

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
9 Gene Ray and Detective James Parrish;
10 former Illinois State Trooper Jack
11 Eckerty; former Edgar County
12 State's Attorney Michael McFatridge;
13 EDGAR COUNTY; and Illinois State
14 Police Officials Steven M. Fermon,
15 Diane Carper, Charles E. Brueggemann
16 Andre Parker and Kenneth Kaupus,
17 Defendants.

18 -----
19 HERBERT WHITLOCK,
20 Plaintiff,

21 vs.

No. 08-CV-2055

22 CITY OF PARIS, Present and Former
23 Paris Police Officials Chief Gene
24 Ray and Detective James Parrish;
former Illinois State Trooper Jack
Eckerty; former Edgar County
State's Attorney Michael McFatridge;
EDGAR COUNTY; and Illinois State
Police Officials Steven M. Fermon,
Diane Carper, Charles E. Brueggemann
Andre Parker, Kenneth Kaupus and
Jeff Marlow; and Deborah Reinbolt,
Defendants.

DEPOSITION OF GARY L. CASH
June 20, 2008
10:00 a.m.

Barbara A. Glover, CSR # 084-001223

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I N D E X

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1 10:07 a.m.

2 GARY L. CASH

3 the deponent herein, called as a witness, after
4 having been first duly sworn, was examined and
5 testified as follows:

6

7 EXAMINATION CONDUCTED

8 BY: MS. SUSLER

9

10 Q. Would you state your name and spell it
11 for the record, please?

12 A. Gary L. Cash, G-a-r-y, L., C-a-s-h.

13 Q. What's the L stand for?

14 A. Lee.

15 Q. Okay. As you know, I represent Randy
16 Steidl in this matter, and I'm going to be asking
17 you a series of questions. If you don't
18 understand, I need you to let me know. All
19 right?

20 A. Okay.

21 Q. Of course you know from testifying
22 throughout your career, I'm sure, you have to
23 verbally speak your answers.

24 A. Right.

1 Q. And do me a favor, because sometimes
2 this has been happening in the depts. Even if you
3 think you know what I'm going to ask you, wait
4 until I finish before you start answering,
5 because it makes it easier for the court
6 reporter.

7 A. Okay.

8 Q. If you want a break, just holler, and
9 if you don't understand something, you need to
10 let me know. Otherwise, I'll assume that you
11 did.

12 A. Okay.

13 Q. All right. Where are you currently
14 employed?

15 A. Paris Illinois Police Department.

16 Q. How long have you been so employed?

17 A. Twenty-two years July 1st.

18 Q. I see from the card you provided me
19 that you're a juvenile officer and a fire
20 investigator?

21 A. Yes.

22 Q. How long have you been a juvenile
23 officer?

24 A. Since 1986.

1 Q. Are you the only juvenile officer?

2 A. No, we have four.

3 Q. In 1986 you were -- at the time of the
4 Rhoads homicides you were a juvenile officer?

5 A. At the time of the Rhoads homicide, I
6 was still in PTI school.

7 Q. Can you say what PTI stands for?

8 A. Police Training Institute.

9 Q. When did you go to the PTI?

10 A. July 1st.

11 Q. And was that your -- was that your
12 first assignment?

13 A. That was the initial training and
14 first assignment type thing.

15 Q. So you were already hired by the Paris
16 Police Department by July 1st?

17 A. I was hired June 29th, and I went to
18 school July 1st.

19 Q. Okay. How long did the PTI training
20 last?

21 A. Twelve weeks.

22 Q. So you would have completed it --
23 that's like three months, July to August,
24 September, October -- end of October?

1 A. It would have been somewhere around
2 the middle to the end of October, yes.

3 Q. How long have you been a fire
4 investigator?

5 A. Since 1989.

6 Q. Before you became a fire investigator
7 in 1989, did the Paris Police Department have
8 another fire investigator?

9 A. No.

10 Q. You were the first?

11 A. I was the first.

12 Q. Do you know why the police department
13 decided it needed a fire investigator in 1989?

14 A. The current fire chief and the chief
15 at the time, since we were doing a joint thing as
16 far as investigations with an officer showing up
17 at the scene, they needed somebody there who knew
18 something about how -- the fire strategy and how
19 it worked, we -- they sent me to school.

20 We went to the Fire Training Institute
21 here at the U of I. Went back. Steve Wirth from
22 the fire department also went with me at that
23 time, so that gave each department an
24 investigator.

1 My basic thing was having powers of
2 arrest.

3 Q. Did you in your capacity as fire
4 investigator have any relationship to the Rhoads
5 homicide case?

6 A. No.

7 Q. After you finished with your training
8 at the PTI, what was your next assignment at
9 Paris Police Department?

10 A. Road patrol.

11 Q. How long did you do that?

12 A. I did that from October of '86 through
13 I believe it was March of 1990.

14 Q. Did you have a rank when you were
15 doing the patrol?

16 A. Just patrol officer.

17 Q. What happened in March of 1990?

18 A. March of 1990 my boss did a lateral
19 transfer from road patrol to the detective
20 division.

21 Q. So that wasn't considered a promotion?

22 A. No. It was just a lateral transfer.

23 Q. Did you have any training to be a
24 detective?

1 A. After I got the assignment, I went to
2 several investigation schools over the years, but
3 there wasn't anything initial up to that point.

4 Q. When was the first time you did
5 training in your capacity as a detective?

6 A. That, I can't recall.

7 Q. How long after you became a detective?

8 A. Giving a good guess, I would say
9 probably a month, month and a half before we did
10 any major training.

11 Q. Did you have any relationship to the
12 Rhoads homicides in your capacity as a detective?

13 A. Yes. Mostly as evidence transfer.

14 Q. You say mostly. Was there some other
15 capacity?

16 A. No, I mean it was -- I mean that was
17 the basic thing. That's all I had to do with it
18 was the transfer of evidence with requests from
19 the Attorney General's Office or requests from
20 Metnick's office, Bill Clutteur.

21 Q. And can you tell me what specific
22 evidence you transferred with respect to the
23 Rhoads homicide?

24 A. I know that they came down once --

1 Q. They meaning?

2 A. Well, I mean Mr. Metnick's office and
3 Mr. Clutteur, they were wanting to look at some
4 burnt knives that we had in evidence. There was
5 a representative from the Attorney General's
6 Office there too.

7 They requested that they be able to
8 test the knives. Paperwork was set up through
9 the Attorney General's Office. The knives were
10 hand receipted to them, and then the knives came
11 back certified U. S. Mail. What time they came
12 back, I can't really say. I know it was I would
13 say a year to two years later, I believe. They
14 went back into evidence.

15 Q. And these were knives that the Paris
16 Police Department had in its custody?

17 A. They were knives that was in an
18 evidence box that was marked Rhoads homicide.

19 Q. When did you first learn of the
20 existence of the knives?

21 A. Probably the day that Mr. Clutteur
22 contacted the Attorney General's Office and they
23 contacted me referencing if we had them in our
24 possession.

1 Q. Who from the Attorney General's
2 Office?

3 A. I believe it was Lea Norbutt.

4 Q. N-o-r-b --

5 A. N-o-r-b-u-t-t. First name was L-e-a.

6 Q. And what did you do to determine
7 whether the Paris Police Department had these
8 evidence?

9 A. Basically went to the evidence locker.
10 There was two or three boxes of evidence. There
11 were some knives in the bottom of it. I called
12 Ms. Norbutt back, advised her of the situation.

13 She said that they would be down to
14 look at them, and then when they were down,
15 that's when the possession of the knives were
16 turned over to Mr. Clutteur and Metnick's office.

17 Q. When did people from Mr. Metnick's
18 office and Mr. Clutteur come to see the burnt
19 knives?

20 A. That, I don't recall what date it was.

21 Q. Do you remember the year?

22 A. I'm thinking 1995.

23 Q. Who from the Attorney General's Office
24 was present when they inspected the evidence?

1 A. John Carter.

2 Q. Was anyone else present during that
3 inspection?

4 A. I believe it was just Mr. Carter and
5 Mr. Clutteur at that time.

6 Q. You mentioned something about an
7 evidence locker.

8 A. Our evidence locker at the time was a
9 secured room in the back of city hall, and it was
10 like a room within a room. We had built it
11 inside, because we were -- the department itself
12 was growing at that time, and we didn't have
13 enough room in the main building to put the
14 locker, but it was a secured room.

15 Q. Who had access to that room?

16 A. The chief and myself.

17 Q. When was that room created?

18 A. I would say approximately 1988, early
19 1989.

20 Q. Before that, where was evidence
21 stored?

22 A. That, I couldn't tell you, because I
23 wasn't in charge of evidence. That was up to the
24 detectives. I really couldn't tell you.

1 Q. Now, you just said you weren't in
2 charge of evidence before that. At some point in
3 time did you become in charge of evidence?

4 A. When they did the lateral -- my
5 lateral move from road patrol to detective
6 division in 1990, that's when I became the keeper
7 of evidence.

8 Q. Okay. So in March of 1990?

9 A. Uh-huh.

10 Q. Is that a yes?

11 A. Yes.

12 Q. And maybe it would help if you
13 described what your duties were when you became a
14 detective?

15 A. My duties as detective since I was a
16 juvenile officer I would handle any juvenile
17 matters that would come in. I also handled any
18 criminal matters that come in. I was in charge
19 of evidence and in charge of basic investigation
20 if there was an investigation to be done.

21 Q. Was there anybody else in the
22 department who had any responsibility for the
23 custody of the evidence?

24 A. Not up until I had -- my first year I

1 was in detectives I was back there by myself
2 pretty much for like ten months. Then about ten
3 months later they put another person in with me,
4 and at that time he also would have a key to the
5 evidence room to log in evidence.

6 Q. And who was that?

7 A. That would have been Roger Hopper.

8 Q. How long were you a detective?

9 A. From 1990 until January of the year
10 2000.

11 Q. From March of 1990 --

12 A. No, January 1st, 2000.

13 Q. And did your duties and
14 responsibilities remain the same throughout --

15 A. No, they changed.

16 Q. Okay. Why don't you tell me about
17 that?

18 A. 2000 we had two supervisors retire. I
19 was already a sergeant at the time, and the new
20 chief who came in who had been previously
21 employed with the department said I need you to
22 go back out and take over a midnight shift,
23 because we were two midnights shifts and two day
24 shifts. They're 12 hour shifts.

1 When one supervisor is off, the other
2 supervisor is on. We try to keep a supervisor on
3 24/7 which is hard at times during vacation time.

4 Q. When did you make sergeant?

5 A. 1999.

6 Q. So, if I understand you correctly,
7 your duties changed in 2000?

8 A. Yes.

9 Q. And you were already a sergeant, so
10 you went on to midnights?

11 A. Yes.

12 Q. But did your responsibilities remain
13 the same?

14 A. No. My responsibilities -- the
15 responsibilities -- the evidence -- all the
16 detective division was turned over to whoever
17 they put back there at the time, and I can't
18 remember who he assigned back as a detective at
19 that time. I'm thinking it was Officer Littleton
20 who is now the deputy chief, but at that time
21 they assumed all responsibilities for any
22 evidence that would be there. They also assumed
23 responsibilities for all investigations that
24 would be coming in or any interviews or anything

1 like that that would be done on criminal matters.

2 Q. So after 2000 you continued to be
3 responsible for juvenile matters?

4 A. I was responsible for some juvenile
5 matters and some fire investigations, because the
6 fire department had since sent two more people
7 through arson investigation school, and the
8 police department had two more people who had
9 been through arson investigation school.
10 Basically, if it happened on my shift, I would
11 try to take care of it, unless it was going to be
12 an extended investigation. Then we would turn it
13 over to investigations.

14 Q. After 2000, when was the next time
15 your title or rank or duties changed?

16 A. So far I'm still midnight supervisor.
17 It's been eight years.

18 Q. Who was the chief of police when you
19 were hired?

20 A. Gene Ray.

21 Q. Do you know how long he had been the
22 chief by 1986?

23 A. No, ma'am, I can't tell you that. I
24 don't recall.

1 Q. Do you know whether he was new on the
2 job?

3 A. He had been there for a while, because
4 he -- I believe that he became chief right after
5 the previous chief retired. The previous chief
6 before that was Carter Metcalf, I believe.
7 M-e-t-c-a-l-f.

8 Q. Was there a time when Gene Ray ceased
9 being the chief?

10 A. Yes, but I don't recall what year Mr.
11 - the next one who was there would have been Eric
12 Isom out of Chicago, and I can't remember what
13 year he started.

14 Q. Do you remember whether you were a
15 sergeant when he started?

16 A. That, I don't recall. I believe I
17 was.

18 Q. So somewhere around 1999 --

19 A. Yeah, somewhere around that period of
20 time.

21 Q. What were the circumstances under
22 which Gene Ray ceased being chief?

23 A. I think it was due to health problems.

24 Q. When you joined the department in

1 1986, how many officers were in the department?

2 A. I believe there was approximately --
3 I'm just going to have to give you an approximate
4 14 to 16. I believe that's what manpower status
5 at that time were.

6 Q. And then you had two shifts, you
7 said --

8 A. Well, no, back then we were working --
9 the road patrol was working eight hour shifts
10 then. They had three shifts. One was 7:00 to
11 11:00, 11:00 to 7:00, and 3:00 to 11:00, and then
12 they had a swing shift of 6:00 p.m. to 2:00 p.m.

13 The detective division at the time
14 worked eight hours. We started at 8:00 in the
15 morning and went until 4:00 in the afternoon.

16 Q. So the detectives only worked 8:00 to
17 4:00?

18 A. Unless they were called out for an
19 emergency or they had, you know, like they had a
20 crime scene they needed to check or something.

21 Q. Who were the detectives back in 1986?

22 A. Back in '86 was Jim Parrish and Gary
23 Wheat.

24 Q. And who were road patrol?

1 A. Let's see, okay. There was Jim
2 Lindley, Rick Kennedy, Ray Sollars, Chuck Jones,
3 Albert Houck, Scott Young, Dave Latham, myself,
4 Gary Butler, and I believe that's it.

5 Q. I counted nine. Would that be about
6 right?

7 A. That would be about right, because
8 when I got hired, they were down two or three
9 people at that time when I got hired, so that
10 would be about right.

11 Q. So if we have nine plus the two
12 detectives is 11. You said you thought there
13 were 14 to 16. What were the other?

14 A. Well, you would have the chief would
15 be counted in there, and, like I said, we were
16 down two to three people at that time, so we were
17 filling stats after that.

18 Q. So your memory is then you've named
19 who was on the force?

20 A. I've named about everybody I can
21 remember being there in that year.

22 Q. Okay.

23 A. There was one more, Ron Humphrey.

24 Q. Ron Humphrey?

1 A. Yeah, H-u-m-p-h-r-e-y. He's now the
2 current chief.

3 Q. Was there anyone in charge of training
4 back in 1986?

5 A. Jim Lindley.

6 Q. And what were his responsibilities, if
7 you know?

8 A. The best I can recall, we did a lot of
9 like teleconferencing training. They would send
10 video tapes and stuff in. They would try to send
11 us to as many schools as what time constraints
12 and people constraints would allow. Most of our
13 training was through Eastern Illinois Training
14 Center in Charleston through Police Training
15 Institute.

16 Q. It sounds to me like you're saying
17 that the training wasn't taught by Mr. Lindley?

18 A. No, he was just in charge of making
19 sure that if he could get somebody into the
20 class, that he would get them in if the guys
21 wanted to go.

22 Q. So his job was basically to look
23 for --

24 A. Yeah, it was kind of an administrative

1 end of it.

2 Like I said, we were hooked up with
3 Eastern Illinois training, and they would send
4 out a roster of the schools they're going to be
5 having, and they would put a list on the board
6 for the people that wanted to go that month if
7 they wanted to go to that training.

8 Q. Once you had graduated from the PTI,
9 what, if any, training was required by the Paris
10 Police Department?

11 A. Most of it was individual training.
12 Yearly we had to qualify with the weapons. We
13 qualified twice a year with them, and then other
14 basic training other than that, it was just up to
15 the officer themselves. If they wanted to go to
16 a school, they would try to get them into a
17 school.

18 Q. I'm sorry.

19 A. Most of the classes at the training
20 center in Charleston they were only one-day
21 classes, maybe two at the most.

22 Q. If I understand you correctly, the
23 only required training by the Paris Police
24 Department was the two year -- I'm sorry, twice a

1 year you had to qualify?

2 A. We qualified with the weapons twice a
3 year.

4 They would also have like -- there
5 would be traffic update classes as far as traffic
6 laws that we would go to, but most of those are
7 real simple. I mean they were the
8 teleconferencing type thing. They would send a
9 tape over, and Lindley would sit down with us in
10 this room, and we would go through the tape and
11 do this question thing, and there would be a
12 short little quiz after it. It was pretty much
13 an impromptu thing, but I mean it was a training.

14 MS. EKL: And just to be clear -- I'm
15 sorry, I couldn't get in -- the answer came
16 quickly after the question. I just want to make
17 sure your question was in addition to the PTI
18 training?

19 MS. SUSLAR: Oh, yeah. Yeah.

20 MS. EKL: Okay.

21 BY MS. SUSLAR:

22 Q. Was there any other required training?

23 A. To my knowledge, no.

24 Q. Whatever other training any individual

1 officer took, it was based on his own initiative?

2 A. Yeah, it was strictly on his own
3 initiative. Like I said, it was -- if it covered
4 the shift, we had enough people to cover the
5 shift, then they could go. They would furnish
6 transportation, and the officers would go.

