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STATE'S EXHIBIT #10  
12/15/93 Misskelley interview

Interview with Jessie Lloyd Misskelley  
By: Dr. Richard Ofshe  
Date: December 15, 1993  
Location: Clay County Detention Center

Misskelley interview - 12-15-93 - Richard Ofshe  
(Tape 4)

OFSHE: Today's the 15<sup>th</sup> of December and I'm here in - where are we in Arkansas?

MISSKELLEY: Clay County. I mean, uh, yeah, Clay County.

OFSHE: Clay County, Arkansas talking with Jessie Misskelley. Jessie, the reason I'm here is that what I want to do is try to find out as much about what happened on the 3<sup>rd</sup> of June as I possibly can. And the way we're going to approach it is we're going to talk about what we'll call the interrogation, really, from the time the police came and found you that morning up until everything was over. I've got all of the notes that, uh, that exist about this, the notes of the police officers and then the transcript of the two statements that were recorded. And I want to use those to kind of walk you through what happened. We're going to try to do it step-by-step, and what I'd like to know about, is - and I'm going to try to help you, make it easy for you to do this - I'd like to know everything that you remember about what happened on that day, but, we're going to do it in a way that I think is going to make it easy for you to do it, which will be, I'm going to walk through it step by step with as much information as we've got about what happened and then you're gonna tell me what you remember. And we'll just take it step by step.

MISSKELLEY: Okay.

OFSHE: Uh, do you remember about what time it was when the police first came to your house that morning?

MISSKELLEY: They didn't come to my house. [01:59]

OFSHE: Okay. Where'd they come?

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MISSKELLEY: They, uh, it was Mike Allen, he came to where my dad was work. And I stayed over, uh, this woman's house cause, some people prowling around, and my dad woke me about 9:30 and told me that Mike Allen wanted to talk to me about-

OFSHE: So he woke you up at Vicki's house?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: At her trailer?

MISSKELLEY: Uh-huh, (Affirmatively indicating) have a trailer and then knocked on (inaudible) and then we went back to my house get me some clothes, and he carried to his shop and I got in the car with Mike Allen, and we drove to the police station.

OFSHE: Did Allen tell you anything about why he wanted you to go to the police station with him?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Did you ask?

MISSKELLEY: Naw. (Negatively indicating)

OFSHE: What did you think, if anything?

MISSKELLEY: Well my dad told me that, uh, that Mike Allen wanted talk to me about that guy that (inaudible).

OFSHE: Is that the one who approached you as you called the police?

MISSKELLEY: I didn't call the police, a friend of mine did.

OFSHE: Oh, okay, that, that's the one -

MISSKELLEY: That's the one they was supposed to talk to me about but they didn't say nothing about him.

OFSHE: Okay, but that was the fellow who had, had, uh, spoken to you, what? a couple of days before, was it?

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MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: And that, uh, why did your friend call the police?

MISSKELLEY: He figured that he was uh, probably the guy that done it to the kids.

OFSHE: What was it that this guy had said to you that day?

MISSKELLEY: He asked us did we want to go, uh, see his screw-it. We said no, then he asked did we want some drink, some beer. And we said no. Then we walked across the railroad track so a friend of mine called the police, told 'em what he looked like and stuff. Then we went to the uh, across the street to the bowling alley shot some pool, then I'd say three police officers come over there. They told us that they wanted to talk to us. So we got in the car and went to the police station, and they had some papers and stuff filed.

OFSHE: And that was a few days before the police came to -

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: So your dad told you that they wanted to talk to you about that, is my understanding of that correct?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: So, uh, what happened when you got to the police station?

MISSKELLEY: They started, uh, they was saying they couldn't do nothing, cause they had to have my dad's signature for something for the -

OFSHE: Polygraph?

MISSKELLEY: Yeah. (Affirmatively indicating)

OFSHE: Okay. Judging from the notes it looks to me like a couple of things happened before the subject of taking a polygraph came up and I'm looking at Detective Ridge's notes. Why don't you to reach behind you and just close

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that door up. Thank you. Uh, looks to me from these notes that, uh, Ridge asked you a number of questions about, for example, what you did on the day that the three little boys were killed. Do you remember that?

MISSKELLEY: Uh-huh. (Affirmatively indicating) I was working over Ricky Dees in West Memphis Roofing.

OFSHE: Okay. Do you remember him asking you about this stuff?

MISSKELLEY: I do now.

OFSHE: Okay. Jessie, what I want to do, and I want to try to help as much as possible and use these notes, is literally walk us through what happened as if it were a movie, and we were watching the movie - I mean in the sense of, I want to know everything. And I know a lot of the questions I'm going to ask you are probably not questions that you can give me as detailed answers as I would like, but that's just the way it is. But as long as you do the best you can and realize that there's nothing that, uh, happened that I'm not interested in. In other words, anything you remember about what happened, I'd like to hear about. And we're just going to try to do it in order.

So, judging from these notes they start out asking you what you did that day. And I gather you recall his asking you about that?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Do you remember what he asked and what you said.

MISSKELLEY: He asked me where was I at the day that it happened and I told him I working at uh, Ricky Dees. And uh, then he, uh, start to say, he said that uh, that you had something to do with this, and I said no, cause I was working at Ricky Dees the day it happened.

OFSHE: Okay, now, here in the notes it says that week you worked as a roofer. Uh, boss Ricky Dees, uh, rode with Josh Darby and got off work at 5:00 p.m.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

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OFSHE: Went home and stayed at home. Now, that's his notes of what you told him that you did that day. Does that sound accurate?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Not only accurate in terms of what you did but accurate in terms of what you told him.

MISSKELLEY: Right.

OFSHE: Uh, now there's a word here I can't quite make out, but the next line looks as if it could be, believed were told, and I can't make out the first part of the word, that Damien and Robert Burch had done murders.

MISSKELLEY: Now that - that's what I heard from people from (inaudible) up from West Memphis, they told me about that.

OFSHE: Do you remember that subject coming up? Did they ask you about - what do you think it is that led to this note in his handwritten notes?

MISSKELLEY: I don't know, he just start coming up with that - with that stuff, and you know, I didn't know who done it, I, you know, that's what I heard.

OFSHE: I understand that. I don't have any question, but what we're trying to do is find out what conversation led up to his making this note, in other words, what question he asked you and -

MISSKELLEY: I don't remember, you know, what it led up to.

OFSHE: Okay. Do you remember telling him that you had heard what you were just telling me?

MISSKELLEY: Uh-huh. (Affirmatively indicating) [8:50]

OFSHE: Uh, the problem there was some discussion about, uh, Damien. And he writes down that Damien is sick and then in parentheses it had 'drinks blood'. Is that some thing that you told him?

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MISSKELLEY: Uh-huh. (Affirmatively indicating) Cause, uh, one day uh, Jason was fighting and Jason's nose got busted and Damien stuck his finger on his nose and licked the blood and stuff.

OFSHE: You saw that.

[9:29]

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Is that something that you told the police about?

MISSKELLEY: Uh-huh, (Affirmatively indicating) that's what I told him.

OFSHE: Okay. Do you remember if, at this point, when the subject of how the subject of Damien and Jason came up?

MISSKELLEY: Well, Ridge told me that he seen, uh, Damien and Jason have sex together.

OFSHE: He told you this early on in that day with him?

MISSKELLEY: Uh-huh. (Affirmatively indicating) That's what he told me. I - I didn't know nothing about that, that's what he told me about it.

OFSHE: But did he do that at this early point in your interview with him? Or did he do that later?

MISSKELLEY: He did it - he did it, uh, before.

OFSHE: When before?

MISSKELLEY: When I - when I got there and stuff -

OFSHE: So in this early part - in this first part.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Uh, so, did the police, did Ridge bring up the names Damien and Jason or did you first bring them up? That's what I want to get.

MISSKELLEY: He brought them up.

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OFSHE: He brought them up. Okay. Um, there are different things he could have asked you. He could have asked you, for example, do you have any idea who did these murders, or he could have asked you do you think Damien and Jason had anything to do with these murders, or he could have asked you something else. What I'm trying to get at is, what did he ask you that dropped them into the - or what did he say that -

MISSKELLEY: Got 'em into the picture?

OFSHE: Yeah.

MISSKELLEY: Well, he told me that he seen, uh, Damien and Jason have sex. And that's when it came to me. That brought them in the picture.

OFSHE: That's the first time their names came up?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: So he's just sort of sitting there and he asked you what you did that day and the next thing he says is, I've seen Damien -

MISSKELLEY: That he's seen Jason and Damien have sex together and, uh, he said he seen me in Turrell with Damien.

OFSHE: This is early on? Again, at the very beginning part?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: What did you say to that?

MISSKELLEY: I told him I hadn't ever been to Turrell with Damien. He said, I have seen you rolling, but you've been there with Damien cause I've seen you. I kept on telling him I haven't.

OFSHE: Okay. There's a note here that says you haven't seen Damien in over two months. At first it says Damien and Jason are close. Jason Baldwin haven't seen Damien in



over two months. Do you remember that? Apparently he asked you have you been hanging with him, when was the last time you saw them or something like that?

MISSKELLEY: I don't know. I seen Damien not too long ago before this happened, cause he came, uh, to Vickie wanted, uh, wanted to meet him. She said she heard a lot about him and she wanted to meet him, and I said, all right I, you know, I said, you know, he'll come over here and talk to you. And he come over to Vickie's house and last time I seen Jason, I seen him 14<sup>th</sup> of May. If it's on a Friday, that's the last time I seen Jason.

OFSHE: It also says that you don't know anything about the murders. Do you remember saying that?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: He must have asked you about the murders, then?

MISSKELLEY: That's when they asked me on that of that graph test, too.

OFSHE: I know, but that happened later. See what I'm trying deal with is get this movie to happen in order.

MISSKELLEY: When the got me on that graph test, and I had to get my dad's signature, and that's when they gave me that graph test and ask me the questions.

OFSHE: Right, but that doesn't happen for a while yet. Right now we're just -

MISSKELLEY: That happened right after - in the morning.

OFSHE: Oh, yeah, I know that. I know that. But we're talking about the way in which what happens right after you get down to the police station with them. Yeah. When we know - if these notes are accurate, then it starts out with, he start out with asking you where you were the day of the murders. Then there's a section where it's clear that, uh, Damien and Jason's names come up, and you say some things about them and you end up saying that you don't know anything about the murders.

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MISSKELLEY: Right.

OFSHE: Uh, well, who's Robert Burch? B-u-r-c-h. Do you know who he is?

MISSKELLEY: Yeah, I know him. [14:30]

OFSHE: Who is he?

MISSKELLEY: Well, I used to live across the street from him.

OFSHE: Okay. Do you - because his name is here twice already. Uh, first, the first time it's mentioned it has to do with Damien and Robert Burch had done the murders, and then, uh, the next time it's mentioned a couple of lines later, it's that you don't know very much about Robert Burch. Is Robert Burch somebody - do you remember his name coming up in this conversation with the detective - with Ridge?

MISSKELLEY: I brought the, uh, Robert Burch up.

OFSHE: Oh you brought it up. Is that back here when you felt that Damien and Robert Burch had done it?

MISSKELLEY: Uh-huh, (Affirmatively indicating) that's when I heard about it.

OFSHE: Uh-huh. (Affirmatively indicating)

MISSKELLEY: That's when I thought Robert at first may have did it. Cause that's what I heard from it. When I went to skating that's when a whole bunch of people started saying that, and you know, thought Burch and Damien did it.

OFSHE: Robert Burch, not, uh, - not Jason? [15:36]

MISSKELLEY: Huh-uh. (Negatively indicating) I heard it was Robert Burch and then, you know, people asked Robert Burch and they said no.

OFSHE: Okay. So apparently there was some discussion about how Robert Burch now lives somewhere in West Memphis and he used to live in the trailer park.

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MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: So there's some more talk about Robert Burch.

MISSKELLEY: He used to - he used to live in Highland Trailer Park, and then, uh, he moved out and moved to West Memphis, and he comes back Highland every once in a while to visit his brother.

OFSHE: On this first part where they asked you what you were doing that day, and about Damien and now about Robert Burch. How would you describe how they were treating you? And what kind of impression did they make on you, and about why they were asking you these questions?

MISSKELLEY: [no answer]

OFSHE: First of all, were they treating you well? I mean, were they yelling at you or were they just asking you question?

MISSKELLEY: Well, they was yelling at me on down the line.

OFSHE: Down the line I know, but right now we're talking about the beginning.

MISSKELLEY: They weren't yelling at me -

OFSHE: They were being polite?

MISSKELLEY: Yeah. They were being polite at the beginning.

OFSHE: Did you, in the very beginning, in this first part, did you have a feeling that they thought you had done something wrong or they were just checking things out? You what I mean? The difference between somebody asking you about something versus somebody kind of presuming that you did something wrong.

MISSKELLEY: I didn't - you know, I didn't know I'd didn't know if I'd done nothing wrong or not, cause, you know, I hadn't been in trouble in a while.

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OFSHE: Uh-huh.

MISSKELLEY: So I didn't know what was going on. [17:31]

OFSHE: But they weren't coming down hard on you, either. I mean, they weren't making you feel uncomfortable or treating you badly or anything like that?

MISSKELLEY: No, they didn't starting treating me badly until after I took that uh, that graph test, and then that's when they started treating me bad.

