

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE CENTRAL DISTRICT OF ILLINOIS
3 STATE OF ILLINOIS

4 GORDON RANDY STEIDL,)
5 Plaintiff,)
6 vs.) No. 05-CV-2127
7 CITY OF PARIS, Present and Former)
8 Paris Police Officials Chief Gene)
9 Ray and Detective James Parrish;)
10 former Illinois State Trooper Jack)
11 Eckerty; former Edgar County)
12 State's Attorney Michael)
13 McFatrige; EDGAR COUNTY; and)
14 Illinois State Police Officials)
15 Steven M. Fermon, Diane Carper,)
16 Charles E. Brueggemann, Andre)
17 Parker and Kenneth Kaupus,)
18 Defendants.)

19 -----)
20 HERBERT WHITLOCK,)
21 Plaintiff,) No 08-CV-2055
22 vs.)
23 CITY OF PARIS, Present and Former)
24 Paris Police Officials Chief Gene)
Ray and Detective James Parrish;)
former Illinois State Trooper Jack)
Eckerty; former Edgar County)
State's Attorney Michael)
McFatrige; EDGAR COUNTY; and)
Illinois State Police Officials)
Steven M. Fermon, Diane Carper,)
Charles E. Brueggemann, Andre)
Parker, Kenneth Kaupus and Jeff)
Marlow; and Deborah Rienbolt,)
Defendants.)

25 VOLUME II
26 CONTINUED DEPOSITION OF JAMES PARRISH
27 August 21, 2009
28 10:00 AM

29 Amy Prillaman Neubaum: CSR #084-003275
30 Area Wide Reporting and Video Conferencing
31 301 West White Street
32 Champaign, Illinois 61820

(800) 747-6789

I N D E X

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Mr. Randy Steidl
Mr. Jack Eckerty
Mr. Jeff Marlow

EXAMINATION BY:

BY: MR. FLINT TAYLOR: 694

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1 STIPULATION

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IT IS HEREBY EXPRESSLY STIPULATED AND

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AGREED by and between the parties that the deposition

5

of JAMES PARRISH may be taken on August 21, 2009, at

6

the offices of Area Wide Reporting, 301 West White,

7

Champaign, Illinois, pursuant to the Rules of the

8

Federal Court and the Rules of Federal Procedure

9

governing said depositions.

10

IT IS FURTHER STIPULATED that the

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necessity for calling the Court Reporter for

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impeachment purposes is waived.

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1 (Commencing at 9:33 a.m.)

2 JAMES PARRISH,

3 having been first duly sworn, testified as follows:

4 EXAMINATION,

5 BY: MR. FLINT TAYLOR:

6 Q. State your name again for the record,

7 please.

8 A. James Parrish.

9 Q. And you're still the same defendant that
10 testified back in March in this case --

11 A. Yes, sir.

12 Q. -- in your deposition for a couple of days?

13 A. Yes, sir.

14 Q. Now, you are familiar with the -- two of
15 the defendants in these cases sitting here,
16 Mr. Eckerty and Mr. Marlow; is that right?

17 A. Yes, sir.

18 Q. When is the last time you had a
19 conversation with Mr. Eckerty?

20 A. Probably Monday.

21 Q. Did you discuss his or your testimony in
22 any way?

23 A. No. I asked him to get ahold of Beth so --
24 if he saw her up here so that she could call me and

1 tell me where I was supposed to come to yesterday.

2 Q. Before that when was your last conversation
3 with him?

4 A. I don't recall. Probably the week before.

5 Q. Do you talk to him weekly or so?

6 A. Yeah, sure I do.

7 Q. Okay. And do you talk to him around Paris,
8 is that where you see him or on the phone or how does
9 that go?

10 A. It would be by telephone, sir.

11 Q. And do you talk about this case?

12 A. Oh, yes, sir.

13 Q. And what specifically do you talk about?

14 A. Just how we're getting along, how
15 everything is progressing in it.

16 Q. Do you also talk to Mike McFatrige about
17 the case?

18 A. No, sir, I haven't.

19 Q. Do you share in Mr. McFatrige's view that
20 it's a shame that the guilty men are on the street?

21 MS. EKL: Objection, form.

22 MS. STANKER: Objection. Form, foundation.

23 A. I never discussed that I don't believe with
24 Mike.

1 Q. What do you discuss about the case?

2 MS. EKL: Objection. Form, foundation.

3 A. With McFatridge?

4 Q. Uh-huh. No, with Eckerty.

5 A. Specifically, sir, I don't know. It's just
6 whatever would come up in conversation.

7 Q. All right. You have no specific
8 recollection of anything you've discussed with him
9 about the case?

10 A. Not off the top of my head, no.

11 Q. Now, you know that quite a bit has gone on
12 in these cases since you first investigated in 1986
13 and 1987; is that correct?

14 A. Yes, sir.

15 Q. And you know that there's been a lot of new
16 evidence, a lot of recantations, a whole lot of
17 different things happened in this case; is that
18 right?

19 MS. EKL: Objection. Form, foundation.

20 A. Yes, sir.

21 Q. And you know that based on a lot of that,
22 those developments, Mr. -- first Mr. Steidl and then
23 Mr. Whitlock were released from prison, right?

24 MS. EKL: Objection. Foundation.

1 A. Yes, sir.

2 Q. And you know Mr. Steidl is here today as
3 one of the plaintiffs in the case, right?

4 A. Yes, sir.

5 Q. At this point do you continue to carry any
6 opinion with regard to the guilt or innocence of
7 Mr. Steidl?

8 A. I believe that to this very day that him
9 and Herbie did it.

10 Q. All right. And you continue to believe
11 that regardless of what has developed in the interim;
12 is that correct?

13 MS. EKL: Objection. Form.

14 A. Yes, sir.

15 Q. And do you -- and you know that Mr. Steidl
16 was given the death penalty back in 1987; is that
17 right?

18 A. I believe that's right, yes, sir.

19 Q. And did you testify in Mr. Steidl's trial?

20 A. Yes, sir.

21 Q. For the defense or for the prosecution?

22 MS. EKL: Objection. Form.

23 A. Prosecution.

24 Q. And did you testify at the sentencing

1 hearing?

2 A. I don't recall.

3 Q. And were you in agreement with the decision
4 of the prosecutor to seek the death penalty against
5 Mr. Steidl?

6 A. That was his decision, so I guess the
7 answer would be yes.

8 Q. And so is it fair to say that you were in
9 agreement that Mr. Steidl should be executed if in
10 fact he were found guilty?

11 A. Yes, sir.

12 Q. And in fact he was found guilty; is that
13 right?

14 A. Yes, sir.

15 Q. And you still believe he's guilty; is that
16 right?

17 A. Yes, sir.

18 Q. You still believe that he should get the
19 death penalty?

20 A. I don't know how to answer that. Maybe not
21 the death penalty this time.

22 Q. Why is that?

23 A. I -- I don't know how to answer that. Huh.
24 I guess death is a pretty vicious thing, so I would

1 be satisfied if -- if -- just life imprisonment would
2 be fine.

3 Q. So your present feeling is not that
4 Mr. Steidl should be executed but that he should be
5 spending the rest of his life behind bars; is that
6 correct?

7 A. Yes, sir.

8 Q. All right. And have you discussed that
9 with Mr. Eckerty at all?

10 A. I don't recall. I don't believe so.

11 Q. You don't know what his position on that
12 is?

13 A. No, sir, I don't.

14 Q. Now, going back to the day that
15 Mr. Whitlock and Mr. Steidl were arrested that day on
16 the 19th of February of 1987, you recall that day, do
17 you not?

18 A. Yes, sir.

19 Q. And in fact, you participated in the arrest
20 of the two men?

21 A. Personally I don't believe so, sir.

22 Q. Have you had an occasion to discuss or read
23 Mr. Eckerty's testimony concerning the -- that time
24 period, the time of the arrest of Steidl and

1 Whitlock?

2 MS. EKL: Objection. Form.

3 A. Could you repeat that?

4 Q. Have you had an occasion to either read or
5 discuss Mr. Eckerty's testimony on the subject of the
6 arrest of Mr. Steidl and Mr. Whitlock?

7 MS. EKL: Just for clarification, are you
8 talking about his deposition testimony or any
9 testimony he's ever given?

10 Q. Any testimony. I'll strike that. No. His
11 deposition testimony.

12 A. Specifically I don't know what you're --

13 Q. Well, have you had occasion to read the
14 transcript of Mr. Eckerty's deposition in this case?

15 A. No, sir.

16 Q. Have you had an occasion to talk to
17 Mr. Eckerty about how he testified at his deposition
18 in this case?

19 A. I was at his deposition.

20 Q. All right. Well, do you recall when he
21 testified about the arrests?

22 A. Not off the top of my head, sir.

23 Q. Let me ask you, sir. I was -- I wasn't
24 paying close attention to who was on the phone

1 yesterday and the day before. Were you on the phone
2 for part or all of Mr. McFatridge's deposition?

3 A. No, sir, I didn't hear any of it.

4 Q. So you have not been briefed on what he
5 said or didn't say; is that correct?

6 A. No, sir.

7 Q. Okay. Well, if I were to tell you -- if I
8 were to tell you that Mr. Eckerty testified at his
9 deposition that it was his opinion that on the 19th,
10 after the overhears and after the first time that --
11 that Rienbolt had been interviewed that it was his
12 opinion that rather than to arrest Steidl and
13 Whitlock further investigation should have been done,
14 did you discuss that opinion with him at that time?

15 MS. EKL: Objection. Form. Foundation.

16 Q. At that time meaning on or about the 19th
17 of February.

18 MS. EKL: Objection to form.

19 A. Sir, I don't recall.

20 Q. And in fact did you share that opinion,
21 whether you discussed it with him or not, that in
22 fact that it was premature at that point to arrest
23 Steidl and Whitlock?

24 MS. EKL: Objection. Form.

1 A. I don't recall any conversation like that.
2 The arrest from my recollection -- recollection, I
3 believe I said in my deposition that it was
4 McFatriidge and George Neitzel and Gene Ray who were
5 in that vehicle that made that determination that
6 night.

7 Q. All right. But my question is did you have
8 an opinion on whether that was an appropriate
9 decision to make at that time.

10 MS. EKL: Objection. Form.

11 A. I don't remember even having an opinion, I
12 was just going on everything else.

13 Q. Now, have you discussed with Mr. Marlow the
14 case in any way?

15 A. Jeff stopped by once in a while at the
16 courthouse and asked me an address, if I knew where
17 somebody might live in Paris or something like that,
18 and -- and as far as any in-depth conversation about
19 it, no.

20 Q. Did you discuss what -- what the progress
21 of the investigation that he was heading up with the
22 ISP is when you see him?

23 A. Not that I recall.

24 MR. ACKERMAN: Objection. Form,

1 foundation.

2 Q. When was the last time you saw Jeff Marlow
3 stop by the courthouse where you were working?

4 A. It's been a long time, sir. I couldn't
5 tell you specifically.

6 Q. A long time meaning a year, more than a
7 year?

8 A. It could have been a year ago or so.

9 Q. All right. And did he ever at that time
10 tell you whether his investigation continued to
11 investigate Mr. Steidl and Mr. Whitlock?

12 A. Would he have made a statement that he was
13 still working on that -- on that case?

14 Q. Well, that's -- yeah, first of all did he
15 tell you that?

16 A. Yeah, I'm sure he did.

17 Q. Did you discuss who was the target of his
18 investigation at that time?

19 A. Not that I recall.

20 Q. Has he told you that Mr. Steidl and
21 Mr. Whitlock remain suspects in his investigation?

22 MR. ACKERMAN: Objection to the form.

23 A. I don't recall what he would have told me
24 there, but I would have assumed yes.

1 Q. Okay. And from what he's told you and what
2 you've heard independently from him, you would have
3 made the rational assumption that Mr. Whitlock and
4 Mr. Steidl are still under investigation by the ISP;
5 is that correct?

6 MR. WADE: Object to the form.

7 MS. EKL: Object.

8 MR. ACKERMAN: Same objection.

9 A. Yes, sir.

10 Q. And that's -- is that in conformance with
11 your view of how this should proceed, that you would
12 like to see Mr. Steidl and Mr. Whitlock recharged and
13 put back in jail?

14 MS. EKL: Objection. Form.

15 A. I'm not stalling you, sir, I'm just --

16 Q. Take your time. I know some of these
17 questions may -- may take some thought, so you give
18 it whatever thought you need to give it.

19 A. I feel they need to be recharged for what
20 everybody I guess or myself feel, so I mean that's
21 just my feelings.

22 Q. Okay. And would that be fair to say that
23 you shared that feeling with Mr. Eckerty?

24 A. I probably have, yes, sir.

1 Q. And have you shared it with Mr. McFatridge?

2 A. I haven't spoke to Mr. McFatridge.

3 Q. Have you shared it with Jeff Marlow?

4 A. I don't recall.

5 Q. Okay. Anyone else other than Mr. Eckerty

6 that you shared it with and of course --

7 A. Probably my wife.

8 Q. Is she still working with the -- with Paris

9 as a probation -- wasn't she a probation officer?

10 A. Correct. Yes, sir.

11 Q. Is she still there?

12 A. No, she's been retired three years.

13 Q. You still live in Paris I take it?

14 A. Yes, sir.

15 Q. And from time to time I take it this case

16 is still discussed.

17 A. Yes, sir.

18 Q. Quite a bit, right?

19 A. Yes. Yes, sir.

20 Q. And there's a lot of opinion out there

21 still about who killed people and whether the proper

22 people were arrested and charged, right?

23 MS. EKL: Objection. Form.

24 A. Yes, sir.

1 Q. And some people out there think that
2 Whitlock and Steidl were innocent and others think
3 that they should be back and on death row, right? Am
4 I fairly characterizing what the thought down there
5 is?

6 MS. EKL: Objection. Form.

7 A. Yes.

8 Q. And does that mean -- and are there people
9 down there who actually follow the progress of this
10 lawsuit and ask you about what's going on?

11 MS. EKL: Objection. Foundation.

12 A. No, sir. Nobody -- I can't specifically
13 say anybody has or -- you know, people around the
14 courthouse are involved in it might ask me who's
15 been -- and a lot of times we don't -- we don't know.

16 Q. Do you ever get any calls from the press
17 asking you about the case and what your feelings are
18 about Whitlock and Steidl being released and all that
19 kind of thing?

20 A. I got a call from, was it Discovery? Is
21 that who is --

22 Q. Discovery channel you mean? By Discovery,
23 you mean a TV station?

24 A. It's the TV station.

1 Q. Uh-huh.

2 A. I got a call from somebody and I just
3 didn't make any comments, I referred them to Beth.

4 Q. Is that recently?

5 A. Yeah, it was.

6 Q. Within the last few months?

7 A. Yes, sir.

8 Q. Now, one person I didn't ask you about who
9 I believe still lives in Paris is Gene Ray. Do you
10 see him from time to time?

11 A. To speak to him and talk to him, no. I see
12 him passing through and he and I will wave at each
13 other. Now if we would happen to run into each other
14 face to face we'll speak.

15 Q. Have you had any discussions with him about
16 the case?

17 MS. EKL: Objection. Foundation. Are you
18 talking about recently or ever?

19 Q. In the last few years.

20 A. If I've seen him to talk to him, yes.

21 Q. Have you discussed with him the -- his view
22 about whether Steidl and Whitlock should be on the
23 streets or not?

24 A. I don't recall.

1 Q. Do you -- other than the -- Whitlock --
2 strike that.

3 The persons I have asked you about, any
4 other persons you've had discussions about the case
5 and the freedom of Steidl and Whitlock?

6 A. I've discussed it with Allen Bell.

7 Q. Well, are you friends with the Rhoads,
8 Barbara and Al Rhoads?

9 A. Yes, sir, I am.

10 Q. And you have discussed this case with them?

11 A. Yes, sir.

12 Q. And do they have a viewpoint on what should
13 happen in this case?

14 MS. EKL: Objection. Foundation.

15 A. Yes, sir, they do.

16 Q. What is their viewpoint?

17 A. That they should be retried.

18 Q. And have -- did they articulate that to
19 other people other than you?

20 A. Sir, I don't know about that.

21 Q. Do you know if they have spoken to Mike
22 McFatridge about it?

23 A. I have no idea.

24 Q. Now, the -- is it Al Rhoads?

1 A. Harold.

2 Q. He is the father of Dyke Rhoads; is that
3 right?

4 A. Yes, sir.

5 Q. And Barbara Rhoads is the stepmother?

6 A. Yes, sir.

7 Q. Was she the stepmother at the time he was
8 killed?

9 A. I don't know for sure, sir, because I
10 didn't know Harold and Barbara Rhoads until after the
11 murders, so I can't answer that.

12 Q. Okay. And is there an assistant state's
13 attorney named Bell in town?

14 A. Yes, sir, I told you I just spoke to him.

15 Q. Okay. And what did you speak to him about?
16 Did you speak to him about the case?

17 A. Yes, he's entered in the case because he
18 set second chair on the second trial.

19 Q. So did you and he discuss, share opinions
20 about how this case should proceed?

21 A. Yes, sir.

22 Q. And has he also articulated his position
23 with regard to Steidl and Whitlock and their freedom
24 and whether they should be back behind bars or not?

1 A. Yes, sir.

2 Q. What does he say?

3 A. He feels that they should be retried.

4 Q. Okay. Does he feel they should go back to
5 jail?

6 A. If found guilty, yes.

7 Q. And does he believe that they should be
8 back on or at least Mr. Steidl be back on death row?

9 MS. EKL: Objection. Foundation.

10 A. That's -- the best of my recollection
11 that's never came up.

12 Q. All right. And I take it that he's aware
13 of Mr. Marlow's investigation?

14 MS. EKL: Objection. Foundation.

15 MR. ACKERMAN: Objection. Foundation.

16 MR. WADE: Join the objection.

17 A. I don't know what Allen is aware of on
18 that.

19 Q. Do you know whether Mr. Marlow has talked
20 to Allen about -- Allen Bell about the continuing
21 investigation and who's targeted with regard --

22 MR. ACKERMAN: Objection. Form,
23 foundation.

24 MR. WADE: Same.

1 A. I have no idea.

2 Q. Have you and Bell discussed the fact that
3 to your knowledge Whitlock and Steidl are being
4 reinvestigated by Marlow and the ISP?

5 MR. ACKERMAN: Object to form.

6 A. The first part of that again?

7 Q. Have you discussed with Mr. Bell the fact
8 that to your knowledge Mr. Marlow is reinvestigating
9 Mr. Whitlock and Mr. Steidl?

10 MR. ACKERMAN: Same objection.

11 A. Yes, sir, I do.

12 Q. And is he in agreement with you that that's
13 a proper approach for the ISP to take?

14 MS. EKL: Objection. Form, foundation.

15 MR. ACKERMAN: Same objection.

16 MR. WADE: Join the objection.

17 A. Yes, sir.

18 Q. And so -- and forgive me if I have asked
19 this question, but does Eckerty share the same
20 opinion that it's appropriate for Mr. Marlow to be
21 investigating Mr. Whitlock and Mr. Steidl?

22 MS. EKL: Objection. Form, foundation.

23 MR. ACKERMAN: Same objection.

24 A. Yes, sir, I do. Yes, sir, he does.

1 Q. And Gene Ray, have you talked to him about
2 that?

3 MS. EKL: Objection. Asked and answered.

4 A. I don't -- I haven't answered it.

5 MS. SUSLER: I don't think it's been asked,
6 but --

7 A. Oh. Gene would say yes I think.

8 Q. Well, do you know? Has he said that to
9 you?

10 A. Not that I recall.

11 Q. Anyone else that you've discussed the case
12 with there in Paris or the Paris area other than the
13 individuals we've discussed?

14 A. I guess I would have had some conversation
15 with Steve Garst because he was directly involved in
16 it to begin with.

17 Q. He's a lawyer?

18 A. He's a judge now. But he was Lester Wells'
19 attorney.

20 Q. And you dealt with Lester Wells during the
21 investigation, right?

22 A. Yes.

23 Q. And --

24 A. And not to butt in, but probably Pete Dole

1 too, because he was somebody's attorney. Did Debbie
2 have him for a while or something?

3 Q. Yeah, I believe so. Is Dole a judge now
4 too?

5 A. No, he's just an attorney.

6 Q. And your discussions with Garst, have you
7 discussed the -- Mr. Whitlock and Steidl being
8 released?

9 A. I'm sure we have, yes.

10 Q. And do they concur with your opinion or do
11 they believe that it's -- that it's just that they
12 have been released?

13 MS. EKL: Objection. Foundation.

14 A. I don't believe Steve would think it was
15 just that they had been released, no.

16 Q. So from what you've -- your discussions
17 with Steve, you believe that he shares your opinion
18 that they should be retried and -- and reconvicted?

19 MS. EKL: Objection. Form, foundation.
20 You're asking his opinion based on conversations or
21 you're asking whether he had the conversation? I
22 think your question is unclear.

23 Q. If you can answer it, go ahead.

24 A. What was the question again?

1 MR. TAYLOR: Could you read it back real
2 quick?

3 (Whereupon the requested portion of the
4 record was read by the reporter.)

5 A. They should be retried.

6 Q. But he thinks they're guilty as well?

7 MS. EKL: Objection. Foundation.

8 A. Yes, sir.

9 Q. And Dole, the same?

10 MS. EKL: Objection. Foundation.

11 A. Yes, sir.

12 Q. Okay. Anyone else?

13 A. Not off the top of my head.

14 Q. All right. So in -- strike that.

15 I'm going to mark this as I think we are up
16 to 5 in Mr. Parrish's deposition. Group Exhibit
17 No. 5.

18 (Whereupon Parrish Exhibit 5 was marked for
19 identification.)

20 MS. EKL: For the record, and those on the
21 phone, Steidl 11681 through -- oh, yeah, there's
22 miscellaneous documents.

23 Q. I have put together a document here with
24 regard to certain Ferlin Wells' documents that have

1 been turned over to us. You were involved in the
2 arrest and investigation of Ferlin Wells prior to the
3 arrest of Mr. Steidl and Mr. Whitlock, were you not?

4 A. I don't recall, sir. I'd have to figure
5 out where it's at.

6 MS. EKL: I have one question about the
7 exhibit. There's some handwriting that's on page 39
8 on the top page of this group exhibit. I don't -- I
9 could be mistaken but I don't recall that handwriting
10 being in the original police report that was turned
11 over. Is that something that was perhaps done by one
12 of the attorneys?

13 MS. SUSLER: No. That was in -- that's an
14 exact copy of the page that we got.

15 MS. EKL: I just want to make sure. I just
16 didn't recall it.

17 A. Was Lester arrested for the burglary of
18 McFatridge's office?

19 Q. Yes.

20 A. Okay. I wouldn't have had any involvement
21 in that, sir. Go ahead. I'm sorry.

22 Q. Didn't you -- wasn't there a co-defendant
23 by the name of Joe Johnson? Do you remember that?

24 A. No, I don't remember that name, sir.

1 Q. You don't remember arresting him and
2 questioning him?

3 A. No, I don't.

4 Q. All right. Well, in any event, did you in
5 March of 1987 have an occasion to talk to Ferlin
6 Wells?

7 A. (No response).

8 Q. If you look at the first page of this group
9 exhibit, which is page 39 of your main report. Do
10 you remember the report that we have looked at in
11 your prior deposition?

12 A. Yes, sir.

13 Q. And if you look at the bottom of page 39 do
14 you see an entry at approximately 10:00 AM on
15 March 6? Do you see that?

16 A. Yes, sir, that's it.

17 Q. And it says that you and Eckerty were
18 contacted by Edgar County state's attorney about
19 Ferlin Wells; is that right?

20 A. Yes, sir. It says that.

21 Q. Okay. Does that refresh your recollection
22 that you did in fact have a conversation with Ferlin
23 Wells on the 6th of March, 1986?

24 A. It does.

1 Q. And was he at that time in the Edgar County
2 Jail?

3 A. Yes, sir.

4 Q. And was he in custody for the burglary of,
5 among other things, the offices of the state's
6 attorney of Edgar County?

7 MS. EKL: Objection. Form.

8 A. That's -- to my recollection that's why he
9 was there.

10 Q. And was he also there on a parole violation
11 warrant for a previous violation of parole in a
12 previous case?

13 A. That, sir, I don't remember.

14 Q. Do you remember generally that he had a
15 parole violation issue at the time that you first
16 talked to him?

17 A. No, sir.

18 Q. All right. But in town you knew about his
19 reputation, did you not?

20 MS. EKL: Objection. Foundation.

21 A. Ferlin Lester?

22 Q. Yes.

23 A. Yes, sir.

24 Q. He was well known as a burglar, right?

1 A. Yes, sir.

2 MS. EKL: Objection. Foundation.

3 Q. Did you also know generally about his
4 criminal background?

5 MS. EKL: Objection. Form.

6 A. Yes, I would have known.

7 Q. And did you also know about his reputation
8 or reputation for lack of truthfulness?

9 MS. EKL: Objection. Foundation.

10 A. I can't say that I would have known that,
11 no, sir.

12 Q. Well, when you were a detective were you --
13 either through training or through experience did you
14 learn to take very skeptically the statements of
15 jailhouse informants or jailhouse snitches in cases?

16 MS. EKL: Objection. Form.

17 A. Yes, sir.

18 Q. And that I take it was because they had
19 much to gain and -- by -- by giving information that
20 was helpful to the investigation and to the
21 prosecution; is that right?

22 MS. EKL: Objection. Form, foundation.

23 A. Yes, sir.

24 Q. Now particularly too in a double murder

1 case that you just made the arrest in, that being the
2 Steidl -- the arrest of Steidl and Whitlock; is that
3 right?

