.
10 REPRESENTATIVE MITTEN: And then a motion
11 filed in the criminal case by Greitens. No, you file
12 in the criminal case by -- what are you modifying?
13 REPRESENTATIVE BARNES: Filed by
14 Greitens' counsel.
15 REPRESENTATIVE MITTEN: No. Filed in the
16 criminal case by Greitens' counsel.
17 REPRESENTATIVE BARNES: Fine.
18 REPRESENTATIVE MITTEN: Do you want me to
19 read these?
20 REPRESENTATIVE BARNES: I'll do it.
21 REPRESENTATIVE LAUER: The first line.
22 You can't say you --
23 REPRESENTATIVE MITTEN: Yeah, let him
24 finish.
25 REPRESENTATIVE LAUER: I'm sorry.

1 REPRESENTATIVE MITTEN: You can't say you
2 saw him put it down. Right.
3 REPRESENTATIVE BARNES: Okay. I want to
4 insert a footnote -- where are we? Okay.
5 REPRESENTATIVE MITTEN: We'll have to
6 mark this as an exhibit? No, we can't mark this as --
7 never mind. Duh.
8 REPRESENTATIVE BARNES: The Committee
9 notes that if --
10 REPRESENTATIVE AUSTIN: You can't mark
11 what as an exhibit?
12 REPRESENTATIVE MITTEN: Never mind.
13 REPRESENTATIVE BARNES: So the question I
14 want to ask is we're only using the direct quotes and
15 that's consistent with the e-mail that we sent that
16 said -- well, first of all, it's not entirely
17 consistent with the e-mail because the e-mail said,
18 listen, we don't want cherry-picked evidence at all.
19 But I'm not -- I don't want to put
20 lawyer's words in the report if there's direct quotes.
21 We note that it's not consistent with that e-mail
22 saying we don't want cherry-picked evidence
23 and -- but that to the extent it quotes directly from
24 the witness, we are relying upon the attorney's
25 obligation not to misrepresent the words.

1 REPRESENTATIVE AUSTIN: So you're saying
2 that this FaceTime stuff is not direct quotes so that
3 won't be --
4 REPRESENTATIVE BARNES: That will not be
5 in the report.
6 REPRESENTATIVE AUSTIN: But the motion
7 itself will be in there?
8 REPRESENTATIVE BARNES: Well, I think the
9 motion itself is -- I guess I'm fine with including
10 the motion. It's already a public document.
11 REPRESENTATIVE AUSTIN: Yeah.
12 REPRESENTATIVE MITTEN: Okay.
13 REPRESENTATIVE BARNES: We'll include the
14 motion itself as an exhibit. We only include the
15 direct quotes in the report itself.
16 REPRESENTATIVE AUSTIN: All right.
17 REPRESENTATIVE BARNES: Committee --
18 okay. Here we go. Now I'm drafting this. Includes
19 these quotes in the absence of a full transcript. It
20 does so in reliance on Greitens' counsel's
21 obligation --
22 REPRESENTATIVE MITTEN: As an officer of
23 the court. As officers of the court, I guess.
24 Can we say, however, the Committee
25 declines to --

1 REPRESENTATIVE BARNES: Also notes that
2 March 23rd, 2018 --
3 REPRESENTATIVE AUSTIN: Are you quoting
4 your letter?
5 REPRESENTATIVE BARNES: Yes.
6 REPRESENTATIVE AUSTIN: Okay.
7 REPRESENTATIVE MITTEN: How about only to
8 the extent it has been presented as direct testimony,
9 or no? I think I get where you're going, but I don't
10 know how to --
11 REPRESENTATIVE BARNES: What I just want
12 to say is, listen, we don't have the transcript. And
13 I want to note -- I do want to note that even though
14 we said, listen, we're not going to do anything unless
15 we get the full report, we are going back on that to
16 the extent they're providing what purports to be a
17 direct quote and we are doing so out of an abundance
18 of fairness to Governor Greitens.
19 I mean the other thing is we told them
20 March 23rd, how many weeks ago is that? It's two -- a
21 little over two weeks ago that we would be supportive
22 of a motion to disclose all of this stuff to us. Has
23 such a motion ever been filed? The answer is no.
24 There's other stuff in the -- in the
25 deposition -- I'm confident there is something in that

