

1 No, just leave it there; I may need to move.

2 THE WITNESS: Your Honor, may I move from the  
3 witness stand?

4 THE COURT: Yes, everybody can move around,  
5 except the audience.

6 (WHEREUPON, the video of 12/10/93 was played in open court as  
7 follows, to-wit:)

8 WILKINS: What does that mean, "the right," Jessie?

9 MISSKELLEY: I don't know. I guess not to talk.

10 WILKINS: If I told you you have the right not to - - chew your  
11 nails. What does that mean?

12 MISSKELLEY: Don't cut them.

13 WILKINS: If they tell you that "anything you say to me can be  
14 used against you," what does that mean?

15 MISSKELLEY: (inaudible.) They been bad to me before.

16 WILKINS: What?

17 MISSKELLEY: I said they been bad to me before, but it didn't  
18 have (inaudible), I talked anyway.

19 WILKINS: Why'd you do that?

20 MISSKELLEY: 'Cause, I didn't know what it meant. I just kept  
21 on talking. It's like when I had a warrant for my arrest.

22 WILKINS: What does that mean?

23 MISSKELLEY: What, a warrant?

24 WILKINS: Yes.

25 MISSKELLEY: I don't know. That's the first time I've ever had

1 one.

2 WILKINS: Never had one?

3 MISSKELLEY: They just said they had one for my arrest. And  
4 they said everything you said.

5 WILKINS: Read that right there. Read that for me.

6 MISSKELLEY: Where?

7 WILKINS: Right here.

8 MISSKELLEY: All of it?

9 WILKINS: Uh-huh.

10 MISSKELLEY: "All, right, we are police officers of the West  
11 Memphis Police Department. We are convicting" - - no, I don't  
12 know that word - - "for the offense of capital felony murder  
13 (inaudible) committed on or about 5/5/93. Before we ask you any  
14 questions, you must know and understand your legal rights.  
15 Therefore, we want to advise you that you have a right to remain  
16 silent. Do you understand that?"

17 WILKINS: What does all that mean, that you just read?

18 MISSKELLEY: I guess it means that I can talk to them or I  
19 can't.

20 WILKINS: Okay. What does this first part of what you read  
21 mean?

22 MISSKELLEY: (No answer.)

23 (Very long pause.)

24 WILKINS: Start right there, (inaudible) read that.

25 MISSKELLEY: "He'd been watching them. You mentioned earlier

1 that one of the (inaudible) with this cult meeting, they had  
2 some pictures. Describe those pictures."

3 WILKINS: What cult meeting are they talking about?

4 MISSKELLEY: I don't know. I hadn't never went to one.

5 WILKINS: What is a cult meeting?

6 MISSKELLEY: I don't know what a cult is.

7 WILKINS: You don't know what a cult is?

8 MISSKELLEY: Huh-uh, but I read in a, a *National Inquirer*.

9 WILKINS: What'd they say in there?

10 MISSKELLEY: Well, this boy's name is Richard and he's a ring  
11 leader of a cult.

12 WILKINS: What's a cult from?

13 MISSKELLEY: I guess it's - - it's devil worship.

14 WILKINS: Devil worship?

15 MISSKELLEY: Uh-huh. (Affirmatively indicating).

16 WILKINS: What does that mean?

17 MISSKELLEY: Satan.

18 WILKINS: Yeah. Well, what does tie man to be a devil worshiper?

19 MISSKELLEY: I don't know.

20 WILKINS: Are you one of those?

21 MISSKELLEY: Huh-uh. (Negatively indicating.)

22 WILKINS: How do you know, if you don't know what it is?

23 MISSKELLEY: 'Cause I ain't done nothing like that - - or what-  
24 ever they do.

25 WILKINS: How do you know you haven't done that they've done if

1 you don't know what they do? What do they do? Do you know?

2 MISSKELLEY: Well, I heard they draw stuff on buildings and  
3 stuff.

4 WILKINS: Uh-huh?

5 MISSKELLEY: And I can't draw.

6 WILKINS: What else do they do?

7 MISSKELLEY: I never been to one.

8 WILKINS: Why did you say you had?

9 MISSKELLEY: 'Cause they said I was, and I told them I wasn't.

10 WILKINS: How come they didn't write that down? How come they  
11 didn't write that down that you told them you hadn't been to  
12 one?

13 MISSKELLEY: They just want to write what they want to write.

14 WILKINS: You mean to say that they said you'd been to a cult  
15 meeting, you said no?

16 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

17 WILKINS: And they said the cult meeting you were at, just, just  
18 didn't put it down?

19 MISSKELLEY: Huh-uh. (Negatively indicating) That's not an  
20 answer. They didn't put it down.

21 WILKINS: How would they do that, Jessie?

22 MISSKELLEY: 'Cause they want to lie.

23 WILKINS: Why?

24 MISSKELLEY: I guess to make their self look good. 'Cause they  
25 said that, uh, Ridge said, uh, said he seen me in, uh, Turrell

1 in a cult meeting with Damien. And I told them I hadn't ever  
2 been to Turrell, and I haven't.

