

A30604D
GARY GITCHELL AUGUST 13, 2009

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DISTRICT

TERRY HOBBS,

Plaintiff,

VS.

CV NO.: 4-09-CV-0008BSM

NATALIE PASDAR, Individually,
And NATALIE PASDAR, EMILY
ROBISON, and MARTHA SIEDEL,
D/b/a DIXIE CHICKS,

DEFENDANTS.

CORRECTED TRANSCRIPT
SEPTEMBER 09, 2009

DEPOSITION

OF

GARY GITCHELL

AUGUST 13, 2009

MEMPHIS, TENNESSEE

DANETTE CROUCH, CSR
ATKINSON-BAKER, INC.
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FILE NO.: A30604D

1	defendant, Natalie Pasdar.	09:05:38	1	Q Also, I will try to not start a new	09:07:04
2	MR. WELLENBERGER: Bob	09:05:41	2	question 'til you've finished your answer so	09:07:05
3	Wellenberger for the Dixie Chicks.	09:05:42	3	that we don't talk over each other. By the same	09:07:07
4	MR. HILAND: Cody Hiland for the	09:05:45	4	token, can I get you to agree to try to let me	09:07:10
5	plaintiff, Terry Hobbs.	09:05:46	5	finish my question before you begin answering?	09:07:13
6	GARY GITCHELL,	09:05:57	6	A No problem.	09:07:16
7	called as a witness, having been duly sworn, was	09:05:57	7	Q And lastly, of course, if you don't	09:07:17
8	examined and testified as follows:	09:05:57	8	understand one of my questions, please let me	09:07:19
9	DIRECT EXAMINATION	09:05:57	9	know -- excuse me -- and I will be happy to	09:07:21
10	BY MS. DAVIS:	09:05:57	10	restate it or rephrase it.	09:07:24
11	Q Can you state your name for the	09:05:58	11	A Okay.	09:07:26
12	record, please.	09:05:59	12	Q Also, if you need to take a break for	09:07:27
13	A Yes. My name is Gary Gitchell.	09:06:00	13	any reason, let me know.	09:07:29
14	Q And have you ever been employed by the	09:06:03	14	A Okay.	09:07:31
15	West Memphis Police Department?	09:06:05	15	Q Terry Hobbs has brought a defamation	09:07:31
16	A Yes, I have.	09:06:07	16	action against Natalie Pasdar and the Dixie	09:07:33
17	Q What years were you employed by the	09:06:08	17	Chicks. Have you seen any press surrounding	09:07:36
18	West Memphis Police Department?	09:06:09	18	that lawsuit?	09:07:39
19	A From 1974 to 1994.	09:06:09	19	A I don't -- no, I don't believe I --	09:07:41
20	Q And when you left the West Memphis	09:06:13	20	that I have.	09:07:41
21	Police Department in 1994, what was your title?	09:06:15	21	Q Basically, just for background	09:07:42
22	A I was chief of detectives.	09:06:19	22	knowledge then, I will let you know that	09:07:45
23	Q I'm going to call you Chief Gitchell	09:06:21	23	Mr. Hobbs is complaining of some statements made	09:07:46
24	for purposes of this deposition. Is that okay?	09:06:24	24	by Ms. Pasdar regarding the West Memphis Three.	09:07:50
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1	A That's fine.	09:06:26	1	When I refer to the West Memphis Three, what's	09:07:55
2	Q My name is D'Lesli Davis, and I'm a	09:06:27	2	your understanding of who I'm talking about?	09:07:57
3	lawyer that represents Natalie Pasdar who's lead	09:06:30	3	A The arrest of three individuals for	09:08:00
4	singer of the recording group Dixie -- the Dixie	09:06:34	4	the murder of the little 8-year-old boys in West	09:08:02
5	Chicks in this case that's been brought by Terry	09:06:37	5	Memphis.	09:08:07
6	Hobbs. Do you understand that?	09:06:40	6	Q And when we talk about the murder of	09:08:07
7	A Uh-huh.	09:06:42	7	three 8-year-old little boys in West Memphis, is	09:08:09
8	Q I need you to say, "yes" or "no" ---	09:06:42	8	it okay if I refer to those murders as the Robin	09:08:11
9	A Yes.	09:06:42	9	Hood Hills murders?	09:08:13
10	Q --- for the record.	09:06:43	10	A That's fine.	09:08:16
11	A Yes.	09:06:43	11	Q The press has gotten ahold of this	09:08:17
12	Q I bet you've had your deposition taken	09:06:43	12	case and the trials and the resulting	09:08:19
13	before.	09:06:45	13	convictions, and the press has called the	09:08:20
14	A Yes.	09:06:45	14	teenagers that were convicted of the murders the	09:08:22
15	Q And if you will recall, some of the	09:06:46	15	West Memphis Three.	09:08:23
16	constraints of a deposition are that I -- the	09:06:48	16	A Correct.	09:08:26
17	witness needs to answer aloud and "yes" or	09:06:51	17	Q And they've called the murders	09:08:26
18	"no" ---	09:06:54	18	themselves the Robin Hood Hills murders;	09:08:28
19	A Yes.	09:06:54	19	correct?	09:08:28
20	Q --- rather than nods of the head or	09:06:55	20	A Right.	09:08:32
21	"uh-huh" or "huh-uh," because those things are	09:06:55	21	Q Can you describe a little bit -- well,	09:08:33
22	hard for the court reporter to take down. Is	09:06:58	22	let me back up first. What was your role, as a	09:08:33
23	that okay?	09:07:02	23	police officer with the West Memphis Police	09:08:37
24	A That's fine.	09:07:03	24	Department, in May of 1993 in investigating the	09:08:39
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1	Robin Hood Hills murders?	09:08:44	1	But you are not to relate information	09:10:48
2	A Okay. I was chief of detectives	09:08:47	2	pertaining to the investigation of the case. You	09:10:53
3	during that time. I also had the responsibility	09:08:50	3	do not relate suspects, for obvious reasons; and	09:10:56
4	of being the public information officer for the	09:08:53	4	you basically share with the public, "This has	09:11:03
5	police department. So I wore kind of a dual	09:08:56	5	happened, this is where it's happened. It's	09:11:06
6	hat. I had investigators assigned to the	09:08:59	6	under investigation, and we cannot reveal	09:11:09
7	detective division that worked on this case	09:09:03	7	anything else more at this time."	09:11:12
8	through my supervision of the case.	09:09:06	8	Of course, the media hammers you and	09:11:14
9	Q Is it fair to say in laymen's terms	09:09:08	9	hammers you from every different direction trying	09:11:17
10	that you were responsible -- you were	09:09:11	10	to get more information, but in that job as the	09:11:21
11	responsible for the investigation of the	09:09:11	11	PIO, that's basically all you can give.	09:11:23
12	murders?	09:09:13	12	Now, it does progress at times	09:11:26
13	A That's correct.	09:09:14	13	throughout any investigation that more is given	09:11:28
14	Q And tell me what your job duties and	09:09:15	14	to the public, because a lot of times you're	09:11:32
15	responsibilities were as a public information	09:09:17	15	asking for help from the public. You're wanting	09:11:35
16	officer.	09:09:19	16	maybe anything the public has seen or heard,	09:11:38
17	A To relate information to the public	09:09:20	17	witnessed. You're basically asking for the media	09:11:41
18	regarding crimes or incidents that occurred in	09:09:23	18	to help you. So sometimes you do go to the media	09:11:44
19	the City of West Memphis, be it good news, be it	09:09:25	19	and ask for their help.	09:11:48
20	bad news.	09:09:30	20	And then when it comes time, if you're	09:11:51
21	Q And did that involve speaking to the	09:09:31	21	fortunate to make an arrest, then at that point	09:11:54
22	press about investigations?	09:09:33	22	you're naming who you have arrested and what the	09:11:58
23	A Yes.	09:09:34	23	charges are. The media at that point tries to	09:12:02
24	Q And what then specifically -- as chief	09:09:35	24	get more information about confessions. That is	09:12:05
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1	of detectives and the individual responsible for	09:09:37	1	something you're not typically allowed to talk	09:12:07
2	the investigation of the Robin Hood Hills	09:09:42	2	about because you do not want to taint the case	09:12:10
3	murders, what were the job duties and	09:09:44	3	that's going to go before the Court.	09:12:14
4	responsibilities that you had related to those	09:09:48	4	So, there's things you can say and	09:12:15
5	functions?	09:09:49	5	things you cannot say.	09:12:18
6	A For the press wise, I handled all the	09:09:52	6	Q Tell me, in the terms of what the West	09:12:20
7	media regarding that case. All press releases,	09:09:56	7	Memphis Police Department considered, was the	09:12:26
8	any appearances, I handle that. Then the	09:10:01	8	investigation into the Robin Hood Hills murders	09:12:30
9	investigation of the case, I oversaw and	09:10:05	9	still open at the time that the prosecutors	09:12:34
10	directed the course of the investigation.	09:10:07	10	began trying the West Memphis Three for the	09:12:37
11	Q What are the parameters just generally	09:10:10	11	crimes?	09:12:40
12	during an ongoing investigation of what it is	09:10:14	12	A Yes, it was.	09:12:40
13	okay to disclose to the press and what a public	09:10:23	13	Q Do you have an understanding of when	09:12:41
14	information officer working for a police	09:10:24	14	that investigation into the Robin Hills murders	09:12:42
15	department should keep private ---	09:10:26	15	was closed?	09:12:45
16	A Basically ---	09:10:27	16	A I don't think it's closed to this day.	09:12:46
17	Q --- or at least within the confines of	09:10:27	17	Q Fair enough. As the public	09:12:49
18	the department?	09:10:29	18	information officer then who's responsible with	09:12:53
19	A Excuse me. Basically, you're allowed	09:10:31	19	making sure that the trials of individuals that	09:13:00
20	to give just basic information. Sometimes you	09:10:33	20	are on trial for a various crime is not tainted	09:13:05
21	can give the victim's name, depending on what	09:10:37	21	or are not tainted, is it appropriate to comment	09:13:10
22	point you are in the investigation. Sometimes	09:10:40	22	in that role on the weight of the evidence?	09:13:15
23	that's withheld, naturally because of contacting	09:10:42	23	A I -- I don't think as a public	09:13:19
24	next of kin.	09:10:47	24	information officer you're to basically comment	09:13:21
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1	about it at all. I do recall being asked a	09:13:24	1	graduates could go to work for the FBI. Of	09:15:35
2	specific question by the media once of how I	09:13:29	2	course, there was about a year and a half of a	09:15:40
3	felt this case was between a one and a ten, and	09:13:32	3	background investigation done on myself and my	09:15:42
4	I made a dumb remark of eleven and caught a lot	09:13:35	4	family.	09:15:45
5	of flak for that.	09:13:41	5	And once you pass all that and testing	09:15:45