7 Q. What -- when you became a Paris police
8 officer, what criteria existed for becoming a
9 Paris police officer?

10 A. At that time it was a high school
11 diploma, age 21, not have any criminal record --
12 background, I mean, as far as felony, misdemeanor
13 traffic tickets didn't count but no felony
14 crimes. That was pretty much it. You could pass
15 a physical fitness test.

16 Q. What is your highest level of
17 education?

18 A. I've got approximately six months of
19 college, freshman year of college. That was
20 about it. I dropped out after that.

21 Q. When did you do that?

22 A. That would have been in 1971.

23 Q. Where did you go?

24 A. Mattoon junior college.

1 Q. The name Cash has, I guess, a couple
2 of other people related to the case have come up
3 with the same last name. I just want to ask are
4 you related to any of the following people:
5 Penny Cash?

6 A. That name doesn't ring a bell.

7 Q. Okay. Rick Kash?

8 A. No.

9 Q. Okay. Or Richard Kash?

10 A. The only Richard Kash I know spells
11 his last name with a K, and he's an attorney in
12 Paris.

13 Q. No relation?

14 A. No.

15 Q. Hazel Cash?

16 A. I've never even heard of her.

17 Q. Okay. Just asking. Are you married,
18 sir?

19 A. Yes, I am.

20 Q. What's your wife's name?

21 A. Carol.

22 Q. What was her maiden name?

23 A. Hawkins.

24 Q. Do you know anyone with a last name

1 C-h-i-z-h?

2 A. Spell that again for me, please.

3 Q. C-h-i-z-h. I don't know how you
4 pronounce it. I'm sorry.

5 A. No.

6 Q. Anyone with a first name Aleskey?

7 A. No.

8 Q. Nataliya?

9 A. No.

10 Q. Okay.

11 MR. RAUB: These are not Paris,
12 Illinois, names.

13 BY MS. SUSLAR:

14 Q. All right. Let me just go back to the
15 Paris Police Department as it existed in 1986 and
16 1987. You said Gene Ray was the chief. Do you
17 know what his qualifications were to be the
18 chief?

19 A. No, ma'am, I don't.

20 Q. When you were first hired and you were
21 in patrol, was there a chain of command?

22 A. Yes.

23 Q. Can you tell me what that was?

24 A. At that time on the road patrol it was

1 you were a general patrol officer or a lieutenant
2 at the time. They had three lieutenants and one
3 captain, I believe. Lindley was a captain at
4 that time, and Gary Butler, Rick Kennedy, and
5 Chuck Jones were lieutenants.

6 Q. There were no sergeants?

7 A. I don't believe so. I don't recall
8 any.

9 Q. So if you were on patrol, you
10 responded to a lieutenant?

11 A. Yes.

12 Q. And then a captain?

13 A. Yes.

14 Q. All right. And then the chief?

15 A. Yes.

16 Q. Do you know what qualifications or
17 criteria were required for Parrish and Gary Wheat
18 to be detectives?

19 A. No.

20 Q. And when you made detective, were
21 there any criteria or qualifications that you had
22 to meet, that you're aware of?

23 A. No.

24 Q. Let me ask you a little about the

1 policy, practice and custom that existed in the
2 Paris Police Department in 1986 and 1987.

3 A. Okay.

4 Q. Did you -- tell me what that policy,
5 practice, or custom was with respect to
6 informants?

7 MS. EKL: Objection. Foundation.

8 THE WITNESS: That would -- the
9 informants were basically if somebody had an
10 informant, they pretty much kept the person's
11 name to themselves. I mean nothing ever --
12 nobody else ever knew the informant's names, put
13 it that way.

14 BY MS. SUSLAR:

15 Q. Was it a common practice to use
16 informants in investigations back in '86 and '87?

17 MS. EKL: Objection. Foundation.

18 THE WITNESS: I didn't do
19 investigations at that time.

20 BY MS. SUSLAR:

21 Q. I'm sorry?

22 A. I didn't do investigations at that
23 time.

24 Q. Do you have any knowledge of whether

1 the people who did investigations used
2 informants?

3 A. I have no knowledge.

4 Q. Do you know whether the department had
5 a policy about paying informants back then?

6 A. I couldn't tell you.

7 Q. Was there a time that you did learn
8 about the policy with respect to informants?

9 MS. EKL: Objection. Assumes facts
10 not in evidence.

11 THE WITNESS: There was never ever a
12 policy -- after I became an investigator, there
13 was never a policy that I remember, and I never
14 paid informants. All my informants were just --
15 most of my people would come up and just give me
16 information. I never had to go look for it.
17 They just came to me.

18 BY MS. SUSLAR:

19 Q. Do you know whether the department was
20 paying informants back in 1986 and 1987?

21 A. No, ma'am, I don't know.

22 Q. Do you know who any of the informants
23 were that were working with the department back
24 then?

1 MS. EKL: Objection. Assumes facts
2 not in evidence.

3 THE WITNESS: No.

4 BY MS. SUSLAR:

5 Q. What was the department's policy,
6 practice, and custom, if you know -- all of these
7 questions I'm asking are in the time frame of '86
8 and '87, so I don't have to keep repeating
9 myself --

10 A. Okay.

11 Q. -- with respect to training in report
12 writing?

13 A. Training in report writing was done --
14 the training was all done through the Police
15 Training Institute.

16 Q. And that -- you mean by that in the
17 initial training that an officer got --

18 A. Yes.

19 Q. -- before starting at the Paris Police
20 Department?

21 A. After they started at the police
22 department -- you had to be hired by a police
23 department before you could go to the training
24 institute, and while you were in the training

1 institute, that was one of the high dwell areas
2 they stayed upon was report writing. It was
3 usually a one to two-week course. You had a
4 class on it every day for at least one to two
5 weeks.

6 Q. What's your memory of what your
7 training was with respect to report writing from
8 the PTI?

9 A. They changed PTI in '86 when I was
10 there. We were one of the first groups that went
11 through. They extended to -- it was a 400-hour
12 class unless you were signed up for like juvenile
13 officer training or breath test operator.

14 We had -- after the second week, we
15 were on report writing roughly eight weeks, and
16 we had like an hour and a half or two-hour class
17 on it every day.

18 Now, while you were in report writing,
19 you also -- they taught you how to do accident
20 reports. I mean it was just the general report
21 thing itself.

22 Q. And what's your memory of what
23 specifically you were taught about report
24 writing?

1 A. Getting all the information on paper
2 and make it intelligent.

3 Q. What kind of training did you get with
4 respect to note taking?

5 A. Note taking, after I finished my
6 report, my notes I had, I destroyed.

7 Q. All right. Well, I understand that
8 was your practice. My question is what was the
9 training about note taking?

10 A. The training on note taking was when
11 you were through with your report, get rid of the
12 notes, because they're no longer needed.

13 Q. What was your training with respect to
14 what portion of your handwritten notes would be
15 included in the written report?

16 A. The only way that there would be a
17 handwritten report in a regular arrest or an
18 incident report would have been if it would have
19 been a voluntarily statement given by somebody.

20 Other than that, we didn't have any,
21 because in -- I'm thinking it was '87, early '88,
22 that's when we changed computer systems over and
23 the record keeping over, and everything was
24 generated through computer. I mean you typed in

1 your narrative and stuff on there, and you got
2 the rest of the information for the report, and
3 it was all typed out then.

4 Prior to that, if anybody did a report
5 and they couldn't type, they would have a -- they
6 would give a dispatcher a narrative sheet that
7 they had handwritten. They would give it to the
8 dispatcher.

9 A dispatcher would type it out on a
10 typewriter, give the handwritten copy along with
11 the typed copy back to the officer, have them
12 verify that that's what they wanted, and at that
13 time if the officer said yes, he would give her
14 back the typed copy, and then he would keep the
15 handwritten copy.

16 Q. What was the training with respect to
17 when you had handwritten notes, what was part of
18 those notes would ultimately end up in the
19 written report, the typed report?

20 A. I would never put any of mine in it,
21 unless it was a supplemental sheet that was on
22 department letterhead.

23 Q. Okay. I'm not making myself clear.
24 I'll try it one more time.

1 A. Okay.

2 Q. Let's say somebody told you they had
3 three dogs, and they witnessed a murder, and they
4 suffered from kidney disease, and you put all
5 that in your handwritten notes. What training
6 did you have to determine when the actual typed
7 report was written what from your handwritten
8 notes to include in that typed report? Would you
9 include the kidney disease?

10 A. No.

11 Q. Would you include the dogs? Okay?
12 What was your training?

13 A. My training on that was you would hand
14 write a narrative out -- if you were going to
15 have somebody else type it, you would hand write
16 it out, give it to the dispatcher to type. We
17 only had -- we didn't put any handwritten notes
18 in reports.

19 Q. Okay. I understand that. I am having
20 a hard time making my question clear.

21 MS. EKL: Can I maybe help?

22 MS. SUSLAR: Sure.

23 MS. EKL: I think she's looking for
24 what facts contained within the handwritten

1 report were then put into the typed report.

2 MR. RAUB: In other words, did you
3 mentally edit your handwritten notes before you
4 put them --

5 THE WITNESS: Yes, I would mentally
6 edit before I give them a copy to put into the
7 report, yes.

8 BY MS. SUSLAR:

9 Q. Now, my question is what was your
10 training about that editing process? What were
11 you taught about what to include and not to
12 include in a formally typed report?

13 A. Put in facts and don't ramble.

14 Q. Basically it was up to your
15 discretion?

16 A. Yes.

17 Q. What you included in your formal
18 written report?

19 A. Yes.

20 Q. What was the practice in the Paris
21 Police Department once an officer wrote or typed
22 the formal report? What would happen with that
23 report?

24 A. The report would be checked by the

1 shift supervisor for any errors like spelling
2 errors or grammar errors or anything like that.
3 If a copy was to go to the State's Attorney's
4 Office for prosecution, there would be another
5 copy made through the -- with a copy machine.

6 One copy would be stamped for the
7 State's Attorney's Office, and the other copy
8 would go into our files and be kept.

9 Q. The shift supervisor was what rank
10 person back in '86 and '87?

11 A. Lieutenant at the time.

12 Q. Was that true of the detectives as
13 well?

14 A. No, detectives took care of all their
15 own reports. They took care of basically their
16 own proofreading, as far as I know.

17 Nobody -- if the detectives did an
18 investigation, the only time a copy of that file
19 for investigation, if it ever came out to where
20 the road guys could read it, it would be in the
21 State's Attorney file going to the courthouse the
22 next day.

23 Q. So the process you're telling me about
24 the shift supervisor checking was for the patrol

1 officers?

2 A. Right.

3 Q. And for the detective reports back in
4 '86 and '87, do you know whether anyone approved
5 their reports?

6 MS. EKL: Objection. Foundation.

7 THE WITNESS: No, ma'am.

8 MS. EKL: Withdraw my objection.

9 THE WITNESS: No, ma'am, I don't.

10 BY MS. SUSLAR:

11 Q. Was it the practice back in '86 and
12 '87 that police reports would be routinely copied
13 to the State's Attorney's Office?

14 A. Yes, the original copy -- like if
15 there was an arrest report, if there was a
16 traffic ticket or anything like that, the two --
17 there was two copies of the ticket and a copy of
18 the arrest report that went to the State's
19 Attorney's Office. The third copy of the ticket,
20 which is the department copy, would be stapled to
21 the original hand typed report, and it would have
22 been put in our file, a hard copy, paper file.

23 Q. Were reports also routinely
24 disseminated to the chief of police?

1 A. The chief of police had access to all
2 the reports.

3 Q. Did you as a patrol officer have
4 access to the detective reports?

5 A. No.

6 Q. Did patrol officers work on homicide
7 investigations?

8 A. No.

9 Q. Who worked on homicide investigations?

10 A. Strictly the detectives. If the chief
11 was involved, he would be involved. I mean
12 he's the -- if it's a high profile case,
13 especially, the chief would be notified of what's
14 going on, who is working on it.

15 Other than -- most of the time,
16 though, it was pretty much if it was a major
17 case, the state police would be called, and they
18 would send an investigator in to help our
19 detectives determine what happened with the case.

20 Q. Why would the state police be called,
21 if you know?

22 A. They have access -- they had access to
23 the -- they've got a crime lab. They've got
24 people that do investigations totally one hundred

1 percent. That's all they do at the time. They
2 had the manpower they could assign people to a
3 case and stay with the case until it was taken
4 care of.

5 Q. If you know, back in '86 and '87 where
6 would the Paris Police Department send evidence
7 to be analyzed if the state police was not
8 involved in the investigation?

9 A. We would still send it to the state
10 police crime lab in Springfield.

11 Q. Let's go back to your training. Let
12 me ask you about the training that you got to
13 interview witnesses, suspects, victims. Did you
14 receive that training in the PTI?

15 A. No. Basic -- when they did my lateral
16 move to the detective, it was basically do you
17 have people skills where you can talk to people?

18 The one thing they taught in PTI was,
19 you know, Miranda is the first thing right off
20 the top. You know, if they voluntarily want to
21 give the information, you Mirandize them, ask
22 them about it, talk to them. If they admit to
23 it, you call the State's Attorney's Office, and
24 he would say this is what you need to do.

1 After I was in investigations for a
2 couple of years, I did go to the Reed School of
3 Interrogation.

4 Q. So, if I understand you correctly, at
5 the PTI you did not -- you weren't trained?

6 A. There wasn't -- they didn't dwell on
7 interrogation while we were in PTI.

8 Q. What, if any, requirements in addition
9 to the PTI did the Paris Police Department have
10 back in '86 and '87 for training with respect to
11 interviewing witnesses, victims, or suspects?

12 A. Any training that would have been done
13 would have been at -- if there would have been a
14 class offered through the training institute at
15 Charleston.

16 Q. And then it would just be up to the
17 officer?

18 A. It would be up to the officer if he
19 wanted to go, the chief would say, hey, you've
20 got my blessing. Go.

21 Q. But there wasn't really any
22 requirement?

23 A. There wasn't mandatory training, no.

24 Q. Let me go back to the report writing

1 for a minute. What training did you receive
2 about the disclosure of formal official police
3 reports to the State's Attorney or the defense?

4 A. The report would be sent to the
5 State's Attorney first. Any defense attorneys
6 who would want a copy would have to get that copy
7 through the State's Attorney's Office.

8 Q. And what training did you have with
9 respect to disclosing to the State's Attorney the
10 official police reports?

11 A. The State's Attorney had access to all
12 our reports.

13 Q. That was the practice back then?

14 A. Yes.

15 Q. In terms of training, did you have any
16 training with respect to what you were to
17 disclose to the State's Attorney?

18 A. No.

19 Q. And in terms of practice back then, do
20 you know whether -- well, strike that.

21 Do you know in the entire time you've
22 been with the Paris Police Department whether
23 anyone in the department has ever been
24 disciplined in any way with respect to report

1 writing?

2 A. Not to my knowledge.

3 Q. Do you know whether anybody has ever
4 been disciplined with respect to interviewing
5 witnesses, suspects, or victims?

6 A. Not to my knowledge.

7 Q. Maybe now would be a good time to ask
8 you about the -- some disciplinary mechanism that
9 existed and exists in the Paris Police Department
10 for officers accused of violating the rules and
11 regulations.

12 Is there any such a procedure?

13 A. Yes, we've got a policy in place if it
14 comes to the attention or somebody from the
15 public brings it to the attention that there's a
16 problem with an officer, it's up to the officer's
17 supervisor to talk to the person, find out what
18 their problem is and then talk to the officer to
19 find out what happened on their side. Okay?

20 Then they go through -- you can be an
21 oral reprimand. You can be a written reprimand.
22 You can be suspended. You can have unofficial
23 counseling.

24 I mean that's the basic -- but as of I

1 believe it was 1990 there was a policy in place
2 that was put into the standard operating
3 procedure manual for the city by the then chief.

4 Q. How about before that?

5 A. Before that, I believe it was up to
6 the discretion of the chief, if I remember right.
7 I mean our operating policy before that, there
8 wasn't -- I mean we went from something like this
9 (indicating) to something like three and a half
10 inches thick.

11 Q. Can you measure what the first thing
12 was that you said was something like this?

13 A. Well, that was -- that was put out by
14 the police and -- fire and police commissioners,
15 and it was just basic policy, and then we had
16 general rules of the department. You know,
17 you're under the direct supervision of the chief.
18 You will follow his guidelines in whatever he
19 sets down, and that was pretty much it.

20 Q. Pretty general?

21 A. It was general.

22 Q. Just a few pages?

23 A. It might have been eight pages total.

24 Q. Okay. And that changed in 1990?

1 A. I believe it was 1990. It was when
2 Chief Boren was there. I think it was '90. I
3 can't be sure on the date without looking on the
4 front of the policy manual.

5 Q. Are you aware in your history at the
6 Paris Police Department of whether any officer
7 ever reported another officer for violating the
8 rules?

9 A. I don't recall any. Not to my
10 knowledge.

11 Q. Are you aware whether anybody was ever
12 disciplined in any way for withholding
13 exculpatory evidence?

14 A. Not to my knowledge.

15 Q. You know what I mean by exculpatory
16 evidence?

17 A. Yes. Not to my knowledge.

18 Q. Do you know whether anybody was ever
19 reported for withholding or not producing
20 exculpatory evidence?

21 A. Not to my knowledge.

22 Q. Do you know whether Jim Parrish was
23 ever the subject of any allegation of rule
24 violations?

1 A. Not to my knowledge.

2 Q. Do you know whether he was ever
3 disciplined for any rule violations?

4 A. No, ma'am. He was -- he was only
5 there for a couple, three years after I started,
6 and then he quit, so, you know, prior to that, I
7 really don't know, and we didn't have anything --
8 I mean the road patrol guys were basically a
9 separate entity away from investigations, and
10 usually when I was working, they were gone, so...