OFSHE: When they first brought up taking the polygraph, or the lie detector test, you can call it whatever you like, how did they explain why they wanted you to do that, or didn't they, did they? What did they say about it?

MISSKELLEY: Well, he, uh, the one that gave it to me, he told me that, uh -

OFSHE: But, before the guy gave it to you, when Ridge or whoever it was, whether it was Ridge or - who was the other detective who was there?

MISSKELLEY: Gitchell. [18:18]

OFSHE: Gitchell. Whichever one of them first suggested that you take the polygraph, how did they do that? Did they explain to you what they wanted you to do? Why they wanted you to do it, anything like that?

MISSKELLEY: Huh-uh. (Negatively indicating) They didn't talk to me about that.

OFSHE: What'd they say?

MISSKELLEY: They just talked to other people about it.

OFSHE: Uh-huh.

MISSKELLEY: They didn't say nothing to me about it - until, uh, after me and uh, Mike Allen left, to get my daddy's signature for it.

OFSHE: Okay. Well, here it says that you said that you will take the polygraph, which makes me think that at some point they asked you if you would take the polygraph.

MISSKELLEY: I -I overheard him say that and stuff, and I said, yeah, I'll take it.

OFSHE: Oh, so they weren't even asking you, you just heard them talking.

MISSKELLEY: Uh-huh. (Affirmatively indicating) Cause they, uh, somebody was saying something and uh, they said no, he's underage. You have to get a permission from his dad, then I, then I said, I - I'll take it.

OFSHE: But they hadn't even asked you that, you just volunteered it? All right.

MISSKELLEY: I didn't know what it was. [19:24]

OFSHE: Oh, I understand. That's fine, see what I'm trying to do is make sense out of these notes and ask you things that - about what was happening in connection with producing these notes. So then apparently what happens next is that Mike Allen goes off to find your dad to get permission to give you the polygraph.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: But then there's some more discussion about Damien. Do you remember that?

MISSKELLEY: Yeah, later on after that test.

OFSHE: No, this would probably before the polygraph. What it says here is, knows that Damien has a girlfriend named -

MISSKELLEY: Dominique.

OFSHE: Dominique, and lives in Lakeside - Lakeshore. Skinny, pregnant, red hair.

MISSKELLEY: I didn't know she was pregnant.

OFSHE: Oaky. Did you know she was skinny?

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MISSKELLEY: Yeah.

OFSHE: Did you know she had red hair?

MISSKELLEY: Uh-huh. (Affirmatively indicating) Real long.

OFSHE: Pardon?

MISSKELLEY: It's real long. [20:28]

OFSHE: Okay. Do you remember talking? That her name came up?

MISSKELLEY: Yeah.

OFSHE: Then, uh, the next part is apparently you were telling them about spending last night at Vickie's. He says, spent last night with Vickie, or w/Vickie. Uh, has a son.

MISSKELLEY: That's the day that they come and got me.

OFSHE: Right. Right, then it says he has spent last night -

MISSKELLEY: With Vickie

OFSHE: with Vickie -

MISSKELLEY: and her son, Erin.

OFSHE: Has a -

MISSKELLEY: son.

OFSHE: son, it must be -

MISSKELLEY: and married. [21:14]

OFSHE: And, uh, and apparently there was some discussion that three weeks ago you had introduced Damien to Vickie.

MISSKELLEY: Right. Uh, Vickie came up to me and asked me do I know a guy named Damien that lives out at Lakeshore.

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I said, yeah. She said I heard a lot about him and I want to meet him. She said I heard that he's tall and black hair, and I said, "yeah." And one day, we, uh, me and her left went to Lakeshore. She said, "Do you know where he lives out at Lakeshore?" I said he don't stay with his dad that much, so he's over at Jason's house, so we went to Jason's house and, uh, Damien's girlfriend was there, and I asked Damien, I mean Damien, you know, can he come outside for a minute, then we come outside, he, uh, we left and went to Vickie's house and later on I asked Vickie, I said was that him, she said, no not the Damien she heard about. So. And that's how she met him.

OFSHE: All right. The next thing that they talk about, it says, I'll read you the note and then let's see what you can tell me about what led up to this, what made this note happen. Says, deny any satanic activity. That tells me that they must have asked you about satanic activity - about being involved with some satanic cult group or something like that. Do you remember them asking you about that?

MISSKELLEY: Uh-huh. (Affirmatively indicating) That's when Ridge asked me did uh, told me that he seen me up there in Turrell.

OFSHE: He told you he saw you some place?

MISSKELLEY: He - yeah. He told me he seen me in Turrell at a uh, at a cult meeting with Damien and I kept on telling him I haven't, cause I haven't been to Turrell.

OFSHE: What - what do you think that he told you saw you some place where you knew you'd never been?

MISSKELLEY: I don't even know where he thought that up from.

OFSHE: Okay. But what happened was, something like, he said, I saw you up at Turrell at a cult meeting with Damien. And then you must have said, no, I wasn't there. Is that right?

MISSKELLEY: Right.

[23:34]

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OFSHE: Did you think about anything, or did you feel any way when he told you he saw you some place where you'd never been? I mean how did you react to that, is really what I'm asking.

MISSKELLEY: Well it shocked me to say he seen me somewhere I hadn't ever been.

OFSHE: Did you, so you told him you hadn't been there?

MISSKELLEY: Right. [23:58]

OFSHE: Was there any more discussion about that? Did he say anything more? Did you say anything more?

MISSKELLEY: Yeah. He asked me did, uh, after he say he seen me down in Turrell in a cult meeting with Damien, I kept on telling him I wasn't, he said that uh, I ain't seen you rode with Damien or nothing, you know, you could of rode with Vickie or something. I said, no I don't go nowhere with Vickie, I hadn't ever been to Turrell.

OFSHE: That means that he was telling you that Vickie was there, too. If you - if he says maybe you rode there with Vickie.

MISSKELLEY: I don't how he got that, though, you know.

OFSHE: Okay.

MISSKELLEY: I just told him I hadn't ever been there, which I hadn't.

OFSHE: Okay. Have you ever been to any kind of group meeting, a cult meeting, anything like that with Vickie?

MISSKELLEY: No.

OFSHE: With Damien?

MISSKELLEY: No.

OFSHE: With anybody?

MISSKELLEY: No.

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OFSHE: Ever?

MISSKELLEY: Ever.

[24:56]

OFSHE: Okay. Did you have any idea of - I guess I'm trying to get a feeling for what you were thinking, or what you were feeling when he's telling you that you'd been some place that you hadn't been. How did it make you feel? If it made you feel any way.

MISSKELLEY: It made me angry, you know, you know, the lies and stuff on me. You know it made me angry.

OFSHE: Did you tell him you were angry?

MISSKELLEY: No. I guess he didn't, you know, see the expression from me on the the way I was feeling. Kept on telling him no, I haven't, raised my voice up a little bit, and uh.

OFSHE: Okay. Now there's another note in here that says 'Damien drinks blood.' Do you know how that would have gotten in there?

MISSKELLEY: I called and - I told him that because that's what I seen when Jason was fighting a - a fourteen-year-old. And, that fourteen-year-old busted Jason's nose and Damien went over there, you know, put his finger on it, and licked it.

OFSHE: Is that the same story you told me just - okay. So that's where that one fits in?

MISSKELLEY: Right.

OFSHE: That's where it comes out of, okay. And, is that the only time you've ever seen Jason do anything with blood - I mean Damien?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: So he'd walk around with a bottle of blood that he was drinking out of?

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MISSKELLEY: Uh-huh. (Negatively indicating)

OFSHE: That would be pretty strange.

MISSKELLEY: Not that I know of.

OFSHE: Well, what kind of a guy was Damien, I mean that's a pretty strange thing to do to go up and catch up somebody's blood on your finger and lick it off.

MISSKELLEY: I - you know, I mean when I first met him, you know, he seemed pretty weird to me when I first met him. And, I don't know. He quit school, people didn't like him enough, you know, cause he acted weird and stuff.

OFSHE: So, what'd he do that was weird?

MISSKELLEY: He - he didn't wear shoes to school, or socks. He'd walk around barefooted.

OFSHE: Must have gotten pretty uncomfortable in the winter.

MISSKELLEY: I guess, I don't know. He just - he (inaudible)

OFSHE: I guess you never could have done that because you got a wear your old bear slippers.

MISSKELLEY: I don't hardly wear - I walk different in the morning, I used to (inaudible).

OFSHE: What else did Jason - uh, did Damien do that was weird?

MISSKELLEY: He - he's got a little - uh, when I went to his house before he had a bird, a bird head, and he'd stick his tongue in the bird's head.

OFSHE: Was it a dead bird's head?

MISSKELLEY: Uh-uh. (Affirmatively indicating)

OFSHE: Okay. That's pretty strange.

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MISSKELLEY: Yeah, it is.

OFSHE: So are those the only weird things that he'd do?

MISSKELLEY: Uh-huh. (Affirmatively indicating) That I've seen.

OFSHE: What kind of rumors were there about Jason - about Damien?

MISSKELLEY: He's a psycho, that's what I heard about him, he's a psycho.

OFSHE: Now apparently, what happens next is they come back, um, and get permission from your father for you to take the polygraph.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: What happened then?

MISSKELLEY: Then this, the guy that gave it to me, he started explaining to me, you know, how it works.

OFSHE: What'd he tell you about it?

MISSKELLEY: He just told me that whatever you say, or something will show me, you know that it show them if you are right or wrong. And he put something around my arm and stuck something on my finger and I was facing the wall and he start asking me some questions.

OFSHE: Uh-huh. Did you tell him the truth when you answered those questions?

MISSKELLEY: All of 'em but one.

OFSHE: Which one did you not tell him the truth about?

MISSKELLEY: About drugs. [29:37]

OFSHE: Okay. You tell the truth about the others?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

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OFSHE: What did he tell you when the test was over?

MISSKELLEY: He told me that I was lying, cause my brain was telling them.

OFSHE: And then what did you do? Did you believe him, first of all, that he caught you lying?

MISSKELLEY: No. I didn't believe him, no.

OFSHE: Did he tell you you were lying about everything or did he tell you you were just lying about the drugs.

MISSKELLEY: It just - he just told me that he said, uh, you're lying. I said, okay, I admit it, I've done drugs. He said, no, it ain't that, he said I knew you did drugs before, and he said you know somebody who done it. You know who done the killing. I told him no I didn't. You know, when you're nervous or something, it's going to come up (inaudible) anyway, if you're nervous.

OFSHE: Were you nervous?

MISSKELLEY: I shake all the time, cause I cut my nerves and my ligaments, in my hand.

OFSHE: When did you do that?

MISSKELLEY: When I was little, my brother kept on messing with me and I - I tried to hit him and my hand went through a window. And when I seen it - it was you know, it was all messed up.

OFSHE: And that's why the charts were all messed up.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: But, that's, it one thing for you hands to shake, it's another thing for you to be nervous. I mean, being nervous is different than just having your hand shake. Were you nervous? Do you know what I mean by being nervous?

MISSKELLEY: I wasn't nervous when he was asking me the question, you know, I was just nervous, you know, have

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something on my hands, and just sit still, you know, I start shaking.

OFSHE: Did you, at this point, before he told you that you were lying, and they wanted you to take the polygraph test, did you think that was going to be any kind of a problem for you?

MISSKELLEY: Taking that test?

OFSHE: Yes.

MISSKELLEY: Ruh-uh. (Negatively indicating)

OFSHE: So what did you think when he told you you were lying after you told him, that you were lying to him about the drugs but you were telling him the truth about everything else?

MISSKELLEY: Well after we took the test, that's when he told me that I was lying.

OFSHE: Right.

MISSKELLEY: And I told him I wasn't. And I told him that when I met him. Then he start raising his voice at me.

OFSHE: How much did he raise his voice at you?

MISSKELLEY: He was loud. [32:12]

OFSHE: How loud? Can you imitate it for me?

MISSKELLEY: I don't know if I can or not, he -

OFSHE: Can you try?

MISSKELLEY: It's something like (inaudible) when you holler at somebody.

OFSHE: Holler at me.

MISSKELLEY: I can't.

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OFSHE: Come on. Show me how he was hollering at you. That's really what I'm asking you to do.

MISSKELLEY: 'All right now, I know you're lying.' That's how he done it.

OFSHE: Okay. Was he doing it maybe a little more forcefully than that, cause you sounded like you were holding back. You want me to try it?

MISSKELLEY: Yeah, you try it. And I'll tell you if it's -

OFSHE: How close is it, you tell me if it's more or less. (imitating) 'All right now, I know you're lying to me.'

MISSKELLEY: That was less.

OFSHE: That was less?

MISSKELLEY: That was less.

OFSHE: Did he move forward towards you and get in your face the way I sort of began to do then? Or did he just kind of stay back and say, 'All right now.'

MISSKELLEY: No, he was up close to my face when he said it. And you know, I was

(End of Side One)

OFSHE: And you were saying, and my tape recorder ran out, that he was raising his voice at you, you didn't like it, and you were going to hit him, and then Mike Allen came in and said, 'don't do it.'

MISSKELLEY: He told me don't do it, and then I sat down.

OFSHE: So you got up.

MISSKELLEY: Yeah.

OFSHE: Tell me about it. Tell me - describe to me what happened. Imagine that there's a television set there and there's a movie showing on the television set, and you're watching it but I've got my closed, so you've got to

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describe to me what's going on in that movie so that I can imagine it, because I've got my eyes closed and I can't just see it.