6	Q And what's your understanding of why	09:13:42	6	that the FBI would give, you were offered a job,	09:15:47
7	you caught flak for that?	09:13:44	7	which I was, and flew to Washington D.C., the	09:15:50
8	A I think the general public liked it.	09:13:47	8	first airplane I had ever been on in my life, and	09:15:54
9	Attorneys didn't like it whatsoever.	09:13:50	9	started working there.	09:15:58
10	Q The West Memphis -- the city	09:13:52	10	And -- but later, of course, J. Edgar	09:15:59
11	attorneys?	09:13:55	11	Hoover died within about two weeks' time frame.	09:16:03
12	A No, not the city attorneys. I think	09:13:56	12	The FBI was in a turmoil. So they pretty much	09:16:06
13	later on the defense attorneys didn't -- didn't	09:13:56	13	did away with these programs where they allowed	09:16:11
14	like it very much. But, again, you've got to	09:13:58	14	you to have training, college, and you still	09:16:15
15	keep in mind the atmosphere at that time.	09:14:01	15	worked with the bureau, the background's been	09:16:17
16	We were 30 days into the case when an	09:14:03	16	done. So, you were going to slowly progress and	09:16:19
17	arrest was made. There was a lot of burden taken	09:14:06	17	become an agent once you obtained your schooling,	09:16:27
18	off of everyone that was involved in that case.	09:14:10	18	which they helped you with, and that was their	09:16:27
19	We felt like we had a very solid case.	09:14:13	19	program.	09:16:28
20	Q There had been a lot of pressure by	09:14:17	20	Well, when J. Edgar Hoover died, that	09:16:28
21	the public to find the killers?	09:14:19	21	ceased. So, a lot of us said, "What are we doing	09:16:32
22	A No, I don't think by the public so	09:14:22	22	sticking around here?" So we left, and at 21,	09:16:36
23	much as self-imposed pressure.	09:14:24	23	when I was of age, is when I joined the police	09:16:39
24	Q Certainly this was a serious crime and	09:14:27	24	department.	09:16:43
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1	the West Memphis Police Department wanted to	09:14:30	1	Q The West Memphis Police?	09:16:43
2	arrest the killers as soon as possible?	09:14:32	2	A West Memphis Police.	09:16:44
3	A Sure.	09:14:33	3	Q And you joined as a patrolman?	09:16:45
4	Q If you had it to do all over again,	09:14:33	4	A Patrolman.	09:16:46
5	would you have made the comment about eleven on	09:14:35	5	Q And what year was that?	09:16:47
6	a one out of ten scale?	09:14:36	6	A That was 1972.	09:16:48
7	A Probably would not have.	09:14:40	7	Q Let's turn back ---	09:16:50
8	Q Tell me a little bit about your	09:14:41	8	A Excuse me. Excuse me. It's 1974.	09:16:48
9	educational background.	09:14:42	9	Q Let's turn black to the Robin Hood	09:16:52
10	A I'm basically a high school graduate	09:14:43	10	Hills murders. Can you describe for me what the	09:16:54
11	with -- in my law enforcement career attending	09:14:45	11	press coverage was like?	09:16:58
12	many courses -- college courses. I'm a graduate	09:14:51	12	A It was anything you would see today	09:17:00
13	of the FBI Academy.	09:14:57	13	dealing with a major celebrity. I mean, look at	09:17:09
14	Q Let me stop you there. How did you	09:14:59	14	the Michael Jackson coverage. That's the kind	09:17:15
15	get from high school into law enforcement?	09:15:01	15	of coverage we were getting.	09:17:17
16	A At 19 years old -- I was selected and	09:15:04	16	Q And that sort of coverage was at the	09:17:20
17	joined the FBI at 19, and I worked for the FBI	09:15:09	17	time of the murders, but also continuing through	09:17:21
18	in Washington D.C. I worked in the	09:15:15	18	the trials?	09:17:24
19	identification division, had to do with	09:15:17	19	A Yes.	09:17:24
20	fingerprints; and that was a stepping stone in	09:15:21	20	Q And is it fair to say that even after	09:17:25
21	order to later become an agent.	09:15:24	21	the convictions of the West Memphis Three, there	09:17:25
22	And during that time, it was during	09:15:26	22	has been substantial press coverage?	09:17:28
23	J. Edgar Hoover's time. So during that time,	09:15:28	23	A Yes.	09:17:30
24	they had such a program where young high school	09:15:32	24	Q And it's -- do you agree that there	09:17:30
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1	has been a public controversy regarding whether	09:17:34	1	A Yes.	09:19:47
2	the West Memphis Three were wrongfully	09:17:40	2	Q And that public controversy -- and I	09:19:47
3	convicted?	09:17:44	3	understand your position that it was caused by	09:19:47
4	A A public?	09:17:48	4	the documentaries, but that public controversy	09:19:48
5	Q Let me put it this way: Has the press	09:17:50	5	really did expand to be a national controversy?	09:19:51
6	spent a great deal of time focussing on whether	09:17:53	6	A Right. It's almost a cause.	09:19:58
7	the West Memphis Three were wrongfully	09:17:56	7	Q And certainly there are people that	09:19:59
8	convicted?	09:17:59	8	think the West Memphis Three were wrongfully	09:20:01
9	A I don't think the press has.	09:18:01	9	convicted and certain people that don't, but you	09:20:03
10	Q Who do you think has?	09:18:03	10	don't have a problem with people in a democracy	09:20:06
11	A I think based on -- this is my	09:18:04	11	debating whether a particular conviction was	09:20:14
12	personal opinion, that based on the HBO	09:18:06	12	wrongful or not; correct?	09:20:17
13	documentary, that it was slanted more to the	09:18:08	13	A No problem whatsoever.	09:20:19
14	defendants; which when this started, it was not	09:18:14	14	Q In fact, that's one of the hallmarks	09:20:20
15	supposed to be that way. I was against them	09:18:21	15	of free speech in a public democracy, the	09:20:22
16	allowing HBO to do coverage of this while we	09:18:24	16	ability to look at government and determine	09:20:26
17	were investigating this in the first place.	09:18:28	17	whether it's operating correctly?	09:20:28
18	Q And let me stop you just for a second.	09:18:30	18	A That's correct. I would like to say	09:20:32
19	Who's "them" when you say, "I was against them"?	09:18:30	19	something ---	09:20:33
20	A The powers to be.	09:18:33	20	Q Sure.	09:20:34
21	Q Meaning in the department?	09:18:34	21	A --- if you don't mind. I would love	09:20:34
22	A Prosecutors, judges. Everyone had to	09:18:34	22	to sit down with some people that I have heard	09:20:36
23	sign off on it.	09:18:39	23	make statements that are in the public eye and	09:20:39
24	Q Fair enough. Go ahead.	09:18:41	24	actually talk to them and say, "This is what	09:20:42
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1	A Both sides. Defense, prosecutors,	09:18:41	1	really happened that was not shown on the	09:20:45
2	everyone had to sign off on it. So, based on	09:18:43	2	documentary." And I think they would have a	09:20:49
3	the HBO documentary and what was shown in that,	09:18:48	3	whole different understanding of what truly	09:20:51
4	I think the general public received a mental	09:18:52	4	happened in this case and during the	09:20:55
5	picture of how this case was done. I think it	09:18:58	5	investigation, but I'm not allowed to do that.	09:20:58
6	was directed toward individuals incorrectly.	09:19:01	6	I can't do that. Because to this day, this case	09:21:01
7	Had it been shown in the light that testimony	09:19:06	7	is still being heard. Even as we are sitting	09:21:05
8	was done during the time and the two different	09:19:08	8	here today, it's being heard in Jonesboro.	09:21:09
9	cases, two different cities in Arkansas, I think	09:19:11	9	Q You make a great point. The	09:21:12
10	it would have ruled out some of these people	09:19:14	10	documentaries and even press coverage of the	09:21:15
11	that the general public sees as bad guys and	09:19:17	11	trials could only give bits and pieces of what	09:21:18
12	would not have been suspects whatsoever in the	09:19:21	12	happened overall, either in the investigation or	09:21:21
13	public's mind or anyone else.	09:19:23	13	in the trial; right?	09:21:23
14	Q Let me change my question then. Is it	09:19:25	14	A Uh-huh.	09:21:24
15	fair to say that following the HBO	09:19:28	15	Q But the -- is it fair to say that the	09:21:26
16	documentaries, the Paradise Lost	09:19:30	16	evidence that the West Memphis Police Department	09:21:32
17	documentaries ---	09:19:33	17	collected and had that would suggest the guilt	09:21:36
18	A Yes.	09:19:34	18	of the West Memphis Three, and that the	09:21:39
19	Q --- there became sort of ---	09:19:34	19	prosecutors had that would indicate or prove the	09:21:42
20	A That's ---	09:19:34	20	guilt of the West Memphis Three, all that	09:21:45
21	Q Let me finish my question. I'm	09:19:35	21	evidence has been made public?	09:21:47
22	sorry -- there became sort of a public debate or	09:19:36	22	A Yes, it has.	09:21:50
23	controversy about whether the West Memphis Three	09:19:40	23	Q It may not have shown up in the	09:21:51
24	had been wrongfully convicted?	09:19:42	24	documentaries or in a particular news report or	09:21:51
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1	speech by someone, but it is public record?	09:21:51	1	Q But that was your goal throughout the	09:23:40
2	A Most anyone can make the proper	09:21:56	2	investigation, to get the actual killers,	09:23:41
3	contacts and view that -- that information.	09:21:58	3	whether you did or not?	09:23:41
4	Q There are transcripts from the trial?	09:22:01	4	A Uh-huh, and we did.	09:23:45
5	A Yes.	09:22:04	5	Q And, again, getting back to -- and I'm	09:23:46
6	Q There are transcripts from the post	09:22:04	6	not arguing with you about whether you got	09:23:50
7	conviction appeals?	09:22:06	7	the -- the West Memphis Three are the right	09:23:52
8	A Right.	09:22:08	8	killers or not. I just want to make sure that	09:23:55
9	Q Those proceedings were public in every	09:22:08	9	all the evidence that would support your opinion	09:23:58
10	sense of the word; correct?	09:22:11	10	that the West Memphis Police Department got the	09:24:00
11	A Right.	09:22:12	11	right killers when they got the West Memphis	09:24:02
12	Q The West Memphis Police Department, I	09:22:13	12	Three, and that the prosecutors prosecuted and	09:24:04
13	believe -- correct me if I'm wrong -- but has	09:22:13	13	convicted the right killers when they convicted	09:24:08