4 MS. EKL: Objection. Form, foundation.

5 A. Yes, sir.

6 Q. So you got a call from McFatridge, you and
7 Eckerty, saying that Wells wished to speak with you;
8 is that right?

9 MS. STANKER: Objection. Foundation.

10 A. Yes, sir, but I believe Wells contacted his
11 attorney, Steve Garst, who contacted McFatridge and
12 whatever they talked about I have no knowledge of,
13 and then McFatridge had Jack and I talk to Lester.

14 Q. So you -- when you went to talk to Lester
15 you already had some question about the credibility
16 of Mr. Wells in the context of -- of your
17 investigation; is that right?

18 A. Sure we did.

19 Q. And so then did you go to the jail, did you
20 speak to him that day?

21 A. Without reading this whole thing and my
22 memory serves me, I'm not too sure that he was not
23 brought to the courthouse.

24 Q. All right.

1 A. And we talked to him at the courthouse. I
2 don't know if it says it in here or not, but to my
3 recollection that's what I remember, they brought him
4 to the courthouse so we wouldn't be seen with him at
5 the jail.

6 Q. All right. And was that a decision that
7 you made?

8 A. I'm sure it was a group decision between
9 McFatriidge and Steve Garst and -- and Jack and I.

10 Q. Okay. Now, when you made that decision and
11 Wells was brought over to the courthouse, was
12 McFatriidge involved in the -- in the discussion
13 with -- with Wells or the questioning of Wells or was
14 it just yourself and Eckerty?

15 A. I don't recall if Mike was there and I
16 don't know if it's in the report.

17 Q. I don't see McFatriidge's name in this
18 report. Would that indicate to you that he was not
19 present?

20 A. Yes, sir, it would.

21 Q. And was -- and I don't see the attorney's
22 name, I see him mentioned, but I don't see him
23 mentioned as being present at the discussion with
24 Wells. Is that fair to say that at least in the

1 first discussion that the attorney, Steve Garst, was
2 not -- not there?

3 MS. EKL: Objection. Form.

4 A. According to the report he's not in there
5 so I agree with you that he was not there.

6 Q. Okay. Now, Wells and you had -- did you
7 ask Wells certain questions and he gave you certain
8 answers?

9 A. I would -- he just told us what he had
10 overheard.

11 Q. All right. Had you in the past had
12 occasions to receive evidence from or statements from
13 people who were in jail that claimed they allegedly
14 overheard statements of their cellmates or others in
15 the prison facility?

16 A. Sir, I'm sure we did.

17 Q. All right. And what kinds of methods did
18 you have, if any, to -- to check the credibility
19 of -- of jailhouse snitches when you received
20 information?

21 A. The only thing you could do is investigate
22 it and -- and try to corroborate what they would tell
23 you to see whether it was true or not and go from
24 there.

1 Q. He -- now, in this statement that Wells
2 gave to you, he told you that he was a cellmate of
3 Steidl's; is that right?

4 A. It says he was locked up with Randy.
5 Whether they was in the same cell or -- if I'm --
6 that jail down there has got like bullpens than
7 separate cells.

8 Q. Did they normally keep people in bullpens
9 if they were there on an extended basis like
10 Mr. Steidl and Mr. Wells were or did they usually
11 have cells that they either shared or were single
12 cells depending on population?

13 A. I don't remember the procedures down there.

14 Q. Were you aware in February -- strike that.

15 Were you aware that when you started to
16 speak to Mr. Wells that he had been placed in the
17 same cell with Mr. Steidl the day that Mr. Steidl had
18 been arrested, that being the 19th of February?

19 A. No, I had no knowledge of that.

20 Q. Did he -- did you learn that during your
21 investigation?

22 A. I think it would -- after Lester told us
23 that he was in the same cell with Randy.

24 Q. Now, did -- did you ever discover how it

1 came to be that Wells was placed in the same cell
2 with Mr. Steidl the day that Mr. Steidl was arrested?

3 A. No, sir.

4 Q. Did either Mr. McFatriidge or Mr. Eckerty
5 tell you that that was a conscious plan in order to
6 try to develop evidence against Mr. Steidl?

7 A. No, sir.

8 Q. Now, I think we went over at your prior
9 deposition the information that -- that Debbie
10 Rienbolt had given you on the 17th of February, do
11 you remember that in general anyway?

12 A. Okay. If that was the written interview we
13 did, okay.

14 Q. Yeah, that was the first written interview
15 the day after you say that Ann got the knife from --
16 from her.

17 A. Yes, sir.

18 Q. Right?

19 A. Yes, sir.

20 Q. And I think we agreed that the information
21 that Debbie was giving at that time, there was
22 precious little additional information about Randy
23 Steidl beyond what Herrington had already said, isn't
24 that right?

1 MS. EKL: Objection. Form.

2 A. I guess I -- I could agree with that.

3 Q. So particularly with regard to Steidl, it
4 was -- it would have been very beneficial to your
5 investigation and to your case to have another
6 witness that had him admit certain things, isn't that
7 right?

8 MS. EKL: Objection. Form.

9 A. Sure. The more witnesses you got, the
10 better off you are.

11 Q. All right. So I take it you were quite
12 interested, if skeptical, about what Mr. Wells had to
13 say concerning Mr. Steidl; is that right?

14 A. We weighed everything out.

15 Q. Well, you were interested, right?

16 A. Well, sure.

17 Q. Okay. And now Debbie has testified that
18 you told her during one or more of the questionings
19 that you did of her that you needed more information
20 on Steidl and you wanted more information from her on
21 Steidl. Do you recall saying that to her?

22 MS. EKL: Objection. Form. Flint, you do
23 this all the time. Quit misrepresenting the record.
24 She absolutely denied that and that's an unfair

1 misrepresentation.

2 MS. SUSLER: That is totally not true. We
3 were all at the deposition and you don't need to tell
4 him anything except "object".

5 MS. EKL: No, but you can't keep saying a
6 witness testified a certain way. That's a
7 misrepresentation when it's not true.

8 MR. TAYLOR: She told Mandeltort that, and
9 she said it at her deposition, she said it to Mike
10 Metnick. She said it at least three times.

11 MS. EKL: She denied it at her deposition
12 last week. It's an unfair representation.

13 MS. SUSLER: Ask the question.

14 MR. TAYLOR: Could you read back the
15 question?

16 A. You're going to have to.

17 Q. Do you know my question?

18 A. No, I don't.

19 Q. Could you read back the question? Let me
20 reask it, okay? Did you ever tell Debbie Steidl --
21 Debbie Rienbolt, particularly early on in the
22 investigation before you talked to Ferlin Wells, that
23 you needed more information from her on Randy Steidl?

24 A. Not that I recall.

1 Q. All right. Did you at any time use any
2 coercive tactics against Debra Rienbolt?

3 A. Explain what you mean by coercive tactics.

4 Q. All right. Well, first of all I asked you
5 at the deposition, specifically during the first
6 conversation you had with her at your place, whether
7 you pounded the table and broke your finger. Do you
8 remember that?

9 A. Yes, sir.

10 Q. Did you at any of the conversations or
11 questionings that you did with Debbie Rienbolt, did
12 you pound the table?

13 A. Not that I recall, sir.

14 Q. Did you ever get mad and yell at her?

15 A. Not that I recall.

16 Q. Did you ever physically threaten her in any
17 way?

18 A. No, sir.

19 Q. Did you ever lose your temper with her?

20 A. Not that I recall.

21 Q. Did you at any time during that two or
22 three month period from the time she came in in
23 February until the time that she testified at
24 Whitlock's trial in May, at any time during that

1 period did you have a broken finger?

2 A. No, sir, I have never had a broken bone in
3 my whole life.

4 Q. Did you ever have a sprained hand?

5 A. Oh, I'm sure I have somewhere in my
6 lifetime.

7 Q. Well, did you have any injury to your hand
8 during that period of time?

9 A. Not to my recollection, no.

10 Q. All right. And during that period of time
11 you talked to Carol Robinson; is that right?

12 MS. EKL: Objection. Foundation as to what
13 period of time.

14 A. Yes, sir.

15 Q. In that three month period of time in March
16 to May.

17 A. Oh, I don't know specifically when I did
18 talk to Carol.

19 Q. Well, there's an entry in the -- in your
20 reports of March 26th. Does that sound right in
21 terms of the date?

22 A. It could have been. I don't remember. I
23 did speak to Carol Robinson.

24 Q. Did you threaten her in any way?

1 A. No, sir.

2 Q. Did you back her up against the wall when
3 you questioned her?

4 A. No, sir.

5 Q. All right. Did you raise your voice with
6 her?

7 A. Not that I recall.

8 Q. All right. So it's your testimony that
9 with neither her nor Debbie Rienbolt did you use any
10 of those kinds of coercive techniques; is that right?

11 MS. EKL: Objection. Form, foundation.

12 A. Not that I recall.

13 Q. Is that something you would recall or is it
14 possible that you did it and you just don't remember
15 20 years later?

16 A. I never slammed an interview up against the
17 wall, I've never had any broken bones. Did my voice
18 change? Very possible it could have. I testified to
19 that, you know, that my wife will be the first one to
20 tell you my voice goes up when -- if I get
21 aggravated.

22 Q. And did Debra Rienbolt aggravate you from
23 time to time over this three or four month period?

24 A. Very possibly she could have. I don't

1 know.

2 Q. And would it be fair to say that if she did
3 you might have raised your voice with her?

4 A. May have.

5 Q. And I think you testified before at the
6 prior deposition that you do have a temper.

7 A. Oh, yeah.

8 MS. EKL: Objection. Form, foundation.

9 Q. Is it fair to say this temper is connected
10 with raising the voice?

11 MS. EKL: Objection. Form.

12 A. That's what my wife tells me.

13 Q. All right. What else does your wife tell
14 you?

15 MS. EKL: Objection. Form. Foundation.
16 Don't answer that. Marital privilege.

17 Q. What else does your wife tell you about
18 your temper?

19 MS. EKL: Objection. Form, foundation.

20 A. Just my voice --

21 MS. EKL: Specific conversations, don't
22 answer specific conversations between you and your
23 wife, it's privileged.

24 Q. Do you ever have any physical confrontation

1 with your wife?

2 A. No, sir.

3 Q. Now, going back to Wells for a moment --
4 oh, strike that.

5 At the deposition, your previous
6 deposition, you testified that in -- in a duo, a
7 questioning duo of Gene Ray and you, if there were a
8 Mutt and Jeff that you would be the hard guy and he
9 would be the -- the more soft guy. Do you remember
10 that testimony?

11 A. I don't --

12 MS. EKL: Objection. Form, foundation.

13 A. I don't remember the testimony; but yes,
14 that would be.

15 Q. And in that combination of you and Eckerty,
16 would you be the hard guy and he would be the soft
17 guy?

18 MS. EKL: Objection. Form, foundation.

19 Q. He would be the hard guy, you would be the
20 soft guy or was there any -- any roles there?

21 MS. EKL: Objection. Form, foundation.

22 A. No, there wasn't.

23 Q. All right. So there's no -- you didn't
24 have a Mutt and Jeff in that duo?

1 MS. EKL: Objection. Form.

2 A. Yeah, but I wasn't always the bad guy I
3 don't imagine.

4 Q. So with the two of you it would vary who
5 would be Mutt and who would be Jeff; is that right?

6 MS. EKL: Objection. Form.

7 A. Exactly.

8 Q. Now, with Mr. Wells, in the first interview
9 you had with him with Eckerty present on the 6th of
10 March, he didn't tell you that Mr. Steidl had
11 confessed to him that he committed the crime, did he?

12 A. I don't believe so, sir.

13 Q. He brought you some information that if not
14 totally, at least in the main, could have been known
15 by almost anyone in Paris eight months after the
16 crime; is that right?

17 A. Could have been, yes, sir.

18 Q. But you reported it nonetheless; is that
19 right?

20 A. Yes, sir.

21 Q. Now, at that time did you tell Mr. Wells
22 that he should continue to try to get information
23 from Mr. Steidl?

24 A. That would have been normal procedures, but

1 he could not induce any conversation. He was a
2 listening post.

3 Q. Now, you told him be a listening post,
4 right?

5 A. Oh, I'm sure we did.

6 Q. Did you get the impression or did he tell
7 you straight out that he had been trying to get
8 information out of Mr. Steidl in the past?

9 MS. EKL: Objection. Form.

10 A. I don't recall.

11 Q. Well, whatever he told you about the
12 techniques he was using to allegedly get this
13 information from Mr. Steidl, you cautioned him in the
14 future to be a listening post and not try to elicit
15 information; is that right?

16 MS. EKL: Objection. Form. Assumes facts
17 not in evidence.

18 A. Yes, sir.

19 Q. Did you make any contact with the jail to
20 make sure that Mr. Wells stayed in the same cell with
21 Mr. Steidl so he could be a listening post?

22 MS. EKL: Objection. Form.

23 A. I don't recall.

24 Q. Was it your understanding that Mr. Steidl

1 and Mr. Wells were still paired together in a cell on
2 the 6th when you talked to him?

3 A. At that time I would assume they would have
4 been.

5 Q. And did Mr. McFatrige to your knowledge
6 make any contact with the jail to make sure that the
7 celling arrangements remained the same so that
8 Mr. Wells could continue to try to report back
9 information that he said he was getting from
10 Mr. Steidl?

11 MS. STANKER: Objection. Form, foundation.

12 A. I have no idea.

13 Q. Now, I would take it that Mr. Wells being a
14 seasoned criminal and burglar, when he came on and
15 told you this information, he was looking for
16 something, right?

17 MS. EKL: Objection. Form, foundation.

18 A. I'm sure he was.

19 Q. And in fact, he was facing 30 years on a
20 burglary of the state's attorney's office, right?

21 A. Yes, sir.

22 Q. And he's also facing a parole violation
23 on -- based on a prior parole that he violated by
24 committing this burglary, right?

1 MS. EKL: Objection. Foundation.

2 A. I have no recollection or knowledge of the
3 parole violation.

4 Q. Well, you would agree with me if he had a
5 parole violation hanging over his head, that would
6 make his motivation for coming forward even more
7 suspect than if he just had a 30 year burglary
8 sentence facing him, right?

9 A. Sure.

10 Q. And in fact there was a co-defendant in the
11 burglary of the -- of McFatrige's office by the name
12 of Johnson, do you remember that?

13 MS. EKL: Objection. Asked and answered.

14 A. Sir, I don't remember that because the
15 burglary would have been worked by the sheriff's
16 department.

17 Q. Uh-huh.

18 A. The city police department wouldn't have
19 anything to do with that burglary.

20 Q. But they did -- somehow you were involved
21 in talking to Mr. Johnson, were you not?

22 MS. EKL: Objection. Foundation.

23 A. I don't know. You'd have to show me where
24 it was. I don't remember talking to Johnson.

1 Q. I want to call your attention -- this is --
2 I am looking at a statement that was taken by you of
3 Jeffrey Johnson, Joseph Jeffrey Johnson, Chrisman,
4 Illinois, on the 27th of January --

5 MS. EKL: Do you want to take a five minute
6 break and figure that out? I mean we are getting
7 close to an hour.

8 MR. RAUB: Maybe you can print it out.

9 MR. TAYLOR: Yeah, before I blow my cool
10 here.

11 MS. EKL: Can we take five minutes then?

12 (Whereupon a break was taken and the
13 deposition continued as follows:)

14 (Whereupon Parrish Exhibit 6 was marked for
15 identification.)

16 Q. This is a group exhibit having to do with
17 the burglary case. And looking at the first page,
18 this is a Citation and Complaint for a Jeffery A.
19 Johnson, do you see that?

20 A. Yes, sir.

21 Q. And this appears to be a criminal damage
22 over \$300 on him; is that right?

23 A. Yes, sir.

24 Q. Okay. Did you participate in the arrest of

1 him for that?

2 A. Obviously I did.

3 Q. All right. And is this the burglary that
4 we've been talking about before, if you look at page
5 two --

6 MS. EKL: Objection. Form.

7 Q. -- of the exhibit? One of the violations
8 is burglary; is that correct?

9 A. It is, sir, but I -- I don't know if this
10 is anything to do with the courthouse or not.

11 Q. All right. Well, let's proceed and see if
12 it did. This is 87-079, correct?

13 A. Okay.

14 Q. And if you look at the third page of the
15 exhibit, this says, "Today's date is February 8th,
16 1987, at 2:50 PM, and my name is Parrish and this is
17 a statement by Jeffery Johnson", the person that you
18 arrested; is that correct?

19 A. Yes, sir.

20 Q. And this is in fact a statement you took on
21 or about the 8th of February, 1987; is that correct?

22 A. Yes, sir.

23 Q. And this has to do if you look at it with
24 Jones and Wells being --

1 MS. SUSLER: Johnson.

2 Q. Johnson and Wells being involved in a
3 burglary of the -- first of the Opal Kennedy
4 residence and then they go on to the state's
5 attorney's office; is that right? Actually the whole
6 courthouse, not just the state's attorney's.

7 A. Let me see here.

8 MR. ACKERMAN: What are we looking at? I
9 was looking at Edgar County RTP 2365 in that range
10 but --

11 MR. TAYLOR: 2074.

12 MR. ACKERMAN: Oh. 2074?

13 MR. TAYLOR: Yes.

14 Q. Do you see that?

15 A. Yes, sir, I'm finding it.

16 Q. Okay. And he's saying that in this
17 statement he's admitting that he and Lester Wells
18 went on a bit of a burglary spree and ended up
19 breaking into the courthouse of Edgar County, isn't
20 that right?

21 A. That's what he said.

22 Q. And that statement not only implicated
23 Johnson but implicated Wells as his co-defendant,
24 isn't that right?

1 A. It does, and I forgot all about it.

2 Q. Okay. And in fact as a result Wells was
3 arrested and -- sometime in the near future after --
4 after Johnson was for this crime, was he not?

5 MS. EKL: Objection. Form, foundation.

6 A. Yes, he was.

7 Q. Now if you look at the last piece of -- the
8 last page in this exhibit, it's an Order of Probation
9 dated the 2nd day of March, 1987, and the case of
10 People versus Jeffery Johnson, that being the -- the
11 burglary, and it has -- it's a -- has certain
12 conditions for the probation; is that right?

13 MS. EKL: For the record, the document
14 refers to a theft. I think you said burglary.

15 Q. Right. It was reduced to a theft in the
16 plea, was it not, so he could get probation; is that
17 right?

18 MS. EKL: Objection. Foundation.

19 A. Sir, I don't know.

20 Q. Looking at this plea agreement for theft,
21 case number 87-CF-15, the theft is the fourth count
22 in the indictment, right? Do you see that?

23 A. I see the theft.

24 Q. Look at the -- it says "offense".

1 A. Right. Yes, sir.

2 Q. And it indicates that he in this plea
3 agreement is getting two and a half years probation;
4 is that right?

5 A. That's right.

6 MS. EKL: Objection. Document speaks for
7 itself.

8 Q. And it says that Mr. Johnson, one of the
9 terms of his -- he will serve 180 days in Edgar
10 County Jail, credit for 23 days already served,
11 right?

12 A. Yes, sir.

13 Q. In fact one of the terms was that the
14 defendant shall testify in behalf of the People of
15 the State of Illinois in Edgar County cause number
16 87-CF-14, People versus Ferlin Wells, right?

17 A. Yes, sir.

18 Q. So in fact, four days before you first
19 talked with Ferlin Wells, a deal was struck with his
20 co-defendants to testify against him in the burglary
21 case for which he would get 30 years; is that right?

22 MS. EKL: Objection. Foundation.

23 A. That's what the papers say, yes, sir.

24 Q. So Wells was in serious shape on the

1 burglary of the courthouse and Mike McFatrige's
2 office given the fact that you now had his
3 co-defendant on paper flipped, ready to testify
4 against him, right?

5 MS. EKL: Objection. Form, foundation.

6 A. Yes, sir.

7 Q. And Wells certainly had a tremendous
8 incentive to try to get out from under this
9 particular case, didn't he?

10 MS. EKL: Objection. Form.

11 A. Yes, sir.

12 Q. And you knew that on the 6th when you
13 talked to him, didn't you?

14 A. I don't recall what we knew at that time.

15 Q. Well, you certainly knew that Johnson had
16 given the statement to you against Wells that could
17 be used against Wells to convict him on the burglary,
18 right?

19 A. Yes, sir.

20 Q. And I assume that you were informed, if not
21 in court, when the plea was worked out for Johnson to
22 testify -- I mean to -- to -- to testify against
23 Wells in exchange for a reduced sentence on a
24 misdemeanor; is that right?

1 MS. EKL: Objection. Form.

2 A. Probably at the time, yes.

3 Q. Okay. Now, four days after you first -- by
4 the way, after you talked with Wells, with Eckerty, I
5 take it you also spoke with McFatriidge and told him
6 what little bit of information you had gathered from
7 Wells; is that right?

8 MS. STANKER: Objection. Form, foundation.

9 MS. EKL: Objection. Form, foundation.
10 There's been no testimony that Mr. Eckerty was
11 present for that interview.

12 MS. SUSLER: That wasn't the question.

13 MS. EKL: He said after you and Mr. Eckerty
14 spoke to him. I don't believe that that's been
15 testified to.

16 Q. You can answer the question, sir.

17 A. Yeah, Jack and I interviewed him on the --
18 on March the 6th.

19 Q. Yeah, right. That's what I said, after you
20 and Eckerty interviewed him did you -- did you meet
21 with McFatriidge and let him know what little bit of
22 information you had gotten from Wells?

23 MS. EKL: I'm sorry. Just so we're clear,
24 are you talking about the interview with Wells or the

1 interview with Johnson?

2 MR. TAYLOR: Talking about Wells.

3 MS. EKL: Okay. I apologize.

4 A. I'm sure we did.

5 Q. And then on the 10th of March you went to
6 the grand jury and testified at length on -- against
7 Whitlock and Steidl, did you not?

8 A. I don't -- sir, I don't remember when the
9 grand jury -- is this it? Okay.

10 Q. Let me show you what was previously marked
11 in the -- in the McFatridge deposition as exhibit --
12 what number?

13 A. Three.

14 Q. Three. That is the grand jury transcript.
15 Do you see that?

16 A. Yes, sir.

17 Q. And if you look at that, do you see that
18 you in fact did testify in those proceedings? You
19 remember that, don't you?

20 A. I do remember testifying, yes.

21 Q. And if you look specifically starting on
22 page six, I believe, that's the start of your
23 testimony; is that right?

24 A. Yes, sir.

1 Q. All right. And I want to ask you, looking
2 at page seven, you gave an answer, "Before they were
3 transported, myself and Agent Eckerty of the state
4 police, Gary Knight, a crime technician, and
5 Mr. McFatrige went to the hospital, opened the body
6 bag, and looked inside."

7 Do you see that testimony the very bottom
8 of page seven?

9 A. Oh, you're clear down?

10 Q. Yes.

11 A. Okay. Yes, sir. I see that.

12 Q. Was that truthful testimony at that time
13 that Mr. McFatrige as well as Knight and Eckerty
14 were at the scene and then went to the hospital?

15 A. Yes, sir.

16 Q. Okay. Now, I want to ask a couple more
17 questions about your testimony that day. By the way,
18 did you make -- have any discussion with
19 Mr. McFatrige or Mr. Eckerty or anyone else on the
20 investigative team as to whether to bring Mr. Wells
21 to the grand jury and have him testify?

22 MS. STANKER: Objection. Form.

23 MS. EKL: Objection. Form.

24 A. Sir, I don't recall.

1 Q. Do you know whether there was -- were you
2 aware of any decision that was made not to bring him
3 to the grand jury?

4 A. No, sir, I don't.

5 Q. Was it your opinion that at that particular
6 time when you -- after you talked to him on the 6th
7 he hadn't given you enough information to merit him
8 coming to the grand jury?

9 A. I don't recall.

10 Q. And in fact you didn't mention Wells in
11 your testimony, right? Am I right?

12 A. Sir, I don't remember what I -- who I --
13 what I said in that grand jury.

14 Q. Well, you basically read from certain
15 portions of your report with regard to Herrington
16 and -- and -- and Rienbolt; is that right?

17 MS. EKL: Objection. Form.

18 A. I don't recall.

19 Q. All right. Well, if you -- to save time,
20 if we could agree that he didn't mention Ferlin Wells
21 in his testimony?

22 MS. EKL: I'd have to go through it myself.

23 Q. Well, if I were to tell you that you didn't
24 mention Ferlin Wells in your testimony, you wouldn't

1 disagree with that, would you?

2 MS. EKL: I think the document speaks for
3 itself. If it doesn't say Ferlin Lester Wells then
4 it doesn't.

5 Q. I want to call your attention to pages 22
6 and 23. In particular page 23. Question, it's the
7 second question, "Have you had occasion to interview
8 a Debbie Rienbolt?"

9 Answer: "Yes, sir, I have."

10 Question: "And again on several
11 occasions?"

12 Answer: "Yes, sir."

13 Do you see that?

14 A. Yes, sir.

15 Q. So we only have a record of one interview
16 that you did with her on March 10th, that being the
17 17th of -- of February, would you agree with me on
18 that? The reports only reflect one interview.

19 MS. EKL: Objection. Form.

20 A. Yes, sir.

21 Q. And several, I take it that means three or
22 more; is that right? The term several certainly
23 means more than two, right?

24 A. Yes, sir.

1 Q. Now on those other occasions did you choose
2 not to write it down, whatever she said?

3 MS. EKL: Objection. Form, foundation.

4 A. Sir, I don't recall.

5 Q. Well, looking back on it we now know that
6 she changed what she had to say on three, four, five
7 different occasions before the trial, right?

8 A. Yes, sir.

9 Q. All right. And of course she's changed
10 what she had to say three, four, five, six times
11 after the trial as well, right?