MISSKELLEY: Well, when he was hollering at me, I stood up. And I had my fist balled up by my side, and that's when Mike Allen came in, told me don't do it, and Mike Allen put his hands on me, you know, told me to sit down, and I sit down.

OFSHE: Did he just yell at you once, or did he yell at you repeatedly?

MISSKELLEY: Just that once.

OFSHE: Just yelled at you that one time.

MISSKELLEY: Told me that I was lying.

OFSHE: Even stronger than I gave -

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Moved forward, got in your face, and then you get up, because you're pissed?

MISSKELLEY: Right.

OFSHE: Was the other detective in the room at this time? Or how did he know that it was time for him to run and put you down in your chair again?

MISSKELLEY: I guess he heard - heard it. Because of the hollering or something. Cause after that Mike Allen came in.

OFSHE: Why did you get so mad?

MISSKELLEY: Cause he hollered at me. Told me I was a liar.

OFSHE: Was it that he was hollering at you or he was telling you that you were a liar, or both?

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MISSKELLEY: Both. (inaudible) I tell something about that I know. If I don't know nothing, I won't - I don't tell it.

OFSHE: So, what happened next? Now, you're sitting back down in your chair. What is - somebody says something next. Who said it, you or him?

MISSKELLEY: Said what next?

OFSHE: Somebody said something next. We've got you - Mike Allen's come in -

MISSKELLEY: He set me down.

OFSHE: What happens next?

MISSKELLEY: I sit there for a while. And then I left and went to another room. And that's when they start asking me the questions.

OFSHE: Did they, when you say you left and went to another room, did you just get up on your own?

MISSKELLEY: No.

OFSHE: So tell me how that happened.

MISSKELLEY: Ridge and Gitchell come in and they took me to another room.

OFSHE: Okay. So now you're in a different room. It's you and Ridge and Gitchell. Describe the room to me. Tell me where you guys were sitting and stuff like that.

MISSKELLEY: I was sitting at a desk, and it was kind of - probably a little bit smaller than this room.

OFSHE: Okay. Where were they sitting? [36:35]

MISSKELLEY: On the other side of the desk.

OFSHE: Okay, so if you are sitting on that side of the desk the way you are now -

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MISSKELLEY: The desk is sitting like this. Well, I'd say it was something like this and I was sitting right here.

OFSHE: And the two guys were -

MISSKELLEY: And the door was right there and they was sitting over there.

OFSHE: Okay, so the two officers were sitting side-by-side on the other side on the other side of the desk. Tell me how, tell me everything you can remember, step by step, about what happened after you got into that room after you guys sit down, who said what, each question that you can remember, and every answer that you can remember that you gave. How did it start?

MISSKELLEY: I couldn't remember how it started out.

OFSHE: Okay, tell me what you can remember about it. [37:30]

MISSKELLEY: After they saw that, uh, that test then that's when they started asking me them questions about who done it and stuff and I kept on telling them I didn't know.

OFSHE: Now, so what you're telling me is that they start off asking you who done it?

MISSKELLEY: Right.

OFSHE: Is that what happened?

MISSKELLEY: I told 'em I didn't know who done it.

OFSHE: Okay. That's quick. That takes about one question and one answer. What'd they do after you told them you didn't know who did it?

MISSKELLEY: Then they come in, they uh, they know I had something to do with it, cause Vickie came up and said something to 'em.

OFSHE: Okay. What did you say about that?

MISSKELLEY: I told 'em I didn't have nothing to do with it.

**005811**

OFSHE: Did you, what did you think when they told you that Vickie had said something about you? If you thought anything at all?

MISSKELLEY: I didn't think nothing at all. Cause Vickie don't know nothing about me.

OFSHE: All right. So now they tell you that they know you're involved in because Vickie said so? What do you say to that?

MISSKELLEY: I told 'em I really - you know, I didn't know who done, cause I wasn't there.

OFSHE: All right. What happened next?

MISSKELLEY: That's when they start saying all kinds of stuff, asking me questions about, you know -

OFSHE: Tell me about each question you can remember. I know no one could remember everything that happened. What, what I'm asking you to do is tell me, take as much time as you need.

MISSKELLEY: They, uh, they asked me what about the day it happened. I said I was working for Ricky Dees and Josh. I said when I got home about five, I was supposed to help my daddy blow the porch and uh, and my dad had go to DWI school and I went to, uh, down the street where I babysit, and she wasn't at home, and I was going to go to my girlfriends, then I saw a cop car pull up, and he ask, uh, I told them that they wasn't at home they went down the street, and he took off and went down the street and then I went down the street to see what happened, and this woman slapped her kid and I was standing back there while it was going on.

OFSHE: Is this what you told them? [40:26]

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: And what did they say about this? Or, did you tell them more before they said anything or did they say something at this point? In other words, how much of the

story about what happened that day did you tell them before they said something to you?

MISSKELLEY: They told me that, uh, that I couldn't believe it, you know, saying I was there and I was.

OFSHE: Okay, do you know about how they reacted when you told them what happened the afternoon after you got home from work?

MISSKELLEY: Um, they didn't, they didn't believe me.

OFSHE: What did they tell you about it? [41:20]

MISSKELLEY: Well, that morning I saw three kids by a bridge going to work with Ricky Dees, and I told them and that a cop, he stopped on a bridge talking to one of them, I couldn't see who they was cause they was too far back.

OFSHE: How did the subject of seeing those three boys that morning come up?

MISSKELLEY: I seen three kids. I couldn't tell what they was wearing or not cause, you know, we was too far from them.

OFSHE: This is while you were going to work at Ricky Dees?

MISSKELLEY: Uh-huh. (Affirmatively indicating) That morning.

OFSHE: Okay. Now what I'm asking you is, what made you tell Ridge and - what's his name? - Gitchell - about that? How did that get into the conversation?

MISSKELLEY: Well they wanted to know, uh, what I do that day, and I told them.

OFSHE: So you went back to that morning and you told them what you did the whole day?

MISSKELLEY: Right.

OFSHE: How did they react - did they react in any way when you told them you saw three boys that morning?

**005813**

MISSKELLEY: Then that's when they start asking me the question. You know, and I told them that I couldn't tell what they was wearing or what they looked like. And he said well, these three boys, they went to school that day, and they got out. I think they said (inaudible) but I was working at Ricky Dees, and I didn't get off until five.

OFSHE: Then what happened? What did they do next?

MISSKELLEY: So then they didn't believe me, and they start asking me questions.

OFSHE: Which questions?

MISSKELLEY: I can't - I can't remember what questions they was asking me.

OFSHE: Tell me about anyone you can remember, or tell me about what happened, or tell me about what you said next, or said me about what that conversation was like. Anything you can remember about what happened in that period is very important to me.

MISSKELLEY: Uh, well, he said he heard I was there and I told him I was not there cause I was working at Ricky Dees. And then, uh, Gitchell showed me a picture of one of them and then I started crying. Then he waited for me and then he started asking me questions and then he drew a circle and put three dots in the middle, then put X's around it and said that was them and we was in the middle, he said what's going to get you out is you can be with us or you can stay in there. I said I want to get out. If I'm in that circle I want to get out. And they started asking me questions about - they told me about - about where the boys was laying at. Then they said about - was one laying by a tree? or waterfall? or something like that? Then I came up with the wrong answer, and Ridge started shaking his head, no, you know where he was at.

OFSHE: Let's go back for a second. They show you a picture of one of the dead boys and you started to cry.

MISSKELLEY: Right.

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OFSHE: Why did you cry? Do you remember?

MISSKELLEY: Well, he looked cold, the way - the way the picture looked.

OFSHE: What did the picture look like? [45:14]

MISSKELLEY: The boy's face was cut up.

OFSHE: So what was it about the picture that made you cry?

MISSKELLEY: Well, it was just his face was all messed up. And that's when I started crying. And that's when they started asking me the questions, and when I got something wrong, they started shaking their head, no, and when they said something, then I said it. They kept on asking me questions.

OFSHE: I'll get back to that. Don't worry. I'll pick it up and get back to it. I'm going to ask you a couple of different questions about some of the things that happened right in this time period. You described drawing a circle with you and Damien and Jason inside the circle. What else was said about that circle? I mean, what did you understand them to be telling you when they drew that circle and put you three inside it or put you inside it with Damian and Jason?

MISSKELLEY: They said that, uh, that we was in the circle and the cops was around us.

OFSHE: Uh-huh.

MISSKELLEY: And he said that that we can pull you out and you can be with us or you can stay in that circle.

OFSHE: What was going to happen to the people who stayed in the circle? Did you have any idea?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Was it good or bad to be in the circle?

MISSKELLEY: Well with the cops were around you, it'd be bad.

**005815**

OFSHE: And you didn't have any, did they suggest to you anything that could happen to people who were in the circle or did you think about anything that could happen?

MISSKELLEY: Well, I figured that, you know, if the cops are around a whole bunch of people, you know, around two people a whole bunch of cops, then it would be something bad. And I told them I wanted out.

OFSHE: How were you feeling when you told them you wanted out? Were you feeling happy? feeling sad? feeling confident? feeling scared? feeling one way or the other? Can you tell me about how you were feeling at that time?

MISSKELLEY: Well, if I was in a circle and they were going to help me out, then, you know, that'd be alright.

OFSHE: Well, what would happen if they didn't help you out of the circle?

MISSKELLEY: I didn't know what could go wrong next.

OFSHE: Were you sure you were going to get out of that circle?

MISSKELLEY: Uh-huh. (Affirmatively indicating) [47:50]

OFSHE: How did you get - did you get any idea about what you needed to do to get out of this circle? Did you figure that one out?

MISSKELLEY: No, they just asked me, you could be in this circle or you can be out - or we could pull you out and you can be with us. And then that's when I saw I'll be pulled out.

OFSHE: And then, did they tell you how or what you'd have to do to get pulled out?

MISSKELLEY: Uh, I couldn't remember. [48:17]

OFSHE: Okay. And what did they do next? After you said you wanted to be pulled out?

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MISSKELLEY: That's when they started asking me, uh, asking me questions about them boys.

OFSHE: Give me some examples of the kind of questions they asked you.

MISSKELLEY: (Pause) About what the boys was tied up with.

OFSHE: Did you know what the boys were tied up with?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: What did you tell them?

MISSKELLEY: A rope.

OFSHE: What did they say?

MISSKELLEY: Uh, Gitchell shook his head, No - I mean, Ridge shook his head, no. Said it wasn't a rope.

OFSHE: What did you do next?

MISSKELLEY: I told them it was a rope. They said, no it wasn't a rope.

OFSHE: What made you think it was a rope?

MISSKELLEY: That's what normally what people tie up people with a rope. So, I figured it had to be a rope.

OFSHE: Okay. All right. So then you figured it had to be a rope, and -

MISSKELLEY: Then Gitchell said the boy's shoestrings (inaudible). And then, then I said they, that's how they tied them up then. They said what color was their shoestrings. I don't know, I said, I told you it was a rope. That's all I knew.

OFSHE: And then what did they say? [49:51]

MISSKELLEY: Then he asked me how they was tied up, and I told them and Ridge said, no, that ain't how they's tied

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up. And I said, that's how they were. They said, no they wasn't. So -

OFSHE: At that point, is that when Ridge asked you where are the shoe strings?

MISSKELLEY: Yeah.

OFSHE: And then what you just told me ago is that then you figured out they should be tied up with the shoestrings, right?

MISSKELLEY: Yeah. If the shoestrings were missing.

OFSHE: Not in their shoes, anyway.

MISSKELLEY: Right.

OFSHE: So you put two and two together and figured out that they must have been tied up with shoe strings.

MISSKELLEY: Shoestrings instead of rope.

OFSHE: But then Ridge asked you what color were the shoestrings? Did you tell him what color they were?

MISSKELLEY: I didn't know what color they were. [50:49]

OFSHE: Did [Ridge] help you figure out what color they were?

MISSKELLEY: No. Not that I could remember, they didn't say nothing about no color.

OFSHE: Okay. What other kinds of things about the boys had been - were talked about? So far about the rope.

MISSKELLEY: About their clothes.

OFSHE: Okay, what about - tell me about what happened about their clothes.

MISSKELLEY: They asked me, "where was their clothes at?"

OFSHE: And what did you say?

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MISSKELLEY: Told them that they was laying beside them.

OFSHE: And what did he say?

MISSKELLEY: He said, no.

OFSHE: And what did you say?

MISSKELLEY: I - then that's when I told, uh, that's where they was at when I left.

OFSHE: Okay. Let - how did you get to the point where you said that you were there? Because, this is the first time that you've mentioned to me anything that would have put you -

MISSKELLEY: That - That was - that's when, uh, [Ridge] was saying that I was there. And I told him I wasn't and he said, yes, I was. And then he kept on egging it on, then I said fine. I said "okay" I was there.

OFSHE: Okay.

MISSKELLEY: That's how I got in there - that's how I got in there - in the picture.

OFSHE: How many times did you tell Ridge you weren't out there before you -?

MISSKELLEY: A bunch. I'd say about ten or fifteen times.

OFSHE: What in your mind - what was it that made -

[Unidentified person enters the room and says, "This officer needs to get something off this desk".]

OFSHE: Sure.

