

1 working for um, he was installing home security
2 systems. So like in the nine (9) years that I had you
3 know really knew him, I think it came out to be like
4 two (2) years of employment or something.

5 MR. NEGANGARD: Any other questions? Thank you Ms. Brewington.
6 I would just remind you that you cannot disclose
7 what you testified to here today to anyone else.

8 MELISSA: Okay, yes.

9 MR. NEGANGARD: Thank you. 116 is the Court of Appeals decision
10 regarding the decision of Judge Humphrey. I want
11 to break for lunch at this point. I would call Dr.
12 Edward Conner to the stand. Please swear the
13 witness in.

14 FOREMAN: Do you solemnly swear or affirm that the testimony
15 you are about to give in the matter now under
16 consideration by the grand jury will be the truth, the
17 whole truth and nothing but the truth? And do you
18 further solemnly swear or affirm that you will not
19 divulge any portion of your testimony before this
20 grand jury except when legally called upon to do
21 so?

22 DR. CONNER: I do.

23 MR. NEGANGARD: Okay, Dr. Conner, would you please state your
24 name for the record please?

25 DR. CONNER: My name is Dr. Edward Conner.

1 MR. NEGANGARD: And um, Dr. Conner, what do you do for a living?
2 DR. CONNER: I'm a licensed psychologist in the states of Indiana
3 and Kentucky.
4 MR. NEGANGARD: Okay and um, how long have you been a
5 licensed psychologist?
6 DR. CONNER: I was first licensed in the state of Alabama in um,
7 1994, I believe it was. I was licensed in the state of
8 Kentucky in 1996 and licensed in the state of
9 Indiana in July of 2008.
10 MR. NEGANGARD: Okay and um, what, if you could, briefly tell the
11 jury your education and training and experience.
12 DR. CONNER: I was first educated in psychotherapy in Sweden for
13 the institute of psychotherapy and that was in the,
14 around 1982 or 1983, to around '86 or '87. I then
15 went to southeast Asia where I worked with people
16 who had different types of substance abuse
17 problems along with mental illness, um, returned to
18 the United States and uh completed my degree at
19 Thomas Moore College in 1989 and then went on to
20 the University of Denver in Denver, Colorado,
21 where I earned my doctorate degree in 1993. I also
22 completed an internship at University of North
23 Carolina with the Department of Psychiatry in 1993,
24 '94, and also uh at the same time I was with the
25 Federal Bureau of Prisons where, which was about

1 thirty (30) minutes from the University of North
2 Carolina where we conducted evaluations for the
3 Courts on various criminal matters.
4 MR. NEGANGARD: And, so you have a private practice out of Northern
5 Kentucky. Is that correct?
6 DR. CONNER: Correct. My wife and I together, uh, she is a
7 psychologist as well. We have a practice in
8 Erlanger, Kentucky which is adjacent to the airport.
9 MR. NEGANGARD: And how long have you had that practice?
10 DR. CONNER: We moved our practice there in 2003, uh, prior to
11 that, we were just a little ways down the road, close
12 to Erlanger, had a private practice in Covington,
13 beginning in, let's see, 1997, I believe was when I
14 first opened my practice or '96.
15 MR. NEGANGARD: So '96, '97, you first opened your private practice
16 with your wife?
17 DR. CONNER: Well I was by myself at the time. She joined me
18 later.
19 MR. NEGANGARD: Okay and you have been operating as a practitioner
20 out of basically northern Kentucky since '96 or '97?
21 DR. CONNER: Correct, yes.
22 MR. NEGANGARD: And as part of your responsibilities you do
23 evaluations for, um, to determine if someone's
24 competent?
25 DR. CONNER: I do, yes.

1 MR. NEGANGARD: You do um, insanity defense situations?
2 DR. CONNER: That's correct, yes.
3 MR. NEGANGARD: You do evaluations um, sex abuse, um, sexual
4 offender evaluations?
5 DR. CONNER: That's correct, yes.
6 MR. NEGANGARD: For both juveniles and adults?
7 DR. CONNER: Yes I do those sex offender evaluations to determine
8 if there's a risk issue uh, for the Federal government
9 as well as the state and juveniles and also do them
10 for the Catholic church.
11 MR. NEGANGARD: And you've done uh, and you also do child custody
12 evaluations?
13 DR. CONNER: That's correct, yes.
14 MR. NEGANGARD: And Courts, and the Dearborn County Circuit Court
15 is... what all courts, instead of asking you to go
16 through each court, could you give a list of courts in
17 and around this area that have retained you or
18 appointed you to conduct evaluations in this area?
19 DR. CONNER: Yes. In Indiana, I believe it's been Ripley County,
20 Switzerland County, Dearborn County, who have
21 appointed me as a neutral evaluator to conduct child
22 custody evaluations. I have been appointed in
23 northern Kentucky by the various counties as well
24 to do child custody evaluations which I conduct
25 together with my wife who again is also a

1 psychologist.

2 MR. NEGANGARD: And a large, most of your, a lot of your work comes

3 from uh, court referrals. Is that fair to say?

4 DR. CONNER: That's correct, yes.

5 MR. NEGANGARD: Now, how did you have an occasion to come into

6 contact with a person by the name of Daniel

7 Brewington?

8 DR. CONNER: Well I was first appointed by the Court uh, in um,

9 these, I believe it was the early spring of 2007 to

10 conduct a child custody evaluation on Mr.

11 Brewington and his two (2) daughters and his wife

12 or his soon to be ex-wife at the time. Um, we send

13 a letter out to the participants for the evaluation

14 about their appointment times and then they come

15 to our office in Kentucky where we do the

16 interviews with the parents. We do the parent-child

17 observations. Uh, we have a one-way mirror in our

18 office where we can observe the parent and children

19 together, see how they interact. There's

20 approximately four (4) hours of psychological

21 testing that each parent has to undergo that is also

22 done in our office. Uh, these tests are taken in our

23 office, interpreted by me and then the reports are

24 written from our office and at that point, we'll make

25 a recommendation to the Court what we believe

1 would be in the child's best interest.

2 MR. NEGANGARD: And um, did you conduct that process when it came
3 to Daniel and Melissa Brewington and their
4 children?

5 DR. CONNER: I did.

6 MR. NEGANGARD: And were you appointed by the Ripley County
7 Circuit Court?

8 DR. CONNER: Initially it was the Ripley County Circuit Court, yes,
9 it was Judge Taul, I believe.

10 MR. NEGANGARD: And um, the procedure you just described, did you
11 do that for the Brewington's?

12 DR. CONNER: Yes.

13 MR. NEGANGARD: Um, what did you find um, with regard to Daniel
14 Brewington and his participation in the process?

15 DR. CONNER: Well he participated in the evaluation process uh, he
16 complied with requests to take all the psychological
17 testing to come to the office to be evaluated, to be
18 observed together with him and his two (2)
19 daughters. So from that standpoint, he did comply
20 with our procedures.

