

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

vs.

DYLANN STORM ROOF,
DEFENDANT.

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

NOTICE OF EVIDENCE IN AGGRAVATION

Arrest Warrant #2015A1010202655
Arrest Warrant #2015A1010202664
Arrest Warrant #2015A1010202665
Arrest Warrant #2015A1010202666
Arrest Warrant #2015A1010202667
Arrest Warrant #2015A1010202668
Arrest Warrant #2015A1010202669
Arrest Warrant #2015A1010202670
Arrest Warrant #K740365
Arrest Warrant #2015A1010202672
Arrest Warrant #2015-GS-10-04186
Arrest Warrant #2015-GS-10-04187
Arrest Warrant #2015-GS-10-04188

Indictment #2015-GS-10-04115
Indictment #2015-GS-10-04116
Indictment #2015-GS-10-04117
Indictment #2015-GS-10-04118
Indictment #2015-GS-10-04119
Indictment #2015-GS-10-04120
Indictment #2015-GS-10-04121
Indictment #2015-GS-10-04122
Indictment #2015-GS-10-04123
Indictment #2015-GS-10-04124
Indictment #2015-GS-10-04186
Indictment #2015-GS-10-04187
Indictment #2015-GS-10-04188

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JULIE J. ARMSTRONG
CLERK OF COURT
BY 

TO: DYLANN STORM ROOF, DEFENDANT, AND HIS ATTORNEYS OF RECORD, D. ASHLEY PENNINGTON AND WILLIAM S. McGUIRE:

Pursuant to Section 16-3-20(B) of the South Carolina Code of Laws, please take notice that during the guilt trial and/or during any sentencing proceeding conducted in the above-entitled capital murder case to determine whether the Defendant, **Dylann Storm Roof**, should be sentenced to death or life imprisonment, the State will seek to introduce as evidence in

aggravation of the punishment to be imposed upon the Defendant the evidence as listed herein below:

- (1) Evidence that Dylann Storm Roof by his act of murder knowingly created a great risk of death to more than one person in a public place by means of a weapon or device which normally would be hazardous to the lives of more than one person, Section 16-3-20(C)(a)(3), Code of Laws of South Carolina, 1976 as amended.
- (2) Evidence that two or more persons were murdered by Dylann Storm Roof by one act or pursuant to one scheme or course of conduct, Section 16-3-20(C)(a)(9), Code of Laws of South Carolina, 1976, as amended.

In addition, the State will present evidence as to the Defendant's adult and juvenile character, mentality, background, prior and subsequent adult and juvenile crimes, acts and crimes of violence and bodily harm, adult and juvenile crimes and sentences and other unlawful conduct, prior and subsequent adult and juvenile violations of laws, rules, regulations and/or ordinances, prior and subsequent criminal adult and juvenile records and sentences, the nature and circumstances of said crimes, propensity to commit or attempt to commit crimes and acts of violence or bodily harm as an adult and a juvenile, propensity for violence and unlawful conduct as an adult and a juvenile, disregard for peace and good order as an adult and a juvenile, and other similar characteristics of **Dylann Storm Roof**, as an adult and a juvenile, by the testimony of victims, witnesses, police officers, statements by the Defendant, writings of the Defendant, internet postings by the Defendant and other relevant testimony, photographs and exhibits. *Lockett v. Ohio*, 438 U.S. 586 (1978); *State v. Shaw*, 255 S.E.2d 799 (1979). The State will further present as evidence in the sentencing trial all items of evidence, testimony and exhibits that were admitted during the guilt phase.

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The State will further present evidence of circumstances surrounding the above indicted crimes. Evidence will be presented relating to the character and characteristics of **Dylann Storm Roof**, before, during, and after the crimes. The State will also present evidence as to any prior acts of violence or injury committed upon any other victims. Evidence will also be presented to show the cause, motive and/or manner in which the murders and crimes were committed. Evidence will be presented showing the Defendant's planning and premeditation resulting in the deaths of nine innocent victims and the attempted murder of three additional victims. Evidence will be presented showing the Defendant's utter disregard and lack of remorse for the nine people he murdered on June 17, 2015. Such evidence shall include, but not be limited to, photographs, video tapes, other tapes, diagrams of the crime scene and victims, expert testimony, and statements by the Defendant, writings of the Defendant, internet postings by the Defendant and other testimony related thereto. *State v. Goolsby*, 268 S.E.2d 31 (1980); *State v. Shaw*, *supra*.

The State will further present evidence, testimony and exhibits as to the Defendant's crimes, character, characteristics and conduct while incarcerated in jails and/or prisons as an adult and a juvenile and disciplinary actions before and after the indicted crimes were committed; disregard and violation of rules, regulations, laws and/or ordinances as an adult and a juvenile and disciplinary actions; disrespectful, disruptive, and uncooperative actions and conduct as an adult and a juvenile; and all other such acts and conduct while incarcerated as an adult and juvenile and disciplinary actions, before and after the indicted crimes.

The State will further present evidence, testimony and exhibits as to the Defendant's character, statements and conduct relating to his release on bond, probation or parole from jails and/or prisons as an adult and a juvenile and probationary status; mental or physical evaluations of the Defendant as an adult and a juvenile; testimony and opinions as to the Defendant's

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character, propensity for violence and unlawful conduct, disregard for peace and good order and to commit such acts in the future.

The State will further present detailed evidence of circumstances surrounding the arrest and apprehension of **Dylann Storm Roof**, including but not limited to weapons, photographs, recordings, diagrams, exhibits, threats and statements by the Defendant, writings by the defendant and testimony related thereto.

The State will further present "Victim Impact" evidence of the emotional impact of the crimes on the families and friends of the victims, the consequences of the crimes on the families and friends of the victims, the victim's personal characteristics, and arguments relating thereto pursuant to *Payne v. Tennessee*, 111 S.Ct. 2597 (1991); *State v. Byram*, 485 S.E.2d 360 (1997); *State v. Ivey*, 481 S.E.2d 125 (1997); *State v. Humphries*, 479 S.E.2d 52 (1996); *Riddle v. State*, 443 S.E.2d 557 (1994); *State v. Rocheville*, 425 S.E.2d 32 (1993); *Lucas v. Evatt*, 416 S.E.2d 646 (1992); *State v. Johnson*, 410 S.E.2d 547 (1991).

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BY



Scarlett A. Wilson, Solicitor
Ninth Judicial Circuit

Charleston, South Carolina
September 3, 2015