[52:50]

OFSHE: I want to get, uh, your description of what it was like when you were telling Riggs, er, Ridge that you weren't there and he's telling you you were there. Can you explain to me how that made you feel? What was going on with you and - what was going on with you? When he did that to you?

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MISSKELLEY: You know, he just made me feel that, uh, how could he say I was there and I wasn't. I wasn't nowhere near the place.

OFSHE: Uh-huh. (Affirmatively indicating) So you go along maybe - ten or more times - maybe 15 times, telling him you weren't there, and he keeps telling you, you were there.

MISSKELLEY: Right.

OFSHE: Did you make a decision to change what you were saying or what? How did it happen? All I understand -

MISSKELLEY: Well after he kept on, and kept on, I figured in my head, well, he ain't going to stop until I say something that - what he wants to hear, so I finally said okay, I was there. Then he said who else was there, and I started thinking, Damien, he likes to drink blood, and Jason is the kind of person that could (inaudible). So that's when I brought them in the picture.

OFSHE: Up to that part it was that it was that other fellow -

MISSKELLEY: Robert Burch.

OFSHE: Burch. That's what I was thinking, so now it becomes Jason. What made it Jason?

MISSKELLEY: Well Jason - Jason is the type of person that carries a knife around all the time. So, anyway, he's the kind of person who likes blood.

OFSHE: Okay. So, once you told him that you were there, and they followed up with who else was there, you're gonna give them some names?

MISSKELLEY: I gave them Damien and Jason. And that's when they started asking me a question about, uh, where were the boys laying at and all that. I told them I didn't know. Then one of them said, wasn't they killed by a tree? And I said, well, they're going to catch me in this and I'm going to catch them in another one, I said, yeah, it was by a tree.

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OFSHE: So. Explain to me what you just said.

MISSKELLEY: When he said they was, you know, when he asked me where they was laying by, you know, was they laying by a tree, and you know, I didn't know, then I said, well, they was laying close by a tree.

OFSHE: A minute ago you said, they're going to catch me in this, so you said they were laying by the tree.

MISSKELLEY: No, what I was saying, if I told them I didn't know where they was at then they was going to egg it on, egg it on. And when they say something, then I was going to say whatever about where they was at.

OFSHE: So you just, what you're telling me, I think, is that you figured out that you better take whatever lead they give you.

MISSKELLEY: Well, they - well they know where the boys was laying down there, I guess, so I said what they said. That's how it went all the way through. When they asked me a question I'd say what they said.

OFSHE: When you do that, they have to make it clear to you what answer they wanted you to give?

MISSKELLEY: Right. [56:35]

OFSHE: Did you ever have any trouble figuring out what answer they wanted you to give, as this was going on?

MISSKELLEY: Yeah, cause when I - when I got something wrong, tha - you know, I - when I got something wrong and they didn't like the way I gave the answer, then they'll bring up another kind of answer. So it was kinda hard to figure out, you know, which one to put.

OFSHE: Were there times when you guessed wrong and they made you -

MISSKELLEY: I had to start all over.

OFSHE: All the way over?

MISSKELLEY: Over. They'd ask me -

OFSHE: Give me an example of one you got wrong.

MISSKELLEY: All of them.

OFSHE: All of them? Okay. What other things came up, let's do it that way.

MISSKELLEY: Uh, they said how deep was the water, was it uh, knee deep, about a foot deep, or a foot and a half? I didn't know it, so I just guessed. And then Ridge shook his head when I guessed.

OFSHE: Would Ridge always shake his head and let you know when you got something right.

MISSKELLEY: Well, the way he wanted to hear it.

OFSHE: Well, yeah, right. Right from his point of view.

MISSKELLEY: Well I didn't look at him I always had my head down when I was talking and then I just seen him look at a glance and he go - like that.

OFSHE: So you could catch that in the corner of your eye?

MISSKELLEY: Right.

OFSHE: So it made it pretty easy for you then? [Uh-huh.] And then - and then after that I - I was sitting in a room by myself - and - I hadn't had nothing to eat for a long time, and then the next morning after I went - after they put me up the next morning Ridge asked me a question and he said, uh, I just got to talk to your daddy and your daddy said if we'd get on to you, then you'd tell us the truth. That's after I (inaudible). And I said okay, I'll tell you the truth. I said I was working at Rickey Dees and that's when Ridge said, Huh-uh, he said I want to make sure you get the lethal injection.

OFSHE: Okay, that was the next day, though?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: All right, I'm going to put that, in my own mind, I'm going to put that in order at the next day. And we're going to go back to the day we're still talking about, and -. So far we've talked about the rope, we've talked about where the boys bodies were, about where their clothes was, is there anything else that came up to this part of the guessing game that you can think of?

MISSKELLEY: Um - um - I can't remember.

OFSHE: Okay. Going back to Greg's notes, all the notes have are polygraph where it includes you're lying your ass off, and then the little note says, meeting Gary Gitchell, and then there's nothing about anything what you just told me about. Nothing about the rope or any - or the clothes, or the -

MISSKELLEY: That was uh, the next day is when they come up, you know, what they were tied up with, I didn't say nothing about it when they was questioning, they, uh, they asked me the next day what was they tied up with.

OFSHE: Okay. So that stuff about the rope didn't come off -?

MISSKELLEY: till the next day.

OFSHE: - till the next day. Well, what I'm trying to find about out right now is stuff that came out after they put you into the room, and then something happens, and you told me about the circle and inside the circle and outside the circle and you wanted to be outside the circle, and then after that they start - what you described to be fully start asking a lot of questions about the boys and what happened. But then according to these notes, the next thing that he writes about - see what we're talking about is a period of time that he doesn't write about. It's missing from his report, and I don't know why, but it's just kind of missing from his report. But the next thing that he writes about is that you said you received a call from -

MISSKELLEY: Jason.

OFSHE: - Jason the night before the murders. So there - see what I'm interested in at this moment is what happened between the time you went into the room with them and you sat down at this desk, and the next thing that he tells us

(Side 2)

OFSHE: The next thing that he tells us about is when you say you've received a call from Jason the night before the murders. So there's something missing. All this - there's nothing in his report about the circle, there's nothing in his report about your saying that you weren't there, you weren't there, you weren't there, and then finally saying that you were there. There's nothing about the clothing or any other kind of description of what happened when those little boys were killed - nothing about that in this report. So that's the - that's the kind of things -

MISSKELLEY: That's what I couldn't understand so that's what they asked me.

OFSHE: Well, I understand that, but you have to sort of understand that they haven't told us about everything about everything that happened to you that day. And what I'm going to try to do is to find out everything that happened that day. So if you can think of - now do you remember when you - see from this point on from the point of which he writes that you received a call from Jason the night before the murders, then we've got more notes from him. They may not be complete, but at least he starts telling the story again. So I want to know about anything else you can remember that happened before you start telling him about getting a phone call from Jason the night before the murders. Do you remember doing that? Telling him that you had -

MISSKELLEY: About the phone call? [1:35]

OFSHE: Yeah.

MISSKELLEY: Yeah, I remember that.

OFSHE: Okay, and do you (inaudible) had to happened before that. Later it gets - how did you get into telling him about a phone call? Do you remember how that came about?

MISSKELLEY: I don't remember that. I'm - I -

OFSHE: Tell me what you do remember.

MISSKELLEY: I - well, I - I remember how I got the phone call. I told him that after - after I told him that what they wanted to hear or probably wanted to hear, I told him I left and went home and I told him that, uh, Jason called me.

OFSHE: Yeah, but that's later. See what - this phone call - here's what happened next to his notes. Next he starts writing notes about, um, you're telling him that you got a phone call from Jason the night before the murders, and that supposedly Jason told you that Damien and he were going out to get some boys and hurt them, and you received a, a call from Jason, and Damien in the background and they wanted you to go with them, that they said that they had planned something, and that you heard Damien say that Jason ought to tell that they were going to get some girls or something, and that you said you knew what they were going to do.

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Now, this is what's in their notes. Okay, I'm reading the notes to you accurately. So a big part, and once this begins, what this is about is - do you remember telling them about getting a phone call the night before?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: No? You never told them anything about it?

MISSKELLEY: Told them about the phone call after.

OFSHE: I realize - I know - there's about - there are at least two phone calls that, that happened. There's this phone call -

MISSKELLEY: I said one phone call. [3:55]

OFSHE: You never said that there were two phone calls?

MISSKELLEY: Huh-uh. (Negatively indicating) I said one.

OFSHE: Flat out never said that there were two phone calls.

MISSKELLEY: Huh-uh. (Negatively indicating) I said one.

OFSHE: Okay. I understand. When I ask you something like that- I'm just going to put the second tape on - something like that, and go back over it, it's not because I don't believe you, it's only because I want to make absolutely sure that I'm getting correctly what you're telling me. And when I am hearing you tell me now, is that you only ever told them about one phone call -

MISSKELLEY: That's what - I told them one.

OFSHE: Okay. And that, and I like that that one phone call that you remember telling them about is the phone call the night of the murders, not the day before the murders.

MISSKELLEY: Huh-uh. (Negatively indicating) The night.

OFSHE: Okay. Think about this for a second, is it possible that you could be wrong about that? Is it possible that you could have, as the notes say, told them about this and you just don't remember right now, or, are you sure that you only told them about one phone call? You tell me.

MISSKELLEY: I told them one.

OFSHE: Okay.

MISSKELLEY: Cause, you know. I seen Jason at the skating rink a lot. And I - I ain't supposed to go to Lakeshore but I go anyway, you know. Plus, but he don't know my phone number.

OFSHE: Okay. But you did tell them about one phone call that, that given that you told them, happened the night after the murders.

MISSKELLEY: Uh-huh. (Affirmatively indicating) [5:57]



OFSHE: Okay. But they say here that you say that this didn't happen, that it didn't happen. This is what they say - they say one, that you told them you received a call from Jason the night before the murders. Two, that you got a phone call, Jason told you that he and Damien were going to go out and get some boys and hurt them. Three, that you received a - in that call from Jason, Damien was in the background, and Damien wanted you to go with them, and that they said they had planned something, and you heard Damien say that Jason ought to tell you that they were going to get some girls or something and that you knew what they were really going to do. And then - you say that - they say that Jessie began to say something, and then he said is he doesn't want anything to do with it. And then the next thing that they say got talked about is Jessie stated that he saw pictures of the boys killed during a meeting and by that they mean a meeting of the cult.

MISSKELLEY: (inaudible)

OFSHE: All right. Do you remember any time - any time -

MISSKELLEY: of what was (inaudible)?

OFSHE: - yeah, when you told them about getting a phone call the night before, that in the phone call the night before you heard Damien's voice in the background, that in that phone call the night before he told you they were going to go out and get some boys and hurt them, or anything like that? What do you think?

MISSKELLEY: I didn't - what they just said, you know, I didn't know nothing about Jason or Damien going out, you know, hurt some boys.

OFSHE: Okay. I realize that you - Go on. Go on.

MISSKELLEY: You know, when I told them that I didn't want no part of it, I was talking about girls, I didn't know nothing about the boy, I was thinking girls, cause - I don't mess with little girls, you know, you love somebody. So, that's what I mean. But, Damien, the boys, I mean -

OFSHE: But now it sounds like now you're remembering something about a conversation about some phone call the

night before. Because you just said Damien with the girls, and Damien with the boys, and you -

MISSKELLEY: I meant the girls.

OFSHE: Right. So I mean, though, you had some conversation with them, with the police, about a phone call from Damien and Jason the night before, is that right?

MISSKELLEY: Ummm. Did they - did they was two - (Inaudible) I remember now, there was - what I said was two phone calls. They, uh, they asked me - I asked him what were they going to do, you know what are ya'll going to do this weekend?

OFSHE: Okay, when did that happen? When did you tell them that that happened? This phone call we're now talking.

MISSKELLEY: It was the first one.

OFSHE: The first one?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: When did the first phone supposedly happen?

MISSKELLEY: Well - before the fifth.

OFSHE: Before some time - was it the day before the 5<sup>th</sup> or sometime before the fifth?

MISSKELLEY: Some time before the fifth.

OFSHE: Ahhh. Okay. Tell me about that phone call.

MISSKELLEY: Near as I can remember is, uh, I had uh, they called me and we was talking and I said what are ya'll doing do this weekend? And they said they was going to go out. And what I understand that they meant something else, and what I meant was something else.

OFSHE: Well, if you, when you actually have - I mean this is a phone call that you actually had with Jason, is that right?

MISSKELLEY: I - I didn't have a phone call with Jason.  
That's what I told them.

OFSHE: Although, you told them sometime before the fifth -

MISSKELLEY: I had - I got a phone call from Jason. Jason  
really don't know my phone number.

OFSHE: Okay, but when you told them -

MISSKELLEY: - right.

OFSHE: - and that in his phone - the supposed phone call -

MISSKELLEY: - right. [10:52]

OFSHE: what did you tell them happened in the supposed  
phone call?

MISSKELLEY: That I heard, uh, Damien in the background and  
he uh, I heard Damien say, uh, tell Jessie about what we're  
going to do. And Jason told me.

OFSHE: What did Jason supposedly tell you?

MISSKELLEY: Told me that they was going to go out and hurt  
some people.

OFSHE: This is what you told the police. [11:19]

MISSKELLEY: Uh-huh. (Affirmatively indicating) Hurt some  
people. And he asked, that's when I said okay. But I - I  
didn't know, you know, who they were going to be, you know  
when I said okay.