21 MR. NEGANGARD: Um, what about Mrs. Brewington?

22 DR. CONNER: The same. She complied, was very cooperative
23 with all the testing that we administered, the
24 interviews, the observations.

25 MR. NEGANGARD: As a result of your...so you did the testing, the

1 psychological testing. What all tests did you
2 conduct?
3 DR. CONNER: We performed uh, a variety of parenting measures
4 just to assess the parent's awareness in various child
5 rearing situations. Um, one is called the parenting
6 awareness skills survey, another is called the parent
7 child relationship inventory. We try to get them to
8 assess objectively what their strengths are as a
9 parent, what their weaknesses are, what they think
10 the other parent's strengths are, the other parent's
11 weaknesses. We also administer some statistically
12 based psychological testing that gives us more of an
13 objective measure of the parent's personalities.
14 MR. NEGANGARD: Is that like the MMPI?
15 DR. CONNER: Correct. There's one test that's called the
16 Minnesota Multi-phasic Personality Inventory. The
17 second addition that's been around probably since
18 the 50's and has been revised. Um, we use that test.
19 We use something called the Mollaun Multi-phasic
20 Clinical Inventory which tells us about the person's
21 personality and if they have personality problems.
22 MR. NEGANGARD: Was there anything about that testing that was um,
23 concerning with regard to Daniel Brewington?
24 DR. CONNER: Yes there was.
25 MR. NEGANGARD: What did the test results show?

1 DR. CONNER: Well on the traditional test that I referred to earlier,
2 it was quite revealing in a sense that he um, if he
3 didn't get what he wanted, then he would resort to
4 different types of manipulative or indirect means to
5 try to get what he wanted. Um, and he would start
6 to ruminate, in other words, persevere or in other
7 words obsess about issues, uh, and could not let it
8 go, and um, of course, if you're trying to have a co-
9 parenting situation, uh, with your divorced spouse,
10 this makes it very difficult to communicate
11 effectively for the best interest of the children.
12 Regardless of what you feel about your ex-spouse, if
13 you have this type of personality that is somewhat
14 vindictive, then it is difficult to communicate with
15 your ex-spouse with regards to the children's best
16 interest. So this was again, a very concerning
17 personality trait that was identified in the
18 psychological testing, of not simply by me but in the
19 objective testing that's statistically based. This was
20 quite prominent.
21 MR. NEGANGARD: Okay and what else did the test show?
22 DR. CONNER: Uh, the other thing that was clear is that in the
23 testing is that he takes little responsibility for his
24 actions or his contribution to a conflict. So in other
25 words, if there's a conflict, he tends to blame

1 everyone else around him without first taking a look
2 at himself and thinking okay, how maybe am I part
3 of this problem so that it could have a better
4 resolution.

5 MR. NEGANGARD: And these conclusions or these indications as you
6 indicated from your testing, this was revealed
7 through your testing that was done in the
8 Spring and Summer of 2007. Correct?

9 DR. CONNER: That's correct, yes.

10 MR. NEGANGARD: This was not based upon activity that kind of
11 interaction with him afterwards that...

12 DR. CONNER: No, no.

13 MR. NEGANGARD: I mean it substantiates your findings from the test
14 but your testing found these things before a lot of
15 this even started.

16 DR. CONNER: Correct. I mean, before anything started here, that I
17 understand why we're here today, this was
18 identified in the tests already and which gave me
19 what we refer to as predictive validity - in other
20 words the ability to validly predict that something
21 might not be right here or conducive to a joint
22 custody arrangement with an ex-spouse with regard
23 to children.

24 MR. NEGANGARD: Um, was there anything else that you determined
25 from your testing that was concerning?

1 DR. CONNER: Um, there was a degree of self-centeredness – in
2 other words, a person who is rather self-centered
3 tends to, um, to put in laymen terms be rather full of
4 themselves – that they have a hard time seeing
5 another person's perspective, uh because they think
6 they have all the right answers and anyone that's
7 says anything against them, they can't tolerate them.
8 They just can't incorporate that into their thinking
9 then they um, blame the other person for any
10 problems that could be there.

11 MR. NEGANGARD: Anything else?

12 DR. CONNER: No sir. There was small issues that I think most
13 people have but those were the most prominent in
14 the profile.

15 MR. NEGANGARD: Was there anything from the observations from his
16 interaction with his children?

17 DR. CONNER: No. That seemed to be okay. He, like most parents
18 that we observe in our office, he seemed to do okay
19 with the children – just relating to them.

20 MR. NEGANGARD: Okay and then anything concerning with the testing
21 with regard to the mother?

22 DR. CONNER: Uh, she had some, what we refer to as obsessive
23 compulsive traits. Um, she could be somewhat
24 obsessive compulsive with her um, way of doing
25 things, her thinking. She is a nurse at Children's

1 hospital so that serves her well in her professional
2 life. But when it comes to relationships sometimes
3 in an obsessive compulsive person, um, might be
4 somewhat frustrating to live with at times but there
5 was some depression noted in her profile too, I
6 think.

7 MR. NEGANGARD: Maybe I should have you diagnose my wife. No,
8 I'm kidding. Um, anyway, so...

9 DR. CONNER: With regard to cleaning in particular.

10 MR. NEGANGARD: Exactly. But that's not uncommon among
11 evaluations.

12 DR. CONNER: No sir. In fact some colleagues and I co-authored
13 an article a number of years ago that was published
14 in the Journal of Law and Human behavior where
15 we have to be careful not to over-penalize,
16 especially women who are a little bit obsessive
17 compulsive because it's actually a good trait to have
18 in child rearing. They tend to be more focused.

19 MR. NEGANGARD: So based upon your testing and all the procedures
20 that you've testified to, did you make a
21 recommendation to the Court with regard to
22 custody?