11 Q. How about Chief Ray, do you know
12 whether he was alleged to have violated any
13 rules?

14 A. No, ma'am, I don't.

15 Q. Do you know whether he was ever
16 disciplined in any way?

17 A. I don't recall any.

18 Q. Do you know -- you said Jim Parrish
19 left a couple, three years after you joined the
20 force. Do you know what the circumstances were
21 of his leaving the department?

22 A. No, ma'am, I don't.

23 Q. Do you know where he went when he left
24 the department?

1 A. I believe he went to work for a
2 construction company. I know he had a few -- I
3 mean a couple pieces of heavy equipment while he
4 was working for the police department, but I
5 believe he went to work for another company. I
6 think it was mostly due to monetary stuff,
7 because we weren't being paid the best back then,
8 and construction work seemed to be the best pay,
9 so...

10 Q. And do you know whether he left the
11 department for any reason before those two or
12 three years after you joined?

13 A. No, ma'am, I couldn't tell you.

14 Q. When you joined the department, did
15 you know Jim Parrish before joining?

16 A. I knew the family. His father was the
17 chief deputy at the county, and I went to school
18 with his sister. I mean I knew him to say hi,
19 but that was about it.

20 Q. Did you and he socialize?

21 A. No.

22 Q. And how about Gene Ray, did you know
23 him before you joined the department?

24 A. Nope. I met Gene Ray the night that I

1 got hired after we did the oral interviews. He
2 was present for the interviews, and everybody
3 introduced themselves that night as far as the
4 board and him, and he shook my hand and said,
5 Nice to be on board, and that was pretty much it.
6 That was the first time I had ever talked to the
7 man.

8 Q. Did you and he ever socialize?

9 A. No.

10 Q. Do you know what the relationship was
11 between Jim Parrish and Gene Ray?

12 A. Have no idea.

13 Q. Okay. Do you know a man named Jack
14 Eckerty?

15 A. Yes, I do.

16 Q. How do you know him?

17 A. At the time he was an investigator for
18 the State of Illinois police department.

19 Q. Did you know him in his capacity as an
20 investigator?

21 A. I knew him as an investigator. That
22 was the only way I knew him.

23 Q. Before the Rhoads homicides, had you
24 known him?

1 A. No.

2 Q. Was it through the Rhoads homicide
3 investigation that you came to know him?

4 A. That was the first meeting I had with
5 him, I believe. After that he was -- I mean he
6 was an investigator assigned to -- through
7 Pesotum State Police District, and he would come
8 down if we had any cases that required help.

9 Of course, up there with them it's
10 like us, just whoever is free at the time gets
11 assigned the job, but on and off I would see him
12 every now and then, but we didn't socialize or
13 anything.

14 Q. You mentioned a first meeting with
15 him. When was that?

16 A. The first time I talked to Jack would
17 have been the night that we made the arrest,
18 because he was present at the jail when we
19 brought Mr. Steidl in.

20 Q. We're talking February of 1987?

21 A. Yeah.

22 Q. So you hadn't met him before that?

23 A. I don't recall meeting him before
24 that. I mean, there again, midnights...

1 Q. What was your first connection with
2 the Rhoads homicide investigation?

3 A. My first connection with it was after
4 I got out of PTI and they had -- we were doing a
5 security detail down at the Reinbolt residence.

6 Q. Say what you mean.

7 A. Well, they had -- the state and the
8 city had got together and thought that maybe -- I
9 don't know what the reasoning was behind it,
10 but -- either the state or the city kept a patrol
11 car down at the residence across the street from
12 the residence 24/7 for a while, but I can't
13 remember how long a time frame it was.

14 Q. What's your best memory?

15 A. I would say a month, two months, the
16 best I can recall.

17 Q. Can you give me the dates?

18 A. Dates, I can't give you, because --
19 without having a, you know, a copy of it in front
20 of me.

21 Q. Are we talking about before trial,
22 before Mr. Whitlock's trial?

23 A. It was before the trial, but, there
24 again, I don't recall specifically when it was.

1 Q. And what was the reason for that?

2 A. They said it was a security detail, as
3 they called it.

4 Q. What did you understand that to mean?

5 A. They gave us -- they had a manila file
6 folder that had several pictures in it that said
7 that these people are able to come and go, and we
8 had a spiral notebook at the time that whenever
9 an officer would come on duty to sit, that the
10 name and date would be logged in there, and if
11 any of the people in the file folder showed up,
12 we were supposed to log the information or if
13 there was any suspicious activity, that should be
14 logged.

15 Q. And was suspicious activity defined
16 for you?

17 A. It was pretty much anybody coming by
18 trying to harass or threaten or anything like
19 that.

20 Q. Are you aware of whether that ever
21 happened?

22 A. When I was sitting detail, no.

23 Q. Whose photos were in the folder?

24 A. I only remember a few. I know that

1 Jim's picture was in there.

2 Q. Meaning Jim Parrish?

3 A. Jim Parrish. Gary Wheat. Ann
4 Parrish.

5 Q. Ann meaning Jim's wife?

6 A. Yes. She was a probation officer of
7 Edgar County court, and there was I believe two
8 other people, but I don't recall who they were.

9 Q. Jack Eckerty?

10 A. Eckerty's picture could have been in
11 there, yes.

12 Q. How about Lee Chambers?

13 A. I believe that there was a Chambers
14 that was a counselor, if I remember right.

15 Q. Yeah, I think you're right.

16 A. But -- to be specific, there was a
17 Phillip, I think it was Phillip Sinclair's
18 picture was in there. He was -- I believe they
19 had him listed as her AA representative or
20 sponsor or something.

21 Q. Anybody else you can remember who was
22 in that file folder of photos permitted to enter
23 and leave?

24 A. I can't recall right off the top of my

1 head, no.

2 Q. How often did you do this what you're
3 calling security detail?

4 A. The way the security detail worked,
5 usually low man on shift was the one that ended
6 up sitting down there for an eight-hour shift.
7 We would do four. Then they would give us an
8 hour break, and we would go back and do three
9 more and go back home.

10 Q. Wasn't considered a desirable detail?

11 A. It wasn't considered desirable, no.
12 Being young on the streets, you want to be out
13 writing traffic tickets.

14 Q. What did you know about Debbie
15 Reinbolt at the time you were assigned to this
16 what you're calling security detail?

17 A. Basically I knew what she looked like,
18 knew what her family looked like, and that was
19 it.

20 Q. What did you know about her
21 relationship to the Rhoads investigation?

22 A. No idea. At the time I had no idea.

23 Q. When, if ever, did you learn what her
24 role was in the Rhoads homicide?

1 A. It was probably I want to say about a
2 week or so after they started doing the security
3 detail they said that she was a witness, and that
4 was pretty much just to make sure that nobody
5 harmed her or her family.

6 Q. What information did you have that
7 someone was going to harm her or her family?

8 A. We were just taking orders from the
9 higher up, like the chief and the detectives.

10 Q. In other words, you didn't have any
11 information?

12 A. Nope, no information at all.

13 Q. Did you ever learn anything more about
14 Ms. Reinbolt after that?

15 A. After that, I learned that just from
16 what was in the papers and what came out during
17 court that she was allegedly there. Other than
18 that, no.

19 Q. When you say what came out in court,
20 did you attend court?

21 A. No, but they had a reporter at court
22 from the local paper, and they would put all the
23 information in the paper at the end of the court
24 day from the trial.

1 Q. So before you performed what you're
2 calling a security detail, you had never heard
3 anything about Ms. Reinbolt?

4 A. No, ma'am.

5 Q. Do you know where the file folder and
6 the notebook with the log is today?

7 A. No, ma'am, I don't.

8 Q. What is your recollection of who you
9 saw come and go when you were doing this detail?

10 A. I saw Mrs. Parrish, Mr. Sinclair was
11 down there a lot, and then Jim Parrish and Gary
12 Wheat were in and out a couple of times, but
13 there wasn't -- there wasn't any specific person
14 that was there, I mean, that showed up a lot,
15 just kind of a random thing coming out of the --
16 you know, and usually if they needed to talk to
17 her or something like that and, you know, like,
18 say, an attorney or somebody wanted to talk to
19 them, they would have someone come down, pick her
20 up, and then they would go to the courthouse, but
21 other than that -- but it was usually a detective
22 that would pick her up. None of the road guys
23 ever did.

24 Q. Did you know the Edgar County State's

1 Attorney, Mike McFatrige, when you became a
2 police officer?

3 A. Yes, I did.

4 Q. Did you know him before that?

5 A. Yes, he was a member of my church.

6 Q. What church is that?

7 A. St. Mary's in Paris.

8 Q. Other than attending the same church,
9 did you have any other relationship with
10 Mr. McFatrige?

11 A. I believe he played slow pitch
12 softball for a while on another team, but there
13 wasn't any given time as far as that. I never
14 socialized with him or anything.

15 Q. What did you know about his
16 reputation?

17 A. He was pretty much unknown when he
18 came to town and got elected as State's Attorney.
19 After he lost -- I believe he -- I don't remember
20 if he resigned or he lost the election. Then he
21 started working for the Veteran's Administration
22 in Danville, I believe, but I don't know what the
23 circumstances were.

24 Q. After you became a Paris police

1 officer, did you have formal working relations
2 with him?

3 A. Well, all the officers on the
4 department did. The elected State's Attorney
5 would handle mostly felony cases. The Assistant
6 State's Attorney, whoever was in there at the
7 time or whoever they put in at the time, would
8 handle mostly the misdemeanor and the traffic
9 cases.

10 Q. Did you personally work any cases with
11 Mr. McFatriidge?

12 A. Maybe one or two, but I can't recall,
13 because I don't remember how long he was out
14 there -- after I started doing investigations, I
15 don't remember when Mr. Lollie was elected. I
16 can't remember what year it was. There was a
17 possibility that I could have worked a couple of
18 cases with him.

19 Q. Can you tell me what they were?

20 A. I really -- you know...

21 Q. So back in -- when you were doing the
22 detail in front of Ms. Reinbolt's house, you knew
23 what Mr. McFatriidge looked like?

24 A. Yes.

1 Q. Did you see him come or go?

2 A. I don't recall, ma'am.

3 Q. But, if he did, that should be in the
4 log?

5 A. Yes.

6 Q. Do you know what Mr. Sinclair's
7 relationship was with Ms. Reinbolt?

8 A. I believe they had him listed as her
9 AA sponsor, and it would also be in the log if he
10 showed up or left the residence.

11 Q. Other than that, do you know anything
12 further?

13 A. No. No.

14 Q. Do you know what Ann Parrish's
15 relationship was with Ms. Reinbolt?

16 A. She was strictly -- not really. I
17 don't know if she was her probation officer or
18 not, but she was -- she worked through the
19 probation office. That's about all I can tell
20 you. When she showed up, also, her name was on
21 the log book.

22 Q. But do you know what her relationship
23 was with Ms. Reinbolt?

24 A. No.

1 Q. Do you know what Mr. Sinclair's
2 relationship was with any of the other people who
3 were allowed to come and go?

4 A. No, ma'am, I don't.

5 Q. Do you know whether Mr. Sinclair was
6 an informant for the Paris Police Department?

7 A. No, ma'am, I don't.

8 Q. Who were the other officers who
9 performed this detail you're telling me about at
10 Ms. Reinbolt's house?

11 A. Any of the road patrol.

12 Q. The low man on the totem pole?

13 A. Usually the low man on the totem pole.

14 Q. And was Ms. Reinbolt basically under
15 house arrest?

16 A. That, I couldn't tell you.

17 Q. But what were your instructions? Was
18 she allowed to come and go as she pleased?

19 A. I believe that if she left, we were to
20 contact Mr. Parrish or Detective Wheat, and they
21 would come down and find out what was going on,
22 and then that was it.

23 Q. So was it your understanding she
24 really wasn't supposed to leave the house?

1 MS. EKL: Objection to the form of the
2 question.

3 THE WITNESS: Like I said, I really
4 don't know.

5 BY MS. SUSLAR:

6 Q. You were just to notify them if she
7 did?

8 A. Right.

9 Q. Immediately?

10 A. We would just call in on the radio and
11 say she was leaving or whatever.

12 Q. Other than yourself -- I think you
13 mentioned not seeing any suspicious activity. To
14 your knowledge was any what you've called
15 suspicious activity ever noted?

16 A. None of the other officers ever said
17 anything about it. You know, we had -- you had
18 access to the log book every time you came in and
19 went on shift. We would usually read two shifts
20 ahead from the shifts we quit. You read two
21 shifts back to read if anything had gone on.
22 That was it.

23 I don't recall anything in there being
24 anything suspicious.

1 Q. What do you know about Ms. Reinbolt
2 receiving money in relation to her role with the
3 Rhoads homicide?

4 A. I have no idea.

5 Q. Other than what you're calling the
6 security detail, what other relationship did you
7 have with the records homicide investigation?

8 A. Up until the time I became a
9 detective, none, other than a security detail.

10 Q. Do you know whether the Paris Police
11 Department used any informants in the Rhoads
12 homicide investigation?

13 A. I have no idea.

14 Q. Do you know Ferlin Lester Wells?

15 A. Yes, I do.

16 Q. In what capacity do you know him?

17 A. I've arrested him.

18 Q. Okay.

19 A. Mr. Wells is currently a resident of
20 the state again for another burglary. Unknown
21 how long he's going to be there this time.

22 Q. You have a long, rich relationship
23 with him, it seems like?

24 A. It seems like every time Mr. Wells

1 goes out, he's back in the presence of the police
2 within 30 to 60 days.

3 Q. When was the first time you
4 encountered him?

5 A. Probably would have been I would say
6 early '90s for a burglary. I was working with
7 the county on several burglaries at the time, and
8 Ted Todd, a detective for the county at the time,
9 had him in and wanted to know if I wanted to be
10 there to present my cases to them too, and he
11 admitted to all the cases.

12 So after that, hi, Lester, bye,
13 Lester, and take it to the courthouse and see
14 what's going to happen, and he got to stay with
15 the state again, so...

16 Q. And after that it's been a revolving
17 door?

18 A. Yeah, pretty much a revolving door.

19 Q. What kinds of burglary was he alleged
20 to have committed when you first encountered him?

21 A. I believe the first one that I worked
22 with Mr. Wells was a department store, the Dollar
23 General store. He cut a hole in the back of the
24 building to gain access, because the back of the

1 building set next to a corn field, and nobody
2 could see it, so he did it. I mean that seemed
3 to be his -- his method for doing everything
4 after that.

5 MR. RAUB: If it works --

6 THE WITNESS: It works.

7 BY MS. SUSLAR:

8 Q. What can you tell me about him before
9 you first encountered him in the early '90s?

10 A. Absolutely nothing, because I never
11 had him in until I interviewed him about a
12 burglary.

13 Q. When you did that, did you learn what
14 his past criminal record was?

15 A. Yes, I did.

16 Q. What did you find out?

17 A. He had been convicted -- Mr. Wells had
18 had an extensive, I should say, interlude with
19 the police throughout his life. He had several
20 burglary charges. That seemed to be his big
21 thing was burglary.

22 Q. Was Mr. Wells, in your opinion, a
23 credible individual?

24 MS. EKL: Objection. Foundation.

1 Time period.

2 THE WITNESS: I guess that depended on
3 what kind of mood you caught Lester in.

4 BY MS. SUSLAR:

5 Q. Sometimes he was, and sometimes he
6 wasn't?

7 A. Lester liked his alcohol.

8 Q. I'm sorry?

9 A. Lester liked his alcohol, and he -- I
10 mean when he was sober, he was one of the nicest
11 guys. I would say he would be credible at that
12 time, yes, but if he's under the influence, no.

13 Q. He was an alcoholic?

14 A. He wasn't really an alcoholic. He
15 would just -- I think it was when he got out of
16 prison, he would come out, and he had to party.

17 Q. Was Mr. Wells a pretty well-known
18 character in the Paris Police Department?

19 A. The whole Wells family was, really,
20 and it wasn't just with the police department.
21 They grew up in Paris, and Paris up until
22 probably 1980 or so it was a town of a population
23 of 9,000, so we didn't start really getting a lot
24 of people in until they moved in several more

1 businesses and plants, production plants.

2 Q. And about '86 and '87, what do you
3 think the population was?

4 A. I want to say somewhere between ten
5 and 11,000.

6 Q. All right. And pretty much people
7 knew each other?

8 A. Uh-huh.

9 Q. Yes?

10 A. Yes.

11 Q. And so Mr. Wells was well known by the
12 Paris Police Department?

13 MS. EKL: Objection. Foundation.

14 THE WITNESS: Up until the time I
15 became detective, I didn't have any reason to
16 talk with him. I knew his twin brothers better
17 than I did him, mainly for the fact that they --
18 one of them worked for the newspaper as a
19 delivery boy, and the other one worked part-time
20 in the gas station that one of my dad's friends
21 owned, so that was about it.

22 BY MS. SUSLAR:

23 Q. Tell me what you know about Mr. Wells'
24 relationship to the Rhoads case.

1 A. I have no idea at all.

2 Q. You didn't know that he was an
3 informant?

4 A. No, ma'am.

5 Q. A witness against Mr. Steidl?

6 A. No, ma'am.

7 Q. Do you know whether he's testified
8 against other people that he shared jail cells or
9 jail time with?

10 A. No, ma'am, I don't.

11 Q. Let me ask you about Darrell
12 Herrington, and before you became a police
13 officer, did you know Mr. Herrington?