OFSHE: Why did you tell them - the police - why did you  
make up this phone call? Cause you just told me a minute  
ago that this phone call didn't happen. Is that correct?

MISSKELLEY: -- till you start reading it to freshen up my  
memory again.

OFSHE: I understand that.

MISSKELLEY: That - that - that -

OFSHE: We agreed that this is a phone call that really did not happen, is that correct?

MISSKELLEY: It did not happen. [11:59]

OFSHE: Okay. Now I'm asking, why did you tell the police that it happened? What led up to, what caused you, what made you tell the police about this phone call? Can you remember?

MISSKELLEY: I can't remember.

OFSHE: Okay. That's fine, if you can't remember, you can't remember. You know, the next thing that is in here, and they seem to think this is real important, is Jessie stated that he saw pictures of the boys killed during a meeting. Let's take that in two parts. Did you ever tell that you had seen pictures of the boys who were killed?

MISSKELLEY: I told them I seen pictures of them, but I -

OFSHE: Had you gotten newspapers with photographs?

MISSKELLEY: I hadn't ever seen the boys period.

OFSHE: Right. [13:09]

MISSKELLEY: And I - I told them that I'd seen them but they's on uh, on some little bikes around some houses. I hadn't ever seen them before.

OFSHE: Okay, but he was talking about pictures of the boys during a meeting. Do you remember telling them about going to cult meetings?

MISSKELLEY: That's - that's when I - after Ridge said he done seen me, you know, that he seen me at some cult meetings, and after he kept on and kept on, then I finally said "Okay, I was at a cult meeting." And I told him that, uh, I'd seen pictures of them.

OFSHE: How did seeing picture come up? Do you remember that?

MISSKELLEY: Huh-uh. (Negatively indicating) I had just said seen pictures. I ain't never seen the boys. Not even on TV, I ain't never seen them.

OFSHE: Do you remember if anybody suggested to you that you had seen pictures of them or maybe that was something that you made up.

MISSKELLEY: That was something I made up. [14:18]

OFSHE: Okay. Now, the next part has to do with your telling them about the satanic cult. Do you remember what you told them about that?

MISSKELLEY: I told them that, uh, we go out, kill dogs, and eat 'em.

OFSHE: Do you?

MISSKELLEY: Huh-uh. (Negatively indicating) I don't even eat chicken.

OFSHE: Uh, were they real interested in this cult stuff?

MISSKELLEY: (inaudible)

OFSHE: The two cops, Gitchell and Ridge?

MISSKELLEY: They must have been. You know.

OFSHE: Well, did you just sort of tell them this stuff or did they ask you questions and then you agreed, and, and told them a bit more about them than they brought up - I want to get a feeling for that.

MISSKELLEY: Well after Ridge say that, uh, you know he seen Damien and Jason, and he seen me and Damien at a cult meeting, and after they kept on egging it on, then that's when I told them about, I been at a cult meeting with Damien.

OFSHE: Did he ask you where these meetings happen?

MISSKELLEY: Yeah, and I told him, uh, out in some woods.

OFSHE: Because if I were a cop and somebody's telling me about this kind of stuff, first - my first question would be exactly where that this happened.

MISSKELLEY: That's what they asked me, and I told them out by some woods.

OFSHE: Which woods?

MISSKELLEY: Those woods out there by Lakeshore.

OFSHE: Well, did he ask you about the specific woods where it happened? I mean the particular place where -

MISSKELLEY: Uh-huh. (Affirmatively indicating) [16:29]

OFSHE: And did you make up a particular place or did you sort of shine him on by telling him vague places? Which did you do?

MISSKELLEY: I just made up a place about where it would be at. You know, by the bridge. Cause the woods is - is far from the bridge. And that's what I said, where it's at. I said woods.

OFSHE: Do you know where he got the idea about killing animals and eating parts of animals and stuff like that?

MISSKELLEY: Um, I made that up about killing animals and eating them. You know, Damien is probably the type of person, after what I said he's the type person, you know, kill animals or stick his tongue in a bird's mouth, he'd probably do the same thing to a dog, I don't know.

OFSHE: Where did you get the idea that that's what happens with these kinds of meetings?

MISSKELLEY: I didn't know. [17:39]

OFSHE: I know you didn't know, but where did you get the idea that that's, I mean somebody asks you what happens at a baseball game, you can tell them pretty much what happens at a baseball game, because maybe you've seen baseball games, or whatever. Somebody asks you what happens in, uh, Star Trek - do you ever watch Start Trek?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Do you ever watch uh - well, tell me about some TV series that you watch, which one do you watch?

MISSKELLEY: Watch different types. A lot of 'em. Uh, Video Nora, and sometime HBO - Cinemax.

OFSHE: If somebody asks you about what it's like in New York City - you ever been to New York City?

MISSKELLEY: Huh-uh. Neggg

OFSHE: Could you make up a story about what it's like in New York City?

MISSKELLEY: Yeah, I could make one up. [18:47]

OFSHE: Okay, because you've seen movies about, and heard about, and saw it. Okay. What I'm asking you about is, how did you know to make-up of stuff about killing animals and -

MISSKELLEY: Well, I figure, you know, a cult it's got to be some, go with something like Satan - the devil. So I figured, you know, and killing animals was a part of one.

OFSHE: What makes you think that killing animals would be part of one?

MISSKELLEY: That's the only thing I could figure out.

OFSHE: Okay. So then there's this talk about the deal with the cops and what happened while you was in jail and (Inaudible) and so on. What is the business - it says here, a friend of Jason's with a (Inaudible) briefcase. There's somebody named Tim with a long coat. In the briefcase there's a couple of guns. Do you remember telling them about this?

MISSKELLEY: They brought up the briefcase. They asked me, uh, where's his briefcase at? And I didn't know what they's talking about then I started thinking, well, I don't know where Damien, they said where's Damien's

briefcase, and I didn't understand Damien had a briefcase at all. And I said I - I guess it's at home. I don't know where it's at. And I said, uh, that uh, I just made up the name for Jason's friend, Tim, you know. I said, but he'd bring it to one of the cult meeting with the gun and stuff.

OFSHE: Okay. Did they ask you anything about a white van?

MISSKELLEY: A what?

OFSHE: A white van. [21:06]

MISSKELLEY: White van?

OFSHE: Yeah.

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Okay. Well, the next thing that comes up is they said that you say that Damien drives a red car, that's owned by his father. Do you remember talking about Damien and a car?

MISSKELLEY: Damien drives a car when his dad's in the car with him. Cause when I first met Damien's dad, his dad used to drive a long car, and a while back he got, I guess he traded his car for a new one, cause I've seen Damien drive one, drive a new one.

OFSHE: Alone or -

MISSKELLEY: No, with his dad. Cause I don't think Damien's got his license.

OFSHE: Well, there's more talk here about the briefcase, where you tell them that in the brief case there are a couple of guns and drugs, marijuana and cocaine. Do you remember telling them about that?

MISSKELLEY: Uh-huh. (Affirmatively indicating) I ain't never did cocaine or anything.

OFSHE: Well it didn't say maybe you did, it just says they carry a briefcase.



MISSKELLEY: No, I told them there - in the briefcase there was guns, marijuana and pictures. That's all I said. I didn't see anybody with no cocaine.

OFSHE: Okay. Do you remember what you told them about - what were in the pictures?

MISSKELLEY: A bicycle - three boys on a bicycle, red bicycle and, uh, they was riding by some houses.

OFSHE: What made you say that? I mean why did you pick that as opposed to four boys on a scooter?

MISSKELLEY: Well I - I've seen - I've seen on TV the boys bicycles. And that's where I got red from, and four houses, I mean not four houses but the white houses, mainly well - most people's houses are white, so that's why I said white. It just popped up in my head - you know just - that's what I mainly told them.

OFSHE: Well the next thing is that there's a note about in here, about Damien going to West Memphis to watch these boys, to watch the boys in the woods when they were killed. Do you remember telling them about that?

MISSKELLEY: Yep, it just - it popped - it just popped up in my head that - cause Damien he don't stay in one place long, he always walk around, he always go to West Memphis. It just popped up in my head that he'll go to West Memphis and - you know, they told - uh, Ridge told me they had a club house and I figured Damien would go by their club house and just sit there and watch them.

OFSHE: Did Ridge want you to tell him about Damien and these boys or were you just making this up on your own?

MISSKELLEY: Well, Damien, he goes to West Memphis a lot.

OFSHE: Okay.

MISSKELLEY: And he walks around. [Okay.] But, you know, watching the boys and stuff, I made that up, cause I didn't know they had a club house until [Ridge] - 'til [Ridge] told me.

OFSHE: Do you remember how it came about that Ridge told you about the club house, what part of the conversation that was involved in?

MISSKELLEY: He said it had to be somebody that'd know where the club house was, cause he it was by that club house.

OFSHE: So then you put Damien by the club house, is that what happened next?

MISSKELLEY: Huh-uh.

OFSHE: Well, when Ridge said it had to be somebody who knew about the clubhouse -

MISSKELLEY: Then I say Damien because he - he walks around a lot in West Memphis.

OFSHE: Did you know anyone making this stuff up about Damien, or did you think that it might true?

MISSKELLEY: Well I - I know it's true that he walks around in West Memphis a lot.

OFSHE: Right, but walking around in West Memphis and going to watch the three little boys who were killed are two very different things.

MISSKELLEY: Right. I made that up where he'll go and watch the boys.

OFSHE: Why did you make up that particular thing up?

[(Another person enters the room, and asks to sit in the room. Ofshe says: If you want to sit in here, it's fine, I don't think it'd be a problem, unless it's a problem for Jessie.)]

OFSHE: So, you were asking about, or you're talking about Ridge telling you that the boys had a club house in the woods, and you knew that Damien would go to West Memphis and walk around.

MISSKELLEY: Right.

OFSHE: And that you put Damien going and walking around the club house.

MISSKELLEY: Uh-huh. (Affirmatively indicating) [27:19]

OFSHE: And what I was asking was why did you connect Damien up with the clubhouse? What made you do that? Why didn't you say it was, Dan Stidham used to go over and walk around -

MISSKELLEY: It just popped in my head because, you know he's always walking around, he's never in any place a lot - a long time. He's always walking around, and that's - that's when I - it popped up in my head and that's when I say, uh, Damien go to the club house.

OFSHE: Do you think that [Ridge] wanted you to say Damien knew about the club house or Damien went to the clubhouse? Or Damien was -

MISSKELLEY: Well, from what I know he used to know a lot about Damien.

OFSHE: Why do you say that?

MISSKELLEY: Well he said - he uh, he said Damien and Jason had sex, he seen me and Damien, he - talk at a club meeting, and

OFSHE: And you knew you'd never been to Turrell to a cult meeting?

MISSKELLEY: Right. So he - he must have known more stuff about Damien than I do.

OFSHE: Well, you've never been to Turrell.

MISSKELLEY: Right.

OFSHE: So, did that mean that [Ridge] was right and you were wrong, or [Ridge] was mistaken, or [Ridge] was lying. Which was true - ought to be one of those three?

MISSKELLEY: Well he was lying about me going to Turrell.

OFSHE: Did you know he was lying, or -

MISSKELLEY: I didn't know whether he was lying or not. After he told me that he seen me then I know that he lied, cause I hadn't never been to Turrell.

OFSHE: Do you ever think that Ridge could have made a mistake and not been lying?

MISSKELLEY: No.

OFSHE: You just knew he was lying.

MISSKELLEY: Uh-huh. (Affirmatively indicating) When he seen me somewhere that I hadn't never been.

OFSHE: But why didn't you just tell [Ridge] to take a hike at that point and just get up and walk out?

MISSKELLEY: Because.

OFSHE: Why?

MISSKELLEY: Cause I can't - cause you can't walk up in the police station and walk out.

OFSHE: What makes you think that?

MISSKELLEY: You just - you just can't - leave a police station.

OFSHE: Okay. Getting back to - what I'm trying to get at is you talked earlier about the circle and inside the circle and outside the circle, and how they had seen Damien and Jason do this, that and so on, and talking about involvement with the boys, so this whole business about Damien going over to West Memphis and watching the boys, is stuff they - it's all part of the story that's been developing. Don't you see what I mean?

MISSKELLEY: Uh-huh. (Affirmatively indicating) [30:02]

OFSHE: Is it fair to say that you knew what was supposed to be in the story? That you all had an understanding of what was supposed to be in the story?

MISSKELLEY: Uh, what do you mean by that?

OFSHE: Well, for example, [Ridge] says, cause you just told me, [Ridge] says that you all killed the boys, or how he said it, knew they had a clubhouse in the woods, and so he's kind of inviting you to say something about the clubhouse in the woods and so on. Now you could have said that, uh, Robert Burch used to go over to West Memphis and he probably hung out in the woods and watched the boys. You could have said that.

MISSKELLEY: Right.

OFSHE: But you said -

MISSKELLEY: - Damien.

OFSHE: Damien. How did you know it was supposed to be Damien? You understand what I mean?

MISSKELLEY: Yeah. I didn't know, you know, if it was Damien or not, cause, you know, it's like I said about Robert Burch, he's always with his friends. They're always riding around, and Damien and Jason's always walking around, and that's what I said, that's all, you know. I figured it had to be Damien.