12 MS. EKL: Objection. Form, foundation.

13 A. Yes, sir.

14 Q. Okay. So my question to you is on the
15 several occasions that you talked to her between the
16 17th, which is recorded, and the 10th when you
17 testified at the grand jury, did she change what she
18 had to say?

19 MS. EKL: Objection. Form, foundation.

20 A. Sir, I don't recall.

21 Q. If -- did you have notes of any of those
22 other conversations that you had with her between the
23 17th and the 10th when you went to the grand jury?

24 A. I don't recall.

1 Q. All right. Would it be fair to say then
2 that your testimony with regard to Rienbolt at
3 this -- at this grand jury was based on the one
4 interview, that being the interview on the 17th, and
5 your written report? In other words, you relied on
6 your written report of the interview of the 17th to
7 tell the grand jury what she had told you?

8 MS. EKL: Objection. Form.

9 A. Okay. We talked to her on March -- my
10 first interview with her was when?

11 Q. February 17th.

12 A. 17th.

13 MS. SUSLER: 16th.

14 Q. 16th you talked to her. No notes. You
15 picked up the knife. The 17th you interviewed her
16 with Eckerty, there were -- there's a report.

17 A. And the grand jury was --

18 Q. The 10th of March?

19 A. So we got a month and a half in there?

20 Q. No, it's more like three weeks.

21 A. Three weeks. Okay.

22 Q. And in those three weeks you say you had
23 several more conversations with her, right?

24 A. Very possibly could have had.

1 Q. Well, you certainly were telling the truth
2 back then, right, or trying to, right?

3 A. Yes, sir.

4 Q. All right. So my question is -- but then
5 if you look at your testimony starting on page 23,
6 you go on for one, two, three, four, five, six pages,
7 seven even, a narrative of what Debbie told you,
8 right? Do you see that?

9 A. Yes, sir.

10 Q. And would it be fair to say that what you
11 were doing there was reading from your report of the
12 17th and not coming from memory?

13 MS. EKL: Objection. Form.

14 A. I don't recall.

15 Q. All right. Did this statement that you
16 made to the grand jury concerning what Debbie
17 Rienbolt told you, did it include what she told you
18 on all of the occasions or just on the occasion that
19 you had written down?

20 A. I don't recall.

21 Q. Okay. So those other occasions we have no
22 record of what she said, right?

23 A. I don't recall.

24 MS. EKL: Objection. Form.

1 A. There's no records, no, per se.

2 Q. There's no record you wrote, no record that
3 Eckerty wrote, right?

4 A. Not to my recollection.

5 Q. Okay. And certainly now many years later
6 you can't recall what she said from the -- in any of
7 the interviews subsequent to the 17th and prior to
8 the 10th, right?

9 A. No.

10 MS. EKL: Objection. Form, foundation,
11 specifically to the use of the word "interview". Let
12 me finish my objection before you answer so she can
13 get everything down.

14 A. I'm sorry.

15 Q. We know from your reports and Eckerty's
16 reports that on the 29th she gave a statement that
17 was different than the ones that -- the one that you
18 recorded on the 17th of February, am I right?

19 A. Yes, sir. Without reading them, yes.

20 Q. Okay. And one of the major aspects, there
21 were two major aspects that -- that -- at least and
22 one was that she -- in that statement she said that
23 she went into the building, into the Rhoads building,
24 and that the knife was not Herbie's but rather was

1 Vic's. Those were two of the major changes, right?

2 A. I don't recall without rereading what the
3 major changes, what you're saying is --

4 Q. Okay.

5 A. -- without reading the reports.

6 Q. Well, you remember that she did --
7 subsequent to the grand jury she did make those
8 changes, did she not?

9 A. Yes, sir, she made changes.

10 Q. Including those, right?

11 MS. EKL: Objection. Asked and answered.

12 A. Yes, sir.

13 Q. Okay. Did she make those changes to you
14 prior to the grand jury testimony on the 10th or
15 subsequent to the grand jury testimony on the 10th?

16 A. I don't recall.

17 Q. Did she make other changes that are not
18 reflected in any reports to your knowledge?

19 A. I don't recall.

20 Q. All right. Now, in the grand jury, on
21 several occasions you were asked, and in fact you
22 testified that you received the knife from Debbie
23 Rienbolt, right?

24 A. I received the knife from my wife who

1 received it from Debbie Rienbolt.

2 Q. But you didn't say that to the grand jury,
3 right?

4 A. I don't remember what I said.

5 Q. Well, let me ask you to look at page 32.
6 Question, bottom of the page. "Question: And you
7 subsequently obtained the knife from Debbie Rienbolt?
8 Answer: I have the knife in my possession at this
9 time." And then later on, question on 33: "And you
10 obtained this knife from her on what, February 16th
11 of '87?"

12 Answer: "Yes, sir."

13 So you did not tell the grand jury that you
14 had received the knife from your wife, you said that
15 you received it from -- directly from Debra Rienbolt;
16 is that right?

17 MS. EKL: Objection. Form, foundation.

18 A. Yes, sir.

19 Q. And was that because you were trying to
20 protect your wife from being involved in this case as
21 a witness?

22 A. No, sir.

23 Q. Why was it that you didn't testify
24 truthfully that you -- that the knife came through

1 your wife rather than directly from Debra Rienbolt?

2 MS. EKL: Objection. Form.

3 Mischaracterizes the document and his prior
4 testimony.

5 A. I don't remember testifying untruthfully,
6 it's just this is just the way I remember it at the
7 time.

8 Q. Okay. Well, let's go to the page 34 of the
9 grand jury. You're asked by a grand jury member, "I
10 know you gave the date, but when did you say that
11 Darrell Herrington came to you? How much later?"

12 Answer: "September 21st."

13 Now at the grand jury you did not mention
14 to them that in fact you and Chief Ray had questioned
15 Darrell for five hours on the night of the 19th and
16 the early morning of the 20th, right?

17 A. No, I didn't.

18 Q. And in fact you didn't mention of course
19 that during that -- that five hours of questioning
20 when he was inebriated that he had given the names
21 Jim and Ed; is that right?

22 MS. EKL: Objection. Form, foundation.

23 A. No, sir, I didn't.

24 Q. And why did you tell the grand jury that

1 Darrell Herrington came to you on the 21st rather
2 than on the 19th?

3 A. That would have been the first -- I assume
4 that was probably the first written interview that we
5 did with Darrell.

6 Q. So was -- were you trying to avoid telling
7 the grand jury about a prior interview of which you
8 didn't have notes?

9 A. No, I wasn't trying to avoid anything.

10 Q. So in any event, what you told the grand
11 jury was wrong, right, with regard to when Darrell
12 first came to you?

13 A. According to how you look at it. I didn't
14 feel it was wrong or I wouldn't have said it, the
15 first interview I done with him, and that's what I
16 was referring to.

17 Q. Well, you did an interview on the 19th,
18 right?

19 A. Well, we did.

20 Q. Yeah. So --

21 A. It was an informal, casual interview.

22 Q. Well, it was five hours, wasn't it?

23 A. Well, yes.

24 Q. So the only reason it was casual was

1 because you didn't take notes, right?

2 A. Didn't take notes.

3 Q. Or if you did take notes you didn't write a
4 report, right?

5 A. Didn't take any notes.

6 Q. And as you look back we all agree that that
7 was a major mistake in the case, right?

8 MS. EKL: Objection. Form, foundation.

9 A. I think I testified that I don't know if I
10 would even take notes on -- would have taken notes if
11 I was doing it over again because -- just because of
12 the circumstances.

13 Q. Now, looking at page 36 of the grand jury
14 transcript, the grand jury says -- member says, "He
15 said it, okay, but they were at his house. I thought
16 you said that she took him home."

17 And then you give answer: "Right, Herbie
18 didn't have a driver's license. See, he had to ride
19 a bike."

20 That wasn't true, was it?

21 MS. EKL: Objection. Form.

22 A. At the time I thought it was.

23 Q. That Herbie didn't have a license?

24 A. Apparently I didn't think he did.

1 Q. All right. Well, didn't you know at that
2 time that he had a Triumph that he drove?

3 MS. EKL: Objection. Form.

4 A. I don't recall, sir. I knew he had a
5 Triumph.

6 Q. Now, on page 37, a grand jury member asked
7 you, "Did the knife wounds on both bodies match the
8 knife?" And your answer was, "The wounds on both
9 bodies, let me see how I want to put this, that knife
10 could have caused the wounds on both bodies."

11 In giving that answer were you relying on
12 discussions you had had with McFatridge and -- and
13 Ray and -- and Eckerty about the depths of the wounds
14 and the length of the blade?

15 A. I would assume, sir, trying to recall, that
16 would have been the pathologist's report.

17 Q. Well, if you look at the -- I don't know if
18 it's the same grand jury or not, the bottom of the
19 page the grand jury member says, "That would have
20 been a lot" -- he asked you about Darrell saying that
21 he said that he saw Randy come down the stairs with a
22 knife. "You said that looked like a filet knife; is
23 that right?"

24 And you say "Uh-Huh".

1 And the jury member then says, "That would
2 be a lot narrower blade."

3 And you say, "A little bit, yeah. This
4 blade is about five inches -- five-eighths of an inch
5 wide?"

6 Do you see those answers to those
7 questions?

8 A. Right.

9 Q. So you were aware at the grand jury, were
10 you not, that Darrell's testimony concerning the
11 blade or the kind of knife that he said Randy had
12 with him was not consistent with the knife that
13 Rienbolt brought to your wife; isn't that right?

14 MS. EKL: Objection. Form.

15 A. Yes, sir.

16 Q. All right. But in fact you tried to
17 minimize that difference to the grand juror by saying
18 it was a little bit, but the blade was quite a bit
19 different than a filet knife, wasn't it?

20 MS. EKL: Objection. Form.

21 A. Sir, I don't recall.

22 Q. Okay. Well, look at Plaintiff's 003619,
23 there is a picture of the knife or a knife. 003619.

24 A. That's that little number at the bottom of

1 the page?

2 MS. EKL: Here. Sorry.

3 A. Okay. I have the picture.

4 Q. Okay. Now, is this a picture of the knife
5 that your wife gave to you and said she had gotten
6 from Deb Rienbolt?

7 A. I believe it was.

8 Q. All right. And that certainly doesn't look
9 like a filet knife, does it?

10 A. Not the filet knife I've used.

11 Q. Now, you were recalled to the stand during
12 that grand jury as well, were you not?

13 A. I have no recollection.

14 Q. Okay. Take a look. I think you were
15 recalled at pages 51 and 52. Do you see that?

16 A. 51?

17 Q. Yeah.

18 A. Okay.

19 Q. So you were briefly recalled to the stand;
20 is that right?

21 A. That's what it says.

22 Q. Now, also if you look at the end of your
23 testimony in chief, you say --

24 MS. EKL: What page are you referring to?

1 MR. TAYLOR: Page 35.

2 A. Oh, 35?

3 Q. You tell the grand jury, "Debbie will
4 sit" -- sorry, I am looking at a part of your
5 question. "Debbie will sit and tell you she's been
6 involved with drugs. You name it, she's probably
7 done it."

8 You told the grand jury that; is that
9 right?

10 A. Yes, sir.

11 Q. And as of the 10th of March you knew that
12 she was a -- involved in drugs to the degree that you
13 characterized it, that she had done just about
14 every -- she admitted to using just about every kind
15 of drugs there was; is that right?

16 A. Yes, sir.

17 Q. And did you know when you were talking to
18 her on the 16th or 17th that she was -- whether she
19 was under the influence of drugs and alcohol?

20 A. Best of my recollection I don't recall her
21 being.

22 Q. Well, did you ask her?

23 A. I don't recall.

24 Q. All right. Now, in this statement on page

1 35, you argue to the jury a bit that they should
2 indict Mr. Whitlock and Mr. Steidl, do you not?

3 MS. EKL: Objection. Form.

4 A. Page 35?

5 Q. Yeah. You say, "But, you know, it just
6 took her longer and along with her testimony and the
7 knife and with Darrell and all the other people
8 you'll hear today, we felt at this time we had enough
9 to make an arrest and prosecute the case for a
10 conviction."

11 You tell the jury that, right?

12 A. Yes, sir.

13 Q. And Mike McFatrige kind of admonishes you
14 and says, "Okay. But that's the decision of the
15 grand jury, all right?"

16 Do you remember that?

17 A. I don't remember it, but it's written here.

18 Q. Okay. Now -- so if it's written there,
19 that's what happened, right?

20 A. Yes, sir.

21 Q. Okay. Now, did you about the same time
22 that you were engaging in conversations with Ferlin
23 Wells request a lie detector test for him?

24 A. I don't recall.

1 Q. All right. Well, let's go back to the
2 Wells group exhibit that I -- that I gave you
3 earlier. I think it's 5. You got that? Take a look
4 in there --

5 A. Is this what you are looking for?

6 Q. Yes.

7 MS. EKL: ISP 29596. It's marked
8 "confidential".

9 BY MR. TAYLOR:

10 Q. That -- it's also marked as Wells
11 Deposition No. 9. Now let me ask you a few questions
12 before I ask you about that particular document. You
13 met with Wells on the 6th of March, right?

14 A. Yes, sir.

15 Q. Let me -- you can use your report to help,
16 we can go through there, if you look on the front
17 page. Then if you look on the next -- page 42 of
18 your report, which is page 11684 bates stamp, do you
19 see there's an entry for approximately 4:50 PM on
20 March 20th, RO conducted an interview with Lester
21 Wells at the jail?

22 A. Yes, sir.

23 Q. So apparently at that time you didn't feel
24 the same reluctance to go to the jail and interview

1 him that you did on the 6th; is that right?

2 MS. EKL: Objection. Form.

3 A. Obviously not.

4 Q. And he gave -- he told you that he
5 allegedly overheard Randy or actually engaged Randy
6 in conversation in which that Randy had made some
7 statements about the carpet at the murder scene and
8 also having to do with Jeb Ashley; is that right?

9 MS. EKL: Objection. Form, specifically
10 the phrase "engaged in conversation".

11 A. Yes, sir.

12 Q. And -- now, Wells was starting to get a
13 little more wild with what he was saying, am I right?

14 MS. EKL: Objection. Form.

15 A. I don't recall, sir.

16 Q. Well, in this report he's starting to say
17 now Randy's talking about getting some crowbars and
18 somehow breaking out of the -- out of the jail,
19 right?

20 A. Yes, sir, that's what it says.

21 Q. And also some -- did you believe that when
22 he told you that?

23 A. I would assume, sir. I wrote it down.

24 Q. Well, did you write down only things you

1 believed --

2 A. I wrote down what he said.

3 Q. Right. I'm asking you did you believe that
4 Randy somehow would just bust out -- try to bust out
5 of the jail?

6 A. I don't recall.

7 Q. All right. And then if you go past the --
8 the lie detector document there's another entry on
9 March 30th and you talked to Wells again on the 30th
10 and he claims that Randy told him that he was worried
11 that people were going to come up from Florida and
12 kill him because he might turn state's evidence,
13 right?

14 A. That's what it says, yes, sir.

15 Q. Okay. And then the next entry is April
16 7th, that's a week later, you talked to him again at
17 the Edgar County Sheriff's Department, right?

18 A. Yes, sir.

19 Q. And at that time, according to Wells,
20 Randy's saying that if he had known that Darrell was
21 going to say something against him he would have
22 kicked him off the roof when they were working
23 together; is that right?

24 A. Yes, sir.

1 Q. Then again on the 9th you talked to him
2 again. So you were talking to him quite frequently,
3 were you not?

4 A. Yes, sir, I was.

5 Q. And this is during a period of time that
6 the burglary is pending on him and that his
7 co-defendant had flipped on him; is that right?

8 MS. EKL: Objection. Form, foundation.

9 A. Yes, sir.

10 Q. And he knew that, right?

11 MS. EKL: Objection. Foundation.

12 A. I don't know what I meant -- what he knew.

13 Q. Well, didn't he -- when he brought you this
14 information, didn't he bring up the fact of, well,
15 what are you going to do for me?

16 A. Sir, that was between Steve Garst and
17 McPatridge, so I don't -- I don't have a clue of what
18 was said in there.

19 Q. Now, when you would go to talk to Wells,
20 would Steve Garst be the one who would contact you to
21 tell you, well, it's time to go talk to Ferlin again
22 or how would you -- how did you determine to go see
23 him on all these occasions that you went to see him?

24 A. I don't recall, sir.

1 Q. Well, in this particular one Randy
2 supposedly is telling Lester that Herbie and Dyke
3 were drug dealers for a long time together, right?

4 A. That's what it says, yes, sir.

5 Q. And then on the 22nd of April, on the next
6 page, you go see him again with Eckerty at the Edgar
7 County Jail. And Randy's now talking about breaking
8 out and -- and throwing acid on guards and he's going
9 to -- going to get Lester, ask Lester to -- when he
10 gets out of jail to call Randy and all that kind of
11 thing, right?

12 A. That's what it says, yes, sir.

13 Q. Now, once again are you believing what he's
14 telling you or are you skeptical of what he's telling
15 you?

16 A. I wrote down what he told us.

17 Q. Well, I'm asking you as an experienced
18 investigator, knowing about the motivation of
19 jailhouse snitches, and particularly the motivation
20 of Ferlin Wells to lie, did you believe the more
21 progressively wilder stories that he was telling you
22 on each of these occasions?

23 MS. EKL: Objection. Form, foundation.

24 A. I don't recall.

1 Q. And he also told you that -- that Randy
2 supposedly had a hit out on four or five different
3 people, is that right, that were connected to the
4 case?

5 MS. EKL: Objection. Form.

6 A. I don't recall.

7 Q. Did you believe all of that?

8 A. I don't even recall.

9 MS. EKL: Objection. Form, foundation.

10 Q. When you got done with all your
11 conversations with Lester Wells, did you believe you
12 had anything that was worthy of introducing into
13 evidence against Randy Steidl?

14 A. I -- I don't recall.

15 Q. Or did you think you just had a bunch of
16 unbelievable statements by a jailhouse snitch who was
17 looking for -- for favors in a case where he was
18 looking at 30 years in the penitentiary based on the
19 testimony of his co-defendant?

20 A. I don't recall. That would have been up to
21 McFatrige to make that decision.

22 Q. Did you have any discussions with
23 McFatrige or Eckerty about the credibility or lack
24 thereof of Ferlin Wells?

1 A. I don't recall.

2 Q. Well, on the 22nd of -- was it the 27th of
3 April, a lie detector test was done of Lester Wells;
4 is that right? I'm sorry. The report is the 27th,
5 but right in the middle of all these interviews with
6 Ferlin Wells, on March 25th at your request Ferlin
7 Wells was given a lie detector on the burglaries,
8 wasn't he?

9 A. I didn't recall this until right now.

10 Q. Yeah, take a look at it.

11 A. Yes, sir, it says for the break-ins and
12 ransacking of the state attorney's office.

13 Q. And its attention to you, right?

14 A. Yes.

15 Q. So it would be fair to say that you
16 requested this, right?

17 A. Yes, sir.

18 Q. And you did that because -- did Wells
19 request a lie detector or was this something you felt
20 was -- was important to do given the -- the burglary
21 case and the testimony of Johnson and -- and
22 apparently Wells had been denying that he was
23 involved, right?

24 MS. EKL: Objection. Form.

1 A. I don't recall.

2 Q. Well, why did you decide to give him a lie
3 detector?

4 A. I don't recall.

5 Q. Well, you got -- the lie detector asked
6 him, among other things, "Did you break in to the
7 offices on the top floor of the Edgar County
8 Courthouse?" And his answer was "No"; is that right?

9 MS. EKL: Objection. Form.

10 Q. Do you see that on the report?

11 A. That's what it says.

12 Q. And -- and he was asked other questions
13 about the burglary, right?

14 A. Yes, sir, he was.

15 Q. And that was -- and you -- and the examiner
16 was Mark Murphy, was he not the person who did the
17 polygraphs at that time?

18 A. Yes, sir, it was.

19 Q. All right. Now -- and you spoke with
20 Murphy beforehand to inform him of what he should ask
21 him in order to determine the truthfulness or lack
22 thereof of Wells, didn't you?

23 A. I don't recall, but that wasn't the
24 procedure on a polygraph. You just -- I believe you

1 just had a crime that you would tell the polygraph
2 operator and then he would come up with his own
3 questions.

4 Q. Well, you had to tell him what the crime
5 was and enough detail about the crime so that he
6 could ask questions, right?

7 A. Yes, sir.

8 Q. Because in fact he asked him about damage
9 to the Edgar County State's Attorney's office and he
10 asked him about the break-in on the top floor, he
11 asked about a ransack on the top floor, so obviously
12 you had to give him that much detail on the crime in
13 order for him to ask those questions, right?

14 A. Yes, sir.

15 Q. Now, did you consider at that time having
16 him ask the -- a series of questions about what he
17 was telling you concerning the double murder and
18 Randy Steidl?

19 MS. EKL: Objection. Form.

20 A. I don't recall.

21 Q. Well, that -- given you had a certain --
22 obviously you had a concern about the credibility of
23 Lester Wells in the burglary case, didn't you?

24 A. Obviously we did.

1 Q. And you had him right there at the
2 polygraph to determine whether he was lying or
3 telling the truth, right?

4 A. On the burglaries?

5 Q. Yeah.

6 A. Yes.

7 Q. But you didn't tell Murphy, well, also ask
8 him three or four questions about are you telling the
9 truth when you say Randy Steidl said that this, that
10 and the other concerning his alleged knowledge of the
11 crime and -- and that kind of thing. You didn't,
12 right?

13 A. I don't recall.

14 Q. Were you trying to protect Mr. Wells at
15 that time because you were worried that he would in
16 fact come up deceptive with regard to what he was
17 saying on Randy Steidl?

18 A. I don't believe so.

19 Q. Well, then why didn't you just put him to
20 the box?

21 A. I don't know.

22 Q. Looking back at it it would have been a
23 good idea, wouldn't it?

24 MS. EKL: Objection. Form, foundation.

1 A. I don't know.

2 Q. Well, didn't you -- as an experienced
3 investigator, you didn't want a jailhouse snitch to
4 be leading you down the primrose path about a bunch
5 of information that was not true, right?

6 MS. EKL: Objection. Form.

7 A. You just had to weed it out to make sure it
8 was true or was not true.

9 Q. Well, and a polygraph could help to do
10 that, right?

11 A. It could or it could not.

12 Q. Well, that's right. It might and it might
13 not, right?

14 A. (Witness nods head).

15 Q. Right?

16 A. Right.

17 Q. But at this point did you discuss with
18 McFatridge or Eckerty whether to have Wells boxed
19 about -- the lie boxed about the homicides and what
20 he said Randy was saying?

21 A. I don't recall.

22 Q. And in fact you got back on the 27th of
23 April, while you were still talking to Wells, the
24 report itself from Mr. Murphy, did you not?

1 A. Pardon now?

2 Q. On the 27th of April you got the actual
3 report from Murphy, right?

4 A. Oh. Yes, sir.

5 Q. And that report told you that Wells was a
6 liar when it came to the burglary; is that right?

7 MS. EKL: Objection. Form.

8 A. Said he was not truthful about the above
9 questions.

10 Q. Yes, and those questions were about the
11 burglary that he was facing 30 years on, right?

12 A. Yes, sir.

13 Q. So when you got the report that he was
14 deceptive here, did you reconsider the fact that you
15 hadn't had him placed on the lie detector for his
16 knowledge or lack thereof of the Randy Steidl
17 statements to find out whether this liar in the
18 burglary case was also a liar in the double murder
19 case?

20 MS. EKL: Objection. Form.

21 A. Again, I don't recall.

22 Q. Did you tell Eckerty that -- that your guy,
23 Wells, was -- come up with a not believable or a
24 deceptive responses in the burglary case?

1 A. I'm sure Jack would have got a report of
2 this.

3 Q. Okay. And did you also tell McFatridge?

4 A. I'm assuming McFatridge got a report of it.

5 Q. Okay. And are you -- would it also be fair
6 to say that you all discussed this report because
7 Wells at this point was giving you information that
8 you might use against Steidl in his trial; is that
9 right?

10 MS. EKL: Objection. Form.

11 A. I don't recall.

12 Q. But regardless of what -- strike that.

13 In any event, no lie detector was given to
14 Ferlin Wells on the questions about the truthfulness
15 of what he was telling you with regard to Randy
16 Steidl; is that correct?

17 A. There's no reports indicating that.

18 Q. And you don't have any memory of doing
19 that, right?

20 A. No, sir.

21 Q. And if there was a report, that would
22 certainly be relevant to Mr. Steidl in his case,
23 wouldn't it?

24 MS. EKL: Objection. Form.

1 A. Yes.

2 Q. And certainly if there was such a report
3 you would expect that his defense counsel would have
4 had it; is that right?

5 A. I would assume.

6 Q. Now, after -- could you tell me what, if
7 anything, Wells would say to you about what he
8 expected in exchange for coming and saying these
9 things against Randy Steidl?

10 MS. EKL: Objection. Form.

11 A. I would have had no knowledge of that
12 because that would have been between Wells and Garst
13 and the state's attorney.

14 Q. But he did testify against Mr. Steidl, did
15 he not?

16 A. Yes, sir, he did.

17 Q. And by the way, were you present in the
18 courtroom during the trial?

19 A. No, sir.

20 Q. Was Mr. Eckerty present in the courtroom?

21 A. I -- I don't believe so because we were
22 potential witnesses.

23 Q. All right. Did you learn that after his
24 testimony that Mr. Wells got a reduced sentence on

1 the 30 years?