23 DR. CONNER: Yes I did.

24 MR. NEGANGARD: And what was that recommendation?

25 DR. CONNER: Well the recommendation was that, um, I did not

1 feel that Mr. and Mrs. Brewington could have joint
2 legal custody of the children because of the
3 communication problems. He makes it very
4 difficult to agree on very minor things, um, very
5 difficult to see things objectively and when you
6 have that type of relationship with an ex-spouse to
7 co-parent two (2) little children, makes it incredibly
8 difficult – where they're going to go to school, what
9 pediatrician they go to – if they need braces. So in
10 those cases, what we'll typically recommend, which
11 we did in this case is that one parent have sole legal
12 custody. Now that doesn't mean that the other
13 parent doesn't have child parenting time, um, we
14 recommended that Mr. Brewington have the
15 standard Indiana parenting time and also because
16 his wife or ex-wife was a nurse that he should have
17 the kids when she has to work. So um, and there
18 was some vacation time and holiday time in that as
19 well. Although they couldn't communicate with
20 one another for various reasons, um, in terms of him
21 just parenting the children according to the Indiana
22 guidelines or again when his wife was working the
23 long shifts as nurses sometimes do, that he could
24 have the kids then. So by no means did we ever try
25 to cut him out of the children's lives. It was quite

1 the opposite. We tried to give him a little bit of
2 extra time I felt.

3 MR. NEGANGARD: And when did you issue your custody evaluation?

4 DR. CONNER: Uh, the report was issued in August of 2007.

5 MR. NEGANGARD: Um, so you issued your custody evaluation report in
6 August of 2007?

7 DR. CONNER: Yes sir.

8 MR. NEGANGARD: Okay, what happened? What did Mr. Brewington
9 do after you issued your August of 2007 report?

10 DR. CONNER: Um, he started to put things on the internet about
11 how unfair I was and what a dangerous person I am.

12 Um, one of the titles was "It's a dangerous game",
13 uh which I of course found somewhat alarming.

14 Um, there's some research that approximately
15 thirty-five to fifty percent (35-50%) of mental health
16 professionals uh, will be assaulted by a client, or a
17 former client at sometime through their career. So
18 we are taught in my profession to take these
19 concerns very seriously if there is anything like that,
20 that a person might threaten. Um, one of the entries
21 that he googles...he googles my name every day to
22 see if I've done anything and that concerned me
23 because I realized that I became the object of an
24 obsession, um, with him, even though I
25 recommended he have his children. There was

1 something that he, I wasn't sure exactly um, what,
2 other than that I didn't feel they could have joint
3 custody that there was something going on there.
4 Um, he said that I was a liar. He had found two (2)
5 complaints with the State Board of Psychology in
6 Kentucky, both of which were dismissed, um,
7 saying that I had, I was a criminal and things like
8 this. Um, he even contacted the Attorney General
9 in the State of Kentucky about some criminal
10 behavior that I had engaged in and so forth. It
11 caused me concern because I deal with people who
12 commit murder. I've interviewed death row
13 inmates, people who commit rape and things like
14 this and never in my whole career had anyone so
15 blatantly and openly attack me and say such things.
16 At one point he said too, that he was a pyromaniac
17 and these, of course, sent a number of red flags as if
18 someone who could set my house on fire or my
19 office or something like this to make such a
20 comment, I wasn't sure. Um, sadly and
21 unfortunately um, hold on a second, I had to inform
22 my children, um, show him or show them his
23 picture, um, because there it was very vindictive,
24 revengeful, for simply because he disagreed with an
25 opinion. I am totally okay with people disagreeing

1 with my opinion and often times people do and I
2 understand and I certainly respect that. But that
3 level of vindictiveness and revenge, again where I
4 felt I had to take measures to protect my family, I
5 had never been in that situation before in my entire
6 career.

7 MR. NEGANGARD: How old were your children?

8 DR. CONNER: At the time, my daughter would have been thirteen
9 (13) and my son, eight (8).

10 MR. NEGANGARD: So you had to tell them to watch out for this guy?

11 DR. CONNER: Yes and the part that became more concerning too,
12 is he put my, the name of my street on the internet,
13 uh, the name of my mortgage company, um, on
14 there and said that there's some very nice houses on
15 your street, implying that he had been on this street
16 or just doing that to maybe upset me I don't know,
17 but again, um, it was such an invasion of privacy I
18 felt that for something that he agreed to do – come
19 to my office in Kentucky to be evaluated and simply
20 because he did not like my opinion, which again I
21 can respect that but that level of response, um, in
22 the different states and countries that I've worked
23 at, never experienced something like this before.

24 MR. NEGANGARD: Um, in fact though, I mean, you really have just
25 touched the tip of the iceberg as far as

1 communications that started. Did he send letters to
2 your office, constant requests?

3 DR. CONNER: Well he sent a letter...he wanted his...he wanted
4 the case file and in the line of work that I do, that's
5 not uncommon and I'm okay with an attorney or
6 someone looking at the case file to review
7 something but because of what he was writing, I felt
8 like it was not proper to give him, his ex-wife's
9 medical records and I asked the Court to protect his
10 ex-wife's medical records. I gave him all of his
11 records. I gave him every one of his records, I think
12 twice as a matter of fact and but anything that had to
13 do with his children or his wife, I blacked it out
14 with a black marker and gave him um, the file. Um,
15 but he kept asking for the file. It's almost as if he
16 didn't understand that the Judge said you can't have
17 the file - I'm not saying that - a Judge said it and I
18 believe the Judge said twice, you cannot have the
19 file - you can have your own records and that's it
20 and that's what he got. He sent an anonymous, it's
21 not signed by someone but as a psychologist I look
22 at patterns of behavior and patterns of thought and if
23 there was any pattern to everything that was ever
24 written, this anonymous letter that he wrote, in my
25 opinion, to me is clearly him. And it's very

1 threatening about he referred to my deceased father
2 and he referred to um, my father has a scholarship
3 fund at Thomas Moore, he was a well known
4 basketball and baseball coach and he was going to
5 contact Thomas Moore and the University of
6 Kentucky and the different TV stations and all this,
7 just on and on about, and there was a secret tape
8 recording of me, and if that were to be played
9 publicly and so although the letter's anonymous, it
10 fits the profile and it fits the pattern of behavior and
11 again as a psychologist, that's something I study.
12 He also sent a letter, um, and just with pages of
13 addresses to attorneys that he sent to all these
14 people about me. So...

15 MR. NEGANGARD: Is that a copy of that letter?

16 DR. CONNER: Yes. This is the letter and this is a copy of all of the
17 attorneys in the tri-state area he basically sent this
18 to. He made one insinuation on one of the writings
19 that my secretary and I were having some type of an
20 affair which was very hurtful to my wife, of course.

21 MR. NEGANGARD: I'm showing you Grand Jury Exhibit 117. Is that a
22 copy of the letter that he sent to you?

23 DR. CONNER: Yes.

24 MR. NEGANGARD: This was sent to you in September of 2009 shortly
25 after he rendered...

1 DR. CONNER: Yes that's correct.

2 MR. NEGANGARD: ...oh, no this would have been two (2) years after
3 (inaudible).

4 DR. CONNER: Yes, that's correct.

5 MR. NEGANGARD: That's Grand Jury Exhibit 117. Now if I could kind
6 of get the, kind of go back to the timeframe. All of
7 this, 2007, you issue your opinion, um, custody
8 evaluation saying she should have sole custody but
9 he should have visitation and then after that he
10 begins attacking you.