OFSHE: You said something like - that Damien has been to West Memphis watching the boys in the woods where they were killed.

MISSKELLEY: I made that up. [31:43]

OFSHE: Okay. But you did say it?

MISSKELLEY: Right.

OFSHE: Okay. Do you remember how [Ridge] reacted, responded, to your saying that?

MISSKELLEY: Um - I don't remember.

OFSHE: I'm trying to get an idea of whether [Ridge] liked what you were saying or didn't like what you were saying. What would [Ridge] do when he didn't like what you were saying?

MISSKELLEY: Then - I had - then I'd start over till he - say something that he did like, you know, to put it in that description.

OFSHE: description. Okay. Well, did you tell - uh, according to these notes you told [Ridge] that, uh, Damien hangs out at the skating rink to find boys.

MISSKELLEY: (Inaudible) Lately he's been going to the skating rink a lot.

OFSHE: But did you tell him he hung out at the skating rink to find little boys?

MISSKELLEY: Huh-uh. (Negatively indicating) I told him that he comes around the skating rink a lot.

OFSHE: But the note says that Damien - and I'll just read the note, states that Damien hangs out at the skating rink to find boys. That's exactly what it says right here.

MISSKELLEY: He's always looking at boys while he's at the skating rink, but - I don't know where they're getting that at to find them, but he's always looking at them. And when he walks by them, he always look at them. Kind of strange.

OFSHE: Did you tell [Ridge] that?

MISSKELLEY: What?

OFSHE: That he always looks at every boy that walks by him?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Do you have a reason to think Damien does things with little boys? Any concrete reason?

MISSKELLEY: Um, no. Not - not after what he told me about Damien and Jason, from what he said.

OFSHE: What did he say? [34:08]

MISSKELLEY: [Ridge.] He said that he seen Damien and Jason doing it.

OFSHE: Did you believe that [Ridge] was telling you the truth when he said he saw Damien and Jason together?

MISSKELLEY: I didn't know if he was or not, cause from what I know Jason and Damien I hadn't never seen it.

OFSHE: But you knew he wasn't telling you the truth about your being in Turrell?

MISSKELLEY: Oh, I know he wasn't telling the truth about that. [34:32]

OFSHE: Now, I'm just - I'm asking you, did you ever think about a possibility that maybe he was not telling you the truth about seeing Damien and Jason together?

MISSKELLEY: No. I never thought about that.

OFSHE: Umm. Well the next note is, that you don't know who has the briefcase now. Do you remember talking more about the brief case?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: The next note is, that you say that Damien has been watching the boys for a long time. Did you remember telling him that?

MISSKELLEY: I don't remember telling him that, that he's been watching them, you know I said he'd been watching them for a while but I didn't say a long time.

OFSHE: But you told him that Damien had been watching the boys for a while?

MISSKELLEY: Uh-huh, that's what I told him. Cause at - when I told that at a cult meeting in the briefcase was

pictures of some boys I made it up. Then I - then I figured well, Damien would have to be watching them.

OFSHE: Okay. How come the cult meetings happened on Wednesdays? Is there any special reason why it was Wednesdays?

MISSKELLEY: No. Wednesday is just another day to me.

OFSHE: Okay. Now, let me just go back and make absolutely sure everything - what you've been telling me, is that everything that you said about cult meetings is just something you made up. It wasn't true then and it isn't true now. Is that correct?

MISSKELLEY: Right. I don't - I don't know what happens at a cult meeting, you know, I just, I know it's got to be something to do with the devil, and I just made it up - about like what would happen at them, so I didn't know, I just make them up.

OFSHE: Well, apparently, the next thing that happens is that [Ridge] got you to give him a list of people who attended cult meetings.

MISSKELLEY: I said, me, Damien, Jason, Kent, Dominique, and Tiffany.

(seems to be a short blank space in tape)

OFSHE: - Christina Jones,

MISSKELLEY: She lives in Memphis. And Christie Jones, she works all time.

OFSHE: Now, the next part is, there will be 8 or 9 people and we will have an orgy afterwards.

MISSKELLEY: That's what I told him. [38:01]

OFSHE: Sounds like fun.

MISSKELLEY: Um - I don't know. I hadn't ever tried it.

OFSHE: Well, why did you tell him that.



MISSKELLEY: I just - I figured about how many would be at a cult meeting then, you know, then I figured out about how many will be at a cult meeting, and so that worked out afterwards. It just popped up in my head. That's when I told him.

OFSHE: When all this was going on, what did you think you would accomplish by going along and telling them what they wanted to hear? What did you think was going to happen?

MISSKELLEY: I didn't think nothing would happen because - they - you know, they done lied to me, so, why can't I lie to them?

OFSHE: Okay. Did you think that you were getting yourself into any kind of trouble by trying this stuff?

MISSKELLEY: I didn't know if I was getting in trouble or not.

OFSHE: Then, tell me again, why did you do it? [39:23]

MISSKELLEY: Cause, uh, they kept on hollering at me, saying I was there and I wasn't. And that's when I started saying that.

OFSHE: Okay. I can understand that. Now, the next thing that they record in these notes is that, uh, Jason and Damien are having sex with each other. Did you tell them that?

MISSKELLEY: Yeah, cause - after they told me that uh, [Ridge told me that he'd seen Damien and Jason have sex together, then that's when I told him that I seen 'em.

OFSHE: So you just went with the flow. [40:19]

MISSKELLEY: Right.

OFSHE: You know, it's really kind of funny that these cops just took everything that you told them that they wanted to hear and just treated it like it was real.

MISSKELLEY: Right.

OFSHE: Did you ever have at any point think about how silly they were being just, you know, they'd tell you something and you'd tell them what they wanted to hear and they'd shake their heads and you'd just sort of do it? Did you ever think about that while it was going on?

MISSKELLEY: No.

OFSHE: How were you feeling when it was going on? Were you - put it this way - how are you feeling right now?

MISSKELLEY: Miserable?

OFSHE: Right now? Am I making you feel miserable?

MISSKELLEY: No, you ain't. But being in here.

OFSHE: Oh, that I understand. This is no fun.

MISSKELLEY: You didn't make me feel miserable.

OFSHE: Okay. So how would you describe how I'm making you feel now? If someone said to you, you've met with this guy, and how did he make you feel when you were in a meeting with him, what would you tell him?

MISSKELLEY: That it's uncomfortable.

OFSHE: Okay, why do I make you feel uncomfortable?

MISSKELLEY: Cause, I don't know you. I don't know how you are, and I just met you.

OFSHE: Okay. Did I do anything so far in our meeting to, to be unpleasant to you? To make you feel uncomfortable, or is it just because we don't know each other?

MISSKELLEY: Cause I don't know you.

OFSHE: Okay. How would you describe how you were feeling during the meeting with [Ridge] and Gitchell?

MISSKELLEY: The same way.

OFSHE: Compared to how we're doing right now?

MISSKELLEY: They hollered at me, you didn't. And you didn't say that you seen me somewhere and I haven't never been there.

OFSHE: Did you feel scared in any way when you were with them or did you just feel uncomfortable?

MISSKELLEY: No, I was scared cause I - I - I don't like being around cops, because, you know, they lied and sent my dad up the river and so, they was going to lie and try to send me up the river like they did my dad.

OFSHE: Okay. The next thing that's happens in the notes is, it says that you had had meetings, cult meetings I guess, in Robin Hood Woods before. Is that true?

MISSKELLEY: Huh-uh. (Negatively indicating) I hadn't never been there.

OFSHE: Okay. And then it says Jason has a folding knife. Does he have a folding knife?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: And you told them that?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Cause he has one?

MISSKELLEY: Yeah.

OFSHE: Okay. Uh, does Damien have a knife?

MISSKELLEY: Not that I know of he don't.

OFSHE: And the next thing you apparently told them: Jason always carries a knife.

MISSKELLEY: Uh-huh. (Affirmatively indicating) He's always carrying a knife, wherever he goes.

OFSHE: Okay. Now let's sort of change subjects and the next note says that Jessie is not sure of the times of phone calls. There are three phone calls the day before, the morning of the murder, and after dark.

MISSKELLEY: I remember telling them that.

OFSHE: You remember telling them that?

MISSKELLEY: Yeah. I said two. Like I said, no three, I said two. [Okay.] The night before, you know, what they - when they called me and to ask when were they going to get with them before the murder happened. And then I got another one after it happened. That's the only two I remember of.

OFSHE: Could the one where they say is the day before, the one that was some time before that? Because we talked a little bit before the - one that happened some time before that you told them about, wasn't the day before but it was before. Did you tell them that there was one in the morning of the murder and then one after dark?

MISSKELLEY: One in the morning?

OFSHE: Yes. Did you tell them that? [45:12]

MISSKELLEY: Yeah. Cause I told them that morning before I was going to work for Ricky Dees. I remember now, I remember there was three now, cause I told them I was - they asked me what was I going to do today and I told them I had to go to work. And uh, I got another one after I got home from work and they asked me what was I going to do that weekend. And I told them I didn't know. They asked me did I want to go with them? And I said, you know, sure. And the next one I got was at night, after it happened.

OFSHE: Uh-huh. So the one you just told me about was the one a couple of days before?

MISSKELLEY: Right.

OFSHE: Then the morning and then the night.

MISSKELLEY: Right. [46:14]

OFSHE: Okay. And there is some business here about the phone call after dark - the one the night that the murders happened. Again, supposedly - did you tell them that you could hear Damien in the background?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: What did you tell them about what happened in that phone call?

MISSKELLEY: About, I told that uh, Damien was telling Jason to tell me that about what they was going to do.

OFSHE: Uh-huh, and there's a note in here about what if somebody saw us? Do you remember telling them about that?

MISSKELLEY: (no audible response)

OFSHE: Then there's more - the next that happens is more stuff about killing animals as part of the ritual and somebody eats the meat, then he's part of the group, did you tell them about that?

MISSKELLEY: Yeah.

OFSHE: That's cute. [47:40]

MISSKELLEY: Uh-huh. (Negatively indicating) It's nasty.

OFSHE: It's nasty all right. What happened, we jumped from the phone calls from Jason to killing animals being part of the ritual, did you just go from one thing to the other or did they ask you about stuff that kind of took you from one thing to another?

MISSKELLEY: They took me - they asked me, you know, about what they do. (Inaudible) It popped up in my head and that's when I told them that.

OFSHE: The things that they were going on in these notes, were these things that you were saying because they asked you questions or were these things you were saying because you just volunteered them?

MISSKELLEY: They was the questions that they asked me.

OFSHE: So they would ask you something and you'd make something up?

MISSKELLEY: Uh-huh. (Affirmatively indicating) [48:29]

OFSHE: Seems reasonable. Now the next thing is they asked you, apparently, if you were willing to take a polygraph about the (Inaudible) statement. In other words, what you'd just been telling them. Do you remember that?

MISSKELLEY: Um - um, no.

OFSHE: Okay. The next thing that happens is that they show you a picture.

MISSKELLEY: Of one of the boys was laying on his side and he had a dark t-shirt, blue-like, his face was cut up. This was some of that.

OFSHE: Do you know what killed him?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Why do you remember that so clearly?

MISSKELLEY: Cause he, it was right there - they showed it right there in front of my face.

OFSHE: And it says that Jessie knew was one of those killed by Damien.

MISSKELLEY: Made it up. I didn't know who killed him. You know, I just made it up.

OFSHE: Then, Jessie looked hard at the picture and said it was the Moore boy, that it was one of the boys in the Polaroid. The Polaroid refers to the picture that was in Damien's briefcase. Do you remember that?

MISSKELLEY: The picture that they showed me, I didn't know who it was. And I didn't know his name. And they - on the bulletin board they had pictures of them, and the list they listed my daddy's name.

OFSHE: Did you just happen to look up and see it on the bulletin board or -

MISSKELLEY: It was behind me. It was just behind me.

OFSHE: So how did you see it? [50:44]

MISSKELLEY: I - I didn't ever look at them. I don't hardly look at them, I just - when I looked around, (Inaudible) I saw it. Then I turned my head, and I told them.

OFSHE: Did they watch you turn your head and look at the picture that has the names on it and then give them name?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Didn't they tell you not to look at those pictures, to do it from memory or anything like that?

MISSKELLEY: Huh-uh. (Negatively indicating) Cause I - they - the whole time that they's asking, you know, talking to me, I, I was looking around, I wouldn't look at them. I always looked around.

OFSHE: Why wouldn't you look at them? [51:20]

MISSKELLEY: I don't hardly look at nobody, I always look around and stuff. I don't look at people that much. I always look around.

OFSHE: Well, then the next thing they say is that Jessie stated that he didn't want to be a part of this or these, that Damien and Jason killed, he did not. Do you remember telling them -

MISSKELLEY: - that I didn't do it?

OFSHE: Yeah.

MISSKELLEY: Yeah, I remember telling them I didn't do it.

OFSHE: But that the other guys did.

MISSKELLEY: Right. That's what I told them.

OFSHE: But now the next thing is, they must have asked you again about taking another polygraph because you say "will think about taking a polygraph test." Do you remember their asking you to take another polygraph?

MISSKELLEY: Huh-uh. (Negatively indicating) I only took it once.

OFSHE: I know that. But there are two notes in here that

MISSKELLEY: I don't remember 'em asking me.

OFSHE: Okay.

MISSKELLEY: You know, about taking it again.