2 A. I'm sure we were.

3 Q. And did you know that he -- do you know
4 what the sentence was?

5 A. I have no idea.

6 Q. Well, was it 180 days with 150 days
7 considered served?

8 A. I have no idea.

9 Q. All right. And did you know that he -- as
10 part of his plea agreement that he had to also agree
11 that he would continue to testify against Randy in
12 all future cases?

13 MS. EKL: Objection. Form, foundation.

14 A. I didn't know that.

15 Q. There was a separate file on the burglary,
16 the Wells burglary, right? Not only a different case
17 number, but it had a different report, Paris Police
18 Department file; is that right?

19 A. I would assume, like I said -- yes, I guess
20 it would have.

21 Q. And so the -- the -- when you got that lie
22 detector report on Ferlin Wells, you put it in the
23 Ferlin Wells burglary file, right?

24 A. I have no recollection. I don't recall.

1 Q. And it wasn't turned over to Mr. McFatrige
2 or to the defense in Mr. Steidl's case, was it?

3 MS. EKL: Objection. Form, foundation.

4 A. I have no idea.

5 Q. You have no idea whether it was turned
6 over. You made no -- you made no effort to make sure
7 that Mr. Steidl or his lawyer got that report, did
8 you?

9 A. No.

10 Q. Now, are you aware of any effort that
11 Eckerty made to make sure that that report was turned
12 over?

13 A. I have no idea.

14 Q. Okay. Now, I want to call your attention
15 now to Ray's Exhibit No. 9, which is your report.
16 You recognize this to be that main report that was
17 compiled over time of all the information or a
18 good -- I shouldn't say that, at least a lot of the
19 information that you obtained during the
20 investigation; is that right?

21 A. Yes, sir.

22 Q. Okay. And calling your attention to the
23 March 29th entry, it says -- that's at page Steidl
24 12357, do you see that?

1 MS. EKL: March 29th you said?

2 MR. TAYLOR: Yeah.

3 Q. Do you see that?

4 A. Yes, sir, I do.

5 Q. So this is the next time that you have
6 recorded an interview with Debbie Rienbolt, am I
7 right?

8 A. Yes.

9 Q. March 29th. And this is one that you did
10 by yourself with her; is that right?

11 A. Apparently because I'm the only one
12 mentioned in it.

13 Q. Now, it's hard to tell from this whether
14 you conducted -- where you conducted this interview.
15 It has her address, but it's unclear whether you
16 conducted the interview at her house or somewhere
17 else. Can you tell from this entry whether it was at
18 her house or not?

19 A. Sir, I don't have any recollection.

20 Q. You don't have any recollection. All
21 right. So what we have now is the 16th of February
22 that she came out to your house and the knife was
23 transferred, then the 17th of February where you had
24 the full interview along with Eckerty, then you have

1 several more interviews of which we have no record,
2 then you go to the grand jury on the 10th. On the
3 13th she was taken to a detox center in Danville, I
4 believe. Do you remember that? She meaning Debbie
5 Rienbolt.

6 MS. EKL: Objection. Form.

7 A. I don't remember that, sir. I remember she
8 went to detox, but when I don't remember.

9 Q. Did you learn that she also left almost as
10 soon as she got back?

11 A. I recall that after reading the reports.

12 Q. And in fact do you know whether it was you
13 or Eckerty who took her there?

14 MS. EKL: Objection. Form.

15 A. Sir, I don't recall.

16 Q. Well, Debbie has testified at her
17 deposition that she said that you took her there and
18 that she beat you back to Paris. Does that refresh
19 your recollection?

20 A. I don't recall.

21 Q. Okay. Let me show you this report. That's
22 a discharge summary, it's dated the 16th of March,
23 1987, and it's a -- has to do with Debbie Rienbolt,
24 and it indicates that she went to the detox center

1 and she left against the advice of her counselor. Do
2 you see that?

3 MR. ACKERMAN: Is there a bates on there?

4 Q. It's Exhibit 5A from yesterday.

5 MR. ACKERMAN: Thank you.

6 MS. EKL: It's bates stamped ECC 505.

7 A. Yes, sir, I see that.

8 Q. Does that refresh your recollection that
9 you participated in taking her to the detox center
10 and leaving her there and that she left by other
11 means?

12 A. No.

13 MS. EKL: Objection. Form.

14 A. No, sir, it doesn't.

15 Q. Do you have a memory of taking her to the
16 detox center at any time prior to the trial?

17 A. My memory is that -- that I think Lee
18 Chambers, LeeAnn Chambers, is that her right name?
19 LeeAnn had convinced Debbie to go to detox, and if
20 memory serves me I gave her a ride up there.

21 Q. All right. And do you remember that she
22 left the first time that she went without getting any
23 real treatment?

24 A. I don't recall any of that, sir.

1 Q. And when she went the first time were you
2 aware that she was still very -- very dependent on
3 drugs and alcohol?

4 MS. EKL: Objection. Form.

5 A. I don't recall.

6 Q. Now, I take it in these several
7 conversations that you had with her from the 17th of
8 February until the 10th of March that you were able
9 to observe her general demeanor, am I right?

10 MS. EKL: Objection. Form.

11 A. I would assume, yes, if I was interviewing
12 her.

13 Q. And she was an addict, right?

14 A. She was.

15 Q. And she was an alcoholic, right?

16 A. She was.

17 Q. So I take it that at least on some of the
18 occasions that you were talking to her she was under
19 the influence of drugs and/or alcohol; is that right?

20 MS. EKL: Objection. Form.

21 A. I have no idea.

22 Q. Well, could you make a distinction when you
23 dealt with her between the times when she seemed to
24 be sober and the times that she seemed to be under

1 the influence of alcohol or drugs?

2 MS. EKL: Objection. Form. Assumes facts
3 not in evidence.

4 A. I don't recall.

5 Q. So you cannot tell us as you sit here today
6 which or any of the occasions on which you talked to
7 her that she was sober and any or which of the
8 occasions that she was either drunk, stoned or both?

9 A. Yes, sir.

10 Q. Okay. Yes, sir, you can't?

11 A. No, I can't.

12 Q. All right. But you agree that -- that
13 there was both elements from time to time, sometimes
14 she was one, sometimes she was the other, sometimes
15 she might have been in the middle, right?

16 MS. EKL: Objection. Form.

17 A. I don't recall.

18 Q. Well, when you took her to detox, and if we
19 can assume that perhaps -- in March, was she stoned
20 at the time? Was she under the influence of alcohol
21 at the time?

22 A. I don't remember. I don't recall because I
23 don't remember taking her.

24 Q. Well, was it true that during that period

1 of time, whether she happened to be drunk or sober at
2 any particular time, that she was consistently still
3 using drugs and alcohol?

4 MS. EKL: Objection. Foundation.

5 A. I have no idea, sir.

6 Q. Well, did you learn that she had in any
7 way -- had stopped using drugs and alcohol at any
8 point?

9 A. I don't recollect anything.

10 Q. Now going back to the 29th of March, '87,
11 when you conducted this interview, you don't know
12 where -- with Debbie Rienbolt, from the time of the
13 grand jury on the 10th of March, until the 29th of
14 March, would it be fair to say that you had several
15 additional conversations with her that were not
16 recorded?

17 MS. EKL: Objection. Asked and answered.

18 A. I don't recall.

19 Q. You don't know whether you had one, two,
20 three or none; is that right?

21 A. I have no idea.

22 Q. All right. But on the 29th we can agree
23 that she gave some additional information but still
24 was not saying that she saw the crimes; is that

1 right?

2 A. I'd have to read the report. What page was
3 that on again?

4 Q. That's on pages Steidl 12 -- pages 44 and
5 45 and onward of your report.

6 A. Yes, sir, I'm reading that, yeah. What was
7 your question?

8 Q. My question was that -- could you read it
9 back?

10 (Whereupon the requested portion of the
11 record was read by the reporter.)

12 A. She was giving additional information, yes.

13 Q. But she wasn't saying that she was there
14 when the actual stabbings took place, right?

15 A. My recollection that's right.

16 Q. Now, on or about the 29th of March did you
17 take Debbie and her six-year-old daughter to the
18 hospital based on an alleged sexual assault against
19 her daughter?

20 A. I don't recall.

21 Q. You don't have any memory of taking -- do
22 you have a memory of taking Debbie and her daughter
23 to the hospital during this period of time?

24 A. No, sir, I don't.

1 Q. Did you ever take Debbie and her daughter
2 to the hospital?

3 A. Not to my recollection.

4 Q. Do you remember a sexual assault of her
5 daughter?

6 A. No, sir, I don't.

7 Q. Do you remember a sexual assault by the
8 Wakefields of a daughter of Debbie's?

9 A. No, sir, I don't.

10 Q. You don't remember that Debbie accused the
11 Wakefields of a sexual assault of her daughter?

12 A. I don't -- I don't recall.

13 Q. You don't recall a prosecution of the
14 Wakefields for a sexual assault of Debbie's daughter;
15 is that right?

16 A. I don't recall any of that, no.

17 Q. Now, after Debbie gave you this additional
18 information on the 29th, I take it you shared this
19 with Eckerty; is that right?

20 MS. EKL: Objection. Form.

21 A. I'm sure I did.

22 Q. Okay. And you also shared it with -- with
23 McPatridge, did you not?

24 A. I'm sure I did.

1 Q. And with Gene Ray?

2 A. I'm sure I did.

3 Q. Now, the next time that the reports
4 indicate that you spoke to Debbie was on the 11th of
5 April. This is page 50 of the reports. Do you see
6 that?

7 A. Yes, sir.

8 Q. And it says at approximately 4:30 PM on
9 April 11th you received a phone call from the
10 Rienbolt residence. Do you see that?

11 A. Yes, sir.

12 Q. Now, from the 29th of March till the 11th
13 of April, you were in contact with Debbie, were you
14 not?

15 A. I don't recall.

16 Q. Would you expect that you were?

17 A. I expect I was. Gary Wheat, I believe, was
18 at the house every day with her for protection.

19 Q. All right. And was he also there to -- to
20 attempt to keep her from abusing alcohol and drugs?

21 A. Yes, sir.

22 Q. Do you know how -- whether he was
23 successful in doing that or not?

24 A. I have no idea.

1 Q. Did you from time to time from the 29th of
2 March to the 11th of April go to her house and speak
3 with her about the case?

4 A. I don't recall.

5 Q. Well, if you talked to her on several
6 occasions in late -- the second half of February and
7 early March, would you expect that you continued to
8 talk to her on several occasions from the 29th of
9 March until the 11th of April?

10 MS. EKL: Objection. Form. Just to
11 clarify, your first question was whether he talked
12 about the case. Are you asking him again whether he
13 had conversations about the case or just
14 conversations in general, just so it's clear.

15 Q. About the case.

16 A. It's possible, but I don't recall.

17 Q. You don't recall whether you did or not?

18 A. No, sir.

19 Q. You have no reports of it, right?

20 A. No, sir.

21 Q. All right. And on the 11th did the
22 counselor call you or did Debbie Rienbolt call you?

23 A. I have no recollection of who called.

24 Q. But you were told that she had remembered

1 more details; is that right?

2 A. I believe that was after I got down there.

3 Q. Now, at any time during this period after
4 the 16th when Debbie came to your cabin, until at any
5 time -- the 16th of February to any time thereafter,
6 did Debbie come again to your cabin?

7 A. Debbie -- the first time she wasn't at the
8 cabin.

9 Q. I'm sorry. Your house.

10 A. Right.

11 Q. Did she ever come to your cabin or your
12 house subsequent to the 16th of February?

13 A. Yes, sir, she would have been down there.

14 Q. Okay. And when was she down there?

15 A. If you can go through and find the
16 eavesdrop orders, Duane Hill would have been down
17 there with Tech Services and that's where we would
18 have taken her down there to get her wired up, so
19 whatever date that is, that's when she was there.

20 Q. Okay. Now, on the 11th when you got to her
21 house she told you that she had remembered more
22 details; is that right?

23 A. Yes.

24 Q. And she then told you, if you look at the

1 bottom of the page, that she went into the residence
2 and went into the bedroom; is that right?

3 A. Yes, sir.

4 Q. Now, prior to the 11th had you been talking
5 to her about a lamp or a vase in the -- in the
6 bedroom?

7 A. I don't recall.

8 Q. Had you been telling her that in fact that
9 there was such a vase or broken lamp or broken vase
10 in the residence?

11 A. I don't recall. But if she had never
12 mentioned it, then I would have never mentioned it to
13 her.

14 Q. When you arrived on the 11th did you
15 observe whether Debbie was sober or under the
16 influence?

17 A. I don't recall.

18 Q. Did you ask the drug counselor whether she
19 was under the influence or sober when she was talking
20 to you?

21 A. I don't recall.

22 Q. Was the drug counselor present when you
23 interviewed Debra Rienbolt after you gave her her
24 rights?

1 A. Best of my recollection, yes, sir.

2 Q. So the interview that you did was with Lee
3 Chambers present; is that right?

4 A. That's my recollection, yes.

5 Q. So when Debbie was giving you the more
6 detail about what she said she had seen, Chambers
7 should have heard that; is that correct?

8 A. Yes, sir.

9 Q. All right. And in this interview Debbie
10 said that she remembered a broken lamp in the bedroom
11 of which she stated that she believed this broken
12 lamp was used on somebody; do you see that?

13 A. Yes, sir.

14 Q. And that is the first time that appears in
15 any of your reports; is that right?

16 A. Yes, sir.

17 Q. Now, she also says, if you look later on
18 the -- in the next page, she's now saying that both
19 Dyke and Karen were alive when she entered the
20 bedroom and she remembered Dyke on the bed by the
21 door. Do you see that at the top of the page?

22 A. Yes, sir, I do.

23 Q. Is this the first time she's saying this?
24 It was the first time you were writing it down in any

1 event?

2 A. I don't remember what the other reports
3 say, but this sounds right.

4 Q. Sounds like it's the first time and you
5 wrote it down, right?

6 A. Yes, sir.

7 Q. And she also says she remembers Dyke
8 stumbling and remembers Dyke lying between the bed
9 and the door and trying to get out of the bedroom,
10 right?

11 A. Yes, sir.

12 Q. Now, was she -- then also implicates
13 herself in the murder by saying that she was holding
14 Karen down and trying to calm her because she was,
15 quote, "fighting and screaming and yelling 'Oh, God,
16 oh, God'", right?

17 A. Yes, sir.

18 Q. That's new as well, right, in terms of
19 reports? This is the first time it appears in the
20 reports; is that right?

21 A. Yes, sir.

22 Q. And she says she -- she believes that Karen
23 was not wearing any clothes on the top part of her
24 body, right? This is new as well, is it not, in

1 terms of the reports?

2 A. Yes, sir.

3 Q. And that she told Herbie and Randy that
4 Karen had nothing to do with it so leave her alone.
5 That's new, right, in terms of the reports?

6 A. Yes, sir.

7 Q. And that she -- then she goes on to say
8 that Karen was lying on the floor on the south side
9 of the bed. Do you see that?

10 A. Yes, sir.

11 Q. And that's new as well, right?

12 A. Yes, sir.

13 Q. And it says that she remembers a basement
14 at the residence and also remembers a shower being
15 taken and a sheet being used to wipe blood off.
16 That's new as well as far as reports; is that right?

17 A. That's what she said, yes, sir.

18 Q. And she also says that she remembers seeing
19 a fire and that Randy and Herbie were present at the
20 fire. Now that's new as well, right, as far as
21 reports; is that right?

22 A. Yes.

23 Q. All right. And then she says the next day
24 she burned her clothes she was wearing that night in

1 a trash barrel; is that right?

2 A. Yes, sir.

3 Q. And that's new as well; is that right?

4 A. Yes, sir.

5 Q. All of this is new as far as reports, this
6 is the first time this appears in any report, right?

7 A. Yes, sir.

8 Q. Had she told you any of this information
9 prior?

10 A. No, sir.

11 Q. So in all the other contacts you've had
12 with her, she never admitted that she was present
13 when the murders took place; is that right?

14 A. That's right.

15 Q. But now are you asking her certain
16 questions and she's giving you certain answers during
17 this or is she just carrying on with a complete
18 narrative here?

19 A. I don't recall.

20 Q. You're by yourself as far as investigators,
21 right?

22 A. Yes, sir, according to the reports.

23 Q. How come you didn't call Eckerty to come
24 down and help?

1 A. I don't know.

2 Q. So you're questioning her, taking notes at
3 the same time?

4 A. Yes, sir.

5 Q. All right. Now, did you notice while she
6 was -- you were asking these questions and getting
7 these answers and writing the notes that she never
8 described the stabbings?

9 A. I don't recall.

10 Q. Did you ask her during this session with
11 her "did you see Herbie or Randy stab either Karen or
12 Dyke"?

13 A. I don't recall.

14 Q. Did it seem odd to you that she told a
15 story wherein she's holding Karen down, Dyke is -- is
16 trying to escape, Debbie -- I mean Karen is
17 screaming, but she doesn't talk about any of the
18 actual stabbings?

19 A. I don't recall.

20 Q. Well, did you say to her "did you see the
21 stabbings"?

22 A. I don't recall.

23 Q. Did you say "did you see a knife"?

24 A. I don't recall.

1 Q. Did you say "was it Victor's knife that was
2 being used"?

3 A. I don't recall.

4 Q. So none of that information -- you don't
5 recall whether you would -- you asked those questions
6 or that she said that kind of information; is that
7 right?

8 A. No, sir, I don't.

9 Q. Well, would it be fair to say that if she
10 had said she saw Herbie or Randy committing these
11 crimes and stabbing these people with a knife or
12 knives that you would have written that down?

13 A. Yes, sir.

14 Q. And would it also be fair to say that as an
15 investigator that would be the kinds of questions
16 that you would ask a witness who was describing a
17 murder scene?

18 MS. EKL: Objection. Form.

19 A. I don't know. I don't remember if I asked
20 them to her or not. I don't know.

21 Q. But whether you asked them or not, would
22 you agree with me that an experienced investigator
23 should have asked those questions given the
24 information that she was allegedly giving?

1 MS. EKL: Objection. Form, foundation.

2 A. I would think so.

3 Q. So from this report we can't tell whether
4 you asked those questions and got answers or whether
5 you didn't ask those questions or whether she gave
6 some statement that might be inconsistent with what
7 she ultimately said; is that right?

8 MS. EKL: Objection. Form.

9 A. Yes.

10 Q. All right. But regardless you now had
11 information that was more inculpatory to Randy and
12 Herb and also made her a co-participant in the
13 murders, right?

14 A. Yes, sir.

15 Q. At that point did you arrest her?

16 A. At that -- I don't recall, but I don't
17 believe so.

18 Q. All right. She remained free at that
19 point, didn't she?

20 A. Yeah, in a sense of the word, yes.

21 Q. Did you call Eckerty and tell him you had
22 all this new information?

23 A. I'm sure I did.

24 Q. Did you talk to him while you were talking

1 to her? In other words, go out and make a call and
2 say, hey, you know --

3 A. We didn't have cell phones back then.

4 Q. Okay. Did you call him as soon as you got
5 done with her?

6 A. I'm sure I did.

7 Q. And I'm sure she had a phone in her house,
8 right?

9 A. I don't recall.

10 Q. Did you call Eckerty -- did you call
11 Eckerty from the house?

12 A. No. If I had called Jack it would have
13 been from the police department.

14 Q. Did you say to Eckerty she gave us all this
15 new information but she didn't mention Herbie and
16 Randy actually stabbing the victims?

17 A. No. Didn't she mention that in prior
18 statements?

19 Q. No.

20 A. Okay.

21 Q. So did Eckerty, after you told him what
22 information you learned, did Eckerty say, hey, we
23 need to go back and ask her if she saw the actual
24 stabbings and -- and who did the stabbings, who did

1 what?

2 MS. EKL: Objection. Form. Assumes facts
3 not in evidence.

4 A. I don't recall what Jack said.

5 Q. All right. But in any event, did you go
6 back and talk to her later that day?

7 A. I don't recall.

8 Q. Okay. Let me -- when is the next time you
9 spoke with her?

10 A. I have no idea.

11 Q. Okay. Let me show you what's been marked
12 as Ray Exhibit No. 2, which is the Eckerty reports,
13 see if I can find this for you quickly. Let me show
14 you what's part of the Exhibit No. 2, which is Steidl
15 12162. This is the report of Jack Eckerty.

16 That report indicates that on the 13th of
17 April that you and Eckerty went back and spoke with
18 her again; is that right?

19 A. Yes, sir.

20 Q. What time of day does it say or does it?

21 A. It says 4:35 PM, sir.

22 Q. Do you know any particular reason why
23 Eckerty wrote this report rather than you?

24 A. No, sir, I don't.

1 Q. All right. By the way, had McFatridge ever
2 told you that he didn't want you to -- both you and
3 Eckerty to write reports on -- on the same interview
4 because it might develop a negative information in
5 the case?

6 MS. EKL: Objection. Asked and answered in
7 last sessions.

8 A. No, he didn't say that.

9 Q. He never said that to you?

10 A. He never -- he didn't -- he didn't want
11 double reports written, but he didn't say anything
12 about negative evidence.

13 Q. Did he tell you back in September that he
14 didn't want double reports because they might
15 generate inconsistent evidence?

16 MS. STANKER: Objection. Form.

17 A. That would probably be pretty close because
18 if memory serves me we both wrote one on Darrell
19 Herrington's first interview.

20 Q. And that's when he brought up the don't --
21 don't both write the reports?

22 A. Yes, sir.

23 Q. Okay. Going back to this particular -- and
24 you followed that on the 13 -- you had been following

1 that with Rienbolt, at least on the 29th and the 13th
2 and the 11th there was only one report, right?

3 A. As far as I see, yes.

4 Q. So now we -- this is two days later on the
5 13th at approximately 4:35 PM and you and Eckerty
6 both go to interview her; is that right?

7 A. Yes, sir.

8 Q. Now at this time she has a lawyer; is that
9 right?

10 A. Yes, sir. Peter Dole.

11 Q. And that's the same Peter Dole you told us
12 is in Paris; is that right?

13 A. Yes, sir.

14 Q. And now this is the first time that her
15 rights were read to her on the 13th; is that right?

16 MS. EKL: Objection. Foundation.

17 A. No, sir.

18 Q. When did you first read her rights?

19 A. I believe it states in the statement I read
20 her her rights when I interviewed her down at the
21 house that evening.

22 Q. On the 11th?

23 A. Yeah.

24 Q. But this time you had her execute a written

1 waiver; is that right?

2 A. Does it say we did? I don't -- it
3 says "see attached form". Yes, sir, we did.

4 Q. Okay. So between the 11th and the 13th did
5 you or anyone else to your knowledge have contact
6 with Debra Rienbolt?

7 A. I don't recall.

8 Q. Did your investigative team get together
9 and discuss the fact that you had developed some
10 significant new evidence from Debbie Rienbolt?

11 MS. EKL: Objection. Form, specifically
12 "investigative team".

13 A. I'm sure we did.

14 Q. And again we've gone over this in great
15 detail in the past, but the investigative team was
16 Ray, yourself, Eckerty and McFatridge, right?

17 MS. EKL: Objection. Form.

18 MS. STANKER: Objection. Form.

19 A. Yes, sir.

20 Q. Now, on the 13th -- is it fair to say that
21 one of the topics that you discussed on the 11th with
22 your team was that you didn't have Rienbolt
23 identifying Randy and Herb as the ones who were
24 stabbing Dyke and Karen while she was holding Karen

1 down?

2 MS. EKL: I'm sorry. Can you please read
3 it back?

4 (Whereupon the requested portion of the
5 record was read by the reporter.)

6 MS. EKL: Objection. Form, foundation.

7 A. I don't know what was discussed back then.

8 Q. Well, when you went to see her with Eckerty
9 in the presence of Dole, at that time did you discuss
10 any kinds of agreements or promises that you might --
11 that might be made to Rienbolt to keep her from
12 asserting her Fifth Amendment rights?

13 A. No. I'm assuming that McFatrige and Pete
14 Dole had already spoken.

15 Q. And was it your understanding that some
16 kind of a preliminary arrangement had been made with
17 the -- between McFatrige and Dole, some sort of
18 agreement so that Rienbolt would not assert her Fifth
19 Amendment and further implicate herself in a crime?

20 MS. STANKER: Objection. Form, foundation.

21 A. Sir, I have no idea.

22 Q. All right. Was there any discussion during
23 the interview either by Dole or Rienbolt or either of
24 you concerning any promises to Rienbolt that she was

1 given or would be given in exchange for her to waive
2 her Fifth Amendment rights and continue to implicate
3 herself and others?

4 MS. EKL: Objection. Form.

5 A. I haven't read Jack's report, but I don't
6 remember that being said in any of my reports.

7 Q. Now looking at -- but you didn't make a
8 report on the 13th, right?

9 A. Not to my recollection.

10 Q. Right. Now, looking at the bottom of
11 page -- on page -- the first page of this interview,
12 it says, "Rienbolt remembers being in the bedroom
13 with Dyke and Karen Rhoads and Herb Whitlock and
14 Randy Steidl."

15 So this time she puts Randy -- specifically
16 puts Randy and Herb in the bedroom with her, Dyke and
17 Karen; is that right?

18 A. Yes, sir.

19 Q. And that's the first time she's done that,
20 right?

21 A. I believe so.

22 Q. All right. And was that pursuant to
23 questioning by you and Eckerty?

24 A. Sir, I don't recall.

1 Q. Well, that was certainly a significant new
2 point for her to add something that you certainly as
3 an experienced investigator wanted to establish;
4 isn't that right?