1 deposition that is not great for Governor Greitens,
2 but it's not their role in that case to point out the
3 things that aren't great. But we don't have that in
4 front of us either. And so to rely too heavily on
5 this motion of the two thing -- two or three questions
6 they picked out is not something that we should do.
7 Okay.
8 REPRESENTATIVE MITTEN: Still, I don't
9 think that we need that final sentence. We are
10 including these quotes only, you know, in the absence
11 of a full thing but they're direct quotes. I mean if
12 anything, you're just going to say, you know, these
13 excerpts are included in the report solely because
14 they're direct quotes or else we have to say that
15 we -- you know --
16 REPRESENTATIVE BARNES: The other
17 question is I think this testimony is consistent with
18 what she already told us. And at the very least, it
19 is not inconsistent with what she told us.
20 REPRESENTATIVE MITTEN: I would agree.
21 REPRESENTATIVE BARNES: And so to the --
22 may add a paragraph that says these particular
23 questions and answers are not inconsistent with --
24 REPRESENTATIVE MITTEN: No, I don't think
25 we need to editorialize.

1 REPRESENTATIVE BARNES: That's right.
2 That's right.
3 REPRESENTATIVE AUSTIN: Just leave it.
4 REPRESENTATIVE BARNES: All right. So in
5 the footnote review, there's also going to be a review
6 for -- for a whatchamacallit -- review this for
7 grammar and spelling as well. We are on the fly here.
8 We are on the fly here and the type is really small.
9 Well, let me -- actually let me go back
10 and undo so that those are both marked for the review.
11 REPRESENTATIVE MITTEN: Yes.
12 REPRESENTATIVE BARNES: Okay. So this is
13 a new -- this is going to be an exhibit and that's the
14 only thing we're putting in the report.
15 REPRESENTATIVE AUSTIN: But then the next
16 thing on the thing is you're going to say all
17 correspondence between you and the Governor's
18 attorneys.
19 REPRESENTATIVE BARNES: Yes. Where's my
20 list? So Item 4 on the list is correspondence
21 regarding the governor's counsel. These letters do
22 not go to facts. Here is what I want in the public
23 record.
24 There has been leaked -- I'll call them
25 leaks. They have released both letters that they sent

1 to this Committee. Both of those letters were sent in
2 response to e-mails that said, We have told your
3 client from the beginning that he has the right to
4 testify. It's time to tell us whether he's going to
5 avail himself of that opportunity or waive it. They
6 followed up with an e-mail that said no, we're not.
7 And then last Friday, after we voted
8 Thursday to release the report on Wednesday, I called
9 and left a message for Mr. Dowd that said, Hey, just
10 want to let you know we voted to release the report on
11 Wednesday, wanted to give your client one more
12 opportunity to testify Monday, Tuesday or Wednesday of
13 next week. You tell us the date and time and we will
14 accommodate his schedule.
15 In response to that, we got another
16 letter that was again sent to the media and just so
17 happened that the e-mail that was sent which
18 precipitated the letter, was not also shared at the
19 same time.
20 And to the extent that Governor Greitens'
21 lawyers are sharing communications with this Committee
22 with the world, I think it's fair for this Committee
23 to, in response, share the communications that led to
24 those letters being sent to this Committee.
25 REPRESENTATIVE MITTEN: To avoid

1 cherry-picking.

2 REPRESENTATIVE AUSTIN: I agree with

3 that, but I think we need to take a time out because

4 don't you have a motion out there? Didn't you move --

5 didn't he move something?

6 REPRESENTATIVE BARNES: I don't think

7 I -- I don't think I moved. Regarding what to do with

8 the Motion to Compel?

9 REPRESENTATIVE AUSTIN: I think there was

10 a motion.

11 REPRESENTATIVE BARNES: If I so moved, I

12 now retract that motion.