11 DR. CONNER: Yes.

12 MR. NEGANGARD: And sending you letters um, in fact, sending you a
13 number of letters, um, requesting the case file and
14 harassing you with regard to that. Is that correct?

15 DR. CONNER: Yes.

16 MR. NEGANGARD: And what else happens during this period of time
17 before the final hearing, what all does he do? Did
18 that anonymous letter come before the final hearing
19 or after the final hearing?

20 DR. CONNER: Um, that letter came before the final hearing. Um,
21 that was sent before the final hearing to me. And I
22 asked a couple of other people if they knew
23 anything about this letter, unrelated to the case just
24 to make sure that you know, I wasn't being too
25 narrow minded myself but again looking at the

1 pattern, in my opinion, clearly it was written by
2 him. In fact some of the things that he said
3 whoever...that he said in this letter have actually
4 come to be true of people he has contact with.
5 MR. NEGANGARD: Okay, so um, what sort of uh, do you have that
6 letter?
7 DR. CONNER: I do.
8 MR. NEGANGARD: So this is the letter?
9 DR. CONNER: Yes.
10 MR. NEGANGARD: Grand Jury Exhibit 118?
11 DR. CONNER: Yes.
12 MR. NEGANGARD: And this is also a letter he proceeded to send to
13 everyone trying to challenge your ethical
14 guidelines?
15 DR. CONNER: Yes.
16 MR. NEGANGARD: So how many contacts, I mean, so this went on, uh,
17 he wasn't getting his case file, did the
18 communication get worse or how would you
19 characterize it?
20 DR. CONNER: Well it got worse. Uh, I lost count of how many
21 correspondences that we had in wanting the case
22 file. I'm telling him, it's not up to me, it's up to a
23 Judge and the Judge said no and he continued um,
24 actually, I was looking at the record last night and
25 it's been going on for about three and a half (3 ½)

1 years where again I've become sort of the object of
2 an obsession with him about this. Um, but I have
3 never had a um, anything on the web about myself,
4 to advertise my business and I believe that he
5 assumed uh, the local yahoo address and began to
6 write negative comments about me because I never
7 had a local yahoo address for my business. I never
8 had a reason to and uh, I prefer with the type of
9 work I do, not to really advertise but uh, again in my
10 opinion, he claimed that address, posed himself to
11 be me, I believe and then started to write negative
12 comments. Um, I attended my niece's wedding in
13 Pennsylvania approximately three (3) years ago,
14 three and a half (3 ½) years ago or so, and um,
15 somehow he got a photograph of me dancing at the
16 wedding from two and a half (2 1/2) years ago or so
17 and posted it and made comments about me dancing
18 around the courtroom like I do on this dance floor
19 and um, we've tried to figure out how he could get
20 into one of my family members facebook and I've
21 checked again with my, I checked with my children
22 and we couldn't see any activity there but I can't
23 fathom how he could have gotten a photograph of
24 me at my niece's wedding from, maybe it was two
25 and a half (2 ½) years ago. I don't recall the exact

1 date and then to post that on the internet. Um, but
2 the writings have just become more and more uh,
3 assaulted. He talks about me being, uh, that I abuse
4 children, um, he made a reference to me being a
5 pervert, uh because when I...one of the things that
6 happens here, if you do a sex offender risk
7 assessment for the courts, one of the things we
8 know about men who molest children is sometimes
9 will try to get their ex-, I'm sorry, they'll try to get
10 their spouse to portray themselves as a female by
11 removing some of their bodily hair and if there's
12 such an allegation in a child custody dispute, I have
13 to interview the mother saying has he ever tried to
14 get you to role play, like a little girl or you know,
15 present yourself like a little girl and these are
16 questions that have to be asked when you do these
17 types of evaluations in order to make sure the
18 children are safe. Well somehow he got a hold of
19 one of my ex-clients um, who said this to him and
20 he put it on the radio. He put it on the internet that I
21 ask women if they shaved their pubic hair and that
22 I'm a pervert and things like this, not understanding
23 the context of such a question when you're doing an
24 assessment on someone who might be a child
25 molester, you have got to interview the spouse and

1 find out, does he want you to role play these
2 different things and act like a little girl. It's part of
3 the evaluation. Then again, that's one piece of
4 information he'll take and he'll use it to just really
5 be hurtful. Um...

6 MR. NEGANGARD: And in fact, he would call into radio talk shows on
7 WLW and berate you?

8 DR. CONNER: He did that. He did that. He called a local talk
9 show and again it's so perplexing because I've
10 never said he shouldn't have his children and I
11 thought something's missing.

12 MR. NEGANGARD: So based upon his behavior from the time you
13 issued the evaluation to the final hearing, did you, in
14 your testimony, did you draw some conclusions
15 about his behavior that you testified to that day?

16 DR. CONNER: At the final hearing, what I testified to the Court
17 was that I felt that he was very difficult to deal with
18 and that it would be very difficult for such a person
19 to share parenting with the mother of the child in a
20 joint custodial arrangement, that perhaps one parent
21 should have the um, decision making, um powers
22 and the other parent would have to go along with
23 whatever decisions the mother made. And again I
24 felt like her being a nurse and working at Children's
25 Hospital and I think pediatric surgeries is where

1 she's working, that she could make reasonable
2 decisions for the girls and there was no concerns
3 there. I also felt that she would share information
4 with him about the girls whether how their grades
5 are doing or they're ill or what have you.
6 MR. NEGANGARD: And you were a witness in the final hearing. Is that
7 correct?
8 DR. CONNER: Yes I was.
9 MR. NEGANGARD: You were called to testify about your findings with
10 regard to that. Is that correct?
11 DR. CONNER: That's correct. The mother's attorney subpoenaed
12 me to the hearing so I was not anyone's expert. I
13 was appointed by the Courts. I was a neutral
14 evaluator but either party has the right to subpoena
15 me to the final hearing if they so choose.
16 MR. NEGANGARD: And um, did you testify that the psychometric test
17 results of the husband reported in the confidential
18 custody evaluation indicate that Dan Brewington
19 has a degree of psychological disturbance that is
20 concerning and does not lend himself to proper
21 parenting?
22 DR. CONNER: Yes.
23 MR. NEGANGARD: Did you also testify that he's paranoid,
24 manipulative, exhibits a manic-like existence, is
25 unwilling to accept responsibility for his behavior,