14	made their -- the bulk of their case file	09:22:13	14	the West Memphis Three, all that evidence is in	09:24:10
15	available for review by any individual that	09:22:18	15	the public domain as far as you know?	09:24:11
16	wants to go down there and look at it.	09:22:26	16	A Yes. Yes.	09:24:14
17	A Pretty much so, and you guys, I'm	09:22:26	17	Q Do you agree that the ability of the	09:24:20
18	sure, have probably looked at it yourselves.	09:22:26	18	press and public to review public trials is an	09:24:26
19	Q Absolutely. I went down there and	09:22:26	19	important part of making sure that the	09:24:35
20	looked through it, and my understanding is that	09:22:28	20	appropriate parties are convicted of crimes they	09:24:38
21	any citizen of the United States that wants to	09:22:30	21	actually committed?	09:24:41
22	make the appropriate request can come down and	09:22:32	22	A If an individual wants to come to	09:24:43
23	sit in the West Memphis Police Department and	09:22:35	23	court and watch this process, I think it's their	09:24:46
24	look through most of that evidence. Am I	09:22:35	24	right to do that, and they should do that if	09:24:49
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1	correct?	09:22:40	1	they have a desire to do so. I think when you	09:24:52
2	A That's what I understand.	09:22:40	2	bring cameras into the courtroom, I think you	09:24:56
3	Q So, there's not a secret bag or pocket	09:22:41	3	have posturing by all involved and I believe	09:24:59
4	of information that the West Memphis Police	09:22:44	4	there creates a problem with how the case is	09:25:03
5	Department or the prosecutors have that	09:22:47	5	actually handled by the judiciary.	09:25:05
6	convinces them that the West Memphis Three are	09:22:49	6	Q Fair enough. Let me back up a little	09:25:09
7	guilty but that the rest of the public can't	09:22:50	7	bit and make a broader picture here. Just the	09:25:10
8	know?	09:22:54	8	idea that the press covers police	09:25:12
9	A Right. There's no -- there's no	09:22:55	9	investigations, the press covers trials so the	09:25:15
10	secret in there whatsoever. It's just -- as I	09:22:57	10	public can know what's going on in	09:25:19
11	mentioned before, it's the perception people	09:22:59	11	investigations, can know about evidence, can	09:25:21
12	received from media and HBO.	09:23:03	12	know what goes on in trials, can know what goes	09:25:23
13	Q Now, is it true though that regardless	09:23:06	13	on in convictions; in your opinion, is that	09:25:26
14	of the best efforts by police departments and	09:23:09	14	helpful to making sure that appropriate	09:25:30
15	prosecutors to do the right thing or to convict	09:23:13	15	convictions are assured?	09:25:33
16	only guilty people, innocent people do get	09:23:15	16	A Sure. It's a check and balance.	09:25:36
17	convicted?	09:23:20	17	Q Describe for me what, just in general	09:25:43
18	A I'm sure that does happen.	09:23:21	18	terms, a crime scene is.	09:25:46
19	Q And certainly with regard to the West	09:23:24	19	A A crime scene could be any number of	09:25:49
20	Memphis Police Department in investigating the	09:23:26	20	things. A crime scene, you have a victim	09:25:53
21	Robin Hood Hills murders, you guys were trying	09:23:31	21	typically. You have evidence you hope to find	09:25:56
22	to get the actual killers?	09:23:36	22	at that crime scene that would link an	09:26:01
23	A I believe we got the actual killers,	09:23:38	23	individual to the crime, be it hair fiber, body	09:26:04
24	without a doubt.	09:23:39	24	fluids, whatever the case may be, impressions.	09:26:09
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1	It could -- it could be any number of things	09:26:15	1	interviews of witnesses or friends and family	09:28:31
2	that you're looking for. Broken branches. It's	09:26:16	2	should be done in a homicide investigation?	09:28:35
3	unlimited really.	09:26:21	3	A An investigator typically takes notes,	09:28:37
4	Q In a -- in a homicide investigation in	09:26:24	4	may even have handwritten statements from	09:28:41
5	general, is it appropriate to -- for the police	09:26:28	5	individuals, may take pictures of individuals.	09:28:44
6	who are investigating the homicide to look at	09:26:32	6	Q What happens to handwritten notes? Do	09:28:47
7	people close to the victim as potential	09:26:36	7	those get rolled into or put into some sort of	09:28:50
8	suspects?	09:26:40	8	typed up formal report or form?	09:28:54
9	A You would look at -- you would look at	09:26:41	9	A Yes.	09:28:56
10	people close, especially family. You would look	09:26:43	10	Q As a matter of course?	09:28:57
11	at them first of all -- first, right off the	09:26:46	11	A It -- it can be different, depending	09:28:59
12	bat.	09:26:48	12	on cases. Some -- some agencies destroy their	09:29:01
13	Q And why is that?	09:26:49	13	notes, some law enforcement agencies do.	09:29:08
14	A Because I think statistically it's	09:26:50	14	Q But that would be after they had typed	09:29:11
15	proven that victims are usually a result of	09:26:56	15	them up or formalized them somehow?	09:29:14
16	family, close friends, known acquaintances. I	09:27:00	16	A If they felt they were important, yes,	09:29:17
17	believe that's where -- that's where you pretty	09:27:05	17	they would have been typed up. If it was	09:29:19
18	much start from and expand from there.	09:27:08	18	inconsequential, they may destroy them.	09:29:22
19	Q And when you talk about family in the	09:27:10	19	Q In the instance where there's been a	09:29:26
20	instance of a homicide of a child, would that	09:27:12	20	child victim of a homicide and the investigation	09:29:28
21	include the parents of the child as potential	09:27:15	21	is at the point where the police are looking	09:29:31
22	suspects?	09:27:18	22	into family members or persons close to the	09:29:34
23	A As -- as much as you would hate to go	09:27:18	23	child, certainly any notes of interviews of	09:29:39
24	down that path as an investigator or police	09:27:22	24	family members should be kept.	09:29:44
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1	officer, you've got to go down that path.	09:27:25	1	A Should be, yes.	09:29:47
2	Q When we are talking back and forth	09:27:27	2	Q And perhaps even typed up and	09:29:48
3	here about looking at family or looking at	09:27:29	3	formalized in a report?	09:29:51
4	parents of child victims, what does that entail?	09:27:32	4	A Right.	09:29:52
5	A Well, you're looking into their	09:27:36	5	Q In a homicide investigation, do the	09:30:00
6	background, their -- any past histories of	09:27:38	6	police want all the credible evidence related to	09:30:05
7	violence, you know, medical records, neighbors'	09:27:42	7	the crime that they can get?	09:30:08
8	statements, even your own law enforcement files	09:27:47	8	A Sure.	09:30:10
9	and records if you've had calls to that area.	09:27:50	9	Q The idea that more evidence is better	09:30:11
10	You do a lot of footwork in the neighborhood,	09:27:53	10	is true?	09:30:12
11	door-to-door knocking, asking questions; and	09:27:56	11	A Sure.	09:30:14
12	then you turn around and you do it all over	09:28:00	12	Q Similarly, in a homicide	09:30:16
13	again, and you may do it three or four times.	09:28:03	13	investigation, do the police investigating want	09:30:19
14	Q Would that include talking to other	09:28:06	14	to follow all credible leads?	09:30:23
15	family members?	09:28:07	15	A Yes, you do.	09:30:25
16	A Yes.	09:28:08	16	Q Do the police want to look at all	09:30:26
17	Q Would that include talking to	09:28:09	17	forensic evidence that's available?	09:30:29
18	acquaintances?	09:28:10	18	A Yes.	09:30:31
19	A Yes.	09:28:12	19	Q Do the police want to look at all DNA	09:30:32
20	Q Would that include talking to persons	09:28:12	20	evidence that's available?	09:30:34
21	that were with the family member in question on	09:28:14	21	A Yes.	09:30:36
22	the night of the homicide?	09:28:23	22	Q What about palm prints?	09:30:42
23	A Yes.	09:28:23	23	A Yeah, palm prints are very beneficial.	09:30:46
24	Q What sort of documentation of	09:28:24	24	Q Do the police want to look at finger	09:30:49
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1	prints?	09:30:51	1	A Well, I've heard recent news that the	09:33:00
2	A Yes.	09:30:52	2	media's calling it new evidence. Maybe the	09:33:04
3	Q Any available lie detector or	09:30:54	3	defense attorneys are calling it new evidence,	09:33:08
4	polygraph test?	09:30:58	4	but I don't know that it's new.	09:33:11
5	A It's an investigative tool that law	09:31:00	5	Q And let's bear down on this sort of	09:33:15
6	enforcement could use, but in most cases it's	09:31:02	6	dispute about whether it's new or not, and I	09:33:18
7	not admissible in court.	09:31:06	7	want to make sure I understand what you're	09:33:21
8	Q When is it appropriate or when -- let	09:31:08	8	saying there.	09:33:23
9	me strike all that. When would you, as an	09:31:11	9	If, for instance, DNA is found at a	09:33:24
10	investigator of a homicide, decide to request	09:31:13	10	crime scene but technologies do not allow back in	09:33:28
11	that a person take a lie detector test related	09:31:16	11	'93 or '94 -- the murder occurs in '93 or '94.	09:33:31
12	to a particular murder?	09:31:22	12	DNA is found at the crime scene, technologies do	09:33:35
13	A When it -- when it would get down to	09:31:28	13	not allow appropriate testing of that DNA until,	09:33:37
14	obviously I would believe that they were not	09:31:29	14	say, 2005. 2005 there's testing of that DNA and	09:33:40
15	being truthful and -- and there was no impasse	09:31:32	15	there's some results. I suppose the results are	09:33:45
16	there and would request them to do that. But	09:31:39	16	new but the DNA -- the evidence itself is not	09:33:48
17	that's -- really, that's rather rare. It	09:31:43	17	new. Is that what you're referring to?	09:33:50
18	doesn't happen in many cases where you actually	09:31:45	18	A Evidence -- the evidence isn't new;	09:33:53
19	have a polygraph test on a murder case. That's	09:31:48	19	it's possibly always been there. Technology has	09:33:53
20	very unusual.	09:31:51	20	improved. But then there's what we talked about	09:33:58