5 A. Yes, sir.

6 Q. Now -- and then she described where Dyke
7 was. Turn over to the next page, Dyke was lying on
8 the right side of the bed and Karen was lying on the
9 left side of the bed, and that she now says she
10 remembers Randy Steidl first having a knife and
11 cutting Dyke while Whitlock was helping with Dyke,
12 then she stated that later Whitlock had the knife and
13 Steidl was helping Whitlock.

14 Now that's the first time she specifically
15 describes Whitlock and Steidl cutting Dyke and
16 stabbing Dyke; is that right?

17 A. Yes, sir, to my recollection.

18 Q. And was that pursuant to a question or
19 questions from you or Eckerty?

20 A. I don't recall.

21 Q. Now, in this particular interview was there
22 a Mutt and a Jeff?

23 MS. EKL: Objection. Form.

24 A. I don't recall. I doubt it.

1 Q. All right. But was Dole present for this
2 interview?

3 A. I think it said he was.

4 Q. All right. Do you remember him being
5 there?

6 A. No, sir.

7 Q. All right. Was it recorded in any way
8 other than by notes?

9 A. Not to my recollection.

10 Q. Now, if two of you were there and one of
11 you were taking the notes, would the other take the
12 lead in the questioning?

13 A. Yes, sir.

14 Q. So given the fact that this is Eckerty's
15 report, would it be fair to say that he was taking
16 the notes?

17 A. Yes, sir.

18 Q. Would it also be fair to say he would have
19 taken the lead in the questioning?

20 A. Could be fair to say, yes.

21 Q. Okay. Now, then she goes on and says that
22 "At this time she remembers she was holding Karen on
23 the left side of the bed. She remembers telling
24 Karen over and over 'It will be all right, it will be

1 all right.' Rienbolt stated at that time she was
2 saying this to Karen she knew things were not going
3 to be all right."

4 This in essence she had said on the 11th,
5 right? She had basically said she had held Karen
6 down. This wasn't the first time she said that part.

7 A. Right.

8 Q. And then she goes on and says, according to
9 this report, Dyke tries to get out of bed and ends up
10 lying on the floor, that Karen was yelling and saying
11 "Oh, my God", and that Karen got up off the bed,
12 Rienbolt grabbed Karen, was holding her and saying
13 "It will be all right", and she said at that point
14 either Whitlock or Steidl cut Karen.

15 Now that again is new, right? She had not
16 said in the past, at least not in any written report,
17 that Whitlock or Steidl had stabbed Karen, right?

18 A. Right. That's new stuff.

19 Q. Okay. And again, you were doing the
20 questioning when she said that, right?

21 A. I assume I was.

22 Q. All right. And I take it that you focused
23 on what went on in the -- in the bedroom with
24 specific emphasis on who did what in terms of

1 stabbing; is that fair to say?

2 MS. EKL: Objection. Form.

3 A. Yes, sir.

4 Q. Now, did you know for how long Dole had
5 been representing Rienbolt prior to this interview?

6 A. I have no knowledge of anything like that.

7 Q. Dole was the former state's attorney of
8 Edgar County, right?

9 A. Yes, sir.

10 Q. And McFatrige worked for him, right?

11 A. Yes, sir.

12 Q. And then he beat -- McFatrige beat Dole,
13 right?

14 A. Yes, sir.

15 Q. And then Dole went into private practice?

16 A. Yes, sir.

17 Q. Defense lawyer or just as a general
18 practitioner?

19 A. General lawyer.

20 Q. General lawyer. Do you know whether he had
21 any experience in murder cases or not? I mean as a
22 defense lawyer, not as a prosecutor.

23 A. Sir, I don't know.

24 Q. Did he, even though they had run against

1 each other several years before, in '86 did Dole and
2 McFatridge have a good working relationship as two
3 prosecutors?

4 MS. EKL: Objection. Foundation.

5 MS. STANKER: Objection. Form, foundation.

6 Q. I should say as a prosecutor and a former
7 prosecutor.

8 MS. EKL: Same objection.

9 A. I have no idea. I assume they did.

10 Q. Now, later on she says that she described
11 the bedroom before leaving as seeing the mattress on
12 some angle for some reason. Now that's the first
13 time she said that; is that right?

14 A. Yes, sir.

15 Q. And now you knew this was an issue because
16 Darrell Herrington had described the mattress at an
17 angle, right?

18 A. Yes, sir.

19 Q. And in fact, Darrell had said that the
20 mattress covered Dyke's body, right?

21 A. I don't recall that.

22 Q. Well, you knew that that in fact was an
23 impossibility in terms of where the body was found,
24 that the mattress could not have been still on the

1 box spring and covering Dyke's body, right?

2 MS. EKL: Objection. Form, foundation.

3 A. I don't believe Darrell ever mentioned that
4 statement about the mattress covering Dyke's body.

5 Q. Okay. But in any event, Rienbolt described
6 the bedroom and said that the mattress was on some
7 kind of angle in response to questioning by you; is
8 that fair to say?

9 A. Yes, sir.

10 Q. Now, would it also be fair to say that this
11 statement by Rienbolt implicated her further in
12 the -- in the murder -- murders of Dyke and Karen in
13 the same way that it further implicated Herb and
14 Randy Steidl?

15 A. Yes, sir.

16 Q. At that time did you arrest her for murder?

17 A. Sir, I don't recall. I'm sure there's
18 paperwork somewhere that shows when the arrest was
19 officially made.

20 Q. Well, she was never arrested for murder,
21 right?

22 A. Well, I don't recall.

23 Q. She was arrested for concealing a homicidal
24 death, wasn't she?

1 A. I don't know if she was arrested for
2 murder, then it was reduced to that or that was -- I
3 don't recall.

4 Q. Well, she was never taken into custody and
5 put in jail at any time, was she?

6 MS. EKL: Objection. Form. Compound.

7 A. I don't believe she was.

8 Q. No, she was given a recognizance bond,
9 wasn't she?

10 A. I don't recall.

11 Q. Was there an agreement that if she
12 continued to give more information about the crime
13 that she would not be incarcerated?

14 MS. EKL: Objection. Foundation.

15 A. I don't have any idea.

16 Q. Okay. Well, that same day did you take
17 Debbie to drug rehab after she made this statement?
18 Do you remember taking her in the evening on 4-13-87?

19 MS. EKL: Objection. Form.

20 A. It shows 4-13 and the interview was 4-13,
21 then that's when we took her up there again.

22 Q. Well, let me show you Exhibit 5B, which is
23 another discharge summary, and it's dated 4-20-87,
24 and ask you to take a look at that.

1 MS. EKL: For the record, this is
2 Exhibit 5B in the McFatridge deposition and it's
3 bates stamp number W 17234.

4 A. Okay.

5 Q. Have you had a chance to look at it?

6 A. I glanced over it, yes, sir.

7 Q. And it -- do you see that it says, "Patient
8 admitted on 4-13. Patient accompanied by her
9 counselor and a police detective". Does that refresh
10 your recollection that after the interview on the
11 13th that you and her counselor, I take it most
12 likely Miss Chambers, took Debbie down to Danville or
13 over to Danville to the rehab center?

14 MS. EKL: Objection. Form.

15 A. I don't recall, but this says I did.

16 Q. All right. And obviously at that point she
17 still had an addiction problem, right?

18 MS. EKL: Objection. Foundation.

19 A. Yes, sir.

20 Q. And in this report it says, "Patient left
21 unit accompanied by counselor and detective", and
22 this is on the 20th when she's discharged. Strike
23 that. Let me read you the thing.

24 "Patient remained in special care

1 throughout her stay in the unit. She's being detoxed
2 from alcohol and other street drugs so that she could
3 testify in an upcoming trial."

4 Do you see that?

5 A. Yes, sir, I do.

6 Q. When you took Debbie to the drug rehab
7 center did you inform them that that was the reason
8 that she was there, to be detoxed from drugs and
9 alcohol dependency so that she could testify in the
10 upcoming trials of Whitlock and Steidl?

11 A. I don't -- I don't recall anything being
12 said, but I am assuming that the counselor would
13 probably have been the one that would have -- would
14 have done all the talking up there.

15 Q. Okay. But she -- the information she had
16 about an upcoming trial and -- and the testimony
17 would have come from you and Eckerty, right?

18 MS. EKL: Objection. Foundation.

19 A. Yes, or Debbie or, you know, whoever.

20 Q. But was that another joint decision by all
21 of you to have her go directly to detox as soon as
22 she had a lawyer and made the statements that she
23 made on the 13th?

24 MS. EKL: Objection. Form, foundation.

1 A. I don't recall.

2 Q. Well, was the decision made on the 13th for
3 her to be a witness against Steidl and Whitlock and
4 that's why she was taken to the detox center and --
5 and admitted on that basis that she was going to be a
6 witness?

7 MS. EKL: Objection. Form, foundation.

8 A. I assume it was.

9 Q. All right. And who besides yourself made
10 that decision?

11 MS. EKL: Objection. Form.

12 A. I'm not sitting here saying I'm the one
13 that made the decision so I don't know.

14 Q. Was it a joint decision most likely by all
15 of you?

16 A. Sir, I just don't recall.

17 Q. All right. Did you tell Miss Chambers that
18 the detox was court ordered?

19 A. I don't remember anything.

20 Q. Well, it wasn't court ordered, was it?

21 A. I don't recall.

22 Q. Well, if you were taking her to a drug
23 rehab center or detox center directly after you
24 talked to her on the 13th, is it fair to assume that

1 she was under the influence of drugs or alcohol when
2 you interviewed her on the 13th?

3 MS. EKL: Objection. Form, foundation.

4 A. I don't recall.

5 Q. Well, whether she was under the influence
6 at that particular time -- strike that.

7 Did you make any effort to determine
8 whether she was under the influence on the 13th when
9 you -- when you interviewed her with Eckerty?

10 A. I don't recall.

11 Q. All right. And is it fair to say that your
12 testimony here today is that you really didn't make
13 any determinations at the time that you were seeing
14 her and interviewing her as to her sobriety or lack
15 thereof?

16 MS. EKL: Objection. Form.

17 A. I don't recall.

18 Q. And -- and if your reports are any
19 indication, you certainly don't indicate in any
20 reports whether she was sober or under the influence
21 of alcohol or drugs when you talked to her, right?

22 A. No, there is nothing in the reports.

23 Q. Okay. Now, this report indicates that she
24 stayed for a week, is that right, and left on the

1 20th?

2 A. Yes, sir, it does.

3 Q. And it also indicates that she left with
4 you, right?

5 A. That's what it says.

6 Q. And do you recall that?

7 A. No, sir, I don't.

8 Q. But you have no reason to disbelieve this
9 report; is that right?

10 A. None whatsoever.

11 Q. All right. And when you left -- when she
12 left do you know whether she was -- what her -- oh,
13 it says -- excuse me. It says, "Upon release she was
14 alert and oriented times three. Her skin was warm
15 and dry. Respiration unlabored, not" -- can you read
16 this? "There was no other signs of overt withdrawal.
17 Gait steady. Left unit ambulatory."

18 Is that consistent with your memory of how
19 she left?

20 A. I have no memory of that.

21 Q. And the after care goals it indicates was
22 to attend AA meetings, OP counseling and follow up
23 with a family physician; is that right?

24 A. That's what it says.

1 MS. EKL: Just for the record, I mean you
2 are asking him if that's what the report says but he
3 doesn't have the report in front of him, so I don't
4 think that's a fair question to be asking him if what
5 you are reading is accurate without him being able to
6 actually read it.

7 A. That's what it says.

8 Q. Now according to the medical records you
9 had permission to see her daily while she was in the
10 detox center; is that fair to say?

11 MS. EKL: Objection. Form. You don't have
12 any medical records in front of him.

13 Q. I am asking him if that's accurate.

14 MS. EKL: I object to the foundation.

15 A. I have no idea.

16 Q. Did you visit her while she was in the
17 detox center?

18 A. I don't recall.

19 MR. TAYLOR: Let's take a short break.

20 (Whereupon a break was taken and the
21 deposition continued as follows:)

22 MR. TAYLOR: Let me mark this as Parrish 7.

23 (Whereupon Parrish Exhibit 7 was marked for
24 identification.)

1 Q. Do you remember testifying -- strike that.

2 Going back to the 17th of February when you
3 first interviewed Debbie after you got the knife, I
4 want to call your attention to page 684 of your
5 deposition, I believe that's the right page. I'm
6 sorry. Page 643. I want to read you a question and
7 answer.

8 MS. EKL: Let me see. I don't know if I
9 have it on here.

10 MR. RAUB: Here you go, Beth.

11 MS. EKL: Thanks.

12 MR. BALSON: Page 42 did you say?

13 MR. TAYLOR: Bottom of 42. 642.

14 Q. So my question was, "So would it be fair to
15 say that when you finished with the first interview
16 with Debbie you had basically two Darrell Herringtons
17 here or two Debbie Rienbolts, that they were both
18 very similar witnesses in terms of their background,
19 in terms of their credibility and dependency problems
20 and in terms of the nature of what they were saying
21 with regard to the incident and their alleged
22 knowledge of it?" There is an objection and you
23 answer "Yes, sir".

24 Now I want to call your attention to that

1 answer and ask you, also remind you of your testimony
2 in January -- strike that -- your testimony
3 concerning a report you made to the FBI in January in
4 which you characterized Darrell Herrington as a poor
5 witness. Do you remember that?

6 A. I remember reading that, yes.

7 Q. So would it be fair to say that as of the
8 17th of February, which is when you finished with
9 your first interview with Debbie, that Debbie
10 Rienbolt, like Darrell Herrington, in your mind was a
11 poor witness?

12 MS. EKL: Objection. Form, foundation.

13 A. Yes.

14 Q. And would you say that as of the 13th of --
15 strike that.

16 So would it also be fair to say that since
17 you said that Darrell Herrington didn't by himself
18 provide probable cause, you testified to that at your
19 prior deposition and said that to the FBI, would it
20 be fair to say that as of -- after that first
21 interview that by herself Debbie Rienbolt didn't
22 provide probable cause either?

23 MS. EKL: Objection. Form, foundation. It
24 mischaracterizes his prior testimony and the prior

1 representation made to the FBI.

2 MR. TAYLOR: Okay.

3 Q. You may answer.

4 A. Yes.

5 Q. Okay. So when the arrest was made, it was
6 made on the combination of two poor witnesses who
7 each broken down individually did not provide
8 probable cause, is that fair to say?

9 MS. EKL: Objection. Form.

10 A. That there was other witnesses and other
11 information along with theirs.

12 Q. Right. But at that time of the 17th of
13 February.

14 MS. EKL: Objection. Form, foundation.

15 A. Yes, and again that was McFatridge's call.

16 Q. But I'm not asking you about his call, I'm
17 asking about at that time, your view.

18 MS. EKL: Objection.

19 A. My opinion?

20 Q. Yes. As a law officer, yes.

21 A. Yes.

22 Q. NOW, would you agree with me that as of the
23 13th of April, after the four or five recorded
24 statements and how many other -- ever other

1 interviews or discussions you had had with Debbie
2 that weren't recorded, that she still remained a poor
3 witness?

4 MS. EKL: Objection. Form.

5 A. She was a better witness.

6 Q. Was she -- still not a good witness,
7 though, was she?

8 MS. EKL: Objection. Form.

9 A. Not an excellent witness, but she was a
10 good witness.

11 Q. Now, what caused you to change your opinion
12 from the 17th of February until April 13th from her
13 being a poor witness to being not an excellent
14 witness but a good witness?

15 A. She gave us more detailed information of
16 the crimes.

17 Q. But she still had the same problems, did
18 she not, in terms of having a very similar background
19 as to Darrell Herrington that her credibility and
20 dependency problems and all of that; is that right?

21 MS. EKL: Objection. Form, foundation.

22 Q. That didn't change, did it?

23 A. No, it was still the same.

24 Q. In fact it got a little worse because you

1 knew more about her two months later than you did in
2 February, right?

3 MS. EKL: Objection. Form.

4 A. I don't know if it got worse or not, but we
5 had more knowledge of her background.

6 Q. Yeah. You had more knowledge of her
7 background, and in fact you had already taken her to
8 detox one time and were on your way to taking her
9 again on the 13th, right?

10 A. If the dates are right, yes.

11 Q. Okay. Now, I want to show you what I've
12 previously marked as Exhibit 7. And this is a log
13 that we received pursuant to court order last night
14 of the Rienbolt residence from the 20th of April
15 until I believe the 15th of June. And it has what
16 appears to be a fairly detailed if not complete entry
17 of all the comings and goings of people at Debbie
18 Rienbolt's house. You recall that her house was
19 being -- was under would you call it guard or monitor
20 by the Paris Police Department; is that right?

21 MS. EKL: Objection. Form.

22 A. Yes, sir, and other law enforcement
23 agencies also.

24 Q. Okay. Was the ISP also involved in that

1 monitoring?

2 A. Yes, sir, there was a trooper down there
3 once in a while.

4 Q. Okay. Now I want to have you take a look
5 at page two of this document.

6 MR. ACKERMAN: Pardon me, Flint. Is that
7 document something that someone can e-mail to me?

8 MR. TAYLOR: I don't know.

9 MS. HALL: I can e-mail it.

10 MR. ACKERMAN: Thank you, Carrie.

11 Q. I'm going to show you specifically in this
12 group exhibit I'm referring to W 018366.

13 MS. EKL: Carrie, can you go ahead and just
14 e-mail me a copy too so I have it in electronic form?

15 MS. HALL: Okay. This is going out today
16 and I have to e-mail it in three different e-mails
17 because it's too big to e-mail as one document.

18 MS. SUSLER: Me too. Jan.

19 MS. HALL: You all will get yours later on
20 today.

21 MS. SUSLER: That's fine. Forget it then.

22 BY MR. TAYLOR:

23 Q. Looking at W 018366 of this log, it says,
24 "Parrish or Eckerty are to be notified immediately if

1 any difficulty or occurrence should take place"; is
2 that right?

3 A. That's what it says, sir.

4 Q. Was that in fact the standing orders with
5 regard to the monitoring of Debbie Rienbolt and her
6 house?

7 MS. EKL: Objection. Form.

8 A. I don't recall. I have no recollection of
9 this being done.

10 Q. All right. Well, do you have any -- do you
11 recognize the handwriting?

12 A. No, sir, I don't.

13 Q. All right. Well, I wanted you to turn to
14 the next page which is 367, and it has a date on it
15 of 4-20-87, and if you will look down at the entry of
16 7:34 PM, it says "D2 and Lee Chambers at house." Now
17 D2 is you, right?

18 A. Yep.

19 MS. EKL: Objection. Form, foundation.

20 A. Yes.

21 Q. That's your police number, right?

22 A. Yes.

23 Q. And Lee Chambers of course was the -- was
24 the psychologist that was counseling Debbie Rienbolt

1 daily; is that correct?

2 A. Yes.

3 Q. And does that accurately reflect that you
4 went to Debbie's house with Lee Chambers at about
5 7:34 on the 20th, that being the date that Debbie was
6 brought back from counseling -- I mean brought back
7 from the detox center?

8 A. It's the same day, yes.

9 Q. Okay. And does that in fact reflect that
10 you were at Debbie's house on the 20th, is that
11 right, of April?

12 A. Yes.

13 Q. And that's an accurate log?

14 A. Yes.

15 Q. This log was kept in the ordinary course of
16 business of the Paris Police Department; is that
17 right?

18 MS. EKL: Objection. Form, foundation.

19 A. Sir, I don't even recall this log.

20 Q. Well, did you know that there was a log
21 being kept of the comings and goings at Debbie's
22 house by the police department, the Paris Police
23 Department?

24 A. I don't recall.

1 Q. All right. Well, take a look at 4-21-87,
2 it's the entry on page 018368, you see an entry at
3 1:02 PM, "Parrish here for Jenny", then 2:21 PM,
4 "Parrish brought back Jenny"? Do you see that?

5 A. Yes, I do.

6 Q. And in fact, who is Jenny? Is that her
7 daughter?

8 A. I believe that was Debbie's daughter.

9 Q. All right. And do you know where you took
10 Jenny for an hour and a half or so, hour and a
11 quarter on the 21st of April?

12 A. I have no idea.

13 Q. Did you take Jenny places during this
14 period of time?

15 A. I don't recall.

16 Q. Okay. Let's look now two pages on, which
17 is 018370, the next day, April 22nd, '87, do you see
18 that entry?

19 A. Where you at now?

20 Q. Page four of the log. Okay. At the top it
21 says, "Lt. Kennedy on", it looks like on Officer
22 Houck. Are those two officers from the Paris Police
23 Department?

24 A. Yes, they were at the time.

1 Q. And were they involved in the monitoring?

2 A. Yes, sir.

3 Q. Now, looking at 9:40 AM it says, "Parrish
4 to talk to Debbie", 4-22-87 at 9:40. Do you see
5 that?

6 A. Yes, sir.

7 Q. And do you see approximately 45 minutes
8 later it looks like either 10:14 or 10:19 AM "Parrish
9 leaving"? Do you see that?

10 A. Yes, sir.

11 Q. Does that accurately reflect the fact that
12 you were there and talked to Debbie Rienbolt on the
13 22nd of April, 1987, in the morning?

14 A. Yes, sir.

15 Q. And what did you talk to her about on
16 the -- on the 22nd?

17 A. I have no idea.

18 Q. Is it fair to say that it had something to
19 do with the Steidl and Whitlock case?

20 MS. EKL: Objection. Form, foundation.

21 A. I have no idea.

22 Q. Well, did you have other topics you were
23 talking to her about other than case related?

24 A. I don't recall anything, I don't have any

1 idea.

2 Q. And if you look at the entry 11:40 AM, it
3 says Parrish at Debbie's on station Wheat (sic). I
4 take it that means Wheat was the one that was on
5 duty. Then 12:45 PM, "Wheat on, Parrish off inside
6 speaking to Debbie." Do you see that?

7 A. Yes, sir.

8 Q. Does that accurately reflect that you were
9 at Rienbolt's house again for about an hour in the
10 late morning and early afternoon of April 22nd, and
11 that at some point during that hour you spoke with
12 Debra Rienbolt?

13 A. It says I was at the house, speaking with
14 Debbie.

15 Q. Yes. And so that, can you tell us what you
16 were talking to her about on that occasion?

17 A. I have no idea.

18 Q. All right. Now it says at 2:08 PM, "Debbie
19 and Wheat to the police department". Do you see
20 that?

21 A. Yes, sir, I do.

22 Q. And then I believe about an hour and a half
23 later it says, "Wheat and Debbie back from police
24 department". Do you see that?

1 A. Yes, sir.

2 Q. Do you know why she was taken to the police
3 department?

4 A. I have no idea.

5 Q. Was it -- was it pursuant to your
6 conversation with her of about an hour before that
7 she was -- that Wheat took her in?

8 MS. EKL: Objection. Foundation.

9 A. I have no idea.

10 Q. Were you there at the police department and
11 did you talk to her?

12 A. I have no idea.

13 Q. I take it that other than this log we have
14 no notes or -- or reports of what you and Debbie
15 talked about on these occasions that are reflected in
16 the log; is that right?

17 A. That would be right, sir.

18 Q. All right. But would it be fair to assume
19 that you were talking about issues that concerned her
20 as a witness, concerned her as a patient of Lee
21 Chambers and issues concerning her testimony with
22 regard to the Whitlock and Steidl case, would those
23 be some of the more -- most likely topics that you'd
24 talk with her about?

1 MS. EKL: Objection. Form.

2 A. I have no idea what we would have talked
3 about.

4 Q. Now, do you see 5:10 PM, looks like "SIA
5 Eckert relieves" -- "briefs RO". Is that your
6 handwriting?

7 A. No, sir, it's not.

8 Q. Okay. Was there a special agent named
9 Eckert or should we assume that's Eckerty?

10 MS. EKL: Objection. Foundation.

11 A. Sir, I have no idea. I don't remember
12 anybody by the name of Eckert.

13 Q. So most likely that's Eckerty; is that
14 right?

15 MS. EKL: Objection. Foundation.

16 A. Could be.

17 Q. Now, later on in that entry on the 22nd we
18 see Lee Chambers. Was she coming and going regularly
19 from Debbie's house as well?

20 MS. EKL: Objection. Foundation.

21 A. Yes.

22 Q. Okay. Now, were you present for her --
23 some of the times that she talked to Debbie Rienbolt?

24 A. I don't recall.

1 Q. Now, at 6:30 PM or 6:35 PM there's another
2 entry, it says, "Jim Parrish relieves RO of duty."

3 So does that indicate that in the PM you
4 were at Debbie's house in a capacity of monitor
5 rather than as an investigator speaking with her?

6 MS. EKL: Objection. Form.

7 A. I don't recall.

8 Q. Did you from time to time, including on the
9 April 22nd date, stand as a monitor like Wheat and
10 others were doing around the clock?

11 A. I don't recall.

12 Q. This doesn't refresh your recollection?

13 A. No, sir, I'm sorry it doesn't.

14 Q. But you have no reason to disbelieve this
15 log, do you?

16 A. No, sir, I don't.

17 Q. All right. And we look at the next
18 morning, 4-23-87, at the bottom of the page, it says,
19 "Parrish on, Wheat in court". Do you see that?

20 MS. EKL: I'm sorry. I'm not seeing it.

21 Q. Last entry on the bottom.

22 MS. EKL: 10:40 AM?

23 MR. TAYLOR: I'm sorry. 10:10 AM. I
24 thought it was a four.

1 Q. 10:10, "Parrish on, Wheat in court". Do
2 you see that?

3 A. Yes, sir, I do.

4 Q. So that indicates that you are again
5 monitoring, does it not?

6 A. I can assume.

7 Q. Well, and then if you look on the next page
8 it's a continuation of a log of 4-23, and it
9 indicates that you -- Wheat comes on and you go off
10 on the monitoring; is that right?