14 A. Just by reputation.

15 Q. What did you know about him?

16 A. He was a drywaller, and a real good
17 one when he was sober, but he was an alcoholic.
18 Up -- I didn't know him real well up until after
19 I got to be on the police department, because he
20 had been arrested several times for DUI, and
21 mostly after he lost his license you would see
22 Mr. Herrington riding his bicycle all over town,
23 and that was pretty much it.

24 Q. Before you became a police officer and

1 you knew his reputation as an alcoholic, tell me
2 what you mean by alcoholic.

3 A. And this is just -- my mom and dad had
4 rental property in town. They hired him to come
5 in and do a job for him, and he showed up for
6 work, and he was quite inebriated when he got
7 there.

8 I remember my dad made mention of it.
9 He said he would get back with him in a couple of
10 days, and a couple of days later they showed up,
11 and they did the work great.

12 That was the only time I had ever met
13 the man.

14 Q. Okay. Was he kind of a memorable
15 character?

16 A. The only way you remember Darrell was
17 he had throat cancer, and he had a trach, and he
18 had to use a voice box to talk. That was his
19 most memorable trait.

20 I mean you would have to listen real
21 close to understand what he was saying unless you
22 talked to him on a daily basis, but I never knew
23 him to be a violent person or anything, but he
24 did like his alcohol.

1 Q. Would you say that his reputation as
2 an alcoholic was well known throughout Paris?

3 MS. EKL: Objection. Foundation.

4 THE WITNESS: I would say it was well
5 known.

6 BY MS. SUSLAR:

7 Q. Now, after you became a police officer
8 did you -- is that when you said you continued to
9 know about Mr. Herrington because of his DUIs?

10 A. Yes, I was present during one of the
11 DUI stops that Lieutenant Jones made on him.
12 Mr. Herrington at that time I believe was driving
13 on a suspended license and was driving in both
14 lanes going northbound on Main Street, so stop
15 him, get him off the street.

16 Q. When was that?

17 A. That would have been, I believe, '87,
18 late '87, early '88, if I remember right.

19 Q. What other contact have you had with
20 Mr. Herrington?

21 A. None.

22 Q. What do you know about his
23 relationship to the Rhoads homicide
24 investigation?

1 A. Just what came out in the newspaper,
2 that he was supposed to be a witness.

3 Q. Back in 1986 and 1987 did you know his
4 reputation for truthfulness?

5 A. No, ma'am, I don't.

6 Q. Do you know whether he ever got his
7 driver's license back?

8 A. Yes, ma'am, he did.

9 Q. How do you know that?

10 A. I have seen him driving a vehicle, and
11 I ran his driver's license information through
12 the state of Illinois, and it come back as a
13 valid driver.

14 Q. Tell me about the circumstances under
15 which he got his driver's license.

16 MS. EKL: Objection. Foundation.

17 THE WITNESS: That, I don't know.

18 BY MS. SUSLAR:

19 Q. After the Whitlock and Steidl trials,
20 do you know what happened to Mr. Herrington?

21 A. I mean I've seen him around town. He
22 still had his business, his drywall business. I
23 believe he quit drinking, because, you know, you
24 would see him on the street or something. If he

1 was walking, he would always wave. You might see
2 him in a restaurant early in the mornings before
3 he was going to work.

4 Other than that he -- I do believe he
5 quit drinking, though.

6 Q. Did it appear that his circumstances
7 in life changed other than that he quit drinking?

8 A. I would say they did a little.

9 Q. Did he appear to have -- come into
10 some money?

11 A. No, it appeared like after he quit
12 drinking he finally got his head back where it
13 belonged and started to go to work like he was
14 supposed to and getting paid for the job. That's
15 about all I know.

16 Q. Do you know anything about the sources
17 of his income?

18 A. No, I don't.

19 Q. Do you know a man named Bob Morgan?

20 A. Yes, I do.

21 Q. Did you ever see Mr. Herrington with
22 Mr. Morgan?

23 A. I can't recall ever seeing him with
24 him, no.

1 Q. Now, you mentioned that you would see
2 Mr. Herrington sometimes I think you said at
3 breakfast or having coffee?

4 A. Mr. Herrington went to a place we call
5 the Track Shack. It's just a little restaurant
6 up by a railroad track up on Main Street, and I
7 would see him in there early in the morning.

8 It would be probably, 5:00, 5:15. We
9 would go in for coffee before we went off shift
10 in the morning. He would be in there eating
11 breakfast, but I never saw Mr. Morgan with him.

12 Q. Did you ever go to the Bon Ton?

13 A. I've been to a Bon Ton a couple of
14 times. That's where Mr. Morgan usually went, and
15 several of his employees would meet down there
16 with him, a quick coffee break, and then they
17 dispersed and went their separate ways.

18 Q. Which employees would you see him
19 with?

20 A. Usually the Griffins, Art, Bill
21 Griffin, and then Mark Burba, and then Mark's
22 brother, Gerald, every now and then, but it
23 wasn't always that often you would see Gerald
24 down there.

1 Q. Is Mark also called Smoke?

2 A. Yes.

3 Q. Now, before you became a police
4 officer, did you know Mr. Morgan?

5 A. No.

6 Q. How did you come to know him?

7 A. Would you say it again, please?

8 Q. Sure. Before you became a police
9 officer --

10 A. Yes. Yes, I did. When Mr. Morgan
11 first moved into Paris, he was co-owner of the
12 local feed mill with a man by the name of Carl
13 Kenus (phonetic), and we would buy our cattle
14 supplement and stuff in there, because I was
15 farming at the time, we would buy our supplement
16 and stuff, and you would see Bob in there, but --
17 I mean he was there every day. You know, when
18 you're picking up and were gone, and that was it.

19 Q. What year are we talking about?

20 A. Probably talking late '70s, early
21 '80s. I would say it would have been anytime
22 after '75 and before probably '82, because I
23 think they sold the mill in '82, if I remember
24 right. It would have been sometime around that

1 time frame.

2 Q. Do you know what circumstances led to
3 Mr. Morgan coming to Paris?

4 A. No, I don't.

5 Q. Other than purchasing feed from him,
6 what other contact did you have with him before
7 you became a police officer?

8 A. None, unless I was in a coffee shop or
9 something. He would come in and say hi, and he
10 would go on back with whoever he was talking to.

11 Q. What did you know about Mr. Morgan
12 before you became a police officer?

13 A. That he -- when he moved into Paris,
14 he pretty much didn't have hardly anything, I
15 mean other than him and his wife and kids. He
16 come down with -- it was a cattle feed formula
17 that made him some money.

18 I don't know what -- you know, what
19 kind of deal it was, but I know he made some good
20 money off of it. That was about it.

21 Q. After you became a police officer, did
22 you continue to see Mr. Morgan around Paris?

23 A. Yes.

24 Q. Okay. And did you learn anything else

1 about him?

2 A. In my opinion Bob -- from the time I
3 first met Mr. Morgan up until today, he's still
4 the same guy that I met a long time ago. Hi, how
5 are you, and that's it.

6 Q. Do you know what relationship he had
7 with anybody in the Paris Police Department?

8 A. No, I don't.

9 Q. How about with Mr. McFatridge?

10 A. No, I don't.

11 Q. What was Mr. Morgan's reputation in
12 the community in 1986 and '87?

13 A. He started a business down on the
14 south end of town, and everybody made a complaint
15 during the process, because it had quite an odor
16 to it, and part of the process they used to make
17 it -- and I can't remember the exact process, but
18 his building -- the top of the -- what they call
19 the head house, which is the upper end of the
20 mill, kind of blew up, and that was the year that
21 Mr. Burba, Smoke Burba got burnt real bad.
22 That's why they started calling him Smoke.

23 Q. What year was that?

24 A. The year, I don't remember. I really

1 don't. I know he had had several fires, and it
2 was due to this one process every time, but I
3 can't remember -- I just can't remember the whole
4 situation behind it.

5 Q. Back in '86 and '87 would it be fair
6 to say that Mr. Morgan was -- wielded a lot of
7 influence around Paris?

8 MS. EKL: I'm sorry. Which years?

9 BY MS. SUSLAR:

10 Q. '86 and '87.

11 A. I would say he was your normal
12 businessman in town. I wouldn't say he wielded a
13 lot of power, no. Just normal businessman.

14 Q. How about after that?

15 A. To me, he was still a normal
16 businessman.

17 Q. Did you know Phil Sinclair, the name
18 you mentioned as one of the people you mentioned
19 was allowed to come and go to Ms. Reinbolt's
20 home?

21 A. The first time I met Mr. Sinclair was
22 when he showed up at the Reinbolt home, and his
23 picture was in the folder, and we knew he was
24 allowed to go in.

1 He would wave when he went up and
2 knocked on the door, and we would write his name
3 on the book, and when he left, we would write the
4 name and the time he left, and he would wave
5 again, and he would leave.

6 Q. Did you come to know anything about
7 him at any other time?

8 A. Later, I would say it would have been
9 in the '90s, he was alleged to have sexually
10 abused I believe it was one of his grandchildren,
11 I believe, but I couldn't be sure without looking
12 up a report, but I do remember that he was -- and
13 I believe it was his son that turned him in, if I
14 remember right.

15 Q. And what happened as a result of that?

16 A. I don't recall. I know that we took
17 all the information we got and interviewed and
18 gave it to the State's Attorney, and I believe
19 they prosecuted him on it, but, there again,
20 without seeing the report or the disposition, I
21 couldn't tell you.

22 Q. Did you ever come to learn anything
23 else about Mr. Sinclair?

24 A. No, ma'am.

1 Q. Do you know what his reputation was in
2 the community back in '86 and '87?

3 A. No, ma'am, I don't.

4 Q. And do you know what his relationship
5 was, if any, with the Rhoads homicide?

6 A. No, I don't.

7 Q. Now, I guess you were in the PTI in
8 July of 1986?

9 A. Yes.

10 Q. So you were physically at -- where, in
11 what town?

12 A. I was physically at the University of
13 Illinois here in Champaign-Urbana from Monday
14 through Friday, and then weekends when I went
15 home, I was at home.

16 We weren't required to go to the
17 department. A lot of the guys went in to ride,
18 but I was still farming at the time, and that was
19 when I would play catch up, so other than that,
20 that was it.

21 Q. Where was your home at the time?

22 A. Same place I've been for the last 35
23 years. I've lived at the same place on Route 16
24 now for 35 years.

1 Q. In Paris, Illinois?

2 A. In Paris.

3 Q. And how far is the University of
4 Illinois in Champaign from Paris?

5 A. Fifty some mile, I believe. It
6 depends on which road you can get out.

7 Q. Did you know Dyke and Karen Rhoads?

8 A. No, I didn't.

9 Q. Have you ever heard anything about
10 them?

11 A. Not until after, you know, the
12 incident happened.

13 Q. Did you know Randy Steidl?

14 A. Yes, I did.

15 Q. Tell me what you knew about Randy
16 Steidl as of the time you started at PTI.

17 A. As of the time I started at PTI, he
18 had been arrested several times for disorderly
19 conduct and a battery charge usually at the bars.

20 Q. When you say had been arrested, had
21 you ever been involved in any of those arrests?

22 A. One that I can recall.

23 Q. Tell me about that, please.

24 A. Sergeant Sollars and I went down. It

1 was down on the south end of town, and it was Bud
2 Cunningham's bar, and they called it Charmaign's,
3 and he was in there having a confrontation with
4 somebody, and the owner, I believe, is the one
5 that called, said it was getting ready to turn to
6 blows, and Sergeant Sollars, and I went down and
7 arrested him for disorderly conduct, took him to
8 the jail, left him at the jail.

9 He posted bond and was probably out
10 before we got the paperwork done.

11 MS. EKL: I'm sorry. What year was
12 that?

13 MS. SUSLAR: I don't know that you
14 said.

15 MS. EKL: I'm sorry. I thought he
16 had.

17 THE WITNESS: It would have been
18 somewhere between '86 and '87, somewhere in that
19 time frame.

20 MS. EKL: I apologize.

21 BY MS. SUSLAR:

22 Q. Is that the only time before you went
23 to the PTI that you personally had arrested
24 Mr. Steidl?

1 A. Yes.

2 Q. Had you ever had any other personal
3 contact with him?

4 A. He was also a member of the same
5 church I am. His whole family was.

6 Q. St. Mary's?

7 A. Yes.

8 Q. Okay. And what contact did you have
9 with him in that aspect?

10 A. Usually if you seen him at church.
11 You would see him going down the street, Hi, how
12 are you, and that was it.

13 Q. Do you know his brother?

14 A. Rory, yes.

15 Q. In the same context?

16 A. Yes.

17 Q. And --

18 A. And also professionally.

19 Q. And you know his mother?

20 A. Yes.

21 Q. Okay. You know his children?

22 A. I knew his son, J.R. He had -- they
23 were having a problem with him there for a while,
24 but I believe when he went to live with his

1 uncle, it pretty well took care of the problem.

2 Q. When are we talking about?

3 A. It would have been early -- I can't
4 recall how old J.R. is now. I know that he
5 lived -- he was living with Grandma and Grandpa
6 Steidl for a while, and they were having a lot of
7 trouble, and then Rory and his wife pretty much
8 assumed guardianship of him after that. After he
9 left Paris, I didn't hear anything else out of
10 him.

11 Q. Were those problems he was having
12 while his father was in prison?

13 A. I believe it was.

14 Q. Do you know the nature of the
15 problems?

16 A. No, I don't.

17 Q. Now, I think you said in addition to
18 your own personal contact with Mr. Steidl that
19 you knew of other officer's contact with him?

20 A. Uh-huh.

21 Q. Can you tell me about that, please?

22 A. He had had contact with about every
23 officer on the department, because he liked to
24 frequent the bars, and back then, like now, we

1 still had more bars in town I think than anything
2 else. They're all getting a little closer
3 together now so you don't have to travel so far
4 to get to them.

5 Q. Nothing else to do in town?

6 A. Pretty much. Pretty much. You know,
7 the highlight for the kid -- most of the older
8 kids that can drive, most of their highlight is
9 now they go out and sit in the Wal-Mart parking
10 lot and talk until curfew time or whatever at
11 night, and that's about it.

12 Terre Haute and Charleston are the
13 next closest towns, so a lot of them they're
14 gone. Anymore you won't hardly see a kid in town
15 on the weekend. They're always out somewhere
16 else.

17 Q. Back then hanging out in the bars was
18 pretty much a common thing for young people to
19 do?

20 A. Anybody 21 up. Anybody under 21, they
21 wouldn't let them in.

22 Q. Sure.

23 A. Back then they would go hang out at
24 the lake, the West Park, or whatever, sit there

1 and talk, and guys would go in and shut them down
2 at 11:00 and say it's time to go home, everybody
3 under the age of 17, and they would all leave,
4 and you would have your other group that would
5 sit there, but that was it.

6 Q. Is there anything else that you know
7 about Mr. Steidl before you went to the PTI?

8 A. No.

9 Q. How about Mr. Whitlock, did you know
10 anything about him?

11 A. I didn't know Mr. Whitlock at all
12 until the fact of the day that they had the
13 arrest warrants come down, and they arrested
14 Mr. Whitlock that night the same time that we
15 arrested Mr. Steidl.

16 Q. So you've never had any contact with
17 Mr. Whitlock at all?

18 A. If I did, it would have been very
19 minimal.

20 Q. Do you remember whether you did?

21 A. I don't really remember whether I did
22 or not.

23 Q. And how about knowledge of anyone
24 else's in the police department's contact with

1 Mr. Whitlock?

2 A. No, ma'am, I don't.

3 Q. When did you first hear that Dyke and
4 Karen Rhoads had been killed?

5 A. It was on Channel 3 news on the early
6 morning news while I was in PTI, and somebody
7 looked at me and said, Hey, isn't that your
8 hometown?

9 I said, What are you talking about?
10 And they turned the TV on, and they -- I believe
11 their news crew showed a picture of the burnt
12 house, and I think the chief was standing there
13 with his back to the camera, and that's all I can
14 remember about it.

15 Q. So you think that was July 6th?

16 A. It was whatever date the report
17 reflected they had a fire in the home site.

18 Q. It was contemporaneous with the crime?

19 A. Yes.

20 Q. And what did you think when you heard
21 the news?

22 A. I thought glad it's not me. Somebody
23 is going to have a problem.

24 Q. Before the Rhoads homicides, when was

1 the last time you were aware that there was a
2 homicide in Paris?

3 A. From the time I became a police
4 officer to the Rhoads homicide I don't believe
5 there wasn't any in that two year --

6 Q. Well, now I'm confused, because you
7 said you were at PTI when it happened.

8 A. I was at PTI when that happened, so
9 that would have been '86, and before that I
10 didn't really remember any homicides being in
11 Paris.

12 Q. Pretty unusual occurrence for the
13 town?

14 A. Yes.

15 Q. And then here was a double homicide?

16 A. Yeah.

17 Q. And an arson to boot?

18 A. Uh-huh.

19 Q. So that was big news?

20 A. Yes, it was.

21 Q. A lot of people were talking about it?

22 A. People were talking.

23 Q. Yeah. Would you say it was one of the
24 biggest things that had happened in Paris in a

1 long time?

2 MS. EKL: Objection. Form of the
3 question.

4 THE WITNESS: I would say it was one
5 of the biggest things that happened, yes.

6 BY MS. SUSLAR:

7 Q. When was the first time that you heard
8 anybody talk about a motive for the crime?

9 A. I didn't hear anybody talk about a
10 motive for the crime.

11 Q. You never did?

12 A. Not until after the trial was over.

13 Q. What did you hear then?

14 A. They said it was possibly a
15 drug-related type thing, but other than that,
16 that's about all I can tell you.

17 Q. Do you know what was the basis of them
18 saying that?

19 A. No, I don't.

20 Q. Tell me what you knew about people who
21 were considered as suspects in the Rhoads
22 homicides.

23 MS. EKL: Objection. Foundation.

24 THE WITNESS: Prior to the arrest or

1 after the arrests?