13 And now --

14 REPRESENTATIVE MITTEN: So is the -- are

15 we at the, you know, assuming no objection, that the

16 correspondence is going to be in?

17 REPRESENTATIVE BARNES: Assuming no

18 objection, the correspondence will be attached as an

19 exhibit. Seeing no objection, the correspondence will

20 be attached as an exhibit.

21 And we discussed this, but I want to say

22 it on the record. Assuming no objection, we will add

23 this new paragraph 32 and attach the motion and the

24 letter, which is also correspondence --

25 REPRESENTATIVE MITTEN: Right.

1 REPRESENTATIVE BARNES: -- as an exhibit.

2 REPRESENTATIVE MITTEN: Yes.

3 REPRESENTATIVE BARNES: Seeing no

4 objection --

5 REPRESENTATIVE LAUER: Do we have to

6 number the exhibit?

7 REPRESENTATIVE BARNES: Yes. We will

8 number them, we will number the correspondence as

9 well.

10 REPRESENTATIVE LAUER: Okay.

11 REPRESENTATIVE BARNES: The next item,

12 Item Number 5, is the time frame of the report. And

13 Representative Mitten raised this as an issue. This

14 is not to be coy. I can't tell you the precise time

15 at which we're going to release it. My belief is it

16 will be Wednesday afternoon.

17 REPRESENTATIVE RHOADS: I think that's a

18 good idea not to have a time because we may have

19 something that we -- something may happen that we

20 don't anticipate and then we say, Hey, we're supposed

21 to have it out at 2:15 and something's happened and --

22 so I think that's fair enough.

23 REPRESENTATIVE PIERSON: In regards to

24 that, are we open to receive further items up until we

25 release? Because what happens when we get a letter

1 tomorrow or Mond-- or Wednesday morning?

2 REPRESENTATIVE MITTEN: Representative

3 makes a good point.

4 REPRESENTATIVE BARNES: At this point in

5 time I'm ready to close the door, I mean, on new stuff

6 for the report. Anything that's sent to us by the

7 Governor's counsel at this point in time, as we've

8 seen over the last week and a half, is going to be

9 made public anyway. And to throw something on us new

10 at the last minute, I think would be purely designed

11 as a way to delay release of the report rather than

12 substantive.

13 REPRESENTATIVE MITTEN: Can we take a

14 quick break?

15 (Off the record.)

16 REPRESENTATIVE BARNES: Back on the

17 record, back from break. Seeing -- the motion on the

18 floor is that we close the record to new facts at this

19 point in time. I shouldn't say -- not forever, but as

20 to its release on Wednesday. Is there any objection

21 to this plan?

22 REPRESENTATIVE LAUER: To this particular

23 report?

24 REPRESENTATIVE AUSTIN: When are you

25 going to set that time? Is it tomorrow at noon?

1 Because look, what happens if the Circuit Attorney

2 files a response?

3 REPRESENTATIVE MITTEN: Files a response.

4 REPRESENTATIVE AUSTIN: As I understand

5 it, this motion was filed Sunday?

6 REPRESENTATIVE BARNES: It might have

7 been filed this morning. How about we say tomorrow at

8 1:00 p.m.?

9 REPRESENTATIVE AUSTIN: We go in at noon,

10 this Committee meeting. Right?

11 REPRESENTATIVE BARNES: Okay. Tomorrow

12 at noon. So tomorrow at noon is the shut-off time for

13 any new information that this Committee may receive

14 before the report.

15 And I just also want to note, it's going

16 to be very brief no matter who it comes from. And if

17 something comes from the Circuit Attorney's office

18 that likewise includes a bunch of lawyer's words,

19 we're only going to include it to the extent it is the

20 witness's words themselves.

21 REPRESENTATIVE MITTEN: Agreed.

22 Absolutely.

23 REPRESENTATIVE AUSTIN: Goose/gander

24 rule.