1 is self centered, has difficulty seeing issue from
2 another's prospective, likes to do things on his own,
3 as opposed to be more cooperative and (inaudible)
4 and does not handle criticism well?
5 DR. CONNER: Yes I did.
6 MR. NEGANGARD: And those findings that you made, a lot of which
7 showed up in the test results. Is that correct?
8 DR. CONNER: Yes.
9 MR. NEGANGARD: And then it was further corroborated by his behavior
10 afterwards in which he was unwilling to accept any
11 criticism...
12 DR. CONNER: Correct.
13 MR. NEGANGARD: ...of you.
14 DR. CONNER: Correct.
15 MR. NEGANGARD: Of him?
16 DR. CONNER: From anyone, yes.
17 MR. NEGANGARD: And then afterwards, his behavior after the Court
18 issued an order based on the final hearing, uh, his
19 behavior with regard to his internet postings, got
20 even more (inaudible). Is that correct?
21 DR. CONNER: That is correct. He began to attack, not only myself
22 but the Judge in the case.
23 MR. NEGANGARD: That's when he started attacking Judge Humphrey?
24 DR. CONNER: He started to attack Judge Humphrey as well as
25 myself about abusing children.

1 MR. NEGANGARD: Um, and then is persistent. He has not relented.
2 DR. CONNER: This has gone on for three and a half (3 1/2) years
3 and um, it's very repetitive, um, he even contacted
4 some...I am a consultant for the Children's Home
5 in Northern Kentucky where we house
6 approximately forty (40) psychiatrically disturbed
7 children and um, he contacted them that I'm a child
8 abuser and warned the staff there, if he shows up,
9 call the police right away, uh, the local police
10 department in our city are aware of this and if he
11 shows up at our office, we're to contact them
12 immediately.
13 MR. NEGANGARD: He accused you of uh, he accused you of not being,
14 let's see, he accused you of criminal acts because
15 you weren't licensed in Indiana at the time you
16 conducted those evaluations.
17 DR. CONNER: Correct.
18 MR. NEGANGARD: And in fact those evaluations occurred in Kentucky.
19 DR. CONNER: I have people come from North Dakota, Texas,
20 Florida, Indiana, Ohio, to my office in Kentucky for
21 an evaluation, so it doesn't require me to be
22 licensed in all the different states that people come
23 to Kentucky to be evaluated by me.
24 MR. NEGANGARD: And do you have the evaluation?
25 DR. CONNER: I do. This is the copies. Um, well, this one might

1 be my original, I'm not sure.

2 MR. NEGANGARD: There's notes in that document. Is that your notes?

3 DR. CONNER: Yes they are.

4 MR. NEGANGARD: I'm showing you what's marked for identification as

5 Grand Jury Exhibit 119 and ask if you can identify

6 that?

7 DR. CONNER: Yes. This is a document that he wrote to my wife

8 and I, uh, with regard to his concerns, uh, about the

9 evaluation that we wrote.

10 MR. NEGANGARD: And he goes on for pages.

11 DR. CONNER: Yes.

12 MR. NEGANGARD: It's seventeen (17) pages long.

13 DR. CONNER: Yes.

14 MR. NEGANGARD: Telling you why you messed up.

15 DR. CONNER: Yes.

16 MR. NEGANGARD: That's Grand Jury Exhibit 119. I'm showing you

17 120. This is one of those tests that was conducted?

18 DR. CONNER: Yes. This is a Taylor Jones and temperament

19 analysis profile and this is a test we use to see how a

20 person views themselves and if they're able to view

21 themselves in an objective fashion.

22 MR. NEGANGARD: And how did he test on that?

23 DR. CONNER: One of the things that came up here is that uh, he

24 tends to be very disorganized and impulsive, very

25 changeable. One time it's this way, one time it's

1 that way, uh, just not consistent.

2 MR. NEGANGARD: Is there anything about this test that showed he...did
3 he have any sort of...was he good at evaluating
4 himself or did this show how he was right and
5 everyone else was wrong?

6 DR. CONNER: Well in this test we really wouldn't really see so
7 much about that self-centeredness that I referred to
8 earlier. This was seen more in some of the other
9 testing. This one does show more that I think he
10 understands that he can be fairly impulsive. He's
11 been diagnosed with Attention Deficit Hyperactivity
12 Disorder and um, is medicated and it's not
13 something that you now, we really put a lot of
14 weight on with regard to not being able to
15 communicate with his ex-wife. The weight was
16 more on his personality, his style, not so much the
17 ADHD.

18 MR. NEGANGARD: We'll show that as Exhibit 120. So let's talk about
19 the ADHD. The ADHD, he was diagnosed with
20 that, um, prior to you even evaluating him. Is that
21 correct?

22 DR. CONNER: Yes. He was diagnosed with ADHD which is
23 Attention Deficit Hyperactivity Disorder by the
24 Affinity Center in Cincinnati and his medications
25 were prescribed by them and I remember very

1 distinctly him saying one time if he doesn't take his
2 medication, and I had never heard this before, that's
3 why it stuck with me, he said my mind is like a
4 tornado in a library and um, that made sense to me.
5 MR. NEGANGARD: So he was prescribed um, two hundred (200) mg. of
6 Ritalin a day.
7 DR. CONNER: Right.
8 MR. NEGANGARD: Through your training and experience, is that a large
9 quantity?
10 DR. CONNER: Well I'm a psychologist. I'm not a medical doctor
11 but I certainly deal with people every day with
12 different medications and doses of medications and
13 even if you look that up, in any type of medical
14 source, that's a high, high level of medication.
15 MR. NEGANGARD: And um, in this, and this is a letter from Dan
16 Brewington to my office on February 24th and he's
17 claiming that you testified and lied. I can't make
18 heads or tails of it. Have you seen those accusations
19 before?
20 DR. CONNER: I uh, again there's a pattern here, there's such a
21 pattern of behavior and yes, I've seen the pattern
22 here. I don't recall actually having this letter
23 because he didn't send this letter to me but uh, for
24 example if he says it's quite clear that Dr. Conner
25 has attacked me for going to law enforcement, I

1 have never responded to any one of his blogs on the
2 internet. I've never contacted him unless it was
3 through an official document, um, that's in the file.
4 At one point, he accused me of stalking him on the
5 internet and it's...again it gives me cause for
6 concern that he is that focused on me and the Judge
7 now. Um, and he posted something, um, he's
8 telling a story where he's talking about how he
9 would like to punch the custody evaluator and beat
10 the custody evaluator senseless. So again, he says I
11 attacked him but then he tells stories on the internet
12 about how he would like to beat the custody
13 evaluator senseless and again I'm not naive with
14 regard to some people can be dangerous even
15 though they say things, one day they might do
16 something especially in my field, uh, and so these
17 kind of things I certainly pay attention to -- these
18 patterns of behavior.