OFSHE: Would you have taken the polygraph at this point?

MISSKELLEY: Nope.

OFSHE: Why?

MISSKELLEY: Because they wanted my (Inaudible) off, and I knew they'd lie again, so - you know, show me that - now I'll tell something that true, and then they'll scribble, because their liars.

OFSHE: But this time were you telling something the truth, or were you telling that wasn't the truth?

MISSKELLEY: About they done it?

OFSHE: Yeah. [53:02]

MISSKELLEY: I made that up. I didn't know if they done it or not.

OFSHE: Did you think the machine would catch you and say that you were making it up if you took another test?

MISSKELLEY: Yeah, because the way I say, they'd say the same thing over just like the first one did.



OFSHE: Uh-huh. So first time you told them the truth and they said you were lying.

MISSKELLEY: Right.

OFSHE: So you figured if they was going to say you were lying no matter what?

MISSKELLEY: Right. So I - I wasn't going to do that, you know, it wouldn't be no different if I took it again, cause they'd just do the same thing over. So -

OFSHE: But it's funny that this time you were lying.

MISSKELLEY: Right. And they thought I was telling the truth. [53:40]

OFSHE: Yeah, life's strange. Now the next thing that happens is that Ridge leaves the room and he says, I left the room at which time Jessie informed Gary Gitchell of his having been present during the time of the murders. Witnessed murder by Damien and Jason. Do you remember Ridge leaving the room and your now having a conversation with Gitchell? When Ridge isn't present?

MISSKELLEY: Yeah, he left the room for a minute.

OFSHE: What happened? [54:19]

MISSKELLEY: Uh, Gitchell asked me some more questions about, about how, you know, about how the was the boys murdered and stuff.

OFSHE: And what did you say?

MISSKELLEY: It just - uh, - it popped up in my head - something strange and I told them.

OFSHE: What did you tell them?

MISSKELLEY: I told him that we was sitting in some woods and some more in the water, and we heard some - some - some kids. We got up, that me and Jason hid, (Inaudible) the one of them and they all three came. Damien grabbed one

and the other two started hitting him. And then, the other two started running then that's when me and Ja - Jason joined in and got them. That's what I told them. And then, then it went from there and when I got something wrong they told me. And they asked me something about how it would be if - and I said, I start (inaudible), that's how it looked to me.

OFSHE: But in this last part, are you - the time that you told Gitchell that you saw -

MISSKELLEY: Damien and Jason do it?

OFSHE: Yeah.

[56:08]

MISSKELLEY: I told them that I seen Jason and Damien tie the boys up and he said I helped them, I told him no, then they said that, uh, then I told them that they was laying in the water - and two of them was moving around and the other one wasn't, and that's when I left. Then I told them I left.

OFSHE: Then the next day, then it says they set up the tape recording equipment and they took the tape recorded statement. Do you know when that happened?

MISSKELLEY: Yeah, after I - after a few long questions, then they put me on the tape, and they asked me the same questions again, and I tried to remember what they told me, that's what I told them.

OFSHE: But it's interesting that in the first part, up until the time that they turn the tape recorder on, there's nothing in the notes about what time you went over supposedly to Robin Hood Woods, but on the taped thing, it comes out, they ask you what time you go over there and you say 9 o'clock in the morning. That just hadn't come out before, I guess.

MISSKELLEY: Uh, that's when they said I was lying that I didn't go to work at Ricky Dees and I did. And they said the boys went to school that day.

OFSHE: Uh-huh, but that's afterwards. See, we have what's on the taped statement, because we've got a tape recorded

so we know just what was said. And on the taped statement when you first start to talk about it, on the second page of it, um, well actually the third page of it, page 11 given the numbers written in the corner, Ridge asks you, all right when did you go out there, and you say, that morning. And Ridge says, "nine o'clock in the morning?" And you say yes "I did, I went with them." Now, --

MISSKELLEY: When he asked me that, and I told them that it was in the morning, I had thought he wouldn't believe me that I went to work for Ricky that day, then he told me that the boys went to school that day.

OFSHE: This is before the tape recorded statement?

MISSKELLEY: Before?

OFSHE: Yes, or after?

MISSKELLEY: Before. That's when they told me that uh, that the boys went to school that day.

OFSHE: Then how come -

[59:43]

MISSKELLEY: It couldn't have been that morning if they went to school that day.

OFSHE: Did you figure out that they wanted you to say that it was later in the day?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Then why didn't you?

MISSKELLEY: They - they wanted to hear it in the morning since they already said I haven't gone to work for Ricky Dees, so they had to be in the morning.

OFSHE: Oh, so they said,

MISSKELLEY: That I - you know, they didn't believe me that I went to work for Ricky Dees that day, and they're saying that about nine o'clock in the morning, and the boys went to school that day.

OFSHE: So why did you stick with nine o'clock in the morning?

MISSKELLEY: Well, they said I don't go to work that day, then that's when I took that morning.

OFSHE: So, you knew it was kind of all or nothing. Either you went to work,

MISSKELLEY: -- or I didn't.

OFSHE: If you didn't go to work you went at nine o'clock in the morning.

MISSKELLEY: Right.

OFSHE: And they weren't happy with either one of those.

MISSKELLEY: Huh-uh. (negatively indicating)

OFSHE: Did you know that they were not going to be happy with you going over there at nine o'clock in the morning because they'd already told you that the boys were in school?

MISSKELLEY: No, I, you know, they didn't believe me either if I did tell the truth or if I didn't, they weren't going to believe me anyway. So I just stuck the - their question.

OFSHE: But here you didn't even really, actually even fully take their question because they told you the boys went to school that day and you told them that - you went over there at nine o'clock in the morning I guess - oh that's it. Now I see what happened. It's noon when the boys show up, supposedly, so that way, if you didn't go to work at Ricky Dees then you went over in the woods with Damien and Jason, at nine o'clock in the morning, but because the boys went to school that day -

MISSKELLEY: It had to be after. [1:01:59]

OFSHE: - but then you have them show up at noon, so it might sound like they went to school a half the day.

MISSKELLEY: Right.

OFSHE: So you get them at school, but you also get them there, as it turns out, which I - six or seven hours too early.

MISSKELLEY: Yeah. They told me that it happened about six or six-thirty.

OFSHE: When did you they tell you that?

MISSKELLEY: Uh, you know, when they told me that the boys went to school.

OFSHE: So this was before the tape recording but after they finished taking these notes that we've talked about. But this one earlier, when you and I first started talking, you were telling me about a time when they told you a lot about what happened. Is that the time between the

[End of Tape]

(TAPE 5)

OFSHE: - the end of these notes?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: You must have - now tell me everything they told you about that period.

MISSKELLEY: Hmm. They told me it happened about six thirty, between six and six-thirty.

OFSHE: What did you say to that?

MISSKELLEY: I told them I wasn't there because I was in the trailer park, cause -

OFSHE: Did that make them happy?

MISSKELLEY: No. [00:37]

OFSHE: How did they react when you told them that?

MISSKELLEY: Ridge shook his head no, then I started thinking, well they said I wasn't there, I told them I was, then he'd been more happy, so then I started thinking, okay, I'll just - it's between six, six-thirty. That's when I told them - about what time it happened.

OFSHE: What else came up in that period? Is that when the rope and the shoelaces business came up, cause I think you told me earlier that that didn't happen then, it happened later.

MISSKELLEY: It happened the next day.

OFSHE: Oh, the next day, that's right.

MISSKELLEY: They told me - when he asked what were they tied up with.

OFSHE: Because, I know on the tape recorded thing, you say they were tied up with a rope.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: But he comes back the next day to try to correct that.

MISSKELLEY: And tried to ask again what was they tied up with, and I told 'em a rope. And that's when Ridge shook his head "no." And he tried, you know, tried to explain what they was tied up with and then, then I said what he said.

OFSHE: When did, if it came up, the idea of one little boy had been cut on his penis - when did that part of it come up, if it did?

MISSKELLEY: Um, I don't know. [2:15]

OFSHE: Let me ask you a different question. How did you learn that one of the boys had been cut on his penis. How did you come to know that?

MISSKELLEY: Because one of my friends, he works at Search and Rescue. [Uh-huh.] And, I guess he seen the boys cause he told me about how they was cut up and all that.

OFSHE: Who was that?

MISSKELLEY: Kevin Johnson.

OFSHE: When did he tell you that?

MISSKELLEY: I'd say about couple days later.

OFSHE: After the killings? [2:52]

MISSKELLEY: (no audible response)

OFSHE: So you already knew that one of the boys had been mutilated, that just penis cut up?

MISSKELLEY: That's what Kevin said. You know, I didn't know.

OFSHE: Well, you had that information and you had the information from Kevin?

MISSKELLEY: Right.

OFSHE: Did anything about what happened to the boys of that sort come up with [Ridge] and Gitchell? Did they ask you about it in any way?

MISSKELLEY: They asked me - they asked me about, you know, what happened to them, and from what I heard from Kevin, then I told them, and I guess it must have been right cause they didn't, you know, try to say I was wrong or nothing.

OFSHE: There's one point in the recorded interview where - I'll just read you this part of it. Riggs - Ridge asked you - you'd been talking about one of the boys cut on his face, 'cutting him in face.' 'All right. Another boy was cut I understand, where was he cut at?' And you say, 'at the bottom.'

MISSKELLEY: His penis.

OFSHE: That's what you meant?

MISSKELLEY: Uh-huh. (Affirmatively indicating) [4:22]

OFSHE: Then [Ridge] says, "On his bottom. Was he face down, and he was cutting on him, or," and then you say, "He was - ' and Gitchell says, "now you're talking about bottom, do you mean right here," and you say, "yes," and Gitchell says, "his groin area." Was Gitchell pointing at his groin area?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: But you already knew that the boy's penis had been mutilated from your neighbor.

MISSKELLEY: Right.

OFSHE: Now. Okay. We've got the tape recording, so that tells us what happened there. After the first tape recorded - the tape recorded statement was taken, it's 3:18 in the afternoon.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: Let me get, I want to put on a new tape.

[NEW TAPE]

OFSHE: I think we'd gotten to a point where we're pretty much finished with the recorded part - at least the first one - and that ends at 3:18 in the afternoon. Then the second tape-recorded part, they don't tell us when they did this one, but it's called The Second Interview Conducted to Clarify Preceding Statements. Now in this one, clearly from what happens in the first interview compared to what happens in this interview.

MISSKELLEY: (Inaudible) nothing right. Because they got my name with a (Inaudible) you know, (Inaudible) more and more, you know.

OFSHE: Not the world's best typing job, but whatever. Uh, but after the first interview was over, it seems to me that there must have been some more talking to you they did that preceded this interview.

MISSKELLEY: More questions.



OFSHE: Yeah, tell me about what happened next, after the first interview was over.

MISSKELLEY: Most likely it was the same questions over. That's what it was, the same questions over.

OFSHE: For example, there's a big difference at one point. In this first interview you're saying that the boys showed up around noon. And now, right out of the box, I mean it's like we're going to turn the tape recorders on and, right out of the box the first question is, when you got with the boys and with Jason Baldwin, when you were there in the woods and then the little boys came up, about what time was it when the boys came up to the woods. And then you say, I would say it was about 5 or so, 5 or 6. That's a little different than noon. How come you told something different this time, than you did the first time?

MISSKELLEY: Well, when they told me about 9:00, then they told me the boys went to school, [Uh-huh.] and then I figured it'd be about 5 o'clock, 5 or 6.

OFSHE: But when did they tell you that the boys went to school that day and so on? When they told you that before because that's why you had them showing up at noon. Was there any more discussion, or was there any more discussion about the time that preceded this? Because here it's just dramatically different?

MISSKELLEY: Yes, they uh, first they asked me about what time that I'd seen them boys, [Yeah.] and there's them - I - some boys I seen that morning, which was about 9 o'clock.

OFSHE: That's when you were going to work for Rickey Dees?

MISSKELLEY: Right. That's when I said about 9 o'clock. And then they told me they went to school.

OFSHE: Now did they tell you that - no - the boys that you saw at Rickey Dees, at that time you're saying you're going to work with him and you saw the boys -

MISSKELLEY: I was going to work with Rickey Dees and Josh, [Correct.] and we - we went across the bridge, and I seen some boys.

OFSHE: Right. Then you said that that was at 9:00 in the morning.

MISSKELLEY: Uh-huh. (Affirmatively indicating) About 9:00.

OFSHE: Was it at that point that Ridge and Gitchell told you that the boys who were killed went to school that day?

MISSKELLEY: Uh-huh. (Affirmatively indicating) He told me, you know, about 5 or 6.

OFSHE: Tell me about how he - what you're saying is at some point he must have told you it must have been more like 5 or 6 when the boys came up. Is that right? When did he tell you that?

MISSKELLEY: Well. It had to be after when they - after school and stuff. Then it had to be on, you know, on down the line about what time.

OFSHE: Okay. When did this come up with Gitchell and Ridge? Because in this first statement, you're saying that the boys showed up at noon. As soon as they turn on the tape recorder for the second statement, the first questions out of the box is "now, what time did these boys show up?" and you say 5 or 6. What made you change? What happened in between the first statement and the second statement, because -

MISSKELLEY: They told me that the boys went to school and then that's when I changed it to about 5 or 6. [Uh-huh.] After they told me that the boys went to school.