21	Q Is that because persons of interest or	09:31:52	21	earlier. There's the use of the media and how	09:34:01
22	suspects usually don't agree to ---	09:31:56	22	to portray an individual as, "now we have	09:34:04
23	A Sure.	09:31:57	23	found." It's like -- it's like the police have	09:34:08
24	Q --- undergo a lie detector test?	09:31:58	24	hidden this and they didn't want you to know	09:34:10
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1	A Exactly.	09:32:01	1	this. Not the case whatsoever.	09:34:13
2	Q Would it be appropriate to seek a lie	09:32:03	2	Q Okay. Fair enough. And let's kind of	09:34:15
3	detector test from a person of interest or	09:32:05	3	break this down into a couple of -- into a	09:34:17
4	someone you were talking to about murders if	09:32:09	4	couple of different categories.	09:34:19
5	they had given you three or four different	09:32:13	5	DNA and forensic testing for instance,	09:34:20
6	accounts of what transpired?	09:32:16	6	that is not new evidence in the sense that the	09:34:23
7	A It -- you could do that, but there	09:32:18	7	police did capture that evidence at the crime	09:34:26
8	again, it's -- you can only ask an individual	09:32:19	8	scene, and it's been around since '93 or '94.	09:34:28
9	permission to do this, and they can very easily	09:32:22	9	New technologies have allowed new conclusions to	09:34:31
10	say no.	09:32:23	10	be made from that evidence. Is that a fair	09:34:34
11	Q They are not obligated under the law?	09:32:24	11	assessment?	09:34:36
12	A They're not obligated whatsoever. You	09:32:24	12	A Sure.	09:34:44
13	cannot force them to do that.	09:32:27	13	Q Okay. And then there may be evidence	09:34:44
14	Q Are you aware -- well, let me back up.	09:32:29	14	that the police collected around the time of	09:34:44
15	When were the West Memphis Three convicted of	09:32:32	15	their investigation that the public or the press	09:34:44
16	the Robin Hood Hills murders? Just the year.	09:32:32	16	did not focus on, and at a later time period the	09:34:44
17	A '93 I believe.	09:32:38	17	public or press begins to focus on that evidence	09:34:46
18	Q '93 or '94, somewhere in there?	09:32:40	18	and give it a different meaning than has been	09:34:49
19	A Yeah.	09:32:43	19	given it before.	09:34:53
20	Q Are you aware that since the	09:32:43	20	A Right.	09:34:53
21	conviction of the West Memphis Three, there has	09:32:45	21	Q That's also not new evidence; correct?	09:34:53
22	been new evidence regarding the Robin Hood Hills	09:32:50	22	A Right.	09:34:55
23	murders that has come to light that was not	09:32:54	23	Q But there may be truly new evidence in	09:34:56
24	available at the time of the trials?	09:32:57	24	the sense that a witness or a person with	09:34:58
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1	knowledge about the events occurring in '93 or	09:35:02	1	I'm going to say two and a half, three years I	09:37:07
2	'94 have not spoken until 2007, 2008 or 2009. I	09:35:07	2	was involved in, when it came time to go back to	09:37:10
3	mean, that can happen; right?	09:35:13	3	your regular duties -- which my typical duties	09:37:16
4	A It could happen I guess.	09:35:14	4	were every morning I would pick up the offense	09:37:20
5	Q And if that were to happen, just	09:35:16	5	reports of the previous day, look over them, sit	09:37:24
6	hypothetically, that would truly be new	09:35:18	6	with the chief of police. We'd go over them. I	09:37:26
7	evidence.	09:35:20	7	would then go and assign it to my detectives.	09:37:30
8	A You would have to label it as that I	09:35:23	8	We'd get people out of jail that needed to be	09:37:33
9	would assume.	09:35:26	9	interviewed. After that case was over with and	09:37:36
10	Q I think you mentioned this, but tell	09:35:30	10	they were found guilty and I came in to work the	09:37:38
11	me your understanding of whether the criminal	09:35:31	11	next day and picked all that up, I could not -- I	09:37:41
12	proceedings regarding the West Memphis Three and	09:35:38	12	could no longer get interested in it. I knew it	09:37:44
13	the Robin Hood Hills murders are still ongoing	09:35:39	13	was time for me to go and do something different.	09:37:47
14	to this day, 16 years after the fact.	09:35:45	14	Q And you mentioned that you have not	09:37:50
15	A Well, from media coverage that I've	09:35:48	15	kept up with the developments of this case since	09:37:53
16	heard just as of this morning that two of the	09:35:51	16	leaving the West Memphis Police Department up	09:37:56
17	defendants are currently in Jonesboro, Arkansas	09:35:53	17	until a month or so ago, when I began discussing	09:37:58
18	attempting to get a new trial, claiming their	09:35:57	18	with you logistics of getting together for this	09:38:01
19	attorneys were ineffective and based on this new	09:36:00	19	deposition. Is that right?	09:38:05
20	evidence.	09:36:05	20	A Right.	09:38:05
21	Q And you say that with some skepticism	09:36:06	21	Q And, in fact, today you just said that	09:38:06
22	I see.	09:36:08	22	you've tried to forget that case.	09:38:08
23	A Yes, yes. Very much so.	09:36:09	23	A Yes.	09:38:10
24	Q But I think you've told me just when	09:36:11	24	Q Can you explain to the ladies and	09:38:10
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1	we were trying to set up the deposition that you	09:36:13	1	gentlemen of the jury -- because this video	09:38:12
2	have not kept your finger on the pulse of what's	09:36:16	2	could be shown to them at some point. Can you	09:38:14
3	occurring in these cases.	09:36:17	3	explain to them why you haven't kept up, and on	09:38:18
4	A No, I have not, and it hasn't been	09:36:18	4	the flip flop of that, why you've actually tried	09:38:20
5	until you notified me that I've really kind of	09:36:21	5	to forget the events related to the murders and	09:38:22
6	started paying some attention to it.	09:36:24	6	the convictions of the West Memphis Three?	09:38:25
7	Q And ---	09:36:26	7	A Well, first of all, it was a	09:38:26
8	A I've intentionally not -- I've tried	09:36:26	8	horrendous case. Pulling the bodies out of that	09:38:28
9	to forget everything about this case, in all	09:36:30	9	water, there's not a day goes by that I don't	09:38:35
10	honestly.	09:36:33	10	think about it. That's why I've tried to forget	09:38:44
11	Q And I want to talk to you about that a	09:36:35	11	it.	09:38:52
12	little bit further, but let me back up. You	09:36:35	12	Q I understand. It is possible that --	09:38:53
13	left the West Memphis Police Department in what	09:36:37	13	let me back up. Is it your understanding that	09:39:03
14	year?	09:36:39	14	it's possible, based on the proceedings that are	09:39:07
15	A In '94.	09:36:39	15	now ongoing, that certain of the West Memphis	09:39:10
16	Q Following the trials and convictions	09:36:41	16	Three could either be released from prison or	09:39:11
17	of the West Memphis Three?	09:36:43	17	given a new trial?	09:39:16
18	A Yes. I had had my 20 years in, which	09:36:44	18	A I don't think they would be released	09:39:17
19	I was entitled to retire.	09:36:47	19	from prison. They may possibly get a new trial,	09:39:19
20	Q And why did you choose to retire?	09:36:49	20	but I seriously doubt that.	09:39:21
21	A Well, my 20 years -- I had done my 20	09:36:51	21	Q And that's your opinion?	09:39:23
22	years. We had a 20-year retirement. I actually	09:36:55	22	A That's my opinion.	09:39:24
23	stayed a little longer.	09:36:59	23	Q But as far as the realm of	09:39:25
24	But after that particular case, which	09:37:01	24	possibility, it is possible?	09:39:28
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1	A	Anything is possible in this world.	09:39:30	1	evidence, if you were still at the West Memphis	09:41:51	
2	Q	In investigating the Robin Hood Hills	09:39:34	2	Police Department charged with investigating	09:41:55	
3		murders back in '93 and '94, did you want to	09:39:35	3	murders and the Robin Hood Hills investigation	09:41:58	
4		consider all of the evidence that was available?	09:39:44	4	was still under your purview, would you want to	09:42:02	
5	A	Yes.	09:39:46	5	look at any of this, quote, new evidence to	09:42:05	
6	Q	And in investigating the Robin Hood	09:39:48	6	assure yourself that the West Memphis Three were	09:42:10	
7		Hills murders -- strike that. If you were the	09:39:52	7	the right guys?	09:42:11	
8		one -- and I know you're not, but if you were	09:40:04	8	A Yes. And I would want them -- I'm	09:42:14	
9		the one responsible for determining today	09:40:06	9	gone from there, and I would still want them to.	09:42:16	
10		whether the West Memphis Three either received a	09:40:09	10	Yes.	09:42:20	
11		new -- let's just say received a new trial as a	09:40:12	11	Q And would you want -- if you were	09:42:21	
12		result of new evidence, would you want to look	09:40:15	12	still at the West Memphis Police Department and	09:42:22	
13		at that new evidence closely?	09:40:17	13	this, quote, new evidence had come to light,	09:42:25	
14	A	If -- yes. To give you a short	09:40:21	14	would you want to look at any leads that still	09:42:29	
15		answer, yes. But to even say something a little	09:40:23	15	existed that the new evidence suggested?	09:42:32	
16		more to add to this, every day during that trial	09:40:28	16	A Sure.	09:42:35	
17		I said a prayer, and that was: "Let us have	09:40:30	17	Q And would you want to continue to	09:42:35	
18		justice, and let the vengeance be that of the	09:40:34	18	investigate to the extent that any of the new	09:42:39	
19		Lord." So, I wanted to make sure we would	09:40:38	19	evidence suggested there were avenues that could	09:42:43	
20		investigate properly, and whomever was involved,	09:40:44	20	still be run down?	09:42:46	
21		whoever was -- and arrest the correct people.	09:40:47	21	A I think it should -- should always be	09:42:48	
22		If I did not feel in my heart these were not	09:40:58	22	checked out thoroughly.	09:42:51	
23		(sic) the correct people, I would probably still	09:40:58	23	Q And what would be your role if -- what	09:42:53	
24		be there working on it, until they just kicked	09:41:00	24	action would you take if you looked at some,	09:43:06	