25 REPRESENTATIVE BARNES: Yeah. Treated

1 the exact same.
2 REPRESENTATIVE MITTEN: Mr. Chair, one
3 more question about that. Is this all just going to
4 get released electronically? Are we going to have
5 copies in the Speaker's office or actually the library
6 is where they should be. I don't know if that's for
7 the Committee to discuss or not.
8 REPRESENTATIVE BARNES: I believe it
9 should be electronic. We don't need to print a
10 thousand copies of a 400-page document. Or in the
11 alternative, we could print a bunch of copies of the
12 report itself and then release the transcripts and
13 stuff electronically.
14 REPRESENTATIVE RHOADS: How do we go
15 about doing that?
16 REPRESENTATIVE MITTEN: Doing what?
17 REPRESENTATIVE RHOADS: Releasing this.
18 REPRESENTATIVE BARNES: You mean the
19 printing of it?
20 REPRESENTATIVE RHOADS: No. Just -- is
21 someone going to have to call and request from you or
22 the Clerk's office to get this report? How is this --
23 REPRESENTATIVE MITTEN: Is it going on
24 the website?
25 REPRESENTATIVE BARNES: This is all --

1 REPRESENTATIVE MITTEN: This is for
2 tomorrow?
3 REPRESENTATIVE BARNES: This is for
4 tomorrow, but it's also -- these are logistics
5 questions that are questions for the Chief Clerk and
6 the Clerk's office as to entering it into the record.
7 Because I think we need it enter it into
8 the day's journal. The report itself. They may not
9 want the transcripts to be in the journal itself, but
10 I think that in the past when there have been
11 committees of this general nature, the report itself
12 has been included in the journal.
13 REPRESENTATIVE MITTEN: Okay. So we can
14 talk to the Chief Clerk's office tonight then and find
15 out by tomorrow?
16 REPRESENTATIVE BARNES: Those logistics,
17 yeah.
18 REPRESENTATIVE MITTEN: Which makes
19 sense, but we should all have some understanding of
20 what that's going to be.
21 REPRESENTATIVE AUSTIN: Or they're all
22 going to be asking, Hey, where can I get those
23 reports.
24 REPRESENTATIVE MITTEN: Exactly.
25 REPRESENTATIVE RHOADS: You're the

1 investigative reporter.
2 REPRESENTATIVE AUSTIN: So when is the
3 transcripts for like our Committee meetings going to
4 be --
5 MS. HALLEN: I haven't gotten any. I can
6 contact Shelly.
7 REPRESENTATIVE BARNES: Can you get us a
8 transcript by tomorrow?
9 (Off the record.)
10 REPRESENTATIVE BARNES: And then
11 tomorrow's meeting we can publicize -- we can publish
12 the transcript --
13 REPRESENTATIVE MITTEN: Whenever.
14 REPRESENTATIVE BARNES: -- Thursday or
15 Friday or whatever. It doesn't have to be -- people
16 don't -- people don't want to hear what we have to
17 say.
18 REPRESENTATIVE MITTEN: A discussion
19 about website versus paper is maybe not as urgent.
20 REPRESENTATIVE BARNES: Nobody is going
21 to be paying attention to our argument about paper or
22 website.
23 REPRESENTATIVE BARNES: Okay. So the
24 next question was next steps. So what I would propose
25 is the two Alexes go through this, get footnotes

1 right, get the transcripts of the hearings set up.
2 REPRESENTATIVE MITTEN: Right.
3 REPRESENTATIVE BARNES: Bryan get the
4 exhibits set up and put into a PDF format and we meet
5 tomorrow at noon.
6 REPRESENTATIVE LAUER: When do we get a
7 copy of the report -- the revised report as amended?
8 MS. HALLEN: I'm planning on doing this
9 immediately after we're done right now. Well, at
10 least on my end.
11 SECRETARY CURCHIN: I will be up there as
12 soon as I can.
13 REPRESENTATIVE BARNES: So first thing
14 tomorrow morning or close of business tonight?
15 REPRESENTATIVE LAUER: Tomorrow morning.
16 REPRESENTATIVE BARNES: Tomorrow morning?
17 Nine o'clock? And by nine o'clock in Adam's office?
18 MS. HALLEN: I can do that.
19 REPRESENTATIVE BARNES: 9:00 a.m., I
20 should say, in Adam's office.
21 Okay. Further questions about next
22 steps?
23 REPRESENTATIVE MITTEN: Well, my next
24 steps was also beyond just this report, but are we --
25 do we have any witnesses coming up? What are our --