OFSHE: So the first time when you say the boys showed up at noon, was that before they told you that the boys went to school? Cause I thought that - I thought they'd already told you by that point, maybe I was wrong, maybe I misunderstood.

MISSKELLEY: Well, that's when they told me that the boys went to school, you know, about that 9 o'clock when I seen some boys.

OFSHE: About 9 o'clock in the morning -

MISSKELLEY: Right, when I was going to work for Rickey Dees, and then, and they'd, uh, asked me again and I said about 12, and they told me that the boys went to school, and then that's when I changed it to about 5.

OFSHE: So that's when they told you that the boys went to school, must have been after the first tape recording, but before this one?

MISSKELLEY: Right.

[12:02]

OFSHE: So, who brought up - I mean how did the subject of your little error, your little mistake about saying that the boys showed up at noon, come up? I mean somebody must have said something? You understand what I'm driving at?

MISSKELLEY: No.

OFSHE: Okay. Do you remember that they told you that the boys went to school?

MISSKELLEY: Right.

OFSHE: Well, what would have had to happened, something had to have been said before that, let me give you some examples. This is the kind of thing that might have been said: One of the cops might have said to you, "Look, we know that the boys went to school that day, therefore, you're saying that the boys showed up at noon, that can't be right."

MISSKELLEY: Right.

OFSHE: Or they could have said, "Now, Jessie, we want you to think about when those boys came up, now, remember the boys went to school so what time do you think that they showed up?" Or they could have said, "Jessie, you know damned well the boys showed up between 5 or 6 because they went to school that day." It could have happened a lot of

different ways. I want to know how it happened. Do you remember how it happened? We know it happened somehow, because you changed from here - to here.

MISSKELLEY: Well since they told me that the boys went to school, and then I changed it.

OFSHE: But what made you - how did they bring up the subject that the boys went to school. That's what I'm looking for.

MISSKELLEY: They told me that it couldn't happen between 9 or 12. [Ah.] So then that's when they told me that they went to school it had to happen after school.

OFSHE: Who told you that?

MISSKELLEY: Uh, if I'm not mistaken it was Ridge. [Okay.] If I'm not mistaken.

OFSHE: And do you remember - do you remember any other things that they told you that were corrections on what you'd been saying?

MISSKELLEY: Huh-uh. (Negatively indicating) Cause they - you know, after they asked me the time and stuff, I - they asked me did I have my watch on. And I told them no. So. You know, by looking outside you can't tell about what time it is.

OFSHE: Now, in your recorded statement, at one point you told them that you saw Damien and Jason having sex with these little boys. Having anal sex and oral sex with the boys. Do you remember that?

MISSKELLEY: Yeah. That's after they told me that - Ridge told me that he seen Damien and Jason have sex, then I started talking to him, and then that's when - Damien will have one, and then Jason would have one, and they said what happened to the other one, and I said, I was holding him beating him up.

OFSHE: You did what?

[15:32]

MISSKELLEY: I was holding him and beating him up - beating that one up.

OFSHE: That you were beating him up?

MISSKELLEY: Yeah.

OFSHE: When did you tell him that.

MISSKELLEY: That's when - that's when - after - when Damien was messing with one and Jason was messing with the other one, then he said what happened to the other one? And I told him that I was beating him up. [Uh-huh.] And then, uh, Damien and Jason would switch to a different boy. And then, after that one was messed up pretty bad then they'd beat on that one. Jason and Damien on that same boy.

OFSHE: But was it - the way you just described it to me, they told you that they had seen Damien and Jason having sex with each other. And then you just assumed that they would have had sex with the little boys as well?

MISSKELLEY: Right.

OFSHE: Is that how it happened or did they suggest to you that maybe Damien and Jason had sex with the little boys?

MISSKELLEY: That's what they was assumed.

OFSHE: Pardon?

MISSKELLEY: That's what they was assuming. Cause after they told me that they seen Jason and Damien have sex, then I figured well, maybe Jason and Damien had sex with the little boys.

OFSHE: Well, but did Ridge or Gitchell suggest to you that maybe Damien and Jason had sex with the little boys and you agreed? Because they'd told you that they had had sex with one another, or was that something that you came up with on your own?

MISSKELLEY: I came up with the one that Jason and Damien and the little boys. [Okay.] I made that up.

OFSHE: Okay. Now, I mean, I don't give a damn that you made it up. I understand about that. I think this - I mean - what we're here for is to try to find out what led up to the story however it came about. But it makes a difference to me whether they tried to get you to say that Damien and Jason had sex with the little boys, or whether you just made it up. You understand the question I'm asking?

MISSKELLEY: Yeah.

[17:56]

OFSHE: Okay. The only reason I'm going back over is I want to make absolutely sure that I understand what you're saying because I'm happy that no matter what you tell me, there's no right answer except what really happened. I just need to make sure that I get a good grip on what really happened.

MISSKELLEY: Well, I made it up with them having sex with the boys, cause that - after Ridge told me that he seen Jason and Damien. And then, -

OFSHE: If [Ridge] and Gitchell didn't do anything to kind of lead you to say that they - that Damien and Jason had sex with the little boys. That's what I want to know. That's fine. No problem. I just need to know what happened.

MISSKELLEY: I know. They didn't- they didn't lead to it, or nothing. I - I - I just made it up, I just - you know, figured up in my head, you know, that they said they'd seen Jason and Damien have sex and I assume that they'd have sex with the little boys. I made that up.

OFSHE: Okay. Now. Did you know which boys had been - well for example, here, they're asking you about which boys were raped. And you say, uh, Byers and Branch. And then they ask you, did you see the Moore boy raped and you say, no. And, all right, who raped those two boys? Jason and Damien. And that's all stuff that you just made up?

MISSKELLEY: Right.

[20:09]

OFSHE: Let's look back for a minute to, uh, anything else you can remember that they told you about what happened,

how the boys were killed and so on, anything that they gave you information about.

MISSKELLEY: Well, after I saw the, you know, that one picture about how one of them was cut up, you know, that's the only - that's the only thing I knew about that one. I didn't know how that other one was, you know, cut up or anything. So - I don't know if they was cut, or if their pants was cut off or what. I don't know. I just saw that one picture of that one boy and that was it. I don't know how the other two were.

OFSHE: After (Inaudible) they took the second statement, do you remember what happened next? I mean, that after they finished talking to you, what happened next?

MISSKELLEY: They start going over the questions again.

OFSHE: Okay, but that - I mean after they finish, is there - is there a time when they finish asking questions.

MISSKELLEY: The time?

OFSHE: Well, at some point they stopped asking you questions and then something else happened after that. And that's what I really want to ask about now.

MISSKELLEY: I don't remember nothing happen - after the question - after all the questions was over.

OFSHE: Well, they must have taken you some place or done something with you, or told you you were under arrest or something like that.

MISSKELLEY: Oh, that's when I went down to the - they just put me in a cell and this black guy, he told me that he didn't like the way I look.

OFSHE: You were in the cell with somebody?

MISSKELLEY: No. He was a jailer. And he told me he didn't like the way I looked. And I said (inaudible) so what else?

OFSHE: Did you have any idea why they were putting you in a cell?

MISSKELLEY: No.

OFSHE: Did they tell you you were under arrest?

MISSKELLEY: Nope.

OFSHE: They just took you back and put you in a cell?

MISSKELLEY: I - I told them - I asked could I go home? And they said I could go home in a little bit. And I kept on asking them. They didn't tell me I was under arrest or nothing. They didn't tell me what I was charged with or nothing.

OFSHE: When did you first ask them if you could go home?

MISSKELLEY: The whole time I was there. [23:13]

OFSHE: When was the first time?

MISSKELLEY: I said, right after I took that - that -

OFSHE: Polygraph?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: What did you say about going home?

MISSKELLEY: I just asked them could I go home, and they said you can go home in a little bit. And they didn't ever come.

OFSHE: Did you ask them if you could go home again a different time?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: About how often?

MISSKELLEY: About every 15 or 20 minutes.

OFSHE: And you weren't happy being there?



MISSKELLEY: Nope. Cause, they didn't - they wouldn't treat me right or nothing. I had to ask to go somewhere. I had to ask to go to the bathroom. You know. They just wouldn't treat me right.

OFSHE: Did you - tell me about, as close as you remember, what you said about wanting to go home. How did you say it? Who did you say it to?

MISSKELLEY: Different people. [Ridge], Gitchell, Mike Allen, and some other guy.

OFSHE: What exactly did you say to them?

MISSKELLEY: I asked them could I go home.

OFSHE: Did you tell them why you wanted to go home?

MISSKELLEY: Huh-uh. (Negatively indicating) I just said, I - could I go home. Nice as I could be, and they said you'll go home in a little bit.

OFSHE: So, about how many times do you think you did that?

MISSKELLEY: About 15 or 20 times. [24:49]

OFSHE: When they take you down and put you in the cell, how long did you think you were going to be in the cell?

MISSKELLEY: Probably not very long.

OFSHE: What did you think was going to happen next?

MISSKELLEY: I could go home.

OFSHE: When did you first figure out that you weren't going to be able to go home?

MISSKELLEY: When I had to stay the whole night there, for, you know, for something I didn't know what I was charged with or nothing.

OFSHE: When did they actually arrest you? When did somebody say to you, "You are under arrest."

MISSKELLEY: They didn't tell me.

OFSHE: Ever?

MISSKELLEY: Not that I remember they didn't ever tell me.

OFSHE: When did they take your finger prints and take pictures of you and stuff like that?

MISSKELLEY: After the guy that carried me down to the booking place, that's when they took my fingerprints.

OFSHE: So you remember when they booked you?

MISSKELLEY: Uh-huh.

OFSHE: When did that happen?

MISSKELLEY: Right after all the statements was taped.

OFSHE: Before they put you in a cell?

MISSKELLEY: After all the statements and everything, that's when they took my fingerprints.

OFSHE: Right, but did that happen before they put you in the cell or after they put you in the cell?

MISSKELLEY: They took my fingerprints before.

OFSHE: Okay. So they booked you, they take the statements and then they book you and then put you in the cell? And still nobody told you that you were under arrest?

MISSKELLEY: Nope.

OFSHE: What did you think the booking was about? What did you think they were doing when they took your fingerprints, and they probably took a picture of you?

MISSKELLEY: I didn't know what was going on. Cause I hadn't ever had my fingerprints before, or no picture by -

OFSHE: Can you think of anything else that they told you about the boys, the killing, any of that stuff. We're going - stepping back now to that time after the end of the notes but before they turn on the tapes they've made, when you were talking before you - remember you were telling me that there was a time when they told you a bunch of things about the killings?

MISSKELLEY: Right.

OFSHE: Can you remember anything else that they would have told you about then and we haven't talked about?

MISSKELLEY: Huh-uh. (Affirmatively indicating)

OFSHE: Now, would you do something for me?

MISSKELLEY: What?

OFSHE: Do you have a pencil and paper in your cell.

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: You may think of other things that happened -

MISSKELLEY: I done - I done tried.

OFSHE: Well, but what I'm saying is, like tonight, tomorrow, you may think of additional things that happened that we haven't talked about. If you do, would you make a note about them and tell Dan. Because if you don't make a note about -

MISSKELLEY: If I - if I remember it, you know, the stuff I will.

OFSHE: You see the trick to remembering it is when you remember it, you make a note right then. Because what happens with people to remember something, if you don't write it down you forget it in.

MISSKELLEY: Right.

[28:33]

OFSHE: It happens a lot - to everybody. So especially the rest of today and tomorrow you may remember some stuff

because we've been talking about what happened these two days or this day, for quite awhile now, and if you remember other things all you need to do is just make a note about it so you can tell Dan about it and then Dan can ask you everything about what's on your note. Then we'll include that in what we've done today.

MISSKELLEY: If - if I can remember I will.

OFSHE: Well, that's fine. I'm just trying to tell you the trick of writing it down at the time you remember it so that it will stay there.

MISSKELLEY: I tried doing it for Dan cause he asked me, you know, if I could remember it, you know, to write it down. So far, ain't nothing I can remember.

OFSHE: Well, I understand that but sometimes things just sort of come to mind, like - has anyone before we just did what we did today, has anyone sat down with you and gone through those handwritten notes and, so on, the way you and I did?

MISSKELLEY: Yeah.

[29:56]

OFSHE: When did that happen?

MISSKELLEY: The other day.

OFSHE: With uh, the doctor?

MISSKELLEY: Uh-huh. (Affirmatively indicating)

OFSHE: go through all those handwritten notes just the way I did? Or did you just talk about what happened?

MISSKELLEY: Talked about - about - about what happed. They went through all that like you did, and you know, talked about it a little bit.

OFSHE: Was there anything you can think of that you told him that didn't come up in our conversation?

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Okay. I guess that does it then.

MISSKELLEY: You didn't trick me like he did.

OFSHE: I tricked you?

MISSKELLEY: I said he - you didn't -

OFSHE: Oh, I didn't trick you, he did.

MISSKELLEY: But he did.

OFSHE: Well - I'm a nice guy. And if I had tricked you I would have been more successful at it.

MISSKELLEY: Or - you probably (inaudible) know if you tricked me.

OFSHE: Right, but I wasn't trying to trick you.

MISSKELLEY: Huh-uh. (Negatively indicating)

OFSHE: Anyway. Thank you.

MISSKELLEY: You're welcome.

[31:07]

[END OF TAPE 5]