11 A. 10:25 you say?

12 Q. 12:25.

13 A. I'm sorry. Yes.

14 Q. And does that accurately reflect the fact
15 that you were monitoring her house for some two,
16 almost three hours on the 23rd of April?

17 A. I have no idea.

18 Q. Well, you have no memory of doing that?

19 A. No, sir, I don't.

20 Q. But this -- you have no reason to
21 disbelieve this log of the comings and goings at
22 Debbie's house, do you?

23 A. No, sir, I don't.

24 Q. Now, the next entry is on page seven of the

1 log, this is 018373, it indicates at 1:55 -- I'm
2 sorry -- at 7:58 AM on 4-24, that's at the bottom,
3 "Parrish at house. Wheat on, Humphrey off", then
4 "Parrish leaves" at 8:06. Do you see that?

5 A. Yes, sir, I do.

6 Q. So is that another time that you were at
7 the house?

8 A. Yes, sir.

9 Q. All right. Do you know what your business
10 was there, what you did?

11 A. No, sir.

12 Q. Now, during the times that you were
13 visiting at Debra's house, were you discussing with
14 her her sobriety?

15 A. I don't recall.

16 Q. Did you learn whether she was in fact
17 drinking or not during this period of time?

18 A. I have no knowledge. I don't recall. I
19 have no knowledge.

20 Q. Did you learn whether she was using any
21 narcotics during this period of time?

22 A. I don't recall.

23 Q. Okay. I want to turn you now to page 13,
24 which is 018379. And this is an entry on 4-26, April

1 26th. Looking at the -- towards the bottom, it's at
2 4:36 PM, "Parrish 10-25", is that a police call?

3 A. I don't recall.

4 Q. Well, does 10-25 mean something, sort of
5 like 10-4 and 10-1s?

6 A. Sir, it's been too many years. I don't
7 remember.

8 Q. You don't remember what a 10-25 is?

9 A. No, I don't.

10 Q. Would it be fair to assume that it
11 indicates some sort of police order or directive or
12 call from the radio?

13 MS. EKL: Objection. Form, foundation.

14 A. I don't recall.

15 Q. But in any event you were there at 4:36 PM,
16 right?

17 A. Yes, sir.

18 Q. All right. And do you know what the nature
19 of your presence there on that date was?

20 A. No, I have no idea.

21 Q. And you have no notes or reports concerning
22 the nature of your presence there; is that right?

23 A. No, sir, I don't.

24 Q. All right. Going now to page 15, which is

1 date 4-27-87, you have a 12:26 PM entry, "Parrish
2 here and on side speaking" -- that's probably inside,
3 "and inside speaking with Debbie". That's at 12:26.
4 Then at 12:30, "Victor and Parrish leaving". Do you
5 see that entry?

6 A. Yes, sir, I do.

7 Q. Now Victor was her husband; is that right?

8 A. Yes, sir, he was.

9 Q. Do you have -- and so this log indicates
10 that you came to her house on the 27th just after
11 lunch and left with Victor, her husband; is that
12 right?

13 A. That's what it says, yes, sir.

14 Q. Now can you tell us what you were doing
15 there that day and why you took Victor from the
16 house?

17 A. No, sir, I have no idea.

18 Q. All right. And then it has you coming back
19 at 2:06 PM; is that right, the same day?

20 A. Yes, sir.

21 Q. And it says again you were here -- you were
22 there to talk to Debbie; is that right?

23 A. Yes, sir, that's what it says.

24 Q. It looks like you talked to her about five

1 minutes, the next entry is 2:11, and you leave,
2 right?

3 A. Yes, sir.

4 Q. So do you know what the nature of that five
5 minute conversation was?

6 A. No idea, sir.

7 Q. Now if you go on to the next page, 16, if
8 you see at the top it has 3:30 PM, it says "dropped
9 Debbie off at courthouse with Parrish" on 4-27; is
10 that right?

11 A. That's right.

12 Q. Now 4-27 was the day she was indicted,
13 isn't that right?

14 A. I have no recollection when she was.

15 Q. All right. Well, do you know if you were
16 taking -- going with her to see McFatridge concerning
17 her being charged by information and working out a
18 plea agreement?

19 A. I don't recall.

20 Q. Would that be a logical reason for you to
21 be going to the courthouse with her about that time?

22 MS. EKL: Objection. Form, foundation.

23 A. I don't recall.

24 Q. All right. Now if you go on to the next

1 page, it indicates that at 7:00 in the evening that
2 you were on and someone named Latham; is that right?

3 Was there an officer named Latham?

4 A. David Latham, yes.

5 Q. You relieved him on the monitoring?

6 A. Yes, sir.

7 Q. Would it be fair to say according to the
8 log, which appears to be an accurate transcription,
9 you were not only seeing Debbie to talk to her on a
10 regular basis, but you were also one of the officers
11 that was involved in monitoring her house?

12 MS. EKL: Objection. Form.

13 A. I don't recall, sir.

14 Q. Well, does that refresh your recollection?

15 A. It says I was there. What I was doing
16 there I have no -- I don't recall why I was there.

17 Q. Okay. Well, when it says you're on, that
18 would indicate that you were at an official
19 monitoring type of duty, wouldn't it?

20 MS. EKL: Objection. Form, foundation.

21 A. Yes.

22 Q. Okay. Miss Susler has informed me that
23 Mr. Wheat has testified previously that a 10-25 means
24 meeting with somebody. Is that consistent with your

1 memory of what that means?

2 A. I don't recall.

3 Q. Okay. Let's move on to 4-29, that's page
4 19. Do you see at 8:34 AM it says "Parrish here for
5 Debbie"?

6 A. Yes.

7 Q. All right. And do you know why you were
8 there that day?

9 A. No, sir, I don't.

10 Q. Okay. Well, the -- if I can show you what
11 I previously marked in the McFatridge deposition as
12 Exhibit 4, this is the plea agreement of Debbie
13 Rienbolt which is dated -- file stamped on the 29th
14 of April, that being the same day that we have this
15 entry here. Let me just show you that. Did you
16 bring Debbie to the courthouse or accompany her to
17 the courthouse on the 29th when she was -- when she
18 entered into the plea agreement?

19 A. I have no idea.

20 Q. And in fact, did you not sign the charge by
21 information of Debbie Rienbolt from the 29th for
22 concealment of a homicidal death?

23 A. I don't recall.

24 MR. TAYLOR: Beth, I'm looking at Edgar

1 County --

2 MS. ORTIZ: Edgar County State's Attorney
3 00074 through 75.

4 MS. EKL: Say that again.

5 MS. ORTIZ: 00074 through 75.

6 MR. TAYLOR: And we will mark that when we
7 get a paper copy of it as exhibit -- Parrish Exhibit
8 No. 8. Right now we'll ask you to take a look at it
9 on -- on screen. Do you have it, Beth, or should we
10 show him --

11 MS. EKL: I don't have it yet.

12 MR. TAYLOR: -- show you Jan's computer.

13 Let's go on with the log and when the paper comes up
14 we'll go on with that question.

15 BY MR. TAYLOR:

16 Q. I'm going to jump over the 29th for a
17 moment.

18 A. Do you want this back?

19 Q. Yeah. Keep it right here.

20 Looking at 4-30, that's a day after the
21 29th, which is the date of the plea agreement, it's
22 page 22 of the log, and for counsel it's 018388. If
23 you look towards the middle, do you find that page?

24 A. Page 22?

1 Q. Yeah.

2 A. 4-30, okay.

3 Q. "Parrish in the house" at 7:26 PM, and
4 "Parrish gone" at 9:00 PM. Do you see that?

5 A. Yes, sir, I do.

6 Q. Now, were the people monitoring be outside
7 or on the porch or would they be on the inside of the
8 house?

9 MS. EKL: Objection. Foundation.

10 A. Sir, I don't recall.

11 Q. This indicates that you were in the house
12 for about an hour and a half; is that right?

13 A. Yes, sir.

14 Q. Could you tell us what the nature of your
15 visit for an hour and a half was that day?

16 A. I don't recall. I have no idea.

17 Q. Well, there are no notes or memorandum or
18 reports concerning that hour and a half time period
19 that you were in her house on the 30th, are there?

20 A. No, sir.

21 Q. And so we have no record of whether you
22 were interviewing her, talking to her about her drug
23 dependency or some other problem; is that right?

24 A. That's right, sir.

1 Q. All right. Well, isn't it true consistent
2 with Gary Wheat's testimony that the monitors were
3 sitting in cars outside of the house rather than in
4 the house?

5 A. I don't recall.

6 Q. And you don't recall sitting in the car
7 sometimes as a monitor of Debbie Rienbolt's
8 activities and at other times going in to talk to her
9 personally?

10 A. No, sir, I do not.

11 (Whereupon Parrish Exhibit 8 was marked for
12 identification.)

13 Q. Okay. Well, this is Edgar County file
14 00074, Exhibit 8, and this purports or is, is it not,
15 an information which is -- says, "Now comes
16 McPatridge and informs Debra Rienbolt that she is
17 charged with concealment of a homicidal death in that
18 she with knowledge that Dyke and Karen Rhoads had
19 died by homicidal means concealed their deaths by
20 destroying and altering physical evidence."

21 Do you see that document?

22 A. Yes, sir, I do.

23 Q. And that's an official -- copy of an
24 official court information, right?

1 A. Yes, sir, it is.

2 Q. And you understand as a police officer that
3 was a document which was an official charging of an
4 individual with a crime. You used that in lieu of an
5 indictment, right?

6 A. Yes, sir.

7 Q. And at the bottom of this page you -- is
8 that your signature?

9 A. Yes, sir, it is.

10 Q. And it's dated the 29th of April; is that
11 right?

12 A. Yes, sir.

13 Q. And in fact you swore to this information
14 and specifically to the portion of the information
15 that said that Debbie Rienbolt had concealed a
16 homicide by destroying or altering physical evidence;
17 is that right?

18 A. Yes, sir.

19 Q. And was the evidence -- what was the
20 evidence that she destroyed or altered that you swore
21 that she had done?

22 A. Sir, I don't recall.

23 Q. All right. Was it the knife? Was it her
24 cleaning off of the knife?

1 A. I don't recall.

2 Q. All right. Well, this in fact was the date
3 that Debbie Rienbolt was first charged with anything
4 with regard to the murders of Dyke and Karen Rhoads,
5 the 29th of April; isn't that right?

6 A. Best of my recollection, yes.

7 Q. And would it be consistent to say that
8 going back to the log that -- the entry on the 29th,
9 it says 8:34 AM, "Parrish here for Debbie", that in
10 all likelihood that entry means that you went and
11 brought her to the police station to be given these
12 charges and to enter the plea agreement which is
13 McFatridge Exhibit 4, which is also of the same date;
14 is that right?

15 MS. EKL: Objection. Form, foundation.

16 A. I don't recall, sir.

17 Q. Well, in fact, this document indicates you
18 were present when she was charged, does it not, the
19 first document I just showed you, the Parrish 8?

20 A. No, not to my knowledge. I mean I signed
21 the information but I don't know whether I was there,
22 and I don't recall whether I was there or not.

23 Q. Okay. Well, if you look on the plea
24 agreement, which I'll hand to you in a second, it is

1 a -- has an attachment, it is dated on the 29th of
2 April, 1987, Debra Rienbolt signed this and this is
3 her plea agreement to plead guilty to concealing a
4 homicidal death, do you see that?

5 A. Yes, sir.

6 Q. And you also see the charging which you
7 signed which is the same date, right?

8 A. Yes, sir.

9 Q. So that would indicate that the same date
10 that you were present at the -- at the courthouse and
11 signed in the information that Debbie Rienbolt was at
12 that same date present and swore to and agreed to a
13 plea agreement; is that right?

14 MS. EKL: Objection. Form, foundation.

15 A. The days are all the same, yes.

16 Q. And also the log indicates that you came
17 for Debbie in the morning, right?

18 A. According to the log, yes.

19 Q. And so would it not be fair to say that in
20 all likelihood you picked up Debbie, brought her to
21 the courthouse, the charges were made out, you signed
22 them and then she entered into a plea agreement to
23 those charges all on the -- on the 29th of April,
24 1987?

1 MS. EKL: Objection. Form, foundation.

2 A. Sir, I just don't have any memory.

3 Q. Okay. You would agree with me that that's
4 a very likely scenario, isn't it?

5 A. Could be.

6 Q. Now, did you -- I take it you read the --
7 the information that you swore to, right, before you
8 swore to it?

9 A. Yes, sir.

10 Q. All right. Did you also read her plea
11 agreement and the statement of facts that was
12 attached to the plea agreement?

13 A. I have no recollection of reading that.

14 Q. Were you present when Mike McFatridge
15 drafted this statement of facts that went on, went
16 with the plea agreement?

17 A. I don't recall.

18 Q. Did you supply him with your police
19 report -- reports in order to -- for him to make that
20 out, the plea agreement?

21 A. In reference to all the reports that we
22 generated up through then?

23 Q. Well, did you on the 29th give him the
24 specific reports from which he could base this

1 statement?

2 MS. EKL: Objection. Form.

3 MS. STANKER: Objection. Form.

4 A. He already had them.

5 Q. Okay. Now, going to 5-1, which is page 23
6 of the log, it indicates that Della Wakefield was at
7 the apartment on the 1st. Do you see that, the 12:37
8 PM, "Della Wakefield leaving"?

9 A. Yes, sir, I see that.

10 Q. Then you see again on 5:15, "Della
11 Wakefield leaving again"?

12 A. Yes, sir, I see it.

13 Q. And do you know why Della Wakefield would
14 be coming to Debbie Rienbolt's house?

15 A. I have no idea, sir.

16 Q. A little later after Della Wakefield left
17 the second time it says at 5:55 PM you arrived; is
18 that right?

19 A. Yes, sir, that's what it says.

20 Q. All right. And then it says, if you go on
21 to the next page, it says at 6:15 "Parrish at
22 residence". Do you see that?

23 A. Yes, sir.

24 Q. And then at 7:42 you leave; is that

1 correct?

2 A. Yes, sir. That's what it says.

3 Q. And it also indicates that Lee Chambers
4 left about 45 minutes later; is that right?

5 A. Yes, sir.

6 Q. Now, could you tell us what you were doing
7 at Debbie Rienbolt's house from approximately 6:00
8 till about -- till just before 8:00 on the 1st of
9 May, 1987?

10 A. I have no idea.

11 Q. And you have no notes or reports that would
12 tell us; is that right?

13 A. No, sir, I don't.

14 Q. All right. And then page 26, we go on to
15 May 2nd, if you look at the bottom, it says 12:16 PM,
16 "Note ** - Debbie keeps going in and out of house. I
17 will only log when she stays out or in for a period
18 of time."

19 Did anyone call that to your attention that
20 Debbie was going in and out and in and out of the
21 house?

22 A. I don't recall.

23 Q. Do you know, is there any reason that you
24 know of that she would be doing that?

1 A. I have no reason, no idea.

2 Q. Now I'm over on page 28, which is W 018394,
3 which is 5-2-87 at 4:15 PM, it says "Parrish
4 arrived". Do you see that?

5 A. I see it, sir.

6 Q. All right. Then at 5:09, "Investigator
7 Parrish leaves". Do you see that?

8 A. Yes, I do.

9 Q. So this has you there for a little less
10 than an hour on the 2nd. Could you tell us what it
11 was that you were doing on the 2nd of May at -- at
12 Debbie Rienbolt's house for approximately 45 minutes?

13 A. No, sir, I can't.

14 Q. And no notes or report will tell us either;
15 is that correct?

16 A. Not to my knowledge, no.

17 Q. All right. And now in early May Herb
18 Whitlock's trial was about to start; is that right?

19 A. I don't remember the date, but that's
20 possible.

21 Q. Was it the 16th that it started? 6th or
22 7th of May?

23 A. I don't recall.

24 Q. All right. But were you helping to prepare

1 Debra Rienbolt for her testimony at the Whitlock
2 trial?

3 MS. EKL: Objection. Form, foundation.

4 Q. Did you participate?

5 MS. EKL: Same objection.

6 A. I don't recall, sir.

7 Q. Do you remember there being any kind of
8 mock trials or mock testimony that was conducted in
9 the courthouse prior to trial in the Whitlock case at
10 which Mike McFatriidge and perhaps other persons
11 participated to prepare Debra Rienbolt for her
12 testimony?

13 MS. EKL: Objection. Form, foundation,
14 specifically to the use of the word "mock trial".

15 MS. STANKER: Objection. Form, foundation.

16 A. I don't recall.

17 Q. Did you participate in any way in any court
18 simulations? In other words, did you -- did you
19 participate in going to the courthouse or a courtroom
20 with Debra Rienbolt when she was put on the witness
21 stand and questioned?

22 MS. STANKER: Objection. Form, foundation.

23 A. I don't recall, sir.

24 Q. Okay. Now let's go to page 32, which is

1 the 5th of May, which from our records is the day or
2 two before the start of the Whitlock trial. Do you
3 see an entry at 9:01 AM, Lee Chambers was at the
4 house; is that right?

5 A. Yes, sir, I see that.

6 MR. BALSON: Bates number on this?

7 Q. Yeah, 018398. And do you also see a 12:19
8 PM, "Ann Parrish here to see Debbie". Do you see
9 that?

10 A. I see that, yes, sir.

11 Q. And then she leaves a little bit, about a
12 half an hour later, "Ann Parrish leaving"?

13 A. Yes, sir.

14 Q. Now you testified earlier in the deposition
15 in March that Ann was Debbie's probation officer; is
16 that right?

17 A. Yes, sir.

18 Q. Were you having any conversations with Ann
19 about your daily visits to Debbie during late April
20 and early May?

21 MS. EKL: Objection. Form.

22 A. I don't recall but I'm sure I did.

23 Q. All right. And was Ann also giving you
24 information about Debbie?

1 MS. EKL: Objection. Form.

2 A. I don't recall.

3 Q. Were you aware that Ann was coming to see
4 Debbie at her house?

5 A. I don't recall.

6 Q. Can you tell us if you had any
7 conversations with Ann about her visit on the 5th to
8 Debra Rienbolt's house to see her?

9 A. I don't recall.

10 Q. And then it looks like a few hours later at
11 4:15 it says "Parrish stopped by". Do you see that?
12 5-05-87?

13 A. I see it, sir.

14 Q. About two and a half hours later it says,
15 "Parrish leaving", 6:57 PM. Do you see that?

16 A. Seen me stopping back by at 6:20.

17 Q. Yes, thank you, I missed that one. So you
18 stopped by at 4:31, it doesn't indicate when you
19 left, but then you had to have left -- left at some
20 time before 6:20 because you came by again at 6:20
21 and left at 6:57, right?

22 A. Yes, sir.

23 Q. Now, can you tell us on those two occasions
24 that you stopped by the same day that Ann stopped by

1 what in fact you discussed, if anything, with Debra
2 Rienbolt?

3 MS. EKL: Objection. Form.

4 A. I don't recall. I don't have any idea.

5 Q. Did -- do you have any record of that, any
6 memorandum, notes, or report?

7 A. No, sir.

8 Q. 5-7-87, page 36, 7:00 PM, this I believe
9 was the first day of Whitlock's trial or perhaps the
10 second day. It says, "Parrish at residence (D2),
11 Parrish leaves." It looks like you were there for
12 almost two hours on the 7th of May; is that right?

13 A. Yes, sir.

14 Q. Now, during that two hour period did you
15 participate in any kind of preparation of Debra
16 Rienbolt for her testimony at trial?

17 A. I don't recall.

18 Q. And can you tell us what the nature of your
19 visit and contact with Debra Rienbolt on the 7th was?

20 A. I don't recall.

21 Q. The next entry that I have is on page 41,
22 018406, it's the 10th of May, 1987. Do you see that?

23 A. Yes, sir, I do.

24 Q. 9:45 AM, "Parrish here speaking with

1 Debbie"; 9:58 PM, "Parrish leaving". Do you see
2 those entries?

3 A. What's your first time?

4 Q. 9 -- actually it looks like it's --

5 A. 9:15, isn't it, sir?

6 Q. I'm sorry. 9:15, yes.

7 A. Yes, sir, I see that.

8 Q. And 9:58; is that right?

9 A. Yes, sir.

10 Q. Can you tell us what you discussed with
11 Debbie Rienbolt during that 45 minute period?

12 A. I have no idea.

13 Q. No record, no report; is that right?

14 A. Yes, sir.

15 Q. 5-10 on the next page, page 42, it says
16 6:45 PM, "Parrish and McFatriidge arrive". Do you see
17 that?

18 A. Yes, sir.

19 Q. And do you recall going to Rienbolt's house
20 on the evening of the 10th of May, 1987, with
21 McFatriidge to talk to Debbie Rienbolt?

22 A. I have no recollection of that.

23 Q. All right. And there's no entry about how
24 long you stayed that night. Oh, I'm sorry. It

1 says -- it says 8:30 PM, "Parrish off"; is that
2 right?

3 A. That's what it says, yes.

4 Q. Do you have any recollection of what you
5 and McFatrige discussed with Debra Rienbolt in the
6 two hour period or one hour and 45 minute period from
7 6:45 to 8:30 on the 10th of May, 1987?

8 A. None whatsoever.

9 Q. And in fact, was that the date that she
10 testified, was it the evening before she testified in
11 the Herb Whitlock trial?

12 A. I have no idea when she testified.

13 Q. Were you in fact participating in preparing
14 her for her testimony?

15 MS. EKL: Objection. Form, foundation.

16 A. Not that I recall.

17 Q. Now, in all of these entries from the 20th
18 to the May 11th, I believe you could say, almost on a
19 daily basis, you were there at least once if not more
20 times; is that correct?

21 A. Yes, sir.

22 Q. Did you observe her demeanor and her
23 sobriety on each and every one of those occasions?

24 MS. EKL: Objection. Form.

1 A. I don't recall.

2 Q. Could you tell us now as you sit here
3 whether she was in a sober, coherent state or whether
4 she was in a drunken or drug-induced state?

5 A. I don't recall. I have no idea.

6 Q. Do you know whether she had any blackouts
7 during that period of time?

8 A. I don't have any knowledge of any of that.

9 Q. All right. Well, take a look on page 43,
10 page -- 4:37 on 5-11, it says, "Victor home and
11 Parrish here". Do you see that?

12 A. Yes, sir.

13 Q. Okay. Then 4:42 you left, so there was a
14 brief stop that day; is that right?

15 A. According to this, yes, sir.

16 Q. Do you know why you stopped briefly?

17 A. I have no idea.

18 Q. Then later on that evening at about -- it
19 says I think 7:51, "Parrish here to see Debbie". Do
20 you see that?

21 A. Yes, sir, I see it.

22 Q. And 8:50 you leave?

23 A. Yes, sir.

24 Q. About an hour you were there that evening.

1 What were you there for on that occasion?

2 A. I don't know, sir.

3 Q. Again, no report, no memorandum, nothing
4 that tells us why you were there or what she might
5 have said to you and what you said to her; is that
6 right?

7 A. That's right, sir.

8 Q. All right. Now, the next entry I have is I
9 believe on the 13th of May, 1987, pages -- page 49,
10 and it indicates that you arrived at 7:47 PM, do you
11 see that?

12 A. Yes, sir.

13 Q. And that you left two and a half hours
14 later at 10:15 on that evening; is that right?

15 A. Yes, sir.

16 Q. And you were there for two and a half hours
17 about; is that right?

18 A. Yes, sir.

19 Q. And can you tell us why you were there?

20 A. No, sir, I can't.

21 Q. And during that period of time Lee Chambers
22 was there, she left about five minutes before you
23 did; is that right?

24 A. Yes, sir.

1 Q. Did you talk to Lee Chambers on any of
2 these visits when she was there about Debbie's mental
3 state?

4 A. I don't recall.

5 Q. Did you in fact discuss with her whether
6 Debbie was on the wagon, off the wagon or somewhere
7 in between?

8 A. I don't recall.

9 Q. And now the next day, the 14th, page 49,
10 the date continues on to the next page, which is 50,
11 do you see an entry at 5:03 PM, "Eckerty and Parrish
12 arrive"; is that right?

13 A. Yes, sir.

14 Q. And 5:20, "Eckerty and Parrish leave", do
15 you see that?

16 A. Yes, sir.

17 Q. Why were you and Eckerty there for
18 approximately 45 minutes on the 11th? I'm sorry.
19 The 14th, I believe.

20 A. I have no idea.

21 Q. And there's no record that you know of that
22 either you or Eckerty kept as to why you went to see
23 her or what you and she discussed; is that right?

24 A. That's right, sir.

1 Q. All right. And then it looks like you came
2 back again by yourself later that night, if you look
3 at page 51, at 10:48 PM, and stayed for 45 minutes
4 until 11:30 at night. Do you see that?

5 A. Yes, sir, I do.

6 Q. Did you often go to see her in the late
7 evening or is this fairly unusual to go that late?

8 A. I don't recall.

9 Q. Okay. Well, did she call you that time,
10 was there some kind of emergency that you went for,
11 do you know?

12 A. I have no idea.

13 Q. Did you during that period of time get
14 calls to deal with any kinds of emergency situations
15 such as the instructions said you were to be called
16 about?

17 A. I don't recall.

18 Q. You remember that you were to be called if
19 there were any difficulty or any occurrence, right?

20 A. Yes, sir.

21 Q. So it's likely, is it not, that some of
22 these times you went was because you got a call of
23 difficulty or of an occurrence; is that correct?

24 A. I have no recollection.

1 Q. Or did you just have a general practice
2 during the month or two after April 20th, until the
3 trials were done on the 15th of June, to go and see
4 Debbie on a daily basis?

