

1 THE WITNESS: Okay.

2 THE COURT: Okay.

3 THE WITNESS: Uh-huh.

4 THE COURT: Now, after Mr. Brown is done asking you his
5 questions, Mr. Walsh is going to have a chance to ask you some
6 questions. Well, same thing, if you could wait until he's done
7 asking the question before you answer. Yes or no if the answer
8 calls for it. And if you don't understand what he's getting at,
9 let him know and he will re-ask the question. Okay?

10 THE WITNESS: Okay.

11 THE COURT: Ready to get started?

12 THE WITNESS: Yeah.

13 THE COURT: Okay. Mr. Brown?

14 MR. BROWN: Thank you, your Honor.

15 HOLLY SWANSON,

16 called as a witness by and on behalf of the Defense, having
17 been first duly sworn, was examined and testified as follows:

18 DIRECT EXAMINATION

19 BY MR. BROWN:

20 Q. Good afternoon, ma'am.

21 A. Good afternoon.

22 Q. I'm sorry to have to ask you these questions, and I
23 apologize for meeting you under these circumstances, but I have
24 to ask you some of these, and I hope you understand that. No?
25 Yeah?

26 A. I'm sorry, I couldn't even hear you.

27 Q. I'm sorry I have to meet you under these circumstances
28 and to ask you the questions that I'm about to ask you.

1 A. Uh-huh.

2 Q. But I would like to move forward with this quickly, if
3 you don't mind?

4 A. Absolutely.

5 THE COURT: Ms. Swanson, you may want to pull your
6 microphone down a little bit.

7 (A DISCUSSION WAS HELD OFF THE RECORD.)

8 THE COURT: Mr. Brown?

9 MR. BROWN: Thank you.

10 Q. (By Mr. Brown:) And if you don't hear me --

11 A. I can hear you now.

12 Q. All right. Sorry about that. Sometimes I talk awfully
13 soft.

14 Would you tell the jury please who you are.

15 A. I'm Kerianne Bradley's aunt.

16 Q. And would that make you the sister of Jennifer Bradley?

17 A. Yes, it would.

18 Q. And would that also make you the daughter of Denise
19 Pou?

20 A. Yes, it would.

21 Q. Now, I wanted to get right to the gist of this. I
22 wanted to talk with you about some of the comments that you made
23 to an Officer Haddad when he interviewed you. Okay? Just so
24 you understand where I am. All right?

25 A. Okay.

26 Q. Now, I understand that you had advised Mr. Haddad that
27 you and your mother had become involved in Kerianne's life. Do
28 you recall telling him that?

1 A. Yes.

2 Q. Okay. Do you recall telling Officer Haddad why you and
3 your mother had become involved or very involved in Kerianne's
4 life?

5 A. Yes.

6 Q. Would you tell us why you and your mother had become
7 involved in Kerianne's life, please?

8 A. Jennifer asked my mom for help with Kerianne, and I was
9 asked by my mom to help pick Kerianne up from the baby-sitter's
10 about twice a week and to have her at my house until my mom was
11 able to get off work, because my daughter had a babysitter right
12 next door to Kerianne's babysitter.

13 Q. Do you recall telling Detective Haddad that you and
14 your mother became involved in Kerianne's life since she was
15 born because Jennifer had been so neglectful?

16 A. I don't recall those words.

17 MR. BROWN: Do you have a clean copy of the --

18 (DEFENSE COUNSEL CONFER.)

19 Q. (By Mr. Brown:) I'm going to show you the report
20 prepared by Detective Haddad.

21 A. Uh-huh.

22 Q. Direct your attention to the third sentence of the
23 first paragraph, please.

24 A. I see what's there, yes.

25 Q. Does that refresh your recollection as to what you told
26 Detective Haddad as to why you and your mother became so
27 involved in Kerianne's life?

28 A. No.

1 Q. All right. Do you recall Detective Haddad asking you
2 whether or not Jennifer was somewhat neglectful towards
3 Kerianne?

4 A. Can you repeat that?

5 Q. Yes. Do you recall whether or not Detective Haddad had
6 asked you whether or not Jennifer was somewhat neglectful to
7 Kerianne?

8 A. I don't recall our conversation exactly, because it's
9 been four years. I don't recall the exact word-for-word
10 conversation.

11 Q. Do you recall Detective Haddad generally asking you if
12 Jennifer was somewhat neglectful towards Kerianne?

13 A. I -- I don't recall him asking me those questions.

14 Q. Do you recall telling Detective Haddad -- or strike
15 that, please.

16 Do you recall correcting Officer Haddad and saying that
17 Jennifer was very neglectful?

18 MR. WALSH: Your Honor, I'm going to object and cite
19 the hearing we had before lunch.

20 THE COURT: Sustained.

21 You don't have to answer that.

22 THE WITNESS: Thank you.

23 Q. (By Mr. Brown:) Do you know of an occasion where
24 Jennifer refused to take Kerianne to a doctor?

25 A. No.

26 Q. Did you tell Detective Haddad that Jennifer had refused
27 to take Kerianne to see a doctor when she was sick?

28 A. I remember telling Detective Haddad that I took

1 Kerianne to the doctor.

2 Q. Do you recall telling Detective Haddad that Jennifer
3 refused to take Kerianne to see a doctor when Kerianne was sick
4 and in need of medical attention?

5 A. I don't remember saying that.

6 Q. Do you recall telling Detective Haddad that on another
7 occasion a doctor had written a prescription for Kerianne, but
8 Jennifer refused to fill the prescription?