2 BY MS. SUSLAR:

3 Q. At any time.

4 A. Restate the question, please.

5 Q. What did you know about people who
6 were considered as suspects in the Rhoads
7 homicides?

8 MS. EKL: Objection. Form,
9 foundation.

10 THE WITNESS: They give us a list of
11 two names, Mr. Whitlock and Mr. Steidl, and that
12 was it. The next thing I know, we got arrest
13 warrants for them.

14 BY MS. SUSLAR:

15 Q. Do you know whether other than
16 Mr. Whitlock and Mr. Steidl there were other
17 people considered to be suspects in the process
18 of the investigation before their arrests?

19 A. No, ma'am, I don't.

20 Q. Do you know whether since their
21 arrests there have been other people thought to
22 be suspects?

23 A. One.

24 Q. Tell me about that.

1 A. I believe it was Mr. Morgan, and I
2 don't remember where I heard it, but they said
3 that he was a suspect, but I know that he's taken
4 a couple of polygraphs since then and passed both
5 polygraphs, so other than any other knowledge,
6 that's all I can tell you.

7 Q. What do you know about why Mr. Morgan
8 was considered a suspect?

9 A. Ma'am, I don't know.

10 Q. When did you hear this information
11 about Mr. Morgan being a suspect?

12 A. Would have been after the arrest
13 warrants were served and prior to going to court.

14 Q. Before Mr. Whitlock's trial?

15 A. I don't remember which trial it was,
16 because I don't remember whose trial was first.

17 Q. Mr. Whitlock's trial was first.

18 A. Okay. It was from the time of the
19 arrests until the time of the trial, the first
20 trial.

21 Q. All right. So if I represent to you
22 that the arrests were February 19th of 1987 and
23 the first trial was in May of 1987, it was
24 sometime between February and May?

1 A. I would say yes.

2 Q. Where did you hear that Mr. Morgan was
3 a suspect?

4 A. I believe it was at the Bon Ton
5 restaurant.

6 Q. What did you hear and from whom?

7 A. It was just -- I don't remember who it
8 was. There was a bunch of us that would get
9 together in the mornings, and somebody would
10 bring -- usually it's a farmer shop early in the
11 morning, and you won't see anybody in there that
12 doesn't farm from 5:00 until 7:00, unless they're
13 farming, and then it was just gossip between all
14 the guys that were sitting at the table, you
15 know, who did this, who did that? You let it go
16 in one ear and let it blow out the other, because
17 you know most of it isn't going to amount to
18 anything.

19 Q. Who were the regulars that you used to
20 have coffee with?

21 A. In the morning?

22 Q. Yes.

23 A. It would be whoever I was working with
24 on shift, and then I know I had one neighbor --

1 two neighbors that were in there every morning,
2 maybe three, but other than that, they would go
3 in, and they would eat. They would be there for
4 about 25 minutes, and they were gone.

5 Q. Could you name the people who were
6 present when you heard the conversation about
7 Mr. Morgan being a suspect?

8 A. I can't recall who was present,
9 because, you know, it's one of those things that
10 you would be down there for coffee, and somebody
11 might come in, and you might hear somebody clear
12 across the restaurant saying something about it
13 when I'm talking to a guy I'm down there with.
14 You know, we would just be sitting there, and we
15 would go, well, here we go again, and we would
16 change the subject, and we would start talking
17 about something else.

18 Q. Do you know whether anyone in the
19 Paris Police Department other than yourself had
20 information that Mr. Morgan could have been a
21 suspect?

22 A. Ma'am, I can't tell you.

23 Q. I think you mentioned that he's taken
24 a couple polygraph examinations?

1 A. Yes. Since I've been employed down
2 there, he's taken two polygraphs, that I know of,
3 and he passed both of them, from what I
4 understand, anyway, and that was just scuttle
5 that was going around the police department, and
6 then I thought -- I can't remember -- somebody,
7 I thought, said that they overheard him at a
8 restaurant say he took another polygraph, and he
9 passed it, so that would be the only way that I
10 would know, actually, to physically know about
11 it.

12 Q. What else can you tell me about the
13 polygraph examinations?

14 A. I don't know anything, because I
15 wasn't present when they give the polygraphs.

16 Q. Do you know who gave them?

17 A. No, I don't.

18 Q. Or where they were taken?

19 A. No, I don't.

20 Q. Or when?

21 A. No.

22 Q. When did you hear this information
23 about the polygraph examinations?

24 A. I'm thinking the last one I heard was

1 within the last five years, but, there again, I
2 can't recall when it was.

3 Q. Forgive me if I already asked you
4 this, but what information did you have that
5 would support Mr. Morgan being a suspect?

6 A. Just the fact that somebody at the
7 department after the arrest -- I can't
8 remember -- I wasn't told directly. I heard
9 another officer in a lieutenant category was
10 talking to another lieutenant about that he was a
11 possible suspect, and that was all I heard about
12 it, and then I don't ever recall ever seeing him
13 at the police department with anything to do with
14 that.

15 Like I said, the only time I had ever
16 talked to him I was sitting down at the gate one
17 night at the plant after it blew up to make sure
18 nobody ran over the fire hoses while they were
19 putting the fire out.

20 The only other contact I had with
21 Mr. Morgan was when his daughter ran off, and I
22 located her in Florida, and that was the only
23 other contact I've had, I mean, as a working
24 relationship with him.

1 Q. We'll get to that in a minute. Let's
2 go back to the lieutenants I think you said. You
3 heard one lieutenant talking to another?

4 A. And it was one -- I mean after -- we
5 had a reorganization in the department, and it
6 would have been I want to say '89 or '90, and
7 they got rid of all the higher brass. They went
8 from chief and got rid of the captain and
9 lieutenants, and they made the supervisors
10 sergeants, and the rest of the guys are road
11 patrols or detective, but I can't recall which
12 once of the lieutenants it was.

13 I believe it was Chuck Jones and maybe
14 Rick Kennedy talking, but I can't be sure.

15 Q. So forgive me, but I just got a little
16 bit confused, because I thought we were talking
17 about the period of time between February and May
18 of 1987 that you heard talk that Mr. Morgan --

19 A. That was when one of the guys on the
20 department made a comment they thought maybe he
21 was a suspect, but I didn't hear anything else
22 about it.

23 Q. So then it wasn't until after 1989, is
24 that what I'm understanding, that you heard the

1 lieutenants talking to each other?

2 A. No, it would have been prior to '89.
3 It would have been -- from the time frame until
4 the time I believe -- it would have been from
5 '86 -- somewhere between '86 to '89, in that time
6 frame, and I'm thinking it was prior to the trial
7 -- or just after the trial that -- one of the
8 trials that somebody said that Morgan was a
9 suspect, but I didn't hear anything else about
10 it, and I don't remember who was talking about it
11 as I was walking out the door.

12 Q. And what do you know about why that
13 person thought that Mr. Morgan was a suspect?

14 A. That, I have no idea.

15 Q. And you had heard that this
16 businessman might have been a suspect in the
17 Rhoads homicide case, and then you just walked
18 out the door?

19 A. They were leaving. They were going
20 out the back door as I was going home out the
21 front door.

22 Q. Did you make any further inquiry?

23 A. No, I didn't.

24 Q. Do you know what they did to determine

1 whether Mr. Morgan was a viable suspect?

2 A. No, ma'am, I don't.

3 Q. Do you know what they did to determine
4 whether he had any relationship to the Rhoads
5 homicides?

6 A. No, ma'am, I didn't.

7 Q. Do you know what anybody in the Paris
8 Police Department did to investigate Mr. Morgan's
9 relationship to the Rhoads homicides?

10 A. No, ma'am, I wasn't in investigations.

11 Q. Well, even if you weren't at the time,
12 do you know now?

13 A. No, because I didn't read the case
14 file or anything.

15 Q. Do you know why Mr. Morgan was taking
16 polygraph examinations?

17 A. No, ma'am, I don't.

18 Q. Do you know what he did with them?

19 A. I have no idea.

20 Q. So you're at the PTI when you hear
21 about this double murder in Paris. What
22 relationship, if any, did you have to the police
23 department's investigation of the homicides?

24 A. Up until the time I got out of PTI, I

1 didn't have any.

2 Q. When you got out of PTI?

3 A. Like I said, we did the security
4 detail, and then it would be pretty much if I was
5 working a day shift and the detectives or the
6 chief needed something in reference to it, they
7 would say, you know, go get this or go get this
8 and bring it back to me.

9 Most of it was just -- if they
10 couldn't get through to somebody on the phone, we
11 would go try to find them and tell them that they
12 needed to talk to them, and if we contacted them,
13 we would call back in and say we made contact,
14 and they would contact you.

15 That was pretty much it.

16 Q. Could you give me the specifics of
17 what you're referring to?

18 A. Like if they needed to talk to
19 Darrell, and they couldn't get Darrell located on
20 the telephone.

21 Q. Darrell Herrington?

22 A. Darrell Herrington. They would have
23 the road guys -- if he was out working on a
24 job -- he had a guy that would drive his truck to

1 a job for him. If you saw his truck sitting, you
2 pretty well knew that Darrell was there. Then we
3 would stop, and we would tell Darrell, if he was
4 there, say, hey, they need to talk to you or have
5 his employees say when Darrell comes back, tell
6 him to get ahold of whoever.

7 That was it.

8 Q. How many times did you do that?

9 A. I remember once, but I don't recall
10 any others.

11 Q. Who asked you to contact
12 Mr. Herrington?

13 A. I believe it was Mr. Parrish.

14 Q. Did he tell you why he wanted to talk
15 to him?

16 A. No, he just said he wanted to talk to
17 him if I could find him. That was the end of the
18 conversation.

19 Q. Did you find Mr. Herrington?

20 A. I don't believe he was there that day.
21 I believe I talked to the guy who drove his
22 truck. I believe Darrell was somewhere else.

23 Q. Who was that?

24 A. I don't remember the guy who was

1 working for him, because he had several different
2 people who worked for him on and off, and you
3 were never sure who he was going to be with, but
4 they said if they saw him, they would tell him,
5 and that was it.

6 Q. Do you know the names of any of the
7 people who Mr. Herrington had working for him?

8 A. I don't recall any.

9 Q. Did you make a report about your
10 contact with Jim Parrish and attempting to find
11 Mr. Herrington?

12 A. No, because it wasn't any -- it was
13 just a normal thing for the detectives or the
14 chief to say, Hey, go see if you can find this
15 person, and, if you can, tell them we need to
16 talk to them.

17 There wouldn't be any log entries or
18 anything about it.

19 Q. Do you know how it was determined that
20 Mr. Parrish would be working on the Rhoads
21 homicide investigation?

22 A. No, I don't.

23 Q. Do you know what other agencies or
24 officers or State's Attorneys were involved in

1 the Rhoads investigation?

2 A. Investigation-wise from our department
3 it would have been Mr. Parrish, Mr. Wheat, Chief
4 Ray, I believe Ted Todd worked on it from the
5 county, Jack Eckerty, I believe there was a
6 Benzyl, but I can't remember his first name,
7 Tommy Martin was a criminal scene tech at the
8 time.

9 Q. For the state police?

10 A. For the state police. He got killed
11 last year, and I believe that Eckerty retired
12 several years ago, and I don't know if Benzyl or
13 anybody else is around yet or not.

14 Q. And how about Mike McFatrige?

15 A. McFatrige, he was the State's
16 Attorney at the time, so I know he was involved
17 in it.

18 Q. Now, did you ever see the folks you
19 just listed, did you ever see them meeting about
20 the Rhoads homicide case?

21 A. No, because, like I said, most of my
22 time has been spent on midnights when I've been
23 on patrol. Prior to going to the investigation
24 and after leaving investigations, it just seemed

1 everybody was willing to give up their midnight
2 shift to let me have it, because they didn't want
3 to work it.

4 Q. Do you know why all those various
5 agencies and individuals were involved?

6 A. No, I just know that it was a standard
7 practice for anything major that the state came
8 in and helped, which they still do.

9 Q. Did you ever participate in meetings
10 to discuss the Rhoads investigation?

11 A. No, ma'am.

12 Q. Do you know who did?

13 A. No, I don't.

14 Q. Do you know at what stage during the
15 investigation that the investigation team
16 determined what time the crime had taken place?

17 A. No, ma'am, I don't.

18 MS. EKL: Objection. Form.

19 BY MS. SUSLAR:

20 Q. Do you know what time they determined
21 the crime had taken place?

22 A. No, ma'am, I don't.

23 Q. Did the -- what was the police
24 department's practice and custom and policy back

1 in '86 and '87 for using polygraph examinations?

2 MS. EKL: Objection. Foundation.

3 THE WITNESS: I couldn't tell you,
4 ma'am.

5 BY MS. SUSLAR:

6 Q. You don't know whether there was one?

7 A. If they used a polygraph, it would be
8 through the state police.

9 Q. Do you know whether it was -- whether
10 there was any routine of using polygraph
11 examinations with witnesses or suspects or
12 victims?

13 A. I believe it was up to the discretion
14 of whoever was doing the investigation. There
15 wasn't any set policy as far as using a
16 polygraph.

17 Q. Since you've become a detective, have
18 you used polygraph examinations?

19 A. I believe I used it twice. It's just
20 an investigative tool is all it is.

21 Q. Can you think of a reason if a witness
22 to a series felony -- well, let me ask it this
23 way: If a witness to a serious felony took a
24 polygraph examination and the examiner concluded

1 that the witness was being untruthful, is that
2 something that you understand would -- you would
3 need to disclose to the State's Attorney and the
4 defense as exculpatory or Brady material?

5 A. Like I said, it's an investigative
6 tool, and usually if it comes back that the -- if
7 the person, or whoever, has -- you know, has a
8 tendency to try to mislead everybody, you go back
9 and you work on that witness or suspect a little
10 harder, you know, to find out and say, Hey, you
11 flunked a polygraph.

12 At that point, we -- anytime we did a
13 polygraph, we would always advise -- I would
14 always advise the State's Attorney of what the
15 results of it were, and I always put a copy of
16 the polygraph -- I mean a copy of the examiner's
17 report, I would attach it to the file.

18 I don't know what the practice was
19 prior to when I took over. I don't know. I mean
20 it's pretty much up to everybody to do their own
21 thing, I guess, but I always attached a copy.

22 Q. When you say it would be up to
23 everybody to do their own thing, would that mean
24 that an officer who had -- someone who said they

1 were a witness to a serious felony who was -- the
2 polygraph examiner concluded to be untruthful,
3 would that officer have the discretion not to
4 turn over that polygraph examination?

5 A. No, I would say the officer would
6 attach it myself. I mean it would be turned over
7 to the State's Attorney.

8 Q. Can you think of any reason why an
9 officer wouldn't be under obligation to turn over
10 that kind of material?

11 A. No, ma'am.

12 Q. Now, you said something about going
13 back and working on the -- working on the person
14 if they flunked the polygraph?

15 A. You go back in, and you try to
16 interrogate them some more. You say you flunked
17 a polygraph and talk to them some more about it,
18 and if they held with what they started with,
19 saying they're saying the same thing, you're kind
20 of at a dead end for a little bit.

21 You get ahold of the State's Attorney
22 and say this is what happened. What do you want
23 to do? And eventually it would be up to them.

24 Q. When you say a dead end, you mean that

1 witness -- go ahead. I'm sorry.

2 A. I mean it would be up to the State's
3 Attorney at that point to see whether he wanted
4 to go ahead and pursue or he wanted to drop it.
5 I mean he's the one that has the final call on
6 most of it -- I mean all of it, if it goes to
7 court.

8 Q. But basically a witness to a serious
9 felony who flunks a polygraph examination you
10 have to think really long and hard about relying
11 on that person?

12 MS. EKL: Objection. Foundation.

13 MR. RAUB: Objection. Why are we
14 asking these questions about his practice -- his
15 personal practice of policy years after this
16 crime took place? Why are we wasting our time
17 here?

18 BY MS. SUSLAR:

19 Q. Go ahead.

20 A. I mean if it was me, I would advise
21 the State's Attorney that the witness was being
22 untruthful, and we would sit down and take a
23 second look and try another approach.

24 Q. See if maybe there was another

1 witness?

2 A. Right.

3 Q. Have you ever encountered a situation
4 where a polygraph examiner has said to you I
5 think the witness is being untruthful, but I
6 think we should do a second polygraph
7 examination?

8 MR. RAUB: Objection. What's does
9 this tend to prove that's relevant in this case?
10 He's not an expert witness.

11 BY MS. SUSLAR:

12 Q. Go ahead.

13 A. No. I mean the polygraph examiner
14 from the state that was from our district that we
15 used, he would either tell you it was either,
16 yes, it's good or, no, it's bad, and that was it.

17 BY MS. SUSLAR:

18 Q. Who did you use?

19 A. We used Mark --

20 Q. Murphy?

21 A. Murphy.

22 Q. Could you think of a reason why if
23 Mr. Murphy told you I think this person should be
24 given a second polygraph, why you wouldn't go

1 forward with that second polygraph?