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1		me out the door or I died one. So ---	09:41:04	1	quote, new evidence and determined there was	09:43:08	
2	Q	Well -- sorry. Go ahead.	09:41:06	2	further investigation? Had you -- were you	09:43:12	
3	A	I feel very confident we have the	09:41:08	3	still at the West Memphis Police Department,	09:43:15	
4		right people. There's no doubt in my mind.	09:41:11	4	what would you do?	09:43:17	
5		I've not lost any sleep over that aspect of it;	09:41:13	5	A Well, of course, depending on what it	09:43:18	
6		I have just thinking about the three little	09:41:17	6	is, you know, I would take it to the proper labs	09:43:20	
7		boys. The -- I know without a doubt we have the	09:41:20	7	to get the proper work done and await for the	09:43:23	
8		right individuals.	09:41:23	8	results. If those results indicated any	09:43:26	
9	Q	Well, taking what you just said though	09:41:24	9	different person, then you would want to follow	09:43:30	
10		to its logical conclusion of wanting to make	09:41:27	10	up, do investigations, interviews if possible.	09:43:33	
11		sure that justice is done, is that your	09:41:30	11	You just follow it until there was no other end	09:43:40	
12		primary -- was that your primary goal when you	09:41:33	12	to follow it to, I mean, completely.	09:43:43	
13		were with ---	09:41:34	13	Q And if as a result of following the	09:43:46	
14	A	Yes.	09:41:34	14	new evidence to the end there were questions in	09:43:48	
15	Q	--- the West Memphis Police	09:41:35	15	your mind about whether the people convicted of	09:43:51	
16		Department?	09:41:35	16	the Robin Hood Hills murders were actually the	09:43:56	
17	A	To make sure, yes.	09:41:35	17	killers, what would you do at that point?	09:44:00	
18	Q	And was that your primary goal when	09:41:37	18	A If -- if new evidence came forward	09:44:03	
19		you were doing the investigation of the Robin	09:41:39	19	which led me to believe that they were not	09:44:05	
20		Hood Hills murders?	09:41:41	20	responsible, then I would do everything in my	09:44:08	
21	A	Yes.	09:41:43	21	power to help and assist them.	09:44:11	
22	Q	And without splitting hairs over	09:41:44	22	Q Assist the people that were sitting in	09:44:14	
23		what's new evidence versus what's new test	09:41:46	23	prison?	09:44:16	
24		results versus what's a new analysis of old	09:41:50	24	A Yes.	09:44:17	
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1	Q Would that involve going to the	09:44:17	1	open investigation regarding the Robin Hood	09:46:36
2	prosecutors ---	09:44:19	2	Hills murders since you left the West Memphis	09:46:38
3	A Yes.	09:44:19	3	Police Department?	09:46:42
4	Q --- and asking them to look at the new	09:44:20	4	A No.	09:46:43
5	evidence?	09:44:22	5	Q Have you had any involvement in the	09:46:43
6	A Yes. I'd probably be the biggest	09:44:23	6	appeals filed by the West Memphis Three since	09:46:50
7	champion in the news media for them.	09:44:30	7	you left the West Memphis Police Department?	09:46:54
8	Q And as you sit here today, you just	09:44:34	8	A No.	09:46:58
9	haven't looked -- certainly not with the eye of	09:44:37	9	Q Have you been contacted regarding	09:46:59
10	chief of detectives and certainly not with the	09:44:40	10	giving any potential testimony with regard to	09:47:00
11	access that the chief of detectives would have	09:44:43	11	appeals or post conviction proceedings since you	09:47:03
12	to this, quote, new evidence, you haven't had	09:44:45	12	left the police department?	09:47:07
13	the opportunity to go through it?	09:44:46	13	A No.	09:47:14
14	A No, I have not.	09:44:48	14	Q And certainly have not reviewed any of	09:47:14
15	Q I'll represent to you that the West	09:44:52	15	the new evidence or interviewed any witnesses?	09:47:14
16	Memphis Police Department asked -- let me back	09:44:54	16	A No.	09:47:18
17	up. Do you know who Terry Hobbs is?	09:44:59	17	Q If in 1993, while you were	09:47:18
18	A Yes.	09:45:02	18	investigating the Robin Hood Hills murders,	09:47:21
19	Q Who is he?	09:45:02	19	would you have wanted to know if any of the	09:47:25
20	A He's a stepfather of one of the -- one	09:45:03	20	parents of the victims had a history of	09:47:29
21	of the victims.	09:45:06	21	violence?	09:47:32
22	Q And in 2007, the West Memphis Police	09:45:08	22	A Yes.	09:47:32
23	Department asked Terry Hobbs to come down to the	09:45:12	23	Q Would you have wanted to know if any	09:47:33
24	police station, and they interviewed him. This	09:45:16	24	of the parents of the victims had a history of	09:47:35
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1	was June of 2007. And they asked him about his	09:45:18	1	sexual abuse of children or others?	09:47:38
2	whereabouts on the -- May 5th of 1993. Just	09:45:21	2	A Yes.	09:47:41
3	in general, why would police bring in a	09:45:26	3	Q Would you have wanted to know if a	09:47:41
4	stepfather or a potential witness in a murder	09:45:31	4	stepfather of one of the victims had been	09:47:43
5	that long after the conviction of other people	09:45:35	5	visually placed with the victims on the evening	09:47:47
6	for the murders?	09:45:38	6	of their disappearance?	09:47:50
7	A There may have been defense attorneys	09:45:39	7	A Yes.	09:47:52
8	involved in the case that had questions that had	09:45:48	8	Q Would you have wanted to know and	09:47:52
9	contacted law enforcement. So, I believe they	09:45:51	9	consider if there had been DNA evidence	09:47:56
10	would be duty bound to follow up on that, and	09:45:55	10	consistent with a stepfather of the victim found	09:48:04
11	I'm sure that's probably what they were doing.	09:45:59	11	in the ligature binding one of the victims?	09:48:07
12	Q So -- and I know you don't -- you	09:46:02	12	A Sure.	09:48:11
13	haven't looked at that interview, and I know you	09:46:02	13	Q Would you have wanted to know if there	09:48:11
14	don't know the specifics; but if I represent to	09:46:05	14	had been DNA found at the crime scene that was	09:48:13
15	you that they did question Terry Hobbs with	09:46:06	15	consistent with a friend of one of the	09:48:17
16	regard to his whereabouts on May 5th of 1993	09:46:09	16	stepfathers of the victims and the stepfather	09:48:18
17	and they did this questioning in June of 2007,	09:46:13	17	had been with the friend on the night in	09:48:22
18	would that suggest to you that the West Memphis	09:46:18	18	question?	09:48:24
19	Police are still investigating as new evidence	09:46:20	19	A Sure.	09:48:25
20	becomes available or as requested?	09:46:24	20	Q Would you have wanted to know if one	09:48:25
21	A As reque -- yes. And I believe West	09:46:27	21	of the stepfathers of one of the victims was	09:48:27
22	Memphis Police Department would always do that	09:46:29	22	unaccounted for for several hours on the	09:48:30
23	on any case.	09:46:32	23	evenings that the victims went missing?	09:48:32
24	Q Have you had any involvement in the	09:46:34	24	A Yes.	09:48:36
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1	Q Would you have wanted to know if the	09:48:36	1	Q --- people about sexual abuse and	09:50:43
2	stepfather or a stepfather of one of the victims	09:48:41	2	violence.	09:50:44
3	had given multiple different accounts about his	09:48:45	3	A Knocking on doors.	09:50:46
4	whereabouts and actions on May 5th of 1993?	09:48:46	4	Q Would you want to interrogate that	09:50:47
5	A Sure.	09:48:50	5	stepfather?	09:50:49
6	Q Would you have wanted to know if one	09:48:50	6	A Sure.	09:50:50
7	of the stepfathers or if a stepfather of one of	09:48:52	7	Q Would you document that?	09:50:50
8	the victims had said he was searching for his	09:48:56	8	A Sure.	09:50:51
9	son for four hours straight, but that there was	09:49:00	9	Q Would you perhaps even videotape that?	09:50:51
10	credible evidence that he was actually at a	09:49:02	10	A Yes.	09:50:54
11	friend's house playing guitar for an hour?	09:49:06	11	Q Would you maybe put that stepfather	09:50:55
12	A Sure.	09:49:09	12	under surveillance?	09:50:55
13	Q Would you have wanted to know if a	09:49:09	13	A Possibly, yes.	09:50:56
14	stepfather of one of the victims was found to	09:49:12	14	Q Would you maybe ask that stepfather to	09:50:57
15	have a pocket knife of his stepson that the rest	09:49:14	15	take a lie detector test?	09:51:00
16	of the family believed would have been with the	09:49:17	16	A Yes.	09:51:02
17	victim at the time of the death?	09:49:21	17	Q Get finger prints, DNA, all that ---	09:51:03
18	A Sure.	09:49:23	18	A Yes.	09:51:05
19	Q Would you have wanted to know if the	09:49:23	19	Q --- all that that we've discussed?	09:51:05
20	stepfather was credibly accused of doing	09:49:25	20	A Yeah.	09:51:07
21	laundry, including the drapes and beddings in	09:49:28	21	Q If all that evidence were available or	09:51:09
22	the house, within 24 hours of the time that the	09:49:32	22	available to be considered about one of the	09:51:15
23	children went missing?	09:49:36	23	stepfathers of the victims of the Robin Hood	09:51:19
24	A Sure.	09:49:37	24	Hills murders in May of 1993, is it fair to say	09:51:21
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1	Q If all of those pieces of evidence	09:49:43	1	that the police, internally at least, would have	09:51:28
2	that I just walked through, which were not	09:49:46	2	had to consider that stepfather a person of	09:51:31
3	available to you or at least were not found by	09:49:49	3	interest?	09:51:34
4	the police in 1993 or '94, if those were	09:49:52	4	A Yes, they would have.	09:51:35
5	available to you when you were investigating the	09:49:56	5	Q And the police would have had to look	09:51:36
6	Robin Hood Hills murders, would you, as a	09:49:59	6	at that person as possibly a suspect?	09:51:37
7	seasoned or experienced investigator, want to	09:50:03	7	A And as -- yes. And as we previously	09:51:40
8	take a look, as we've been using that phrase, at	09:50:06	8	mentioned, family is the first you look at.	09:51:42
9	that stepfather?	09:50:10	9	Q And if all of that evidence I listed	09:51:55
10	A Yes.	09:50:11	10	came to light following the conviction of others	09:51:57
11	Q And what would that look have	09:50:12	11	for the Robin Hood Hills murders, that would not	09:52:04