1 we have some documents that need to be reviewed.
2 REPRESENTATIVE BARNES: We need to make a
3 plan for review of those documents.
4 REPRESENTATIVE MITTEN: Yeah.
5 REPRESENTATIVE BARNES: And there's some
6 additional witnesses who have been identified.
7 Perhaps at the -- after we get done with this part, we
8 can talk -- we can put together --
9 REPRESENTATIVE MITTEN: Have a broader
10 conversation?
11 REPRESENTATIVE BARNES: -- an e-mail plan
12 at the least.
13 REPRESENTATIVE MITTEN: Well, and listen,
14 Mr. Chair, again, I've expressed these concerns to
15 you. There's apparently a pretty voluminous number of
16 documents already. We're at what, April 9th today. I
17 know you don't need me to remind you that the clock is
18 ticking.
19 REPRESENTATIVE BARNES: Your concerns are
20 very well taken. So yes. Your concerns are very well
21 taken.
22 REPRESENTATIVE LAUER: Do you want these
23 returned?
24 REPRESENTATIVE MITTEN: No. Those we
25 can -- those get to go in your notebook.

1 REPRESENTATIVE BARNES: Further questions
2 about next steps?
3 Seeing none, the seventh item is media.
4 This Committee, and myself as the Chairman, is in no
5 position to try to introduce a gag order on any other
6 member of this Committee.
7 REPRESENTATIVE MITTEN: The body you
8 mean?
9 REPRESENTATIVE BARNES: The body or
10 members of this Committee. Because I think the
11 question was how are we going to deal with media
12 requests because you know they're going to be swarming
13 all over us.
14 My intention is to be -- is to be very
15 limited in public comments.
16 REPRESENTATIVE AUSTIN: I think that's
17 right. If I can interject, I mean this Committee's
18 going to continue. So we're still under the
19 Resolution. Right?
20 REPRESENTATIVE BARNES: Yes, we are.
21 REPRESENTATIVE AUSTIN: Where we can only
22 talk amongst ourselves and Gail and Todd.
23 SECRETARY CURCHIN: You're not going to
24 want to issue any statements prejudging any further
25 action by the Committee, should that be necessary.

1 REPRESENTATIVE BARNES: So I think every
2 member of the Committee should be very limited in
3 their public comments. And that's my intent as well.
4 REPRESENTATIVE AUSTIN: Or as we have
5 been, say nothing. Because, I mean, it's not beyond
6 the realm of possibility that we'll find something or
7 want to supplement the first part of this report.
8 REPRESENTATIVE LAUER: Since we're still
9 under the Resolution.
10 REPRESENTATIVE AUSTIN: Yeah.
11 REPRESENTATIVE MITTEN: Well, it seems to
12 me that this report though is an accurate
13 representation of the evidence this Committee has
14 heard to date.
15 REPRESENTATIVE LAUER: And that it should
16 speak for itself.
17 REPRESENTATIVE MITTEN: And that it
18 speaks for itself. I agree with you.
19 REPRESENTATIVE BARNES: There's certain
20 more or less procedural questions about the
21 Committee's operation that I want to be able to
22 answer, but not to go into depth.
23 MS. HALLEN: You're not bound by your
24 Resolution regarding procedure. You're only bound in
25 terms of witness and evidence.