2 MS. EKL: Objection. Form and
3 incomplete hypothetical.

4 THE WITNESS: I have no idea, ma'am.

5 BY MS. SUSLAR:

6 Q. If Mr. Murphy recommended to you that
7 a second polygraph be administered, would you
8 follow his recommendation?

9 MS. EKL: Objection. Form.
10 Hypothetical. Incomplete hypothetical.

11 THE WITNESS: Mine would be I would go
12 back into the person that just had the polygraph,
13 say, Hey, look, the guy says you need to take
14 another one. Do you want to take another one?

15 You know, and if they said yes, we
16 did, and if they said no, we wouldn't.

17 Q. So you would leave it up to the
18 witness?

19 A. Leave it up to the witness.

20 Q. Were you involved in the arrest of
21 Randy Steidl?

22 A. Yes.

23 Q. How did you happen to be involved in
24 his arrest?

1 A. I happened to be working shift that
2 night when Lieutenant Jones come in and says we
3 have an arrest warrant for Mr. Whitlock and
4 Mr. Steidl, and you, Dave, and Albert and I are
5 going to go down and get Randy, and we went down
6 to his residence on Douglas Street, pulled in the
7 alley, because his entrance was on the east side
8 of the residence.

9 Knocked -- Chuck knocked on the door,
10 told him who he was. Randy said just a moment.
11 Came to the door. Chuck says, I've got bad news.
12 I've got an arrest warrant for you.

13 He said, What for this time? Chuck
14 advised him.

15 He said, Well, can I get my shirt and
16 my shoes? Chuck says, Yeah, I'll go in with you.
17 They went in, and he got his shirt, shoes, and
18 cigarettes, and they brought him out to the car,
19 and we went to the jail.

20 Q. When you say Chuck advised him, what
21 did Chuck tell him?

22 A. Chuck told him that we had a warrant
23 for him for two counts of murder, and Randy
24 pretty much didn't say anything after that other

1 than the fact, Can I get my shoes and my shirt,
2 and Chuck said yes, and at that point we got his
3 stuff for him.

4 We locked the residence. Four of us
5 got in one car, because Albert had his own car,
6 and we went to the jail.

7 Q. So you were in the car with Randy?

8 A. Yes.

9 Q. Did he resist in any way?

10 A. No.

11 Q. He cooperated?

12 A. Yes.

13 Q. Was he handcuffed?

14 A. Yes.

15 Q. Who did the handcuffing?

16 A. Lieutenant Jones.

17 Q. What did you do?

18 A. I was instructed by the lieutenant
19 after we got in the car on the way to the jail to
20 advise him of his Miranda rights. Halfway
21 through the Miranda rights we had radio come
22 up -- I believe the fire department come up. We
23 had a call somewhere. Our radio scans 16
24 channels at a time, so we can pick up the city,

1 the state, and everybody.

2 After the radio traffic quit, he
3 started Miranda again and never got a response
4 out of him, and at that time we were at the back
5 door to the jail, but his house was only maybe
6 six blocks from the jail.

7 Q. Between the time that you had been on
8 the detail in front of Ms. Reinbolt's house and
9 the time Lieutenant Jones ordered you to
10 participate in Randy's arrest, had you had any
11 relationship to the Rhoads homicide
12 investigation?

13 A. No.

14 Q. Did you have any trepidations about
15 going out to arrest Randy?

16 A. No. It was a valid warrant issued by
17 a judge. The judge said it was okay. We go do
18 it.

19 Q. What time of day or night was the
20 arrest?

21 A. It was during the evening, but I'm not
22 sure exactly what time we actually executed the
23 warrant. It was in the evening time, though.

24 Q. What happened when you got to the

1 station?

2 MR. RAUB: The jail, I think.

3 THE WITNESS: We went to the jail. We
4 didn't go to the station.

5 BY MS. SUSLAR:

6 Q. I'm sorry. Edgar County Jail.

7 A. When we got to the jail, we turned
8 Mr. Steidl over to I believe the booking officer
9 at the jail at that time, because Eckerty and
10 Parrish are both standing there in the booking
11 room, and we turned him over to them. Chuck took
12 his handcuffs, and we left.

13 Q. After participating in Mr. Steidl's
14 arrest, did you have any relationship to the
15 Rhoads homicide case?

16 A. No, not unless I had to do like with
17 the security detail or, you know, going -- trying
18 to locate something for Parrish or Ray. That was
19 it.

20 Q. What did Chief Ray ask you to do on
21 the Rhoads homicide case?

22 A. He was one of the ones that advised us
23 of what we were to do on security detail along
24 with Parrish, and then, if anything, it would be,

1 you know, they need to talk to this person. See
2 if you can find them or whatever, and that was
3 it.

4 Q. Do you recall anything specifically
5 that Chief Ray asked you to do?

6 A. No.

7 Q. Did you have any relationship to the
8 arrest of Mr. Whitlock?

9 A. No.

10 Q. In August of 1987, did you go to
11 Mr. Herrington's home?

12 A. I don't recall.

13 Q. Do you recall ever going to
14 Mr. Herrington's home?

15 A. I've been to Mr. Herrington's home on
16 Central Street one time that I can remember, and
17 that was just a couple of years ago.

18 Q. And what was the nature of your visit?

19 A. The reference, I believe his wife
20 thought there was somebody walking around the
21 outside of the residence or something. We didn't
22 find anybody. There were some neighbor kids down
23 there that liked cutting through yards. We
24 figured that's what it was, because we never had

1 another incident down there after that.

2 Q. Did you ever respond to a domestic
3 violence call by Mrs. Herrington?

4 A. I don't recall. Not to my knowledge,
5 no.

6 Q. Back in '86 did you know a man named
7 Phil Stark?

8 A. Yes, I did.

9 Q. What did you know about Mr. Stark?

10 A. He is a loan officer at the Citizen's
11 National Bank, and he was a part-time deputy
12 sheriff working under Sheriff Hood at the time.

13 Q. Do you know whether he had any
14 relationship to the Rhoads homicide
15 investigation?

16 A. No.

17 Q. Now, he passed away. Didn't he?

18 A. Yes, he did.

19 Q. What do you know about the
20 circumstances of his death?

21 A. The circumstances was a self-inflicted
22 gunshot wound, two of them.

23 Q. When was that?

24 A. I don't recall the date. It was -- it

1 was prior to 1990 is about all I can tell you.

2 Q. What relationship did you have, if
3 any, to his death?

4 A. I was one of the first responding
5 officers to the scene. Officer McDaniel and I
6 were the two officers that showed up, and Officer
7 McDaniel took the scene -- he was the first one
8 on scene, and they advised for a coroner to come
9 down in an ambulance, and after the coroner
10 showed up, I left.

11 Q. Did you have any other relationship to
12 the investigation of his death?

13 A. No.

14 Q. Or the documentation of it?

15 A. No. The documentation was all done by
16 Officer McDaniel, I believe.

17 Q. You didn't write any reports?

18 A. Just -- it would have been probably a
19 log entry that I showed up. The officer didn't
20 need assistance, and I went back to patrol.

21 Q. Do you know whether, if at any time,
22 Mr. Stark was considered a suspect in the Rhoads
23 homicide?

24 A. No, ma'am.

1 Q. Do you know what happened to the
2 police reports documenting his death?

3 A. The police report would have been put
4 into the records room at the police department,
5 and a copy of it would also be with the county
6 coroner's office.

7 Q. Now, did at that time in '86 and '87
8 the Paris Police Department have a central filing
9 system for its investigations?

10 A. I believe the filing -- investigations
11 report were contained in separate boxes, but the
12 boxes were all stored in the same records log.

13 Q. Stored in the same records vault as
14 what?

15 A. As the evidence. At that time it
16 would have been the room at the back side of city
17 hall. I mean they're just regular banker boxes
18 they put -- that all the reports would go in
19 yearly, and then they would go up and be stored
20 in the vault to save room down at the PD.

21 If the detective needed a report out
22 of it, they would go up and get it themselves.

23 Q. Had you in your career responded to
24 other similar situations?

1 A. You mean suicides?

2 Q. Uh-huh.

3 A. Yes.

4 Q. Before or after Mr. Stark?

5 A. Would have been after.

6 Q. How long after?

7 A. A year or two, I guess. There's been

8 quite a few of them over the last 22 years. I

9 handled -- one of them was a self-inflicted

10 gunshot wound. Most of them were by hanging or,

11 you know, suffocation.

12 Q. To your knowledge were all those

13 suicide investigations documented in the same

14 way?

15 A. Yes, they were all documented, and a

16 copy was kept at our department and also a copy

17 with the county coroner.

18 Q. And the copy at your department was

19 handled as any other criminal investigation?

20 A. It would have went into a file and put

21 into criminal investigation, and it would either

22 have been opened or closed.

23 Q. Is there any such -- is there any

24 category separate from the criminal

1 investigations called suicide file?

2 A. No, they're listed as criminal damage,
3 theft, robbery, homicide, suicide, and it just
4 depends on, you know, how many cases you have of
5 each. Usually all the death investigations went
6 into one file box, if they would fit, for that
7 time frame, for the year.

8 Q. All the death meaning the murder --

9 A. Any death investigation would be in a
10 file box.

11 Q. So if a detective wanted to find the
12 investigation of a suicide, they would go to the
13 same place they would if they wanted to find the
14 investigation of a homicide?

15 A. The same general area, yes.

16 Q. And it's generally by year?

17 A. Yes.

18 Q. Back in '86 and '87, how many deaths
19 annually, homicides, suicides, would you have in
20 Paris?

21 A. I have no idea. We had a -- a string
22 of homicides there for a while, but it was over
23 like a five-year period. All those were -- they
24 were all closed, because they had suspects that

1 were Mirandized and admitted to everything they
2 did.

3 Q. That makes it easy.

4 A. Makes it easy.

5 MR. RAUB: You have some honest
6 criminals down in Paris.

7 THE WITNESS: Some of them weren't
8 real bright.

9 MS. SUSLAR: We need to take a break
10 for a minute. I'm sorry.

11 (At this point a short recess was
12 taken.)

13 BY MS. SUSLAR:

14 Q. When the Rhoads homicide happened,
15 what kind of pressure was there on the department
16 to solve those murders?

17 MS. EKL: Objection. Form of the
18 question.

19 A. That, I really couldn't tell you how
20 much pressure there was on the department. That
21 was with -- again, that was with investigations
22 and the chief. It wasn't with any of the road
23 patrol guys.

24

1 BY MS. SUSLAR:

2 Q. There was an organization called the
3 Sons of Silence back in the '86, '87 era?

4 A. They still exist, not as much as there
5 was, but they still exist.

6 Q. What did you know about them back
7 then?

8 A. Just that they were a biker group.
9 They come riding into town every now and then,
10 and they would be wearing the colors with their
11 club emblem on their vest. They would usually
12 hit the local bars, and then after that, they
13 would leave.

14 In my personal experience, I never had
15 a lot of trouble with them. I mean you would go
16 in and talk to them and say, hey, you can't park
17 your bike on the sidewalk.

18 They would go move it. That was
19 pretty much -- they kept pretty well low key.
20 They didn't -- when they did come into town, they
21 wouldn't try to stir a lot of trouble.

22 Q. What, if any, relationship are you
23 aware of between them and the Rhoads murders?

24 A. None at all.

1 Q. How about the relationship between
2 them and Bob Morgan?

3 A. Couldn't tell you.

4 Q. Do you know the Board family?

5 A. Yes, I know the Boards.

6 Q. Back in '86 and '87, what did you know
7 about the Boards?

8 A. I knew the family from growing up as
9 kids. Again, two of them went to school with me.

10 Q. Which two?

11 A. I'm thinking it was Ernie and Jerry, I
12 believe. I mean, there again, that's way back.
13 We're talking back in the early '60s, but, you
14 know, they had a reputation or being, quote, bad
15 asses, but I didn't -- they weren't ever that way
16 with me.

17 Q. Do you know whether they were
18 connected with any organization or group?

19 A. I believe that Jerry was part of the
20 Sons, and I think during the time of the Rhoads
21 homicides I was thinking that Ernie was still in
22 the Army, if I remember right, but I couldn't
23 give you definite dates or anything, but I think
24 Jerry was the one that was probably hooked up

1 with the Sons, but that would have been it.

2 Q. By the Sons, you mean the Sons of
3 Silence?

4 A. The Sons of Silence, yes.

5 Q. And what were they? Were they a gang?

6 A. They're a motorcycle gang.

7 Q. And how about the Boards, what
8 knowledge do you have of any relationship between
9 them and Bob Morgan?

10 A. I couldn't tell you. I don't have any
11 knowledge at all.

12 Q. You mentioned something about Bob
13 Morgan's daughter in Florida.

14 A. Well, she -- I can't remember what
15 year it was, but she took off as a runaway and
16 ended up -- she was gone for like 30 some days,
17 but I got contacted -- I was a detective juvenile
18 officer at the time, and they contacted us and
19 said they had located her in Miami, Florida.

20 Q. Where?

21 A. Miami, Florida. And since she was in
22 custody down there, they had to have an officer
23 pick her up, and I called -- I remember calling
24 Bob -- it was Bob I talked to, said we've got her

1 located. She's safe. She's in the care and
2 custody of Miami PD right now, and I'm going to
3 have to go pick her up, and he said give me 15
4 minutes, and I'll call you back, and he said I'll
5 get you a plane. He said we'll fly you down
6 there, so you don't have to drive.

7 So he paid for a plane, and since I
8 was picking up a female juvenile, I took a
9 dispatcher with me, and we drove to Terre Haute,
10 Indiana, to Brown Field, and we got on a twin
11 engine plane there, and we flew from there to
12 Miami, picked her up and brought her back, and
13 when we landed back in Terre Haute, Bob and Kathy
14 were waiting on us, and they said that she was
15 going to some school or some institution
16 somewhere, they never said where. Said thank you
17 for making the trip and bringing our daughter
18 back, and that was it.

19 I mean there wasn't any charges on her
20 in Edgar County, because if she run away, she
21 didn't do anything here that was a crime, so...

22 Q. How old was she at the time?

23 A. I want to say somewhere between 13 and
24 16, let's put it that way, because I can't

1 remember exactly how old she was, but I know that
2 she was older than 12.

3 Q. Are you thinking this was in what
4 year?

5 A. I'm wanting to say mid '90s, if I
6 remember right. I could pull it up on the
7 computer at work.

8 MR. RAUB: I've got the report, but I
9 don't see a date on it here. It may be coded in
10 there somewhere, if you want to show it to him.

11 BY MS. SUSLAR:

12 Q. Let's see. It looks like it might
13 have been 1992.

14 A. If I could see the report a minute. I
15 could tell you. In the upper left-hand corner
16 there's a number.

17 Q. Sure. It says 92-107 --

18 A. It would have been 1992.

19 Q. And what was she being held for in
20 Miami?

21 A. She was just being held to be returned
22 back to Edgar County.

23 Q. Was she alleged to have committed any
24 kind of criminal act?

1 A. No, when she ran away, we put here in
2 what they call LEADS service. That's a
3 nationwide-type thing. It's kind of like
4 I-Search now, but if she's located by another
5 department, they take them into custody,
6 temporary custody-type situation, make sure
7 they've got food, clothing, they're medically
8 fine.

9 They contact the parents and the
10 authority who reported them as missing, and then
11 it's up to us to make sure they get back, and
12 basically they were just housing until we could
13 get down there to get her.

14 Like I think they called me in the
15 middle of the afternoon and said, hey, we've got
16 her located. In Illinois, there was a six-hour
17 time frame in which you have to make contact with
18 the parent or whatever as far as trying to make
19 arrangements to get them back and get somebody on
20 the way.

21 I contacted Bob, and we went down that
22 evening, and we were back home the next
23 afternoon, if I remember right.

24 Q. And the plane that you went in was his

1 personal airplane?

2 A. No, he rented a plane from Brown Field
3 and two pilots. It was a twin engine prop. It
4 took us a while to get there, I want to say like
5 six or seven hours, because we had to stop for
6 gasoline on the way down and stop again on the
7 way back.

8 Q. And how did it happen that you were
9 nominated to perform that task?

10 A. I was the head juvenile officer. I'm
11 the one that took the report, and they said, ye
12 who takes it, goes.

13 Q. Forgive me if I asked you, but did you
14 attend either of the trials of Mr. Steidl and
15 Mr. Whitlock?

16 A. No, ma'am.

17 Q. You are aware that Mr. Steidl was
18 given the death penalty?

19 A. Yes, ma'am.

20 Q. Did you have any conversations with
21 any of the people involved in the investigation
22 about the trials during the course of the trials?

23 A. No, ma'am.

24 Q. And how about after the trials?

1 A. No.

2 Q. Were you -- I think you mentioned you
3 were involved in the inspection of some of the
4 evidence, I think you said, in 1995?

5 A. Yes.

6 Q. Do you know what other evidence --
7 well, let me ask you this way: I forgot what
8 year you said you became the --

9 A. 1990.

10 Q. 1990 you became responsible for being
11 the evidence custodian?

12 A. Yes.

13 Q. And I'm assuming that the Rhoads
14 evidence was already in custody?

15 A. Yes, it was in custody at that time.

16 Q. All right. So when you became the
17 evidence custodian, was there some sort of a
18 ledger or some kind of written record about what
19 evidence the Paris Police Department had in its
20 custody with respect to the Rhoads investigation?

21 A. We didn't do an inventory on any of
22 the evidence we had. We just took the receipts
23 that we had from the previous investigations or
24 the investigators who put stuff into evidence, we

1 had those hard copy receipts. I basically
2 assumed responsibility for all the evidence, and
3 then when they moved me out, it was the same with
4 the next investigator that came in as far as the
5 evidence custodian.

6 He just took the years and sheets --
7 and evidence sheets that we had, transferred it
8 over. Said here's what you've got. This is
9 where it's at, you know, and that was pretty much
10 it.