12	entailed, specifically given those types of	09:50:14	12	change in any way the obligation of the West	09:52:07
13	evidence?	09:50:17	13	Memphis Police Department to follow up on the	09:52:09
14	A Well, of course, not knowing what --	09:50:18	14	evidence I just listed and I believe, as you	09:52:12
15	quite what the evidence is, yes, you're looking	09:50:19	15	said, chase it as far as that evidence goes?	09:52:15
16	at all the evidence and seeing how it applies to	09:50:23	16	A Exactly.	09:52:19
17	that individual, possibilities of DNA, any	09:50:26	17	Q And this next question I'm asking with	09:52:27
18	forensic, you know, information. You would want	09:50:32	18	all due respect to you and to the West Memphis	09:52:30
19	to look at all that.	09:50:37	19	Police Department and to the hard working men	09:52:33
20	Q And we're back to some of the other	09:50:38	20	and women that have done what they have done to	09:52:36
21	things that you said. You would want to look	09:50:39	21	try to track down the murders -- the murderers	09:52:39
22	into criminal history, you would want to	09:50:41	22	in the Robin Hood Hills case, and I'm not being	09:52:41
23	interview ---	09:50:43	23	facetious at all.	09:52:45
24	A Yes.	09:50:43	24	But from a lay perspective, reading the	09:52:48
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1	press articles and whatnot, it appears that the	09:52:51	1	West Memphis Three get a new trial?	09:55:14
2	West Memphis Police Department and the	09:52:53	2	A Well, you've kind of got a double	09:55:20
3	prosecutors have never looked at Terry Hobbs, one	09:52:56	3	question there.	09:55:22
4	of the stepfathers of one of the victims,	09:53:00	4	Q Yeah, let me break it up. That's	09:55:23
5	seriously as being a person of interest or even a	09:53:03	5	fair.	09:55:23
6	possible suspect in this case. And I know you've	09:53:07	6	A You get ---	09:55:23
7	been gone for a long time. Do you have any	09:53:16	7	Q Explain to me then when you said, "I	09:55:23
8	understanding of why that is or any explanation	09:53:16	8	can't answer your question about why the West	09:55:23
9	of why that would be?	09:53:16	9	Memphis Police Department has not looked at	09:55:29
10	A I really can't comment on it.	09:53:18	10	Terry Hobbs as a person of interest or a	09:55:33
11	Q And when you say you can't comment --	09:53:20	11	potential suspect in light of this new	09:55:36
12	and you mentioned this earlier, and I'm going to	09:53:22	12	evidence," when you said, "I can't say," what	09:55:39
13	let you flush this out for the ladies and	09:53:25	13	did you mean by that?	09:55:42
14	gentlemen of the jury so you can explain.	09:53:28	14	A Well, I think I got the impression you	09:55:45
15	You have some concerns about actually	09:53:29	15	were asking a question as if he's never been	09:55:48
16	testifying with regard to the actual	09:53:31	16	looked at as a suspect, when that's not true.	09:55:52
17	investigation that occurred of the Robin Hood	09:53:35	17	He has been looked at as a suspect.	09:55:55
18	Hills murders. We've been talking hypothetically	09:53:37	18	Q Based -- I'm sorry.	09:55:59
19	and about evidence that you're not aware of at	09:53:41	19	A But on the new evidence that you're	09:56:01
20	this point and in general about investigations.	09:53:44	20	referring to, the police would be properly doing	09:56:02
21	But you're uncomfortable talking about what	09:53:47	21	their job to follow up and talk to him. If	09:56:06
22	actually transpired in that investigation. Why	09:53:48	22	someone else is developed, then they would be	09:56:09
23	is that?	09:53:50	23	proper to follow up and do an investigation on	09:56:12
24	A And the reason I am uncomfortable is	09:53:51	24	that if something new comes up.	09:56:15
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1	there is a wealth of money supporting the West	09:53:56	1	Q And look at him as a possible suspect?	09:56:17
2	Memphis Three in getting them out of jail. Now,	09:54:02	2	A Right, right. The point I'm making	09:56:20
3	I believe -- I believe personally they're guilty	09:54:06	3	is, I don't want to be the individual of sheer	09:56:22
4	of the crime. Two juries said they were guilty	09:54:10	4	making a -- an incorrect comment or being wrong	09:56:28
5	of it. There is a lot of money, there's a lot	09:54:13	5	on a date or a time or a small fact and then all	09:56:31
6	of legal minds working to get them out of jail,	09:54:18	6	the sudden the legal minds say, "Oh, my God,	09:56:36
7	and I'm afraid that I could say something --	09:54:23	7	see, based on what Mr. GitcheLL said in that	09:56:39
8	this has been, for me, 16 years. I'm afraid I	09:54:25	8	deposition, he should get a new trial."	09:56:44
9	could say something inappropriately, I could be	09:54:29	9	Now, if there's new evidence, fine.	09:56:46
10	wrong, I could be forgetful, because Lord knows	09:54:32	10	But don't -- don't put that monkey on my back	09:56:48
11	I'm getting older and I can be, and I don't want	09:54:36	11	that I've said something incorrectly over 16	09:56:51
12	to say anything that would cause them to get a	09:54:39	12	years that I may or may not remember, that	09:56:54
13	new trial just based on a comment I make.	09:54:43	13	they're going to be entitled to a new trial for	09:56:56
14	Q When you say then in answer to my	09:54:47	14	something I said. No. That's why I'm not going	09:57:00
15	question about why the police had not looked at	09:54:50	15	to discuss the case.	09:57:01
16	Terry Hobbs or treated him as a person of	09:54:52	16	Q Fair enough.	09:57:02
17	interest or a possible suspect -- I believe your	09:54:55	17	A If they have new evidence, hey, I'm	09:57:02
18	answer to my question was you can't say, and I	09:54:58	18	all for it. Go for it.	09:57:04
19	want to break down. You can't say because	09:55:00	19	Q Fair enough. And in following up with	09:57:06
20	you've been gone for so long and don't know the	09:55:02	20	what you're saying there, then any discussion of	09:57:10
21	facts, from you can't say because you do not	09:55:05	21	how the West Memphis Police Department looked at	09:57:16
22	feel comfortable making a comment about the	09:55:08	22	Terry Hobbs back in '93 or '94, you can't talk	09:57:19
23	investigation or what transpired because you do	09:55:09	23	about that today?	09:57:22
24	not want to say anything that would help the	09:55:12	24	A Correct.	09:57:23
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1	Q Any discussion of why Terry Hobbs was	09:57:23	1	determined whether Mr. Hobbs had an alibi for	09:58:58
2	not pursued further back in '93 or '94, can you	09:57:26	2	May 5th or 6th?	09:59:05
3	talk about that today?	09:57:30	3	A No.	09:59:05
4	A No.	09:57:32	4	Q And whether, in fact, the police	09:59:05
5	Q Can you talk about how many different	09:57:32	5	department ever considered Mr. Hobbs actually a	09:59:07
6	times the West Memphis Police Department	09:57:34	6	suspect?	09:59:10
7	interviewed Terry Hobbs in '93 or '94?	09:57:36	7	A No.	09:59:10
8	A I couldn't -- to be honest with you, I	09:57:37	8	Q Could you talk to me about whether the	09:59:11
9	couldn't remember.	09:57:39	9	police department considered that there had been	09:59:15
10	Q And you couldn't talk about what he	09:57:40	10	my errors made in the investigation?	09:59:18
11	said in any interview back then?	09:57:43	11	A Could I?	09:59:21
12	A No.	09:57:44	12	Q Would you, could you today, given the	09:59:23
13	Q Could you talk about any evidence that	09:57:45	13	parameters of what you're comfortable	09:59:25
14	the West Memphis Police Department collected on	09:57:46	14	discussing?	09:59:29
15	Mr. Hobbs back then?	09:57:47	15	A No.	09:59:29
16	A No.	09:57:49	16	MS. DAVIS: Why don't we take a	09:59:33
17	Q And I'm just going to run through a	09:57:50	17	quick break.	09:59:35
18	few of these so that I can test you on this, and	09:57:52	18	MR. WELLENBERGER: Suits me.	09:59:37
19	then I think I'll be able to globally whittle	09:57:54	19	MS. DAVIS: And I'll -- let me	09:59:38
20	down my questions. Could you talk about any	09:57:57	20	try to just -- I think that will help me cut	09:59:38
21	other witnesses that spoke to the West Memphis	09:57:59	21	through some of this stuff.	09:59:40
22	Police Department about Mr. Hobbs?	09:58:02	22	VIDEOGRAPHER: We're going off	09:59:43
23	A No.	09:58:04	23	the record. The time is approximately 10:00 a.m.	09:59:44
24	Q Could you talk to me about -- or	09:58:04	24	(Brief recess.)	09:59:47
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1	answer any questions about whether Mr. Hobbs was	09:58:06	1	We are now back on the record. The	10:00:39
2	ever put under surveillance, and if not, why?	09:58:10	2	time is approximately 10:06 a.m.	10:05:22
3	A No.	09:58:14	3	Q (By Ms. Davis) Chief GitcheLL, I	10:05:25
4	Q Could you talk to me about whether the	09:58:15	4	want to thank you for being here today and so	10:05:27
5	West Memphis Police Department ever considered	09:58:18	5	candidly answering the questions, and I want you	10:05:27
6	any criminal history of Mr. Hobbs or violent	09:58:22	6	to know that I respect the position that you	10:05:29
7	history or sexual abuse history?	09:58:25	7	find yourself in and your concerns about	10:05:32
8	A No.	09:58:28	8	answering further questions.	10:05:34
9	Q Could you talk to me about whether	09:58:28	9	My only other question for you is that	10:05:36
10	any -- whether the West Memphis Police talked to	09:58:30	10	if I were to ask you any question about the	10:05:37
11	any alibi witnesses of Mr. Hobbs?	09:58:34	11	details of the investigation and trials of the	10:05:41
12	A No.	09:58:38	12	West Memphis -- the investigation into the Robin	10:05:43
13	Q Could you talk to me about whether the	09:58:38	13	Hood Hills murders or the trials of the West	10:05:45
14	West Memphis Police Department asked Mr. Hobbs	09:58:39	14	Memphis Three for those murders, you would not be	10:05:47
15	to take a lie detector test?	09:58:42	15	able to or willing to answer my questions about	10:05:50
16	A No.	09:58:47	16	those today. Is that right?	10:05:52
17	Q Or whether the West Memphis Police	09:58:47	17	A That's correct.	10:05:55
18	Department interviewed Mr. Hobbs' family about	09:58:47	18	Q Fair enough.	10:05:55