19 MR. NEGANGARD: I'm showing you what's marked for identification as
20 Grand Jury Exhibit 121. Is that your custody
21 evaluation?

22 DR. CONNOR: It is.

23 MR. NEGANGARD: I'll show that that's entered for the record. There's
24 a number of letters that we already have and we'll
25 put in all the, a lot of the correspondence, get it in

1 through Mr. Kreinhop but needless to say, since
2 you've issued your custody evaluation, is it fair to
3 say that he has attacked you on the internet, has
4 attacked your license, has indicated that he knows
5 where you live, has um, attacked you, tried to
6 ridicule you through, even on WLW or taking
7 questions you've asked out of...not even exactly
8 accurate but questions out of context, uh and just
9 engaged in a pattern of harassment and
10 intimidations since you issued an opinion that
11 merely said he shouldn't have joint custody?

12 DR. CONNER: That's correct and it, what was concerning to this in
13 particular, is that I knew at some point I would need
14 to testify as a witness in the case and even if the
15 case was concluded, I think it was reasonable for me
16 to believe that the case would be appealed by him
17 and I would maybe be called as a witness in the
18 future as well. So that whole intimidation factor
19 knowing that I would need to testify and it was my
20 obligation to do so for the Court, was very
21 disturbing.

22 MR. NEGANGARD: So he basically engaged in a pattern of activity that
23 um, was intimidating and harassing prior to your
24 testimony at the final hearing and then after?

25 DR. CONNER: That's correct.

1 MR. NEGANGARD: And you issued your opinion and in August of 2007,
2 he began his um, it appears really in March of 2008
3 is what really picks up as far as the constant
4 correspondence back and forth.
5 DR. CONNER: Well his first post was in October of 2007,
6 approximately two (2) months after the report came
7 out. Um, the anonymous letter, which again I
8 believe very much to be him, um, was sent after my
9 report was released.
10 MR. NEGANGARD: And um, then after he no longer has an attorney, he
11 engages in a number of letters back and forth?
12 DR. CONNER: Yes.
13 MR. NEGANGARD: Starting in March of 2008?
14 DR. CONNER: Yes and in one letter he actually says...
15 MR. NEGANGARD: He's an attorney?
16 DR. CONNER: He says uh please forward a copy of the case file to
17 me because I am an attorney.
18 MR. NEGANGARD: That would not be accurate. Correct?
19 DR. CONNER: To my knowledge, he is not an attorney.
20 MR. NEGANGARD: I'm showing you Grand Jury Exhibit 122. Is that a
21 copy of the letter he sent you?
22 DR. CONNER: That is.
23 MR. NEGANGARD: Where he states that he is an attorney?
24 DR. CONNER: Correct.
25 MR. NEGANGARD: And after you...when you testified, did he cross-

1 examine you?

2 DR. CONNER: Yes.

3 MR. NEGANGARD: Um, tell us about that. Was there anything

4 inappropriate about that?

5 DR. CONNER: No, I mean, I, I mean it was clear that he didn't

6 really know what he was doing. He really didn't, in

7 my opinion, I testify a lot in cases in different areas

8 of the United States and it was clear that he was

9 kind of fumbling around to try to make some sense

10 out of what my testimony was about or what the

11 report was about.

12 MR. NEGANGARD: Was there um, and then at that final hearing, you

13 didn't suggest that he not have contact (inaudible).

14 DR. CONNER: No I did not. I suggested that he have again,

15 according to the Indiana State guidelines his rightful

16 parenting time and if the ex-wife or the mother of

17 the children had to work a long shift as a nurse that

18 he could take care of the kids while she was

19 working.

20 MR. NEGANGARD: And despite that, he has continued to attack you.

21 DR. CONNER: Yes.

22 MR. NEGANGARD: Did you also testify that you've seen, that his

23 writings were consistent with...

24 DR. CONNER: ...people who could do horrendous things to their

25 families....

1 MR. NEGANGARD: ...right. And is that what you found that, is that in
2 fact true?

3 DR. CONNER: Yes. In my experience, again after the report came
4 out and the level of distortion that I believe he
5 engaged in, was very concerning to me and um, he
6 um, I wasn't...I believe it's horrendous to take a
7 child's mind and try to coach the child or fill the
8 child with false information. I think that is
9 horrendous to do to a child and my concern would
10 be that if he did not get what he wanted, he would
11 do that type of thing to the children and I am still
12 concerned about that, um, that he would tell the
13 children that everyone was wrong but dad or
14 mom's, mom, you know tried to hurt dad or mom
15 left dad and I believe this is horrendous. I believe
16 it's a form of child abuse, um, and that was my
17 concern that he would do such things, um, to the
18 girls because these were very little girls at the time
19 and still are actually.

20 MR. NEGANGARD: And so you testified that um, that that was
21 concerning to you – the fact that his writing seemed
22 to be so far from reality.

23 DR. CONNER: Yes and again the comment about being a pyro...a
24 self proclaimed pyromaniac, which means a person
25 who sets fires with the intent to harm often times

1 what was concerning and then as I saw some of the
2 other postings about wanting to beat the custody
3 evaluator senseless, I mean, I'm the only custody
4 evaluator he's ever come in contact with so I have
5 to believe it was me.

6 MR. NEGANGARD: So he admitted that he, posted on facebook that this
7 is like playing with gas and fire and anyone who has
8 seen me with gas and fire knows that I'm the
9 accomplished pyromaniac.

10 DR. CONNER: That's correct.

11 MR. NEGANGARD: That was concerning.

12 DR. CONNER: Extremely.

13 MR. NEGAGNARD: Um, he also posted if this court wanted to take
14 down his internet postings concerning the
15 dissolution, they would have to kill him to stop him.

16 DR. CONNER: Yes.

17 MR. NEGANGARD: Is that concerning?

18 DR. CONNER: Well it indicates a level of fanaticism, in my
19 opinion, they are almost fanatic about this.

20 MR. NEGANGARD: What's it mean that if, in this case the children were
21 shown a movie that was kind of inappropriate for
22 their age, had some nightmares associated with that
23 and his response was to continue to show those
24 movies?

25 DR. CONNER: Well I think that is consistent with someone who is

1 very self-centered. A person who is very self-
2 centered doesn't always appreciate the impact that
3 something may have on another person because it's
4 all about them - it's all about me and they
5 sometimes miss very important pieces of
6 information about how their behavior or their
7 decisions might affect another person.

8 MR. NEGANGARD: Dr. Conner, is there anything else that you would
9 wish to testify here today that you haven't already
10 testified to?