11 Q. What was your responsibility as an
12 evidence custodian other than to possess the
13 receipts?

14 A. Well, we had to make sure that all the
15 evidence -- when I took over, we started using a
16 different form. Before they had just a general
17 form where they wrote down on paper what it was.

18 Now we had to write down on paper what
19 it was, give it an exhibit number; if it was
20 individually bagged, what it was -- I mean just a
21 general description along with it, and then that
22 was kept in a separate ledger book along with
23 being recorded in our records system computer.

24 Q. All right. Now, you're talking about

1 evidence that you took in?

2 A. Yes.

3 Q. After you became the evidence
4 custodian?

5 A. Yes.

6 Q. What about the evidence that was
7 already in custody?

8 A. There was a notebook that had all the
9 cases listed in it, where the evidence was
10 located, and they would give you a shelf number
11 in the evidence room of what shelf spots it took
12 up.

13 Q. And the evidence room you're referring
14 to is the one you described at the back of the
15 courthouse?

16 A. It was the one that was at city hall.

17 Q. City hall, I'm sorry. All the Rhoads
18 evidence, as far as you know, was -- that was in
19 the possession of the Paris Police Department was
20 in that evidence room?

21 A. Yes, it was.

22 Q. Did you, yourself, ever conduct an
23 inspection of any of the evidence in the Paris
24 Police Department in the Rhoads case?

1 A. Only when Mr. Metnick's office called
2 down and said we wanted to look at the knives and
3 stuff and then again later on, and I can't
4 remember what year it was, we did a -- they was
5 having an evidentiary hearing in Marshall, Clark
6 County, and we hand receipted all the evidence
7 from the trial out of the circuit clerk's vault
8 to the trial, and then I was responsible for
9 bringing it from the trial back up to and
10 checking it back in to making sure everything was
11 there, which it was, and then later there was --
12 I believe it was Catherine Saltmarsh and Lea
13 Norbutt came in to go through two boxes we had.

14 It was just described as miscellaneous
15 stuff. It had just -- it had some water damaged
16 stuffed in it, because the roof at the city hall
17 got a leak in it, and some of this stuff got
18 water damaged, and they were going through some
19 paper files, and there were some audio tapes or
20 something in there, and I can't remember what
21 else, but they requested some copies of some
22 photographs that was in there and also some audio
23 tapes be copied and sent to them.

24 I did that, and that was the last

1 contact I had with the case.

2 Q. Do you know what was in the boxes that
3 you produced for them to inspect?

4 A. Like I said, there were some water
5 damaged papers, audio tapes, a few photographs.
6 There was also the same box that the knives were
7 in. That was hand receipted to Mr. Clutteur
8 earlier, and I believe that was it.

9 Q. I guess what I'm asking is do you know
10 what those documents were or what those audio
11 tapes were?

12 A. No. No.

13 MR. RAUB: There's a list.

14 MS. SUSLAR: I just want to know if he
15 knows. Thank you.

16 THE WITNESS: All I know is there was
17 audio tapes that they wanted copied off, and when
18 I put them in the duplicator, I would put them
19 in, turn them on. You can't hear anything when
20 they duplicate. You start the tape to see if you
21 get any voice when you first start on the
22 duplicator -- I mean after you pull them out. If
23 it's there, you turn it off. You put in it a
24 case, and you put a number on it, and you put it

1 in a box.

2 BY MS. SUSLAR:

3 Q. So you don't know, for example,
4 whether the documents they wanted copies of were
5 police reports?

6 A. No. There wasn't any police reports
7 in the box, in that box. This was just
8 miscellaneous papers and stuff that was in there.

9 Q. Okay. Do you know what those
10 miscellaneous papers were?

11 A. I didn't pay any attention. The
12 Attorney General's Office representative was
13 there along with Ms. Saltmarsh. I said, If you
14 need anything, call me. I went and did a court
15 hearing that morning while they were going
16 through two of the boxes, and I came back, and
17 they were still there going through them.

18 They said can we secure the room until
19 after lunch, and I go, That's real simple.

20 They locked the door on the way out,
21 and I said, Here's the key, and I gave the key to
22 Ms. Norbutt. I said that way nobody is going to
23 get in or out.

24 Q. How do you know that there weren't

1 police reports in the box?

2 A. Just looked like when they --
3 basically they took the box, dumped on the table,
4 and it was all loose papers and stuff, most of
5 it, and, like I said, it had been water damaged.

6 Q. But would it be fair to say that you
7 don't know what the documents were?

8 A. I'm not for sure that there wasn't any
9 police documents. I'm not for sure what the
10 documents were.

11 Q. Was there ever a time when anybody
12 from Mr. Metnick's office, Ms. Saltmarsh or a
13 paralegal named Claire Allen or Mr. Clutteur came
14 and looked at notebooks?

15 A. Yes, but I can't remember when it was.
16 It wasn't the same day. It was -- I want to
17 think it was prior to the time that Mr. Clutteur
18 and Mr. Carter were there to look at the knives.

19 Q. I think you said the knives was in
20 1995?

21 A. Yes.

22 Q. Do you know whether those knives had
23 ever been tested by any police lab before they
24 came --

1 A. No, ma'am, I don't.

2 Q. And I think it was in 1998 that they
3 may have come again and looked at a notebook?

4 A. They were down several times. I know
5 that.

6 Q. And each time you made -- you gave
7 them access to the evidence?

8 A. Right.

9 Q. That was in the possession of the
10 Paris Police Department?

11 A. Right.

12 Q. And each time would it be fair to say
13 that you didn't know what the evidence was? You
14 just made it available?

15 A. I made it available.

16 Q. And they inspected it?

17 A. And that was it.

18 Q. And they copied what they needed?

19 A. Yes, they said can you get us copies
20 of these, and I would take it up to the copy
21 machine, put the stack in and turn it on and hope
22 it didn't run out of paper.

23 Q. So would it be fair to say that you
24 didn't know whether the evidence that they

1 obtained during those inspections in 1995 and
2 1998 had previously been produced to Mr. Steidl
3 or Mr. Whitlock?

4 A. No, ma'am, I couldn't tell you. I
5 don't know.

6 Q. Did you make any reports about the
7 evidence inspections that you've just told me
8 about?

9 A. It would have been documented on a log
10 sheet for the evidence.

11 Q. Other than that?

12 A. Other than that, there wouldn't have
13 been any documentation, no. There were a couple
14 of facsimiles that I sent to Ms. Saltmarsh after
15 she contacted our office wanting to know why she
16 hadn't gotten the stuff yet, I believe it was the
17 photos, because the photo lab that we used in
18 town was broke down at the time.

19 I told her it would be a couple of
20 days, and they got the tapes and stuff after
21 that, and everything was fine, I guess.

22 Q. Do you know whether -- I asked you
23 something similar before, and let me clarify. Do
24 you know whether during those evidence

1 inspections they discovered evidence that had not
2 been previously produced to them?

3 MS. EKL: Objection. Foundation.

4 THE WITNESS: That, I can't tell you.

5 BY MS. SUSLAR:

6 Q. Do you know whether there was evidence
7 in the possession of the Paris Police Department
8 that had not been produced to Mr. Steidl or
9 Mr. Whitlock at the time of their trials?

10 MS. EKL: Objection. Foundation.

11 THE WITNESS: No, ma'am, I couldn't
12 tell you.

13 BY MS. SUSLAR:

14 Q. Did you ever have a conversation with
15 anyone in the State's Attorney's Office or any
16 law enforcement agency about the Rhoads evidence
17 prior to the inspections that you've described
18 for me?

19 A. No, ma'am.

20 Q. So when you got a request from
21 Mr. Steidl's counsel, you didn't have to consult
22 with anybody about --

23 A. No, because the request -- if anybody
24 wanted evidence or anything like that from either

1 Mr. Whitlock or Mr. Steidl's counsel, they went
2 through a representative of the Attorney
3 General's office. Then they contacted me.

4 Q. So the -- both contacted you, the
5 Attorney General and --

6 A. The Attorney General's Office would
7 contact me and say, Hey, they're wanting to see
8 this. We need to see the evidence. We want to
9 do it this date, because there was always a
10 representative there from the Attorney General's
11 Office when somebody looked at it.

12 Q. Sure. It was Lea, I forgot --

13 A. Norbutt.

14 Q. And when you spoke with Assistant
15 Attorney General Norbutt, was there any other
16 substance of the conversation other than what
17 you've already reported?

18 A. No, it was just they're coming down to
19 get the evidence. We'll be here this date. I'll
20 be there with them so we know what we're doing.

21 I mean the chain of custody is still
22 intact at that point, so that way we're
23 guaranteed that both sides are on the same
24 playing field.

1 Q. Was there ever a conversation between
2 you and Ms. Norbutt about the contents of the
3 evidence being inspected?

4 A. Not to my recollection, no.

5 Q. Any conversation between you and her
6 about whether the evidence had been previously
7 produced to Mr. Steidl or Whitlock?

8 A. No, ma'am.

9 Q. Now, as the evidence custodian were
10 you also responsible for responding to requests
11 in the nature of like Freedom of Information Act?

12 A. Yes.

13 Q. Did you do that with respect to the
14 Rhoads case as well?

15 A. Yes.

16 Q. And some of these inspections you're
17 telling me about are those as a result of Freedom
18 of Information?

19 A. Yes.

20 Q. Do you know which one was Freedom of
21 Information?

22 A. That, I couldn't tell you, because I
23 don't remember.

24 Q. All right. When you got a Freedom of

1 Information Act request for the evidence in the
2 Rhoads case, you responded?

3 A. Yes.

4 Q. And did you consult with anyone else
5 in law enforcement or the State's Attorney's
6 Office before doing so?

7 A. The Attorney General's Office --
8 anytime that they would send a Freedom of
9 Information Act, it would come through the
10 Attorney General's Office from the legal counsel,
11 whichever counsel it was. It would go through
12 them, and they would send it down and say here's
13 a copy of it. This is what we're wanting to look
14 at, and every time the evidence was viewed, there
15 was an Attorney General present.

16 Q. Okay. And if there was evidence
17 copied, would it go back to the Attorney General
18 and to the requesting party?

19 A. Yes.

20 Q. Were you aware that at some point the
21 Illinois State Police following the convictions
22 of Mr. Steidl and Mr. Whitlock conducted a review
23 of the Rhoads investigation?

24 A. Yes, but I believe that was after I

1 was assigned back out to road patrol, I believe.

2 I'm thinking it was after the year 2000.

3 I mean when I was in investigations
4 and in charge of it, I don't remember anything
5 about them wanting to come in there and review
6 any of the -- any of the report or anything.

7 Q. All right. Is there anything that you
8 haven't told me about your connection with the
9 Rhoads investigation up until the time you went
10 back to patrol around 2000 --

11 A. No, ma'am.

12 Q. -- that you had some relationship to?

13 A. Everything that I've had relationship,
14 I've told you about today.

15 Q. All right. Now, how did you come to
16 know about the review of the state police?

17 A. I believe it was -- I'm thinking it
18 was Deputy Chief Littleton said something about
19 they were coming in to do a review on the
20 evidence and whatever, but, like I said, that was
21 after January 2000, and I can't be specific when,
22 because I don't remember.

23 Q. What else did you know about the state
24 police review?

1 A. Other than the fact that they were
2 going to review it, and that was the last I heard
3 of it.

4 Q. When the deputy chief said they were
5 coming, did he tell you who was coming?

6 A. No, he just said representatives from
7 District 10.

8 Q. Do you know Lieutenant Michale
9 Callahan?

10 A. No, ma'am.

11 Q. Do you know anything about him?

12 A. Not really. He was the one that said
13 that there was a problem with the case. I mean
14 that was on national news. Other than what I've
15 heard on national news, I don't know anything
16 else about it.

17 Q. Did you have an opinion about what he
18 said?

19 A. No, ma'am.

20 Q. And other than what you've told me
21 about -- well, let me ask you this first: Did
22 you know anything else about the state police
23 review of the Rhoads homicide?

24 A. No, ma'am.

1 Q. Now, you mentioned Bill Clutteur. Do
2 you know anything else other than what you've
3 told me about his relationship to Randy Steidl
4 and the Rhoads homicide?

5 A. I believe he was -- he said he was
6 hired by Mr. Metnick's office to serve as a
7 private investigator, basically, and if
8 anything -- if they were going to request to look
9 at any evidence, he more than likely would be
10 present during the time.

11 That's about all I can tell you. He
12 was there a couple of times, called me on the
13 phone a couple of times to set up dates, but that
14 was about it. I mean there wasn't anything else.

15 Q. Did you know anything about
16 Mr. Clutteur before the contact with the Rhoads
17 case?

18 A. No, ma'am.

19 Q. Do you know anything about his
20 reputation as an investigator?

21 A. No, ma'am.

22 Q. Now, at some point you heard that
23 Mr. Steidl was -- that his death penalty had been
24 reversed?

1 A. Yes.

2 Q. And when did you learn that?

3 A. It was after they published it in the
4 paper. There again, I can't remember when it
5 was. I remember reading it in the paper, because
6 it make front page news in Paris.

7 Q. Did you talk to anyone in the
8 department or the State's Attorney's Office about
9 it?

10 A. No, ma'am.

11 Q. Did you hear anyone else talking about
12 it?

13 A. No, ma'am.

14 Q. What was your understanding about why
15 his death penalty was reversed?

16 A. I never paid that much attention to
17 it. I saw the headline, and it said that the
18 death penalty was reversed to natural life at
19 that time, and I just kept flipping through the
20 paper.

21 Q. At church was there ever any
22 conversation about the Steidl family and Randy's
23 situation?

24 A. I never heard anybody say anything.

1 Q. At some point did you learn that
2 Mr. Steidl was released from prison?

3 A. Yes, ma'am, I did.

4 Q. How did you learn that?

5 A. It was on national news again, and I
6 believe there was a couple of TV crews there that
7 day.

8 Q. Did you talk to anybody who had been
9 involved in the investigation or the prosecution
10 about his release?

11 A. No, ma'am.

12 Q. Did you hear anyone else among those
13 folks talking about it?

14 A. No, ma'am.

15 Q. What was your understanding about why
16 he was released?

17 A. My understanding was the federal judge
18 had stated that there was a problem with the
19 trial or something, if I remember right. I can't
20 remember what the exact terms were, but there was
21 a trial problem.

22 Q. Did you have any connection with the
23 reinvestigation of the Rhoads murders?

24 A. No, ma'am.

1 Q. Did you ever have any contact with the
2 attorneys from the office of State Appellate
3 Prosecutors?

4 A. Ms. Norbutt worked for that office,
5 but, there again, the only time I talked to her
6 was when she was down here referencing the
7 evidence.

8 Q. Did you ever have any contact with
9 Attorneys Parkinson or Rands?

10 A. I knew Mr. Parkinson. I've seen him
11 in the courthouse a couple of times but never had
12 any conversation with him.

13 Q. Not about the Rhoads case or Steidl or
14 Whitlock?

15 A. No, ma'am.

16 Q. Did any of the state police come and
17 talk to you about anything related to the Rhoads
18 case?

19 A. The only question I was ever asked
20 about it was did you read him his rights, and I
21 said yes, and that was the night that we arrested
22 Randy.

23 Q. Who asked you that?

24 A. Jack Eckerty.

1 Q. Do you know who Greg Dixon and Jeff
2 Marlow are?

3 A. Yes, they're investigators with
4 District 10.

5 Q. Did they ever come and talk to you
6 about the evidence in the Rhoads case?

7 A. Not to the best of my recollection.
8 I've talked to Greg and Jeff a couple of times,
9 but it's always been on drug cases. I don't
10 believe it was anything to do with the Rhoads
11 homicide.

12 Q. While you were the custodian of the
13 evidence for Paris, did anyone, other than who
14 you've already told me, come and ask about the
15 Rhoads evidence?

16 A. No, ma'am.

17 Q. And since -- when did you go back to
18 patrol?

19 A. January 1st, 2000.

20 Q. And that's where you still are?

21 A. Yes.

22 Q. And so you -- you don't have any
23 control or custody over the evidence --

24 A. No, ma'am.

1 Q. -- since then? To your knowledge has
2 any evidence in the Rhoads homicide case been
3 destroyed?

4 A. No, ma'am.

5 Q. Let me take you back to '86 and '87.
6 You were aware of the Pizza Connection case?

7 A. I heard about it.

8 Q. Are you aware of any connection that
9 Bob Morgan had with any of the people involved in
10 that case?

11 A. No, ma'am.

12 Q. Is there anything else you did with
13 respect to the Rhoads homicide case that you
14 haven't told me about?

15 A. No, ma'am.

16 MS. SUSLAR: I don't think I have
17 anything else.

18 EXAMINATION CONDUCTED

19 BY: MS. HALL

20 Q. I just have a few follow-up questions.
21 I'll not be as long at all. She covered most of
22 it.

23 Just to go back, you understand that I
24 represent Herb Whitlock?

1 A. Okay.

2 Q. And I believe you already told
3 Ms. Suslar that you did not know Herb Whitlock
4 prior to the arrest?

5 A. No, ma'am.

6 Q. Did you know of his reputation at all?
7 Had you heard about Herb Whitlock?

8 A. I mean it was just scuttle around town
9 that Herb was about half crazy, but after -- I
10 never dealt with Herb.

11 Q. When you say half crazy, could you
12 elaborate?

13 A. Somebody said that he did dope. I
14 mean people say everything all over town. He did
15 dope. He drinks. He does this. He does that.
16 I mean it doesn't make you a bad guy, I mean, if
17 you drink. That's the thing.