19	him?	09:58:49	19	MS. DAVIS: I'll pass the	10:05:56
20	A No.	09:58:50	20	witness.	10:05:58
21	Q Whether the police talked to David	09:58:51	21	VIDEOGRAPHER: This is the end of	10:06:00
22	Jacobi?	09:58:52	22	Tape 1 for the videotape deposition of Mr. Gary	10:06:00
23	A No.	09:58:54	23	GitcheLL. The time is approximately 10:06 a.m.	10:06:00
24	Q Whether the police department	09:58:58	24	(Brief recess.)	10:06:03
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1	This is the beginning of Tape 2 of the	10:06:05	1	changed the atmosphere in the West Memphis	10:10:05
2	videotape deposition of Mr. Gary GitcheLL. The	10:07:49	2	community?	10:10:08
3	time is approximately 10:08 a.m.	10:07:52	3	A Well, it's a Bible-belt community, a	10:10:10
4	DIRECT EXAMINATION	10:07:55	4	lot of churches. So, the thoughts that there	10:10:14
5	BY MR. WELLENBERGER:	10:07:55	5	were people in devil worshipping cults was	10:10:18
6	Q Chief GitcheLL, my name is Bob	10:07:56	6	frightening to them.	10:10:27
7	Wellenberger, and I represent the Dixie Chicks.	10:07:57	7	Q Do you know Bill Wheeler, the preacher	10:10:29
8	I just have a few questions, and I hope you can	10:07:57	8	at the Church of Christ in West Memphis?	10:10:32
9	answer them. If you don't feel comfortable,	10:07:57	9	A Vaguely, yes.	10:10:37
10	just say so, and we'll hopefully agree that you	10:07:57	10	Q Do you recall he put on a special --	10:10:38
11	don't need to.	10:08:11	11	had a special speaker come into that church to	10:10:40
12	A All right.	10:08:13	12	preach about -- talk about satanism?	10:10:43
13	Q But I was a little confused about	10:08:13	13	A No, I don't -- don't recall any.	10:10:46
14	looking at the parents, trying to clear the	10:08:18	14	Q Do you recall that the First Baptist	10:10:47
15	parents as one of the first steps in an	10:08:21	15	Church there in West Memphis had special	10:10:48
16	investigation. Was that course followed, do you	10:08:27	16	Wednesday night programs on satanism for about a	10:10:51
17	think, in the Robin Hood Hills murders?	10:08:31	17	month?	10:10:53
18	A Yes.	10:08:35	18	A No, sir, I don't recall.	10:10:56
19	Q And is the documents -- is the work	10:08:35	19	Q Do you recall the Wicker Group trying	10:10:57
20	that was done to clear the parents documented in	10:08:39	20	to have a parade in West Memphis to support	10:11:00
21	the file?	10:08:43	21	their version of the religion?	10:11:04
22	A Only -- the best way I know how to	10:08:49	22	A I -- I remember them having one I	10:11:06
23	answer it is this: It should be. It's been 16	10:08:51	23	believe in Jonesboro during the time of the	10:11:08
24	years ago, and God knows how many people's been	10:08:56	24	trial; but in West Memphis, I don't remember	10:11:10
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1	through the files.	10:09:00	1	that.	10:11:14
2	Q Understood. That's a good answer.	10:09:01	2	Q Okay. During the Echols/Baldwin	10:11:14
3	But it should be there?	10:09:03	3	trial, you were present for that trial every	10:11:22
4	A Should be.	10:09:05	4	day?	10:11:24
5	Q Okay. Then there was the Misskelley	10:09:07	5	A Yes, sir.	10:11:25
6	confession got leaked to the press, and I know	10:09:11	6	Q Were you able to sit in the courtroom	10:11:26
7	that was something that was of concern to you.	10:09:17	7	or ---	10:11:27
8	Did you ever find out how that confession was	10:09:20	8	A No, sir.	10:11:28
9	leaked to the press?	10:09:23	9	Q Okay. And you -- do you have an	10:11:28
10	A I could not discuss it.	10:09:25	10	opinion as to whether the members of that jury	10:11:30
11	Q Okay. Well, was that an item of --	10:09:27	11	knew about the Misskelley confession?	10:11:32
12	you didn't leak it, did you?	10:09:28	12	A I would have no idea.	10:11:37
13	A No.	10:09:31	13	Q Do you know -- do you remember an	10:11:40
14	Q And was that an item of concern to you	10:09:32	14	officer named John Slater, West Memphis ---	10:11:41
15	at the time?	10:09:35	15	A Was he a West Memphis officer?	10:11:45
16	A Not really.	10:09:38	16	Q West Memphis officer named John	10:11:48
17	Q When the Misskelley confession was	10:09:40	17	Slater.	10:11:51
18	leaked, that -- that confession talked about a	10:09:42	18	A Yeah, I think I remember him, yeah.	10:11:52
19	satanic cult. Did that change or invigorate a	10:09:49	19	Q I take it from that answer that you	10:11:59
20	change in the atmosphere in West Memphis?	10:09:54	20	think you remember him, that it's rather vague?	10:12:01
21	A In the community, yeah, I think it	10:09:57	21	A Yeah. I'm trying to place a face, and	10:12:04
22	probably did.	10:09:59	22	I can't do that, so.	10:12:06
23	Q And could you -- could you just kind	10:10:00	23	Q Well, John Slater provided an	10:12:08
24	of explain a little bit about how -- how that	10:10:03	24	affidavit that he was on the evening -- the	10:12:10
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1	11:00 p.m. shift of the evening of May 5,	10:12:12	1	leads. Is that correct?	10:14:43
2	morning of May 6, and that the shift commander	10:12:16	2	A I believe so.	10:14:44
3	had -- somehow had not gotten the word out we	10:12:20	3	Q So, I mean, that's one place where the	10:14:46
4	had these three boys missing. Is that -- is	10:12:24	4	media was ---	10:14:47
5	that ringing a bell?	10:12:27	5	A Helpful.	10:14:48
6	A I don't -- of course, I would have	10:12:29	6	Q --- maybe helpful?	10:14:48
7	been in bed at that time. So I don't know what	10:12:31	7	A Yes, sir.	10:14:50
8	transpired there.	10:12:33	8	Q Okay. Then there was a reward fund	10:14:50
9	Q Well, I mean, do you recall that there	10:12:35	9	generated by -- was that generated by the	10:14:53
10	was conversation in the police department	10:12:36	10	citizens of West Memphis?	10:14:56
11	that -- that somehow we just stopped looking for	10:12:40	11	A Crime Stoppers has an amount typically	10:14:58
12	those boys at shift change?	10:12:42	12	they add in, but then donations also.	10:15:01
13	A I'm going to break my own rule here.	10:12:47	13	Q And that reward fund for this crime	10:15:03
14	I wasn't happy with that situation whatsoever	10:12:49	14	really grew, didn't it, to almost maybe \$50,000,	10:15:07
15	myself. I was chief of detectives. I had	10:12:59	15	35 to 50?	10:15:10
16	detectives on call 24/7. I was on call 24/7.	10:13:01	16	A To be honest with you, I don't	10:15:13
17	Many times at 3:00 o'clock I get calls in the	10:13:04	17	remember that amount. And I was a coordinator.	10:15:14
18	morning over a soda machine broken into and want	10:13:06	18	I was the coordinator of Crime Stoppers. So, I	10:15:17
19	a decision or not whether to put fingerprint	10:13:12	19	don't, but I just honestly don't remember now.	10:15:22
20	powder on the machine.	10:13:13	20	Q But there was -- there was -- I mean,	10:15:25
21	And for three 8-year-old boys to come	10:13:15	21	the interest of the community wasn't limited	10:15:30
22	up missing and it's dark and they're not home,	10:13:17	22	simply to media reports?	10:15:33
23	why wasn't I called. That upset me.	10:13:21	23	A Oh, no. It was all over the world.	10:15:35
24	Q Understood. And John Slater said that	10:13:27	24	Q And -- but your citizens in West	10:15:38
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1	he and his partner -- and this is in an	10:13:30	1	Memphis, they wanted to donate money to the	10:15:40
2	affidavit that was filed a few years back in a	10:13:32	2	crime fund. As I understand it, there was a	10:15:42
3	different Rule 37. But he and his partner got a	10:13:35	3	library -- or there was a reading memorial	10:15:45
4	call from the commander at about 5:00 or	10:13:40	4	dedicated to the boys.	10:15:50
5	5:30 a.m. on the morning of May the 6th, and	10:13:42	5	A I think at one of the schools.	10:15:52
6	they searched the very area where the bodies	10:13:45	6	Q Through the Cub Scouts, Boy Scouts of	10:15:55
7	were ultimately found with the big flashlights,	10:13:50	7	America. Is that correct?	10:15:58
8	looked right into that creek with those big	10:13:54	8	A I believe so.	10:16:01
9	flashlights, and there were no bodies there.	10:13:54	9	Q And the schools had -- at least the	10:16:03
10	And he says, "If the bodies had been there, we	10:13:57	10	Weaver Elementary School had to bring counselors	10:16:04
11	would have seen them."	10:14:00	11	in to talk to the children about the loss?	10:16:08
12	Now, you were at the site, and in broad	10:14:02	12	A That's not unusual for -- even if a	10:16:11
13	daylight you had to stumble across those bodies	10:14:07	13	child is in a traffic accident.	10:16:13
14	to find them.	10:14:11	14	Q But, I mean, in this instance, I mean,	10:16:16
15	A Correct.	10:14:12	15	that -- that activity was undertaken; correct?	10:16:18
16	Q Would you have seen them at nighttime	10:14:12	16	A Yes.	10:16:22
17	with flashlights, in your opinion?	10:14:14	17	MR. WELLENBERGER: I think that's	10:16:45
18	A No, would not have.	10:14:17	18	all I've got.	10:16:46
19	Q The Inside Edition and America's Most	10:14:21	19	(Discussion off the	10:16:47
20	Wanted both had programs on these murders before	10:14:26	20	record.)	10:16:47
21	anybody was arrested; correct?	10:14:30	21	Q (By Mr. Wellenberger) Chief, would	10:16:52
22	A Yes. I did press releases with them.	10:14:32	22	you look at Exhibit 1 to your deposition, and is	10:16:53
23	Q And you had a huge volume of calls	10:14:36	23	that a true and correct copy of the subpoena	10:16:57
24	following American's Most Wanted I think about	10:14:39	24	that you received for today's deposition?	10:17:01
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1	A	Yes, it is.	10:17:05
2		(Whereupon, Exhibit No. 1	10:17:05
3		was marked to the testimony	10:17:05
4		of the witness.)	10:17:05
5		MR. WELLENBERGER: Thank you.	10:17:09
6		MS. DAVIS: Thank you, Chief.	10:17:10
7		MR. WELLENBERGER: Cody, do you	10:17:12
8		have any questions?	10:17:12
9		MR. HILAND: I don't, Bob.	10:17:13
10		VIDEOGRAPHER: This concludes the	10:17:16
11		videotape deposition of Mr. Gary Gitchell	10:17:16
12		consisting of two tapes. The time is	10:17:17
13		approximately 10:18 a.m.	10:17:20
14		FURTHER DEPONENT SAITH NOT.	10:17:20
15		(SIGNATURE PAGE ENCLOSED.)	10:17:20
16			
17			
18			
19			
20			
21			
22			
23			
24			