5 A. I don't recall.

6 Q. Now, if you look at 51, before the entries
7 of you arriving, it says 10:25 PM "had heard phone
8 ring earlier in Rienbolt residence. Debbie came out
9 and appeared to be upset. Something to page D2".
10 That's you, right?

11 A. Yes, sir.

12 Q. They are advising D2 will 10-21 residence,
13 right?

14 A. Yes, sir.

15 Q. 10-21, what's that mean? Get there
16 immediately?

17 A. No, sir. I think it's a phone call.

18 Q. All right. But -- so this would indicate
19 that you were going to call the residence about
20 Debbie being upset and that then you -- after you --
21 apparently after you called, you came down a few
22 minutes later; is that right?

23 A. According to the log, yes.

24 Q. Do you recall on that date, which I believe

1 was during the Whitlock trial, of getting a call that
2 Debbie was upset and -- and rushing over to her house
3 to talk to her for around 45 minutes late in the
4 evening?

5 A. I don't recall any of that.

6 Q. All right. Do you recall generally any
7 time where you had to be summoned to Debbie's
8 apartment, Debbie's house, to deal with her being
9 upset or agitated?

10 A. No, sir, I don't.

11 Q. All right. Well, let's go then to the next
12 date, which is the 15th. We've got an entry at 7:39
13 PM and -- that you arrive, an entry at 8:11 PM that
14 you leave, there's an entry that Lee Chambers had
15 arrived about an hour earlier and that she left just
16 before you -- just after you did. Do you see those
17 entries on the page 52?

18 A. Yes, sir, I do.

19 Q. Was this an occasion where you spoke with
20 Lee Chambers when -- while you were there?

21 A. I don't recall.

22 Q. Okay. Did Lee Chambers inform you about
23 the mental and drug status?

24 A. I don't recall.

1 Q. Did you at any of these times pick up
2 his -- Debbie's daughter, and take her anywhere on a
3 daily basis?

4 MS. EKL: Objection. Form.

5 A. Earlier in this log I think it showed me
6 one time picking her up and bringing her home.

7 Q. That's the only time?

8 A. I don't recall that, but that's what the
9 log says.

10 Q. All right. Now, looking at the 16th, on
11 page 54 -- I'm sorry. I think this is the 17th
12 because it's -- it doesn't actually say the 17th,
13 does it? But it goes into the next day without a
14 date designation. I would think it's most likely the
15 17th. Would you agree?

16 A. I can agree with that.

17 Q. Page 54, at 9:48 AM, it says, "Parrish
18 arrives", then two minutes later you leave and then
19 it says "almost". "Debbie outside speaking with
20 him." Then it says 9:52, "Parrish gets gone, Debbie
21 back inside."

22 Now do you know why you had a brief
23 conversation with her on the 17th outside her house?

24 MS. EKL: Objection. Form.

1 A. No, sir, I don't.

2 Q. And there's no record or report about that;
3 is that right?

4 A. That's right, sir.

5 Q. Okay. And then later on on 5-17 we do have
6 a date on this log, page 55, at 7:09 PM it says, Cash
7 off, Parrish on". Cash, of course, was one of your
8 associates at the police department. This is page
9 55.

10 A. Okay. What time you at?

11 Q. I'm at 7:09 PM, it says -- one entry, "Lee
12 Chambers and Parrish arrive." Then it says "Cash
13 off, Parrish on".

14 A. I was there prior to that too.

15 Q. I see. You were there at 5:21 PM and left
16 at 5:29 PM; is that right?

17 A. Yes, sir.

18 Q. Do you know what the nature of that visit
19 was?

20 A. No, I don't.

21 Q. All right. And then you came back a
22 couple -- an hour and a half later with Lee Chambers;
23 is that right?

24 A. So it says, yes.

1 Q. All right. And then you stayed there until
2 10:16 PM; is that right? You left?

3 A. Yes, so it shows, yes.

4 Q. Do you know what you did there and what you
5 discussed, if anything, with Debra Rienbolt during
6 that three hour period?

7 A. No, sir, I don't.

8 Q. Then you left and came back again 30
9 minutes later, is that right? At 10:45 PM you
10 arrived again; is that right?

11 A. That's what it says, sir.

12 Q. Okay. Do you know whether this was during
13 the Whitlock trial or not?

14 A. Sir, I don't recall.

15 Q. And it says -- and you stayed an hour and
16 then you and Chambers left; is that right?

17 A. That's what it says, yes, sir.

18 Q. Was this having to do with her mental or --
19 or drug related condition, do you know, that you came
20 with -- with Lee Chambers at 7:09 and basically left
21 with Chambers almost five hours later?

22 MS. EKL: Objection. Form.

23 A. I have no recollection or knowledge, no.

24 Q. Okay. Now the next entry I have is a 5-18

1 entry and it's at 8:00 PM on page 57. Do you see
2 that, "Parrish here"?

3 A. What time, sir?

4 Q. The very bottom.

5 A. Yes, sir, I see it.

6 Q. Do you know why you were there on that
7 occasion?

8 A. No idea, sir.

9 Q. Do you know when you left? It doesn't seem
10 to indicate on the log that you ever left.

11 A. No, sir, I don't know when I left.

12 Q. And it also indicates a little earlier that
13 Jeff Wakefield arrived; is that right? 7:06 PM on
14 page 57.

15 A. Yes, sir, that's what it says.

16 Q. Do you know why he was there?

17 A. It says he had flowers.

18 Q. Uh-huh. You don't know why, though, other
19 than that?

20 A. No, sir, I don't.

21 Q. I'm going to take you over now to W 018426,
22 5-21-87. I'm sorry, it looks like it's the last
23 entry on 5-20, it says, "Parrish leaves" at 10:10 PM
24 on 5-20. Do you see that?

1 MS. EKL: What page?

2 Q. At the very bottom it says 5-21-87 and just
3 before that it has a 10:10 PM entry, "Parrish
4 leaves". Do you see that?

5 A. I see it, sir, yes, sir.

6 Q. Do you know why you were there on the 20th
7 and leaving at 10:00 PM?

8 A. No. I got there at 9:30 and left and I
9 don't know why now.

10 Q. Okay. I see. And there's no record or
11 notes or memo on this; is that right?

12 A. That's right, sir.

13 MS. EKL: Just to be clear, when you keep
14 saying no record or notes, you're saying other than
15 what's being discussed in terms of this.

16 MR. TAYLOR: Other than the log itself
17 which has no content about the conversations and --
18 and business that Mr. Parrish was on.

19 BY MR. TAYLOR:

20 Q. And then we go to 5-23, which -- do you
21 find that?

22 A. Yes, sir, I did.

23 Q. What page are we on?

24 A. I'm on page 65.

1 Q. Okay.

2 A. Is that right?

3 Q. Do you see an entry for yourself on that
4 day?

5 A. I do, sir.

6 Q. Okay. And what time does it have you
7 getting there?

8 A. 12:00 PM, leaving at 12:55.

9 Q. All right. And do you know why you were
10 there on that occasion?

11 A. No, sir, I don't.

12 Q. All right. And do you have any memorandum
13 or report to indicate why you were there and what you
14 discussed, if anything, with Debra Rienbolt that day?

15 A. No, sir, I don't.

16 Q. All right. Now, the next time I have is
17 the 29th of May at 2:15 PM. Are you with me on that
18 one?

19 A. Yes, sir, I am.

20 Q. And that is page 68 of the log; is that
21 right?

22 A. Yes, sir.

23 Q. And it has you there for about 10 minutes;
24 is that right?

1 A. Yes, sir.

2 Q. And do you know why you were there on that
3 occasion?

4 A. No, sir, I don't.

5 Q. No record or report; is that right?

6 A. No, sir, there is not.

7 Q. And then again on the 31st at 7:45 PM, do
8 you see that entry?

9 MS. EKL: I'm sorry. What date?

10 MR. TAYLOR: This is 018342 and it's -- the
11 date is the 31st of May, it says, "D2 at house" at
12 7:45 PM. Do you see that?

13 A. Yes, sir, I do.

14 Q. And you're D2; is that right?

15 A. Yes, sir.

16 Q. And you are there for almost two and a half
17 hours; is that right?

18 A. Yes, sir.

19 Q. Do you know why you were there?

20 A. No, sir, I don't.

21 Q. Do you know whether you talked to Debra
22 Rienbolt, and if you did what you discussed?

23 A. No, sir, I don't.

24 Q. And there is no report or record other than

1 the log that says you were there; is that right?

2 A. That's right, sir.

3 Q. Now, looking on page 72, it says "8:01 at
4 the bottom, 8:01 PM, "Victor and Jenny return with a
5 12-pack of Busch beer". Do you see that?

6 A. Yes, sir.

7 Q. Was there any rule that the department had
8 about liquor or narcotics being brought into or out
9 of the house?

10 MS. EKL: Objection. Form.

11 A. Not that I -- I don't recall.

12 Q. Was there any attempt to keep Debbie from
13 having access to beer or any other kind of liquor?

14 MS. EKL: Objection. Foundation.

15 A. Not that I recall.

16 Q. You did know, did you not, that -- that one
17 of her major drinks of preference was beer, right?

18 A. I don't recall, but --

19 Q. You remember her telling you that she
20 sometimes drank a case of beer a night, between 24
21 and 48 cans a night?

22 MS. EKL: Objection. Foundation.

23 A. I don't recall that.

24 Q. You might remember that if you heard that,

1 right?

2 A. (No response).

3 Q. Anyway, did you take any action because
4 beer was being brought into the house?

5 MS. EKL: Objection. Form, foundation.

6 A. I don't recall anything.

7 Q. And the next entry is June 3rd, I believe
8 it's at 8:30 PM, it's on page 74. Do you see that?

9 A. What was the time, sir?

10 Q. 8:30 PM, very top of the page, 74.

11 A. Yes, sir.

12 Q. And you arrived at 8:30 and left a little
13 over an hour later at 9:41; is that right?

14 A. Yes, sir.

15 Q. And when you -- and what did you do for
16 that hour and 15 minutes?

17 A. I don't recall.

18 Q. Do you have any record of it?

19 A. No, sir, I don't.

20 Q. And do you in fact know whether you
21 discussed with her her story about what had happened
22 on the night of the murders?

23 A. I don't recall.

24 Q. And I take it that with all the other

1 visits that you -- that are documented in this log
2 that I've previously asked you about, your answer
3 would also be that you cannot tell us whether and in
4 what way, if any, Debra Rienbolt discussed the
5 murders in any of these visits with you; is that
6 right?

7 A. I don't recall anything, no, sir.

8 Q. All right. Would it be fair to say if
9 there were a log of -- of the times from February of
10 '87, until April 20th when the log starts, during
11 that period of time that we would see a similar
12 amount of contacts that you had with Debra Rienbolt
13 as you had here during this two month period of time?

14 MS. EKL: Objection. Form, foundation.

15 A. I have no idea.

16 Q. But you did have numerous contacts from
17 February to April?

18 A. I'm sure I did.

19 Q. And again, with the exception of the three
20 or four reports of interviews, you have no record or
21 report of what the content of those numerous visits
22 were; is that correct?

23 A. I don't.

24 Q. All right. And going to page 77, at 7:01

1 PM, this is on June 5th, was this around the time
2 that Steidl's trial was starting?

3 A. Sir, like I said earlier, I don't remember
4 the dates.

5 Q. Okay. Did you arrive at 7:01 PM as this
6 log indicates?

7 A. I did, sir.

8 Q. All right. And it doesn't seem to indicate
9 when you left. Do you have any memory of when you
10 left or what your business was that day?

11 A. No, sir, I don't.

12 Q. All right. And then on the next date, 6-6,
13 we have a visit from 9:11 to 9:55 PM. Do you see
14 that?

15 A. What page would that be on?

16 Q. I believe it's page 79.

17 A. You got a blank page in yours?

18 Q. Yeah, I do too. You can just ignore that.

19 A. Okay.

20 MS. EKL: I'm sorry. What page are we
21 looking at?

22 MR. TAYLOR: We are looking at page 79.

23 Q. 7:50 PM, "Jim Parrish here"; 9:11, "Jim
24 Parrish leaves". Do you see that?

1 A. Yes, sir, I do.

2 Q. Do you know what you were there for on the
3 6th?

4 A. No, sir, I don't.

5 Q. And you don't have any record of it and you
6 don't know what you discussed with her; is that
7 right?

8 A. That's right, sir.

9 Q. And you don't know whether you -- what kind
10 of psychological, mental or drug related condition
11 she was in, do you?

12 A. I don't recall.

13 MS. EKL: Objection. Form, foundation.

14 A. I'm sorry.

15 Q. Okay. And now looking at page W 018352, an
16 8:12 entry, 8:12 PM, do you see that?

17 A. Yes, sir, I do.

18 Q. And it says you arrived to see Debbie; is
19 that correct?

20 A. Yes, sir.

21 Q. And do you know why, what the circumstances
22 of seeing Debbie on that particular date was?

23 A. No, sir, I don't.

24 Q. It also indicates Della Wakefield was there

1 later on that night; is that right? 11:15?

2 A. Is that AM or PM?

3 Q. I guess that's AM. That would be the next
4 day. I'm sorry.

5 A. That's the way I read it.

6 Q. Yeah. Okay. Withdraw that question.

7 So -- and then again on page 86, I believe
8 it is, the entry is 8:25 PM, "Jim Parrish picked up
9 Debbie and left". And then 9:23, "Parrish and Debbie
10 return", do you see that?

11 A. Catching up with you here. Page 86, is
12 that what you said?

13 Q. It's W 018353.

14 A. Oh, wait a minute. Okay. I'm with you,
15 sir.

16 Q. And that's on -- that's on the evening of
17 June 8th; is that right? If you look at the previous
18 page you'll see it's June 8th.

19 A. Okay.

20 Q. And you were there and picked up Debbie and
21 left for 45 minutes. Do you know what that was
22 about?

23 A. No, sir, I don't.

24 Q. And you have no record of it other than

1 this log; is that correct?

2 A. That's right, sir.

3 Q. And going back on the previous page, the
4 same date, 6-8-87, it says, "Jim Parrish arrives on
5 12:46 and leaves at 1:01."

6 Do you know why you were there?

7 A. 12:46, "Ann Parrish is here".

8 Q. Oh, I'm sorry. "Ann Parrish is here", then
9 it says "Ann Parrish leaving with Jenny". Do you see
10 that?

11 A. Yes, sir.

12 Q. And was Ann baby-sitting or taking care of
13 Jenny during Randy Steidl's trial?

14 A. I don't recall, sir.

15 Q. Do you recall her doing any kind of
16 baby-sitting for Jenny Rienbolt during the period of
17 time that you were involved with Debbie and going to
18 her house on an almost daily basis?

19 A. I don't recall, sir.

20 Q. In any event, you arrived just after Ann
21 left according to this log, right?

22 A. Yes, sir.

23 Q. All right. And do you know why you arrived
24 at that first time on that date?

1 A. No, sir, I don't.

2 Q. Okay. And then at 8:25 PM is the entry
3 where you picked her up and took her and brought her
4 back, right? Meaning Debbie.

5 A. Yes, sir.

6 Q. Going to -- on 6-10-87 at 12:46 PM it says,
7 "Ann Parrish here for Jenny". Do you see that?

8 MS. EKL: I'm sorry. What page?

9 MR. TAYLOR: Page 82.

10 A. Yes, sir, I see that.

11 Q. Okay. And again, do you know why Ann was
12 coming in the middle of the day, it looks like almost
13 at the same exact time, at least on these two dates,
14 to pick up Jenny?

15 A. No, sir, I don't.

16 Q. How old was Jenny?

17 A. Sir, I don't have any idea.

18 Q. Was she young or was she a teenager or was
19 she preschool?

20 A. She was a young girl. How old her age was
21 I couldn't tell you.

22 Q. Like six, seven years old, in that range?

23 A. I don't remember.

24 Q. Okay. The next entry I have here is 6-11

1 at 8:05 PM. Do you see that?

2 A. Yes, sir.

3 Q. And that appears to be June 11th at 8:05
4 PM; is that right?

5 A. Yes, sir.

6 Q. And you were there for almost two hours
7 that date; is that right?

8 A. Yes, sir.

9 Q. All right. And was that during Randy
10 Steidl's trial, do you know?

11 A. I don't recall, sir.

12 Q. And did you in fact discuss her testimony
13 at Randy Steidl's trial for the two hour period or
14 almost two hour period you were there on the 11th?

15 A. I don't recall.

16 Q. Going back on the 11th to 12:46 PM again,
17 "Ann Parrish is here for Jenny". So do you -- again,
18 do you have any knowledge why Ann was coming every
19 day during the Steidl trial to pick up Jenny,
20 Debbie's daughter?

21 A. No, sir, I don't.

22 Q. And have you ever discussed that with her?

23 A. Not that I recall.

24 Q. Will you when you go home tonight?

1 A. Yes, sir.

2 Q. Now, I'm looking now again at the 12th, I
3 believe it's the 12th, and I've got 12:37, which is
4 approximately the same time, "Ann Parrish here for
5 Jenny" again. Do you see that?

6 A. Wait a minute. Where you at now?

7 Q. 85. Page 85. W 018357.

8 A. Okay. The time is what now? Oh, there it
9 is. I see it, yes, sir.

10 Q. All right. And do you know why Ann came
11 that day for Jenny at approximately the same time?

12 A. No, sir, but she was consistent.

13 Q. Yes, she was.

14 MR. WADE: It looks like every day she was
15 brought home by Cindy Matheson, I think there is like
16 a bible study, so I am wondering if that's why she
17 was taking her, I mean just for the record.

18 MR. TAYLOR: Good. For the record,
19 anything more you got to add?

20 MR. WADE: Sorry.

21 MR. TAYLOR: Do you know whether Ann went
22 to the bible study or just dropped her off? We'll
23 find out tonight maybe.

24 BY MR. TAYLOR:

1 Q. Now looking at this log there is a -- it's
2 dated 6-14 on page 87, and it's -- then there is a
3 blank page and then there is -- appears to be entries
4 on the 15th as well, if you look at the last page,
5 but it doesn't appear that you're on either of those.
6 Do you know whether the monitoring of Debbie Rienbolt
7 ended on the 15th or whether there may be a
8 continuing log that we do not have right now?

9 A. Sir, I have no idea.

10 Q. All right. Because you didn't even know
11 you had this log, right?

12 A. No, sir.

13 Q. Okay. Now, in -- you say you didn't attend
14 either of the trials you don't believe?

15 A. I was there, sir.

16 Q. You were.

17 A. But I wasn't inside the courtroom.

18 Q. Well, what was your function during the
19 trials?

20 A. To make sure the witnesses were there and
21 we just kind of hung around outside.

22 Q. Did you -- did you -- were you responsible
23 for bringing Darrell Herrington to trial to testify?

24 A. Sir, I don't recall.

1 Q. Do you know whether Darrell -- was there
2 any measures taken with regard to Darrell Herrington
3 to make sure that he would be sober as a witness at
4 trial?

5 MS. EKL: Objection. Form.

6 A. I don't recall.

7 Q. Were you present in the courthouse when
8 Darrell Herrington came to testify in the Whitlock
9 and again in the Steidl trials?

10 A. Yes, I would have been in the courthouse.

11 Q. Did you talk to Darrell?

12 MS. EKL: Objection. Foundation.

13 A. I don't recall.

14 Q. Did you observe him in terms of whether he
15 seemed to be his normal drunken self or if he was
16 sobered up?

17 MS. EKL: Objection. Form.

18 A. I don't recall.

19 Q. But you would agree with me that during the
20 trials he had not recovered as an alcoholic and was
21 still an alcoholic in 1987 during the trials; is that
22 right?

23 MS. EKL: Objection. Form, foundation.

24 A. Sure, he'll always be an alcoholic.

1 Q. Do you know why -- well, what I mean is --
2 I'm sorry, you are correct. But what I mean is when
3 I use the term recovering, I meant he was still
4 drinking as an alcoholic during the trials and hadn't
5 quit drinking.

6 MS. EKL: Objection. Form, foundation.

7 A. I have no idea, sir.

8 Q. All right. Now, I want to show you what I
9 am going to mark as 9.

10 (Whereupon Parrish Exhibit 9 was marked for
11 identification.)

12 Q. This is a Parrish -- Gene Ray document.

13 MS. EKL: When you say "Gene Ray document"
14 do you mean this was previously marked?

15 Q. I'm sorry. It's on his stationery. It's
16 plaintiff 005109. It looks like it's a directive
17 from Gene Ray and it's dated the 21st of April,
18 indicating a 24 hour a day, seven day a week security
19 detail at Rienbolt residence. Do you see that?

20 A. Yes, sir. I'm sorry.

21 Q. And it's indicating that she is a key
22 witness and that there would also be state police
23 personnel there as well; is that right?

24 A. Yes, sir.

1 Q. And that if you were on patrol that those
2 assigned to the detail were not supposed to respond
3 to any police calls; is that right?

4 MS. EKL: Objection. Form.

5 A. Yes, sir, I see that.

6 Q. And then if you look on the third paragraph
7 it says, "This detail should last until the trial is
8 over. There have not", underlined, "been any
9 threats. This is a precautionary measure."

10 Do you remember getting a copy of this
11 memorandum?

12 A. No, sir, I don't.

13 Q. Well, do you remember in fact being aware
14 that there was a detail as a precautionary matter to
15 deal with Debra Rienbolt because she was a key
16 witness in the trials?

17 A. Oh, I remember that, yes, sir.

18 Q. And was it also your -- your memory that
19 there were not any threats on her but rather this was
20 a precautionary measure?

21 A. Yes, sir.

22 Q. You testified at your prior deposition
23 about Debra Rienbolt becoming a confidential
24 informant for you and the Secret Service just after

1 Mr. Steidl was convicted; do you remember that?

2 A. She was never a confidential informant for
3 us. We had discussion on informants and confidential
4 informants.

5 Q. Right. But she -- she -- you turned her
6 over to the Secret Service and she became an
7 informant for them on the issue of Debra Jordan and I
8 think it was counterfeiting, was that the case?

9 A. Yes, sir.

10 Q. I would like to mark this as Exhibit 10.
11 (Whereupon Parrish Exhibit 10 was marked
12 for identification.)

13 Q. I'm going to call your attention to a
14 specific report of yours, I believe it's in here.

15 MR. ACKERMAN: Is there a bates on what
16 you're directing him to?

17 MS. SUSLER: Hang on a minute.

18 MS. EKL: It appears the first few -- the
19 first stack of papers are plaintiff 21517 through
20 about 215 -- sorry -- 30, and then it starts USSS0001
21 through the same prefix of -- through page 49, and
22 then there's some additional plaintiff's bates stamps
23 21541 through 21544.

24 MR. ACKERMAN: Thank you.

1 BY MR. TAYLOR:

2 Q. Call your attention to the synopsis, this
3 is the Department of Treasury Secret Service document
4 and I'm calling your attention to 21521 of the
5 document and it indicates that on --

6 MS. EKL: If you could give him a second to
7 find it.

8 Q. Do you see there is an entry on 6-17-87, "I
9 was contacted by Detective Jim Parrish of the Paris
10 Police Department with regards to a possible
11 counterfeit investigation. Detective Parrish stated
12 that CI 21281 had spoken with" blank "at the CI's
13 residence in Paris, Illinois."

14 So CI 21281 is Debra Rienbolt, right?

15 A. I don't know if I know what I'm reading
16 here or not because those are numbers -- those are
17 Secret Service numbers that I don't understand what
18 they mean. I mean CI, I understand that.

19 Q. All I'm asking you, and I know you don't
20 necessarily know what Debbie Rienbolt's Secret
21 Service confidential informant number is, but in
22 context on 6-17 you contacted the Secret Service and
23 told them that Debbie Rienbolt had spoken with, and I
24 assume the blank is Debra Jordan, at Debbie's

1 residence in Paris, Illinois, with regards to
2 possibly providing counterfeit currency to the CI,
3 right?

4 A. Right.

5 Q. So all I'm trying to do now is fix the date
6 that you called them on the 17th and you received
7 information from Debbie on the day or two prior to
8 that, did you not?

9 A. Yes, sir.

10 Q. Okay. So you were receiving -- and she
11 was -- at that point she was an informant for you but
12 not a confidential informant, is that your testimony?

13 A. Right. But the Secret Service got her
14 down, they typed it out to be a confidential
15 informant.

16 Q. So they made her into a confidential
17 informant apparently.

18 A. Obviously they did, yes.

19 Q. Yes. And so is it -- so she was a Secret
20 Service confidential informant at least by the 18th
21 of June, am I right?

22 MS. EKL: Objection. Foundation. Are you
23 asking him of personal knowledge or according to the
24 documents?

1 Q. By the report.

2 A. Yes, by the report.

3 Q. And she was your confidential informant --
4 I'm sorry -- your informant at least as early as the
5 15th of June, 1987; is that right?

6 A. Yes.

7 Q. And had she contacted you and become an
8 informant or was this kind of an outgrowth of all the
9 visits that you were giving -- making to her house?
10 Were some of those visits having to do with her
11 acting as an informant for you?

12 MS. EKL: Objection. Form.

13 A. I don't recall how it all came about.

14 Q. Did you make any effort to make any reports
15 to indicate that Debbie Rienbolt was giving you
16 information around the time of the trials?

17 MS. EKL: Objection. Form.

18 A. No, sir, I don't recall.

19 Q. All right. And how long before the 15th of
20 June was Debra Rienbolt giving you informant
21 information?

22 A. I don't recall of any.

23 Q. All right. So it started on the 15th?

24 A. What I -- what I recall of this incident,

1 yes.

2 Q. Okay. Now, you didn't leave the police
3 department until 1988; is that right?

4 A. I believe that's right, sir.

5 Q. Now, you also continued to have a --
6 contact with Debbie Rienbolt in -- after she went to
7 prison; is that right?