18 Now, the dope, that's an illegal
19 substance you can't have, but, you know, I
20 personally never had any dealings with Herb.

21 Q. Okay. And subsequent to the arrest,
22 did you hear anything else about Herb after he
23 was arrested about his reputation in the
24 community?

1 A. No, ma'am.

2 Q. Do you know his daughter, Brittany?

3 A. Yes, I do.

4 Q. And can you just tell me what you know
5 of her?

6 A. I knew her after her mom married
7 Mr. Elledge that they -- I mean they were avid
8 horse people. They go to trail rides and stuff,
9 and that was about the only time I would see her.

10 She was about the same age as my kids,
11 and I believe my daughter might have went out
12 with her a couple of times, but other than that,
13 hi, see you on the street and wave, and that was
14 it.

15 Q. Have you always known her to be a
16 pleasant girl?

17 A. Yeah.

18 Q. Okay. Not in any trouble?

19 A. Not to my recollection.

20 Q. Okay. Now, going back to when you
21 were doing your surveillance -- or maybe not
22 surveillance, I forgot what you called it,
23 security detail, when Ms. Reinbolt would leave,
24 would you follow her in your patrol car?

1 A. No. Usually if she left, she left
2 with somebody who was on the list on the folder
3 who would be there. Other than that, she never
4 left the residence.

5 Q. Okay. And if she left with somebody
6 that was in the folder like Mr. Sinclair, would
7 you follow them?

8 A. It would be logged that she left with
9 him and what time they came back. I mean we had
10 somebody -- a car there 24/7. Our basic thing
11 was if somebody on the list comes in, and she
12 wants to leave with them, it's already been
13 okayed with the detectives and the chief, and
14 when she was gone, she would be gone for a short
15 time. You would see them coming back with
16 grocery sacks or whatever.

17 Q. Before you referenced that there was
18 some notebook that you would log when people
19 would come in and come out?

20 A. Yes.

21 Q. Do you have any idea where that
22 notebook would be located?

23 A. At this time, no.

24 Q. At the time if you were going to place

1 that notebook somewhere within the department,
2 where would that go?

3 A. It would have been in the evidence
4 with the report.

5 Q. And would there be any other type of
6 log or sign-in/sign-out for the patrol officers
7 that were assigned to do this surveillance?

8 A. It would be in a spiral -- it would be
9 that spiral notebook that would be passed from
10 car to car or person to person when they came on.

11 Q. Okay. And there wouldn't be any type
12 of dispatch log?

13 A. No.

14 Q. If you had to radio in that she was
15 leaving, would that be logged anywhere, like in a
16 dispatch log or some type of radio log?

17 A. I believe that -- no, we weren't
18 required to do that. It was just logged in that
19 notebook, and then at the end of the shift or if
20 Mr. Parrish or somebody would come by, they would
21 pull up beside the car window and say, Has she
22 left? No, and they would drive on down the
23 street.

24 Q. What other type of activity logs did

1 the police department maintain back in '86, '87
2 to account for where your officers were?

3 A. We just had a daily log sheet.
4 Anything you did, phone calls, calls for service
5 or anything would be logged on that sheet. Time
6 you went to work. Time you went home.

7 Q. Okay. And any phone calls you made
8 would be logged on that as well?

9 A. If somebody came in and said, Can you
10 have so and so call me back, the dispatcher would
11 log that on the sheet, and if we called anybody
12 back, depending on whether it was for a case -- I
13 mean a small department, a lot of people call in
14 for personal stuff.

15 Q. But if you're calling on official
16 business --

17 A. If it was official, it would be logged
18 in.

19 Q. And this is on like a master log?

20 A. Yes, it's just a standard type regular
21 sheet. We didn't go automated with log until
22 last summer, so anything -- anything that
23 pertains to an investigation would have been
24 kept, but a few years ago we sent a request into

1 to the Secretary of State's office to do a
2 destruction of some, you know, paperwork to make
3 room, and it was all misdemeanor arrests that
4 were -- and any criminal arrests that was over
5 the appeal period, that there wasn't any problem
6 with. Everything else would still be intact back
7 in the room.

8 Q. I'm just trying to clarify. This
9 master log of calls that you would make on any
10 investigations, would that be by case or would
11 that be just a master log of everything that
12 happened that day?

13 A. The dispatch would do the general log
14 of everything that happened that day. If a
15 detective or somebody was working on a case, if
16 they returned a call -- I always logged mine in
17 the case file itself. It wouldn't go on a master
18 log, no.

19 Q. You had also mentioned the circuit
20 clerk vault?

21 A. Yes.

22 Q. Can you tell me where is that actually
23 located? Is that in the courthouse?

24 A. It's on the main floor of the

1 courthouse. I can't remember -- downstairs
2 courtroom, so I guess that would be Courtroom 1.

3 Q. Have you ever gone over to the
4 courthouse to take evidence out of there
5 pertaining to the Rhoads murder?

6 A. Yes, we took it out of there one time
7 and took it to Clark County, signed it off to
8 Clark County Circuit Clerk. After the hearing
9 was over, they signed it back over to us, and we
10 signed it back into the courthouse.

11 Q. Have you ever seen the actual evidence
12 vault at the circuit clerk at the courthouse?

13 A. Yes, it's not real big. It's kind of
14 a room that sits back off by itself in a corner.

15 Q. Have you ever noticed -- have you seen
16 anything in there with respect to the Rhoads
17 murder, like other boxes with respect to that
18 there?

19 A. No.

20 Q. No? No, you haven't seen it, or, no,
21 you didn't?

22 A. The time that I moved the stuff --
23 I've only seen it open -- just the time I took
24 the stuff out and the time we brought it back,

1 and all it contained was Rhoads homicide stuff.

2 There wasn't any other case in there with it.

3 Q. In terms of the evidence vault after
4 you started having dealings with it after you
5 were a patrol officer, can you tell me was there
6 any type of log-in for people to go back into the
7 evidence vault?

8 A. The only ones that had access to the
9 vault at that time were the chief, myself, and
10 the other detective, and, really, there wasn't
11 any sign-in thing. It would be if we went back
12 in to check something or get -- we sent it to get
13 an item out and to the state lab, there would
14 have been an evidence sheet that would have been
15 filled out or a lab sheet for the lab, and a copy
16 of that would have went with the report on our
17 file.

18 Q. And is there any master file that
19 everything is sent out to the state labs, or is
20 that all kept in the individual case files?

21 A. Usually the evidence sheets are logged
22 into the log book at the PD, and then if evidence
23 is sent out, a copy of the sheet is also attached
24 to each individual case.

1 There isn't any master log, per se,
2 of what was left. When we started in the
3 computerized system, we can pull up a code up in
4 the computer, and it will tell us every case
5 number that's got stuff at the lab.

6 Q. I know you went a little bit more
7 automated with your evidence. Did you ever go
8 back and take your old evidence that had
9 previously been logged in and update that into
10 your new computer system?

11 A. I tried doing part of it, but it -- we
12 basically when we put the system in and we
13 started doing the automation, that was in '88,
14 that's when we basically started in.

15 Like on the evidence, I don't believe
16 we did anything prior to that. I believe we left
17 it the way it was, and we just started --
18 anything new we got in after I took over, we
19 would put it in the computer.

20 Q. Have you ever done an inventory of the
21 evidence in your evidence room?

22 A. Total inventory, no.

23 Q. Even a piecemeal one?

24 A. Pardon me?

1 Q. Have you even done like a ten percent
2 or 20 percent?

3 A. We did like a ten percent one time.
4 That was basically just to get a list of case
5 numbers and what the evidence was to give to the
6 State's Attorney to see if we could destroy it,
7 because most of it was like little pinchies of
8 pot.

9 Q. What?

10 A. Pinchies, what they call a pinchy.
11 It's just a small smoking device is all it is.

12 Q. Okay.

13 A. And then there was some drugs in there
14 that we had to take to Springfield to destroy.
15 We had some cocaine and marijuana, major amounts
16 of marijuana. That seemed to be the big thing in
17 town.

18 Other than that, no.

19 Q. Are you ever aware if Jim Parrish kept
20 any personal files of the investigations that he
21 did?

22 A. No, ma'am, I don't.

23 Q. Have you ever heard that from anybody
24 else?

1 A. No, ma'am.

2 Q. And with respect to Mr. Whitlock's
3 eventual release from prison, can you just tell
4 me what you heard about it or what you knew about
5 it?

6 A. Just that they had also released him
7 from prison. That was about the only thing I've
8 heard. There isn't any really -- there isn't any
9 gossip going around town that anybody has said,
10 anyway.

11 Q. Were you aware that there was a
12 possible anticipated trial of Mr. Whitlock
13 earlier this year?

14 A. Yes.

15 Q. And did anyone talk to you about
16 possibly being a witness at that trial?

17 A. No, ma'am.

18 Q. And have you ever given any testimony
19 in any grand jury with respect to Mr. Whitlock,
20 Mr. Steidl, or anything in the Rhoads homicide?

21 A. No, ma'am.

22 Q. And has any attorney, excluding your
23 own, ever talked to you about being a witness?

24 A. No, ma'am.

1 MS. HALL: I don't have anything else.

2 EXAMINATION CONDUCTED

3 BY: MR. RAUB

4 Q. I just have a couple for you.

5 You testified that when you were doing

6 the security detail for the Reinbolt house you

7 had a folder with some photographs in it?

8 A. Yes, ma'am -- yes, sir.

9 Q. Was Michael McFatridge's photograph in
10 that folder?

11 A. I can't recall if his photo was in
12 there or not. I just remember a few people that
13 were there.

14 Q. I believe you already testified you
15 never recalled Michael McFatridge coming into the
16 Reinbolt house when you were on the detail?

17 MS. SUSLAR: Object.

18 THE WITNESS: I never seen
19 Mr. McFatridge down there while I was sitting
20 there.

21 BY MR. RAUB:

22 Q. And when you were doing the security
23 detail, you were in a marked squad car?

24 A. Yes, sir.

1 Q. You were parked right in front of the
2 house?

3 A. Directly across the street.

4 Q. So you weren't trying to hide that you
5 were watching the house?

6 A. No, sir.

7 Q. There were some questions asked of you
8 concerning a Mr. Wells, a career burglar in
9 Paris?

10 A. Yes, sir.

11 Q. What was his first name again?

12 A. Ferlin, F-e-r-l-i-n.

13 Q. And your contact with Mr. Ferlin, even
14 though apparently his living is stealing from
15 other people, when you caught him, did he usually
16 confess up to what he did without a fight?

17 A. Yes, sir.

18 MS. SUSLAR: Objection. That is not
19 an accurate characterization of his testimony.

20 BY MR. RAUB:

21 Q. Well, that is his testimony.

22 At the time you became a police
23 officer and completed your PTI, and this would
24 also be based upon what information you may have

1 had even before you were a police officer, did
2 Mr. Steidl have any reputation in the community
3 for involvement in the drug trade?

4 A. Not to my recollection.

5 Q. It sounds like that you have spent
6 most of your career with -- well, with the
7 exception of the ten-year period that you were
8 the detective, the rest of your career has been
9 on the streets?

10 A. Yes, sir.

11 Q. And you only worked the midnight
12 shift?

13 A. Yes, sir.

14 Q. You know where Bob Morgan's business
15 is located?

16 A. Yes, sir.

17 Q. You know where he lives?

18 A. Yes, sir.

19 Q. The time that you've been patrolling
20 the streets of Paris, Illinois, did you ever
21 observe any suspicious activity around the Morgan
22 house or the business?

23 A. His house sits in the county which is
24 just -- it's hooked onto the city, but it's

1 technically county jurisdiction, and we don't
2 patrol that area.

3 As far as his business, his plant was
4 on the south end. You would see normal semi
5 traffic come in and as far as production
6 employees, but that was it.

7 Q. And as a police officer, you never saw
8 anything that made you suspicious of any illegal
9 activity at the plant?

10 A. No, sir.

11 Q. Even though Mr. Morgan's house is
12 technically out of the city limits, is it close
13 enough that you can see it on your patrols?

14 A. You can't really see it, because it
15 sits down in a subdivision south of town. It's
16 got a lot of trees around it. You can't see the
17 house from the highway.

18 Q. Could you see traffic going towards
19 his house?

20 A. Traffic would have to go down Sulfur
21 Springs Road to get to it, and that's a heavily
22 traveled road anyway, because it goes to another
23 little town.

24 Q. As a police officer around town, did

1 you ever hear any rumors or talk that Morgan, Bob
2 Morgan, was involved in the drug trade in any
3 way?

4 A. No, sir.

5 Q. You mentioned that after the Rhoads
6 murder there were a series of several other
7 murders in Paris or Edgar County?

8 A. That was over a ten-year period while
9 I was in investigations.

10 Q. That would have been from what period?

11 A. From 1990 to the year 2000.

12 Q. And were most of those murders
13 determined to be as a result of drug trafficking?

14 A. No.

15 Q. Were any of them a result of drug
16 trafficking, as far as you know?

17 A. No, sir.

18 Q. When you first became a police officer
19 in Paris, were you aware that Paris did have a
20 problem with illegal drugs being sold?

21 A. Yes, sir.

22 Q. And who was in charge of investigating
23 that particular problem?

24 A. It would have been up to the --

1 whoever the detectives were assigned, I mean, in
2 the detective division of both the county and the
3 city.

4 Q. This was -- I assume that you as a
5 patrol officer if you would obviously find drugs
6 during a car search, you would make an arrest?

7 A. Yes.

8 Q. But as far as the normal
9 investigation, was there a drug squad?

10 A. We didn't technically have a drug
11 squad. When I first started in investigations,
12 the other officer that was assigned with me he
13 was more into the drug end of it than I was,
14 because drug surveillance takes a lot of time,
15 and he specialized in, you know, trying to do
16 that.

17 At the current time he's drug task
18 force coordinator for Edgar County.

19 Q. During the time near when the Rhoads
20 murders occurred, do you know if there was any
21 drug enforcement operations involving either
22 state police, DEA, or any kind of combined effort
23 to shut down the drug trade in Paris?

24 A. No, sir.

1 Q. Do you know -- in and around the time
2 of the Rhoads murder was the drug trade kind of
3 centered around the taverns, to your knowledge?

4 A. You couldn't really center the drug
5 traffic in town. It was just kind of all over,
6 and it was everything from marijuana to cocaine.

7 You know, our problem was we sit in
8 the middle of three colleges, and we were
9 catching traffic going all ways and coming up the
10 interstate, and we had an interstate on three
11 sides, so that doesn't help anything either.

12 MR. RAUB: I think that's all I have
13 for you. Thank you.

14 MS. EKL: I don't have anything.

15 MR. RAUB: Do the phone participants
16 have any questions?

17 MR. HALVERSON: No, I do not. Thank
18 you.

19 EXAMINATION CONDUCTED

20 BY: MS. STEINER

21 Q. I have just one question.

22 My name is Heidi Steiner, and I
23 represent several employees of the Illinois State
24 Police who are defendants in this case.

1 A. Right.

2 Q. I just want to ask you if you know any
3 of my clients. Do you know Steven Fermon?

4 A. No, ma'am.

5 Q. Diane Carper?

6 A. No, ma'am.

7 Q. Charles Brueggemann?

8 A. No, ma'am.

9 Q. Ken Kaupus?

10 A. No, ma'am.

11 Q. Andre Parker?

12 A. No, ma'am.

13 Q. And I believe you mentioned that you
14 know Jeff Marlow?

15 A. I know Jeff, yes.

16 Q. And do you know any of his involvement
17 in the Rhoads investigation?

18 A. No, ma'am, I don't.

19 MS. STEINER: That's all I have for
20 you. Thanks you so much for your time.

21 MS. EKL: Are you familiar with
22 waiving or reserving signature?

23 THE WITNESS: Pardon me?

24 MS. EKL: Do you know what that means,

1 to waive or reserve signature? Off the record.

2 (At this point there was an off the
3 record discussion where the deponent
4 waived signature.)

5 (Deponent is excused at 1:00 p.m.)

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1 CERTIFICATE

2
3 I, BARBARA A. GLOVER, Certified
4 Shorthand Reporter, do hereby certify that
5 GARY L. CASH, the deponent herein, was by me
6 first duly sworn to tell the truth, the whole
7 truth and nothing but the truth in the
8 aforementioned cause of action.

9 That the foregoing deposition was
10 taken on behalf of the Plaintiff on June 20,
11 2008.

12 That said deposition was taken down in
13 stenograph notes and afterwards reduced to
14 typewriting under my instruction and said
15 transcription is a true record of the testimony
16 given; and that it was agreed by and between the
17 witness and attorneys that said signature on said
18 deposition would be waived.

19 I do hereby certify that I am a
20 disinterested person in this cause of action;
21 that I am not a relative of any party or any
22 attorney of record in this cause, or an attorney
23 for any party herein, or otherwise interested in
24 the event of this action, and am not in the
employ of the attorneys for either party.

Dated this 25th day of June, 2008.

Barbara A. Glover, CSR, RPR
CRR, CCR

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

GORDON RANDY STEIDL,)	
)	
Plaintiff,)	
)	
v.)	No. 05 CV 02127
)	
CITY OF PARIS, et al.,)	Judge Harold A. Baker
)	Magistrate Judge Bernthal
Defendants.)	

HERBERT WHITLOCK,)	
)	
Plaintiff,)	
)	
v.)	No. 08 CV 2055
)	
CITY OF PARIS, et al.,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a copy of the foregoing June 20, 2009 Deposition Transcript of Gary Cash was served upon the following counsel via the Court's CM/ECF system on the 19th day of March 2010:

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s/ Carrie A. Hall