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1		CERTIFICATE	10:17:20
2		STATE OF TENNESSEE:	10:17:20
3		COUNTY OF SHELBY:	10:17:20
4		I, DANETTE CROUCH, Court Reporter and Notary	10:17:20
5		Public for the State of Tennessee at Large, do	
		hereby certify that I reported in machine	10:17:20
6		shorthand the above-captioned proceedings.	10:17:20
		I HEREBY CERTIFY that the foregoing pages contain	
7		a full, true and correct transcript of my said	10:17:20
8		Stenotype notes then and there taken.	10:17:20
		I FURTHER CERTIFY that I am not an attorney or	
9		counsel of any of the parties, nor a relative or	10:17:20
10		employee of any of the parties, nor am I a	10:17:20
11		relative or employee of any attorney or counsel	10:17:20
12		connected with the action, nor am I financially	10:17:20
13		interested in the action.	10:17:20
14		I FURTHER CERTIFY that in order for this document	10:17:20
15		to be authentic and genuine, it must bear my	10:17:20
16		original signature and my embossed notarial seal	10:17:20
17		and that any reproduction in whole or in part of	10:17:20
18		this document is not allowed or condoned and that	10:17:20
		such reproductions should be deemed a forgery.	10:17:20
19		THEREFORE, witness my hand and my official seal	10:17:20
20		in the State of Tennessee on August 14, 2009.	10:17:20
21			10:17:20
22			10:17:20
23			10:17:20
24			10:17:22

 DANETTE CROUCH
 Court Reporter and
 Notary Public at Large

My Commission Expires:
May 24, 2011

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