11 DR. CONNER: Uh, again I uh, I'm very bothered by his comments,
12 um, about myself, in one he says I'm a danger to
13 children, um, that I'm abusive. I'm also very
14 disheartened by his comments about Judge
15 Humphrey. I testify a lot and as I said in different
16 courts and I think Judge Humphrey is one of the
17 wisest and finest and judges that we have around
18 here and some of the comments he made about the
19 judge, I'm just very troubled by that. And one in
20 particular, the one he made about the judge on
21 Father's day and to me that really captures the
22 essence of his vindictiveness if you ever had the
23 opportunity to read what he wrote about the judge
24 on Father's day, again it just captures the level of
25 vindictiveness in this person.

1 MR. NEGANGARD: What did he write about the judge on Father's day?
2 Do you know?
3 DR. CONNER: Uh, I don't have it with me but just how abusive
4 this judge is and how he abuses children and so
5 forth and again myself, I work with children, I have
6 for a number of years as does my wife and I know
7 the judge uh, again I can only say I have the utmost
8 respect for Judge Humphrey and for him to go on
9 the attack simply because he didn't get exactly what
10 he wanted, to me is unfathomable.
11 MR. NEGANGARD: Um, the internet writings with regards to you, would
12 you say they expose you to hatred, contempt,
13 disgrace or ridicule?
14 DR. CONNER: Absolutely I would. Um, I have had colleagues of
15 mine, I have had people who need help contact my
16 office for help and say they wanted to come in for
17 services but they saw this on the internet, what's
18 this about and all we can say is that this is a person
19 who was unhappy with an opinion I gave. I don't
20 make decisions - I give opinions and so absolutely I
21 would say that, and again it's been very hurtful
22 personally to my wife and my family to have to sit
23 your children down.
24 MR. NEGANGARD: And we can see it's still very emotional to talk
25 about sitting down and discussing this with your

1 children.

2 DR. CONNER: Yes.

3 MR. NEGANGARD: And were you placed in fear from these comments?

4 I mean were you concerned?

5 DR. CONNER: I was. Again, I, I, a large portion of my practice is

6 forensic psychology which means where the law

7 and psychology interface so I have to interview a lot

8 of criminals and I go in and out of jails and people

9 come to my office who are accused of committing

10 crimes and so forth and I've never really been too

11 bothered by that because I feel like no matter what a

12 person does, I have respect for them and I treat them

13 with respect and I want to try to understand what

14 happened. Um, I've never really felt concerned or

15 threatened and perhaps I should have at times but I

16 haven't until this person. And I notice sometimes

17 that when I walk out of my office late at night, I

18 look over my shoulder. Um, again I remind my

19 children periodically that this is what he looks like,

20 um, my wife is very aware and very disturbed by

21 this of course, as well. So it has affected, I think, us

22 on a personal level besides a professional level.

23 There's two levels to this.

24 MR. NEGANGARD: Um...

25 DR. CONNER: If I may just add one thing.

1 MR. NEGANGARD: Yes.

2 DR. CONNER: As a witness for the court, I don't want to be

3 intimidated. I try very hard not to be influenced. I

4 try to be neutral. I try to be objective. People

5 disagree with my opinion and again I understand

6 that but at least I feel like they are going to get an

7 honest opinion based on how I see it and I might not

8 always be right either. I'll be the first to admit that

9 but this was a situation where I had to really focus

10 on. I have to be objective. I don't want to fall into

11 his projections of hatred and disdain and get back at

12 him in any way because I have to keep my mind

13 objective.

14 MR. NEGANGARD: Um, you've interviewed...in the course of your

15 work, you have contact with murders, rapists, child

16 molesters. Is that correct?

17 DR. CONNER: Yes, essentially every type of crime that is

18 committed if the court has a question about the

19 person's mental health and if it played a role in their

20 crime, um, often times asked to evaluate them.

21 MR. NEGANGARD: And your evaluation isn't always what they would

22 want to hear.

23 DR. CONNER: Absolutely not.

24 MR. NEGANGARD: And despite that, you've never been threatened by

25 any of those people as much as you've been

1 threatened by Mr. Brewington.

2 DR. CONNER: I cannot think and again I worked in Scandinavia for
3 a number of years. I worked in Thailand. I worked
4 in New Zealand, Alabama, Colorado, North
5 Carolina, Kentucky. I don't ever recall being
6 threatened by anyone before. Um, I, I, I really can't
7 recall that someone was so incredibly vindictive and
8 it's not like I recommended that he have the death
9 penalty or he was competent to be executed and I've
10 had to do those types of evaluations before and
11 nothing, this is about...I don't think he and his ex-
12 wife can communicate well enough is pretty much
13 it.

14 MR. NEGANGARD: And he uh, and you've issued, I assumed hundreds
15 of opinions in child custody evaluations that
16 probably um, at least one side was disappointed
17 with.

18 DR. CONNER: When I do a child custody evaluation I know going
19 into it that I have a one hundred percent (100%)
20 chance, of fifty percent (50%) of the people being
21 mad at me at the end of it all.

22 MR. NEGANGARD: Right. And never have you had this reaction.

23 DR. CONNER: Not something like this, no. People have disagreed
24 with my opinion and I'll respectfully accept that.

25 MR. NEGANGARD: Okay, is there anything else that...oh, and with

1 regard to the comments made about Judge
2 Humphrey, would you consider those um,
3 (indiscernible) and full of hatred and contempt?
4 DR. CONNER: Absolutely I would, yes.
5 MR. NEGANGARD: Do you have anything else you would like to add?
6 DR. CONNER: Um, no sir. I think that's the jest of it. This has
7 gone on for three and a half (3 ½) years.
8 MR. NEGANGARD: *And you would like for it to stop.*
9 DR. CONNER: Absolutely I would, yes.
10 MR. NEGANGARD: Do you guys have any questions?
11 JUROR: I understand that your wife is also a psychologist
12 and she was the co-conductor of this examination?
13 DR. CONNER: Yes sir.
14 JUROR: Was there ever any uh, of this exhibit of behavior
15 towards her during this course?
16 DR. CONNER: Her name has been mentioned in some of his
17 writings but not nearly to the extent that I have been
18 and I'm thankful for that and I hope he doesn't hear
19 this but I'm thankful that he has left her out of it at
20 least.
21 JUROR: *Did you have more contact with him during the*
22 *evaluation than she did perhaps?*
23 DR. CONNER: Yes sir. My wife does the parent-child
24 observations, so she'll interview the parent and the
25 child for a little bit and then she'll go into this toy

1 room that we have with a one-way mirror so she can
2 observe them through the one-way mirror just how
3 they play together and so my contact would be
4 more, yes sir.