1 REPRESENTATIVE MITTEN: So you're fine
2 talking procedure.
3 MS. HALLEN: You could talk about it now
4 if you really want to.
5 REPRESENTATIVE PHILLIPS: What's going to
6 happen is that there's going to be a bunch of people
7 that will get interviewed that don't have anything to
8 do with this Committee. They're going to start
9 throwing their speculation out there and giving their
10 theories on stuff. And it's going to seem very odd if
11 we have no statement whatsoever.
12 And the people that are mum on this
13 subject are the ones that served on the Committee and
14 everybody else is stepping up to the mic. I don't
15 think we need to be telling what we know, but I think
16 we need to tell -- we need to kind of have a blanket
17 statement from -- some guidelines within our body here
18 as to what we are going to say pertinent to what we've
19 found out.
20 SECRETARY CURCHIN: Say the Committee
21 voted to extend its authority on a date certain until
22 that time. We're operating as a Committee under
23 the --
24 REPRESENTATIVE BARNES: I think your
25 broader point is --

1 SECRETARY CURCHIN: -- Resolution.
2 REPRESENTATIVE BARNES: -- about this
3 report itself. And I think it's important --
4 REPRESENTATIVE PHILLIPS: It is.
5 REPRESENTATIVE BARNES: -- for us to say
6 our job was to conduct a fact-finding investigation.
7 We did so. We think the facts that are included in
8 this report -- we're going to let them speak for
9 themselves at the present time. The Committee
10 continues in existence and will continue doing its
11 work.
12 REPRESENTATIVE PHILLIPS: And they're
13 available.
14 REPRESENTATIVE BARNES: And they're
15 available with full transcripts, 400 pages. Have we
16 figured out what our page --
17 REPRESENTATIVE LAUER: It's like a tax
18 bill. Maybe we could --
19 REPRESENTATIVE MITTEN: No, no.
20 REPRESENTATIVE LAUER: Sorry.
21 REPRESENTATIVE PHILLIPS: Because they're
22 going to take our other members, our colleagues,
23 they're going to take them down a different road than
24 we want to go down, with their questioning and their
25 "what do you think" and speculation.

1 REPRESENTATIVE BARNES: And we can't
2 control --
3 REPRESENTATIVE PHILLIPS: I know, but I'm
4 just saying.
5 REPRESENTATIVE BARNES: Even if -- no
6 matter how hard we try, there is no hurting of these
7 cats in either caucus.
8 REPRESENTATIVE PHILLIPS: Right. That's
9 why it's important that we have a -- just a fairly
10 consistent statement to give.
11 REPRESENTATIVE PIERSON: And we
12 bifurcated the report. So there is still opportunity,
13 from what I understand, that there could be
14 supplemental reporting done on what we will come out
15 with on Wednesday. Is that true since we have --
16 REPRESENTATIVE BARNES: Well, to the
17 extent that new facts and information come to light,
18 absolutely.
19 REPRESENTATIVE PIERSON: Okay.
20 REPRESENTATIVE BARNES: And we do have --
21 there will, no doubt, be a second report from this
22 Committee relating to all the work we did on other
23 topics.
24 REPRESENTATIVE PIERSON: Right. But the
25 other bit of information that's still what ongoing, in

1 that if we find out other information, then a
2 supplement report can go out?
3 REPRESENTATIVE BARNES: Depending --
4 yeah, depending on what the members of the Committee
5 view as to whether it should.
6 REPRESENTATIVE PIERSON: Okay.
7 REPRESENTATIVE BARNES: Any further
8 discussion?
9 Seeing none, we will reconvene tomorrow
10 at noon o'clock in this hearing room. And that will
11 close today's hearing in the Special Committee --
12 Special Investigative Committee on Oversight.
13 (Meeting adjourned.)
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2 CERTIFICATE OF REPORTER
3
4 I, Tracy Thorpe Taylor, CCR No. 939, within the
5 State of Missouri, do hereby certify that the witness
6 whose testimony appears in the foregoing deposition
7 was duly sworn by me; that the testimony of said
8 witness was taken by me to the best of my ability and
9 thereafter reduced to typewriting under my direction;
10 that I am neither counsel for, related to, nor
11 employed by any of the parties to the action in which
12 this deposition was taken, and further, that I am not
13 a relative or employee of any attorney or counsel
14 employed by the parties thereto, nor financially or
15 otherwise interested in the outcome of the action.
16
17 *Tracy T. Taylor*
18 Tracy Thorpe Taylor, CCR 939
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