9 A. Yes.

10 Q. Do you recall telling Detective Haddad that Jennifer
11 was verbally abusive to Kerianne?

12 A. I don't remember using those words exactly.

13 Q. Do you recall telling Detective Haddad that you heard
14 Jennifer call Kerianne "a little bitch"?

15 A. Not those words exactly.

16 Q. Do you recall telling Detective Haddad that you had
17 heard Jennifer tell Kerianne to "shut the fuck up"?

18 A. Yes.

19 Q. Do you recall telling Detective Haddad that Jennifer
20 would say things about Kerianne like "she is fucking annoying"?

21 A. I don't remember exactly those words.

22 Q. Do you recall telling Detective Haddad that Jennifer
23 would say things about Kerianne like "she is ruining my life"?

24 A. I don't remember those words.

25 Q. Do you recall an incident -- or do you recall an
26 incident where Jennifer was physically abusive to your mother?

27 A. Yes.

28 Q. And do you have personal knowledge of that, or is this

1 just something that you heard?

2 A. I was called into it.

3 Q. Who called you into it?

4 A. My mom.

5 Q. How did your mother do that?

6 A. She called me on the phone.

7 Q. Did you have the opportunity to listen to any of that

8 on the phone?

9 A. No.

10 Q. You didn't hear anything from Jennifer during that

11 telephone call?

12 A. No, because I called 9-1-1.

13 Q. All right. And then was that the end of your

14 involvement?

15 A. I went to the house.

16 Q. And was anything going on when you went to the house

17 with your mother and Jennifer?

18 A. She wasn't there.

19 Q. Who wasn't there?

20 A. Jennifer wasn't there.

21 Q. Jennifer was gone?

22 A. Yes.

23 Q. What time did you go to your mother's house?

24 A. I have no idea what time that was.

25 Q. All right. Thank you.

26 MR. BROWN: Judge, that's all I have. Thank you.

27 THE COURT: Thank you, Mr. Brown.

28 Mr. Walsh?

1 MR. WALSH: Thank you, your Honor.

2 CROSS-EXAMINATION

3 BY MR. WALSH:

4 Q. Good afternoon.

5 A. Good afternoon.

6 Q. I just want to follow up on a few things Mr. Brown
7 asked you about. One of the first questions he asked you about
8 was the point in time when Jennifer asked you and Denise to
9 become a part of Kerianne's life. Do you remember Mr. Brown
10 asking you about that just now?

11 A. Yes.

12 Q. And you -- you know your sister pretty well, I would a
13 assume?

14 A. Pretty well.

15 Q. She was pretty young when she had Kerianne, wasn't she?

16 A. Yes.

17 Q. And in your own observations with Kerianne, was she
18 overwhelming to Jennifer?

19 A. Yes.

20 Q. And was Jennifer really prepared to have a child --

21 A. No.

22 Q. -- when she had Kerianne?

23 A. No.

24 Q. Okay. And during some of the occasions where Jennifer
25 was unable to provide care to Kerianne, was that because she
26 would say she's just too busy?

27 A. Yes.

28 Q. And in fact, when Jennifer asked yourself and your

1 mother for help with Kerianne, it was because she -- she
2 explained she wasn't able to juggle a job and keeping Kerianne
3 on a schedule and all those things; isn't that right?

4 A. That's exactly right.

5 Q. And the time that you had this interview with Detective
6 Haddad, this was -- this is back in February of '06; isn't that
7 right?

8 A. Yes.

9 Q. And your first conversation with Detective Haddad was
10 at the hospital in San Diego, was it not?

11 A. Yes.

12 Q. And when in time -- were you at the hospital in
13 San Diego when Kerianne passed away?

14 A. Yes, I was.

15 Q. And when in time did Detective Haddad speak to you in
16 regard to when Kerianne passed away?

17 A. Hours.

18 Q. Within hours of her passing away?

19 A. (Nods head.) Yes.

20 Q. Okay. Thank you.

21 The -- do you have children of your own?

22 A. Yes.

23 Q. And is -- would you say that the way you care for your
24 children is different than the way that Jennifer cared for
25 Kerianne?

26 A. Yes.

27 Q. When Jennifer asked you and your mother for help with
28 Kerianne, were you and your mother able to help her with

1 Kerianne?

2 A. Yes.

3 Q. And then that involved doing some of the things that
4 Jennifer didn't have time to do, like taking Kerianne to the
5 doctor?

6 A. Yes.

7 Q. Providing prescriptions for Kerianne?

8 A. Yes.

9 Q. Actually taking care of Kerianne during times that
10 Jennifer could not be with her?

11 A. Yes.

12 Q. And so were there times during your relationship with
13 Jennifer while she had Kerianne that she did say -- Mr. Brown
14 asked you about some specific statements that Detective Haddad
15 recorded in his police report about things that you heard
16 Jennifer say about Kerianne. Is it fair to say that Jennifer at
17 times during Kerianne's life had negative things to say about
18 Kerianne?

19 A. Yes.

20 Q. Did Jennifer say things to the effect of, Kerianne was
21 an inconvenience on her life?

22 A. To that effect, yes.

23 Q. Okay. Okay. Thank you.

24 MR. WALSH: I don't have any other questions for you,
25 Ms. Swanson. Thank you.

26 THE COURT: Thank you, Mr. Walsh.

27 Mr. Brown, any follow-up?

28 MR. BROWN: No, sir. Thank you.