5 JUROR: So it seems to be more of the lightening rod...

6 DR. CONNER: Yes and I also am the only one who testified in the
7 case. She did not testify. Yes ma'm?

8 JUROR: Are you aware of any, prior to the ADHD diagnosis
9 that he had, was displaying any other personality
10 disorder type things?

11 DR. CONNER: No ma'm. When we got the case, we basically
12 started from ground zero. Um, so I wasn't aware of
13 any previous mental health diagnosis other than the
14 ADHD.

15 JUROR: And could such a high level of Ritalin contribute to
16 these personality disorder?

17 DR. CONNER: Um, no it can't contribute to, it cannot contribute to
18 a personality disorder. Um, I often make the
19 analogy or the comparison that we all have a
20 personality. Everyone of us sitting here has a
21 personality – some more likeable than others – some
22 less so, whatever, what have you. Um, so the
23 Ritalin wouldn't necessarily contribute to a
24 personality disorder. Um, now it may make a
25 person somewhat cloudy sometimes if they are on

1 too high of a dose but again I'm not testifying as a
2 medical doctor. In consulting with colleagues in my
3 own research, too high of a dose can cause some
4 problems but not to this level of again
5 vindictiveness. Yes sir?

6 JUROR: Um, you mentioned before that he said you had
7 some nice houses on your street.

8 DR. CONNER: Yes sir.

9 JUROR: Did he say how he knew that or anything like that?

10 DR. CONNER: In the internet writing, he said that he has some
11 family a couple of streets over and I've never
12 looked in to see if that's true or not.

13 JUROR: So at all possibility, he probably used google or...

14 DR. CONNER: Yes sir that or he actually did come on the street
15 again saying he had family a couple of streets over
16 because he did say that so I don't know but it was
17 disturbing that he knows where I live.

18 JUROR: One more question – you said that his wife had mild
19 depression.

20 DR. CONNER: Yes sir.

21 JUROR: Where does extreme sadness evolve and depression
22 start?

23 DR. CONNER: If I can answer that question, I probably wouldn't be
24 here. That's a great question and I don't know and
25 quite frankly I think it's different for each person. I

1 think for one person, extreme sadness is just that
2 and for another person, that could be depression,
3 clinical depression. I think that sometimes it's a
4 fine line and it's probably up to each individual.
5 JUROR: And one last question. Do you think he might just
6 be exhibiting like a school-yard bully type thing? If
7 he pushes so hard, pushes so far to finally someone
8 pushes back?
9 DR. CONNER: I believe it's a little more than that or I think things
10 would have stopped maybe a year and a half ago or
11 so but it's again, a level of revenge and
12 vindictiveness so I think it goes beyond just being a
13 bit of a bully. If it were just a bully, um, bullies, I
14 think as we all know tend to kind of die out over
15 time – we hope anyway.
16 MR. NEGANGARD: And in fact when the Judge is pushed back or he
17 doesn't, he doesn't stop when the police go and
18 question him, he doesn't stop.
19 DR. CONNER: Well actually if I think of it that way, that's true. If
20 when he, when the courts have pushed back, he
21 escalates. It's not as if the court says hey, alright
22 slow down, then he becomes more vindictive I
23 think.
24 MR. NEGANGARD: Do you guys have any more questions?
25 JUROR: Um, do you check the blog that he has frequently or

1 do you not ever look at it?

2 DR. CONNER: Yes sir I do. I received a letter from the Assistant

3 Attorney General in the State of Kentucky who

4 handled the complaints that he filed against me in

5 the state of Kentucky and he actually went down

6 and sat with a sign in his lap and when the board

7 went behind closed doors, he implies that he stood

8 next to the door so he could hear what they were

9 saying and the Attorney General, um, the Assistant

10 Attorney General sent me a letter saying I just want

11 you to be aware of this web-site in that he is calling

12 you a criminal and with that, I felt for my own

13 safety and again the safety of my family that I

14 should just keep tabs um, on exactly what he is

15 saying or what, and that's how I found out that he

16 knew where I lived.

17 JUROR: You've never wrote back on there?

18 DR. CONNER: I have never one single time ever responded to

19 anything that he has ever written on the internet and

20 again the only time I responded is to a direct request

21 that was documented and kept in the chart. I just

22 refused to, nor has my wife, I mean we have just

23 refused to engage in that type of behavior.

24 MR. NEGANGARD: And ignoring, ignoring it hasn't made it go away.

25 DR. CONNER: We consulted with...when this started coming up,

1 we consulted with an FBI because it's an interstate
2 type of thing and their opinion is just try to ignore it,
3 it will go away. Uh, the police have done the same
4 – just ignore it, he'll go away. But that is I guess
5 what's frightening because it doesn't stop – it keeps
6 going. And again the Erlanger police, where my
7 office is located, simply they are aware of this and if
8 he would happen to come into the area that we are
9 to notify them immediately.

10 MR. NEGANGARD: Any other questions?

11 DR. CONNER: Yes sir?

12 JUROR: What do you believe would bring a stop to this and
13 prevent it from reoccurring - psychologically?

14 DR. CONNER: I think legally, I'm certainly not an attorney but I
15 think legally there ought to be some protection for
16 members of our society because I think this case
17 represents a larger picture. If we are going to allow
18 people who testify for the courts to be intimidated,
19 even if the case is on probably appeal, people aren't
20 going to want to testify and I think the courts
21 sometimes rely on testimony to help them make
22 decisions and I think this is very important case on a
23 broader sense than just this, that I think people need
24 to be protected from defamation on the internet, you
25 know when there's really no purpose especially I

1 think if it's involved in a legal issue such as this and
2 again I typically don't feel intimidated but when I
3 had to testify as a witness, I felt some level of
4 intimidation here. I knew that this would be an
5 appealed case in all probability that I may be called
6 in to testify again, such as today. And I feel some
7 type of, some level of intimidation in this -- what
8 will he do to me now is unfortunately what I have to
9 deal with but I believe being here today is the right
10 thing to do. Again it's a broader picture of just me,
11 of this case. I think it's about helping our courts to
12 be able to rely on people who do need to testify to
13 assist them in reaching an objective and fair
14 decision.

15 MR. NEGANGARD: I don't have any other further questions. If
16 something more comes up, we'll call you.

17 DR. CONNER: Okay.

18 MR. NEGANGARD: Thank you.

19 DR. CONNER: Thank you. Thank you all.

20 MR. NEGANGARD: Okay, now I will call Daniel Brewington. Um, well
21 go ahead and swear him in.

22 FOREMAN: Do you solemnly swear or affirm that the testimony
23 you are about to give in the matter now under
24 consideration by the grand jury will be the truth, the
25 whole truth and nothing but the truth? And do you