8 A. Yes, sir.

9 Q. Did you testify or give any information at
10 her sentencing hearing?

11 A. I don't recall.

12 Q. All right. Was that likely that you did
13 so?

14 MS. EKL: Objection. Form.

15 A. I don't recall.

16 Q. Do you recall communicating with Debbie by
17 letter when she was in the penitentiary?

18 A. I think I seen that letter that I wrote
19 her.

20 Q. Did you write more than one letter?

21 A. I don't recall, sir.

22 Q. All right. And what were the circumstances
23 of writing that letter?

24 A. Without seeing the letter I have no idea.

1 Q. You have no memory of what -- the details
2 of the letter at all?

3 A. No, sir, I don't.

4 Q. Let's see if we can quickly get our hands
5 on that for you.

6 MR. RAUB: Was that marked in his previous
7 deposition?

8 (Whereupon a discussion was held off the
9 record.)

10 BY MR. TAYLOR:

11 Q. Calling your attention to this letter, it
12 was December 10th, 1987; is that right?

13 A. Yes, sir.

14 Q. So this is almost a year and a half after
15 Mr. Steidl and Mr. Whitlock had been convicted; is
16 that correct?

17 A. Yes.

18 Q. And you are responding to a letter from her
19 to you, right?

20 A. I don't recall that.

21 Q. Well, she says -- well, did you go and
22 visit her?

23 A. Yeah, we did.

24 Q. Who went to visit her?

1 A. Me and Jack and Mike.

2 Q. Mike McFatridge?

3 A. Yes, sir.

4 Q. Jack Eckerty?

5 A. Yes, sir.

6 Q. And was this -- what were the circumstances
7 of you going to visit with them?

8 A. You know, I don't recall why we went up
9 there.

10 Q. Was she in fact saying that she might
11 change her testimony if you didn't give her more
12 attention?

13 A. I don't recall anything like that.

14 Q. Well, did you go just because you felt an
15 obligation to her because of her performance as a
16 witness?

17 A. I don't recall why we went.

18 Q. But in any event, either by letter or at
19 your visit she had communicated to you that she was
20 upset and you were apologizing to her in this letter,
21 right?

22 A. Yes.

23 Q. And you then discussed the Debbie Jordan
24 case with her, right?

1 A. Right.

2 Q. And -- and you also wished her to have a
3 nice Christmas; is that right?

4 A. Yes, sir.

5 Q. And you say in here sometime in the near
6 future Eckerty and you are going to drive up and see
7 her, is that right, and spend some time; is that
8 right?

9 A. Let me see where you are at here.

10 Q. On the bottom of the first page.

11 A. Okay. The letter may have been prior to us
12 going up there.

13 Q. All right. Because you only went once or
14 did you go more than once?

15 A. I only went one time, sir.

16 Q. And you make reference to letters that she
17 got from Randy Steidl; is that right? Is RS Randy
18 Steidl or is that someone else at the bottom of the
19 first page?

20 A. That's what -- that's Randy's -- I assume
21 that's Randy.

22 Q. Okay. And do you know what the nature of
23 the letters she was getting from Randy were?

24 A. No, sir, I don't recall.

1 Q. All right. And in the next page you say,
2 "No matter what anybody else says, you did a very
3 good job in testifying and telling the truth". Did
4 you tell her that?

5 A. Yes, sir.

6 Q. Well, at that point did you believe that
7 she was a credible witness?

8 A. Yes, sir, I did.

9 Q. Were other people doubting her credibility,
10 is that why you are saying "No matter what anybody
11 else says"?

12 MS. EKL: Objection. Foundation.

13 A. I don't recall, but I'm sure some people
14 were.

15 Q. Do you know who it was?

16 A. Oh, I have no idea.

17 Q. And who is the G R -- Grabbe who you
18 referred to that would be found innocent?

19 A. Grabbe.

20 Q. Okay. Who is that?

21 A. He was from Clark county. His -- I don't
22 know if he was in prison or he was on -- getting
23 ready to go -- he was in the Clark County Jail and
24 his girlfriend went into the jail and shot a deputy

1 trying to break him out.

2 Q. Okay. Now --

3 A. Fred Grabbe, I'm sorry.

4 Q. Okay. Now in the next paragraph you say,
5 "Darrell is doing fine and going about town as if
6 nothing ever happened and is working every day.
7 Darrell is still drinking as if he thought -- as if
8 you would think he -- as if -- who thought he would
9 stop", right?

10 A. Yes.

11 Q. So in fact Darrell had continued his
12 drinking and hadn't dried out as of a year and a half
13 after the trial; is that right?

14 MS. EKL: Objection. Form.

15 A. Yes, sir.

16 Q. And did you have contact with Darrell to
17 know that he was doing fine?

18 A. I don't recall.

19 Q. Well, I want to show you a document that
20 was previously marked in the Gene Ray trial.

21 MS. SUSLER: Deposition.

22 Q. Yeah, deposition. This is Gene Ray No. 17.
23 Let me show you that. Do you recall sometime in
24 August of 1987 there being a domestic battery call

1 from Betty Herrington with regard to Darrell
2 Herrington as is reflected in this first page of this
3 exhibit?

4 A. Yes, sir, I do.

5 Q. And did you answer that call?

6 A. In a round about way, yes.

7 Q. What do you mean by a round about way?

8 A. The call came into the police department
9 and Betty had reported that Darrell had been down to
10 her house trying to create problems with her, family
11 disturbance or something over something that Paula
12 Furry (sic) supposedly had called Betty and made
13 comments about some things that Darrell had heard or
14 said to Betty which upset Betty, who called Darrell,
15 and Darrell goes down to the house and him and Betty
16 get into it.

17 And then Darrell goes home and I think
18 Darrell called Gene because of the friendship between
19 those two and said he had been into it with Betty
20 over some things after the -- this was all posttrial.
21 And so Gene got ahold of me and Gary Wheat, so we
22 went down to see what was going on between Darrell
23 and Betty because she wasn't even living at that 1307
24 South Central. If I remember right she called

1 from -- it was probably somewhere, 407 West Carol,
2 which I think was her daughter's house I think, not
3 to be positive.

4 So we go down to Darrell's house that night
5 and ask him what's going on between him and Betty and
6 he said, well, she's trying to start a fight or she's
7 upset because supposedly Paula Myers had called her
8 and made comments about things that had happened. So
9 that got them into it.

10 Q. Things that had happened meaning what?
11 Meaning having to do with the trial?

12 A. Well, I have them in my notes, that -- so
13 then you'll see there's a --

14 MS. SUSLER: Just for the record when you
15 say in your notes, you were referring to Exhibit 17?

16 A. Yes, sir. Ma'am. I'm sorry. So you'll
17 see this is written on some Darrell Herrington
18 stationery, grocery list. So what we -- what we did
19 or I did because it's my handwriting, put down there
20 what Darrell had said that Betty had said to him.

21 Q. Okay. All right. So let me go back a bit
22 and on the offense report, the first page of my
23 exhibit here. Is that your handwriting?

24 A. No, sir.

1 Q. Do you know who made that up?

2 A. I have no idea.

3 Q. We go to page two, it seems that it has a
4 date on the top, I can't quite make it out but it
5 looks like -- can anybody read that? 10:00 AM or
6 something?

7 MS. EKL: What page are you looking at?

8 MR. TAYLOR: The second page, looks like
9 the handwriting.

10 Q. Whatever. I would assume that -- is this
11 your handwriting?

12 A. No, sir.

13 Q. Do you know who wrote this out?

14 A. I have no idea, sir.

15 Q. You're saying that the -- what is your
16 handwriting is pages three and four; is that right?

17 A. Yes, sir.

18 Q. And you're saying that what you wrote down
19 is what Betty told you that Darrell said?

20 A. No.

21 Q. No. Give it to me again.

22 A. You got this report that came into the
23 police department over the phone.

24 Q. Yes.

1 A. And then --

2 MS. SUSLER: Page one for the record.

3 Q. Page one, yes.

4 A. Oh, I'm sorry. And then this would have
5 been -- whoever was at the telephone at the police
6 department wrote this down on the back of this --

7 MS. SUSLER: You're referring to the top of
8 page two.

9 Q. Page two.

10 A. Correct.

11 Q. And this page two says, "Darrell brought it
12 up. Darrell: I went up and saw Randy at Danville.
13 And then Paula: I think there's more to it than what
14 has been said. Darrell: There is. I'm going to see
15 to it the big guy was put away, Herb and Randy are
16 set free. I seen something at the bottom of the
17 stairs before I saw Randy or Herb. Nobody -- Paula:
18 They walked in where you walked in. And Darrell:
19 Yes, and then Debbie had to be" -- can you read that?

20 A. No, sir.

21 Q. Is it "holding down. Darrell: It didn't
22 happen like that at all. Paula: Debbie had to be
23 something to hold them down. Darrell: It didn't
24 happen like that at all. Darrell: Somebody had

1 offered him \$25,000 to testify to something he knew
2 what it is is true. And then Betty, within two weeks
3 ago said Darrell told her that Bob Morgan had offered
4 him a bunch of money to keep his mouth shut. He also
5 told him he could have a job and wouldn't have to do
6 anything. Darrell said that Bob Morgan was shipping
7 dope in the bags of dog food. One of the dog food
8 would have dope in it. Betty said Bob was always
9 speaking to her and asking her how -- asking how she
10 is."

11 Now, did you see this police report around
12 the time that it was written?

13 A. I'm sure I did.

14 Q. And then you also saw what's on the back
15 that I just read you, right?

16 A. I'm sure I did.

17 Q. Is that what led you to -- did you speak to
18 Darrell?

19 A. Yeah, as soon as this call came in because
20 you'll see that the report was at 11:00 PM.

21 Q. Okay.

22 A. And then if you go over here to the note
23 that I took when I was down there, when I talked
24 to -- spoke to Darrell, it's approximately 11:00 PM

1 on the same date.

2 Q. Okay. So Darrell -- was Gene Ray with you
3 when you spoke to Darrell?

4 A. Yes, sir, he was.

5 Q. And so these are your notes, the last two
6 pages of this exhibit; is that right?

7 A. Yes, sir.

8 Q. And it says "Darrell, Gene, Gary, Jim at
9 Darrell's house." So that means Gary Wheat was also
10 there?

11 A. Yes, sir.

12 Q. All right. "Had conversation with Paula
13 Myers, said there was more that Darrell knew but
14 didn't say in court", right?

15 A. Right.

16 Q. And then it says, "Darrell stated that he
17 observed Herbie had some of Karen's", is that "hair
18 in his hand"?

19 A. Yes, sir.

20 Q. Said, "Look at what I got and Randy came
21 down the stairs with knife"; is that right?

22 A. That's what it says, yes, sir.

23 Q. And then he -- is this Darrell talking now
24 or Betty?

1 MS. EKL: Objection. Form.

2 A. That was -- that was Darrell.

3 Q. That's Darrell talking?

4 A. That's what he referred -- that's what he
5 passed on that Betty in essence had told him is what
6 they got into the family -- the deal over.

7 Q. And then it says, "Saw Bob Morgan standing
8 at bottom of stairs when he entered the residence.
9 Bob told Darrell 'You didn't see me'. And Darrell
10 said 'okay'. Darrell talked to Morgan at post office
11 three days later, Bob met Darrell at Darrell's shop
12 and offered Darrell \$25,000 cash, \$25,000 property,
13 to keep his mouth shut."

14 Is that your writing as well?

15 A. That it is, sir.

16 Q. And is Darrell telling you this as well?

17 A. No, that's Paula Myers.

18 Q. All right. So when did you talk to Paula
19 Myers?

20 A. Right after we left Darrell's house.

21 Q. All right. So Darrell tells you that he
22 had a conversation with Paula Myers and that she said
23 that -- is Darrell telling you what Paula Myers said
24 that he said?

1 A. No. Darrell is telling me what Betty had
2 got into him over that Paula Myers had told Betty
3 supposedly by phone.

4 Q. So what we have here is Paula Myers telling
5 Betty what Darrell supposedly said?

6 A. Exactly.

7 Q. And in this note you're recounting,
8 according to you, what Darrell's telling you that
9 Betty told him that Paula Myers said about him.

10 A. Right.

11 Q. Right? But you don't indicate what Darrell
12 says about this in your note, do you?

13 A. No.

14 Q. What did Darrell say about what Betty said
15 that Paula said that he said?

16 A. Darrell said none of it was true and he
17 never said it.

18 Q. Well, why didn't you write that down?

19 A. Well, I didn't.

20 Q. Well, you did write down -- so -- so did
21 you believe Darrell?

22 A. Well, then after we left Darrell's --

23 Q. You go talk to Paula Myers?

24 A. We run down Paula Myers and she says that

1 she has never had any conversation with Betty
2 Herrington and that she has never made them comments,
3 but what she had heard floating around the bars is
4 that (indicating), that part of it.

5 Q. So you --

6 MS. SUSLER: Pointing to?

7 Q. "Saw Bob Morgan standing at bottom of
8 stairs"?

9 A. Yes.

10 Q. So it's your testimony now that Darrell
11 didn't tell you that?

12 MS. EKL: Objection to the form of the
13 question.

14 A. My testimony is that Darrell told us
15 what --

16 Q. Right. I understand.

17 A. And what you are asking me -- no, Darrell
18 said he never said any of that.

19 Q. But you -- but you didn't find out what
20 Paula Myers said about Bob Morgan until after you
21 talked to Darrell, right?

22 A. Right.

23 Q. Did you go back to Darrell and say, well,
24 Paula's saying that Bob Morgan was standing at the

1 bottom of the stairs when he entered the residence
2 and Bob told Darrell "you didn't see me" and that
3 Darrell said "okay", and that Darrell talked to
4 Morgan at the post office three days later and Morgan
5 met Darrell at Darrell's shop and gave him fifty
6 grand, twenty-five in cash and twenty-five in
7 property?

8 A. But Paula never told Darrell that, Paula
9 just said that was the bar talk around town that she
10 had heard.

11 Q. I understand. But did you go back to
12 Darrell and ask him if the bar talk was true that
13 Paula was talking about?

14 A. No.

15 Q. Okay. And in your -- in this note you
16 never say it was bar talk, right?

17 A. No.

18 Q. And you never say who said it, right?

19 MS. EKL: Objection. Form.

20 Q. It doesn't say on this note who said that
21 they saw Bob Morgan standing at the bottom of the
22 stairs. If you read this note you could assume that
23 Darrell Herrington told you that just as easily that
24 Paula Myers said it was bar talk, right?

1 MS. EKL: Objection. Form, foundation.

2 A. Yes, sir.

3 Q. And why is it that as a detective then you
4 write down, "Talked to Paula Myers, says -- denies
5 that she told -- that Darrell said this to her, but
6 says there is talk in the town that Bob Morgan gave
7 Darrell money and was standing at the bottom of the
8 stairs when Darrell went in the residence"; why
9 didn't you write that down and put that in the
10 report?

11 A. I don't know.

12 Q. And why doesn't the first part of the
13 report indicate who had the conversation with Paula
14 Myers, what Paula Myers said, the fact that Darrell
15 denied it, why isn't any of that in the report?

16 MS. EKL: Objection to the form of the
17 question.

18 Q. In the note.

19 A. Well, I know who was there, it was Gene and
20 Gary and I.

21 Q. But this -- isn't this something that would
22 be important to Steidl and Whitlock in their
23 postconviction and appeals that there's information
24 going around that connects Bob Morgan to it, there's

1 information going around that Darrell was paid off to
2 keep his mouth shut, that in fact the numbers being
3 talked about were similar to the original reward that
4 was offered, all of that information, that was
5 significant information to write down and put in a
6 report, wasn't it?

7 MS. EKL: Objection. Form, foundation.

8 A. We didn't feel at the time because when we
9 went back to Paula Myers, she said she had never made
10 the statement to Betty, who is the one that reported
11 that Paula Myers had told her, so we just -- we just
12 put the notes in the box. We didn't try to hide
13 anything, we just put it in the evidence box.

14 Q. Well, you -- maybe you didn't try to hide
15 anything, but you knew if you didn't put it in a
16 report it would never go into official channels and
17 Mike McFatriidge would never see it and it would never
18 be subject to being turned over to Randy's lawyers or
19 Herbie's lawyers so that they could do whatever they
20 could with it to attempt to get them free, right?

21 MS. EKL: Objection. Form, foundation.

22 MS. STANKER: Objection. Form.

23 A. I wouldn't have done that, no.

24 Q. Well, let's face it, as an investigator,

1 you would know that a defense lawyer who had
2 information, even if it were rumor that Bob Morgan
3 was involved in this and he was paying off the key --
4 one of the two key witnesses to keep his mouth shut,
5 that would be something that the defense lawyers
6 would want to have and would be entitled to have,
7 right?

8 MS. EKL: Objection. Form, foundation.

9 A. If it was true.

10 Q. Well, they'd be entitled to know the
11 information and then you could put in the report
12 Darrell denies it, Paula Myers denies it, but
13 certainly you should have written it all down in
14 great detail and put it in a report and let everybody
15 decide the importance of it; that wasn't your job to
16 decide truth, not truth, importance or not
17 importance, that was someone else's job, right?

18 MS. EKL: Objection. Form, foundation.

19 A. According to how you look at it.

20 MS. STANKER: Objection.

21 Q. Well, tell me, would you agree with me that
22 the proper way to approach this as a law enforcement
23 officer would not to be to write -- write a report on
24 Darrell Herrington's shopping list and -- and put it

1 in the evidence box but rather to write an official
2 Paris Police Department laying out who said what,
3 when, who denied what, when, et cetera, et cetera,
4 that would be a proper way for a detective to
5 approach this particular information in a double
6 homicide, wouldn't it?

7 MS. EKL: Objection. Form, foundation.

8 A. At the time I felt no.

9 Q. I am asking you now.

10 MS. EKL: Objection. Form, foundation.

11 A. Probably still no.

12 Q. So you stand by the fact that there was no
13 reason to put this in an official report or have this
14 information supplied to Steidl or Whitlock's lawyers,
15 is that what your testimony is?

16 MS. EKL: Objection. Form.

17 A. No, I guess not.

18 Q. Well, was that a decision that you and Gene
19 Ray made?

20 A. I don't know if there was anybody involved
21 in it or just all me.

22 Q. Well, Gene Ray was with you when all the
23 information -- he went down to talk to Paula Myers as
24 well, didn't he?

1 A. Yes, he was there and so was Gary Wheat.

2 Q. And Gary Wheat. So the three of you guys
3 were all privy to all the information on this -- on
4 these notes as well as information that -- that you
5 tell us here today in addition; is that right?

6 A. Yes.

7 Q. Okay. And in fact, whoever -- do you know
8 who took these notes, who made out this police
9 report?

10 A. Sir, I have no idea.

11 Q. But according to that police report Paula
12 Myers had recounted a whole conversation that Darrell
13 and Paula had, right?

14 MS. EKL: Objection. Form. Calls for
15 speculation. Foundation.

16 Q. Is that right?

17 A. That's what Betty reported that she had
18 heard.

19 Q. Did you talk to Betty in all of this?

20 A. I'm sure we did.

21 Q. Well, where --

22 A. Her report would be on that report you have
23 right there. That would be the original report come
24 into the police department.

1 Q. Oh. So Betty -- but Betty confirmed that
2 Paula had told her this, right?

3 MS. EKL: Objection. Form, foundation.

4 A. Betty was called -- the caller to Betty was
5 told -- she identified herself as Paula Myers.

6 Q. So Betty -- so you have two conflicting
7 reports here. You have Betty saying Paula Myers said
8 this and you had Paula Myers telling you that she
9 didn't say at least some of it, but she volunteered
10 some other information about Bob Morgan, right?

11 MS. EKL: Objection. Form.

12 A. Yes.

13 Q. But you never went to Betty to talk to her
14 after you had the original report from her; is that
15 right?

16 A. I don't recall we went to her house or not.

17 Q. Okay.

18 MS. EKL: We are now 15 minutes past the
19 four hours, if you have a couple questions you
20 want --

21 MR. TAYLOR: I do. I have about five
22 minutes worth of questions and that's it.

23 BY MR. TAYLOR:

24 Q. Was Bob Morgan still a suspect in 1987 when

1 you -- when you got this information?

2 A. No, sir.

3 Q. So this didn't -- the fact that -- if in
4 fact it were true that Bob Morgan had given Darrell
5 Herrington \$50,000 to keep his mouth shut, he'd
6 become a suspect pretty quickly, wouldn't he?

7 A. If we could prove it, yes.

8 Q. Yes. And in fact it would also raise
9 serious questions about Darrell's testimony at both
10 of the trials, wouldn't it?

11 A. If it was proven true, yes.

12 Q. Okay. Now, did you know of a --

13 MS. EKL: Are we going into a whole other
14 topic?

15 MR. TAYLOR: It's only about three
16 questions.

17 Q. Were you familiar with a psychological
18 evaluation done by a psychologist by the name of
19 Brophy --

20 MS. EKL: Objection. Foundation.

21 Q. -- of Debbie. I'm sorry. A psychological
22 evaluation of Debbie.

23 A. I don't recall if I was or not but I
24 know -- I remember Pat Brophy.

1 Q. And when -- do you know whether Brophy
2 examined Debra Rienbolt?

3 A. I have no idea.

4 Q. Were you during the trial making any effort
5 to monitor the -- the alcohol or -- use or abuse of
6 Darrell Herrington?

7 A. No.

8 Q. And when you saw him at the courthouse
9 could you tell whether he was sober or drunk?

10 A. I don't recall.

11 Q. All right. Okay. The only thing I have
12 left is for you to sign this HIPAA agreement that you
13 said that you would sign at the last deposition and
14 we never had you --

15 MS. EKL: I don't recall that and I think
16 in the past you have asked for medical records and
17 you were looking for something specific. We obtained
18 his medical records, there wasn't -- I forget what it
19 was you were looking for. It wasn't included in the
20 records. We can deal with it off the record, get
21 whatever medical records you are entitled to. I'm
22 not going to just have him blanketly turn over his
23 authorization to you. He's a part of this case. You
24 can get the records through us.

1 MS. SUSLER: Just for the record, we ended
2 up sacrificing time for areas that we needed to cover
3 because we just got that stuff from the ISP that ate
4 up a significant amount of the time, just so that you
5 know. We ended a teeny bit over having to consume
6 the time that we wanted to use for other things, but
7 because this came up we did that.

8 MS. EKL: And I allowed you to go long
9 because I realized that you needed to wrap up
10 questions regarding this area. I think I have been
11 more than generous, I gave you a lot of time, the
12 judge gave you more, I gave even more.

13 MR. RAUB: We're done.

14 (Concluding at 3:05 p.m.)

15 AND FURTHER THE DEPONENT SAITH NOT

16 (Signature Reserved)

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1 STATE OF ILLINOIS)
)
2 COUNTY OF VERMILION)

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I, Amy Prillaman Neubaum, a Certified Shorthand
4 Reporter, in and for the County of Vermilion, State
of Illinois, do hereby certify that JAMES PARRISH,
5 the deponent herein, was by me first duly sworn to
tell the truth, the whole truth and nothing but the
6 truth, in the aforementioned cause of action.

That the foregoing deposition was taken on
7 behalf of the Plaintiffs, at the offices of Area Wide
Reporting, 301 West White, Champaign, Illinois, on
8 August 21, 2009;

That said deposition is a true record of the
9 testimony given by the deponent and was taken down in
stenograph notes and afterwards reduced to
10 typewriting under my instruction; and that it was
agreed by and between the witness and attorneys that
11 said signature on said deposition would not be
waived.

I do hereby certify that I am a disinterested
12 person in this cause of action; that I am not a
relative of any party or any attorney of record in
13 this cause, or an attorney for any party herein, or
otherwise interested in the event of this action, and
14 am not in the employ of the attorneys for either
15 party.

IN WITNESS WHEREOF, I have hereunto set my hand
16 this 27th day of August, 2009.

17

18 _____
AMY PRILLAMAN NEUBAUM, CSR, FCRR

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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
STATE OF ILLINOIS

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GORDON RANDY STEIDL,)	
Plaintiff,)	
vs.)	No. 05-CV-2127
CITY OF PARIS, Present and Former)	
Paris Police Officials Chief Gene)	
Ray and Detective James Parrish;)	
former Illinois State Trooper Jack)	
Eckerty; former Edgar County)	
State's Attorney Michael)	
McFatrige; EDGAR COUNTY; and)	
Illinois State Police Officials)	
Steven M. Fermon, Diane Carper,)	
Charles E. Brueggemann, Andre)	
Parker and Kenneth Kaupus,)	
Defendants.)	
-----)	
HERBERT WHITLOCK,)	
Plaintiff,)	No 08-CV-2055
vs.)	
CITY OF PARIS, Present and Former)	
Paris Police Officials Chief Gene)	
Ray and Detective James Parrish;)	
former Illinois State Trooper Jack)	
Eckerty; former Edgar County)	
State's Attorney Michael)	
McFatrige; EDGAR COUNTY; and)	
Illinois State Police Officials)	
Steven M. Fermon, Diane Carper,)	
Charles E. Brueggemann, Andre)	
Parker, Kenneth Kaupus and Jeff)	
Marlow; and Deborah Rienbolt,)	
Defendants.)	

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This is to certify that I have read the transcript of my deposition taken in the above-entitled cause, and that the foregoing transcript taken on August 21, 2009, accurately states the questions asked and the answers given by me, with the exception of the corrections noted, if any, on the attached errata sheet(s).

JAMES PARRISH

Subscribed and Sworn before me
this _____ day of
_____, 2009.

Notary Public

RETURN TO:
AREA WIDE REPORTING
301 WEST WHITE ST.
CHAMPAIGN, IL 61820