3 WILKINS: Why would Riggs - - Ridge say that?

4 MISSKELLEY: He's a liar.

5 WILKINS: But he's a policeman; how could he be a liar?

6 MISSKELLEY: 'Cause all policemen do lie.

7 WILKINS: They do?

8 MISSKELLEY: Yes, they do.

9 WILKINS: Oh. How do you know that?

10 MISSKELLEY: Well, they sent my daddy off with a lie, and now  
11 they're trying to send me off with a lie. Marion police, uh,  
12 lie, saying they, uh, they saw me steal something from Heck's,  
13 wearing camouflage, and I don't own camouflage. They lie.  
14 Then, uh, somebody said they seen me steal something off the  
15 railroad tracks, some lasers or something, some laser disks.  
16 They lie. I was out of town the day it happened. Now they're  
17 trying to say this.

18 WILKINS: You think they're kind of against you.

19 MISSKELLEY: I know they lie.

20 WILKINS: Why?

21 MISSKELLEY: I don't know. They just - - I guess they don't  
22 like the Misskelley's; that's all I'm wondering.

23 WILKINS: You think part of this is because of the problems that  
24 your dad had, too. You think that's what it is?

25 MISSKELLEY: My dad?

1 WILKINS: Yes.

2 MISSKELLEY: He's been in trouble? Yeah.

3 WILKINS: You think that's why they came after you, too? It's  
4 all part of that because of his problems, too?

5 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

6 WILKINS: When did you decide that?

7 MISSKELLEY: Huh?

8 WILKINS: When did you decide that?

9 MISSKELLEY: What?

10 WILKINS: That was part of you - - your dad's problems why they  
11 came after you, too?

12 MISSKELLEY: 'Cause he's been in trouble with the law. And they  
13 lie, just to send him up the river.

14 WILKINS: You say here, Jessie, "I was there until they tied  
15 them up, and that's when I left. After they tied them up, I  
16 left." Why did you say that?

17 MISSKELLEY: 'Cause I, where I could go. Where I could go home.

18 WILKINS: But you saw them cutting the boys. Did you see them  
19 cutting the boys?

20 MISSKELLEY: Huh-uh. (Negatively indicating.) I wasn't there.

21 WILKINS: Well, why did you say all that shit?

22 MISSKELLEY: They put me up to say that.

23 WILKINS: Yeah, but why did you do it?

24 MISSKELLEY: I just said what they wanted me to say.

25 WILKINS: Why?

1 MISSKELLEY: You know, if they want to catch somebody in a lie,  
2 I can catch them in a lie, too.

3 WILKINS: And then what?

4 MISSKELLEY: You know, police. They say policemen ain't never  
5 bad, or they're never wrong and stuff. That's why they believe  
6 policemen, not other people. That's why most people right now  
7 are in jail or in prison, because policemen lies and they don't  
8 lose their job all the time.

9 WILKINS: You ever see a male screw another male?

10 MISSKELLEY: No.

11 WILKINS: Why did you say that?

12 MISSKELLEY: They told me that. They said, uh, Ridge told me he  
13 seen Damien and Jason have sex before. I didn't know nothing  
14 about that.

15 WILKINS: How'd he know that?

16 MISSKELLEY: Who? Ridge?

17 WILKINS: Yeah.

18 MISSKELLEY: I don't know. I guess he's been joining them. I  
19 don't know.

20 WILKINS: You had sex with a boy?

21 MISSKELLEY: No.

22 WILKINS: Sure?

23 MISSKELLEY: Positive.

24 WILKINS: You ever thought about it?

25 MISSKELLEY: No.

- 1 WILKINS: Have they ever tried to have sex with you?
- 2 MISSKELLEY: Huh-uh. (Negatively indicating.)
- 3 WILKINS: Huh?
- 4 MISSKELLEY: Huh-uh. (Negatively indicating.) Some of them want  
5 to play around, though.
- 6 WILKINS: Why?
- 7 MISSKELLEY: Act like it. Act like we're like that.
- 8 WILKINS: What are you saying, Jessie?
- 9 MISSKELLEY: Act like you are, you know. Act like you're funny,  
10 or something. Act like you're gay.
- 11 WILKINS: Oh, okay.
- 12 MISSKELLEY: But you're not.
- 13 WILKINS: Do you do that sometimes when you have other - - when  
14 you- - mess around?
- 15 MISSKELLEY: No. No. I did that- - I did that when I'm around  
16 my - - my uncle.
- 17 WILKINS: Okay. Okay.
- 18 MISSKELLEY: You know he, he, he, he plays with us like that.  
19 He'll come up to us, he'll hug us and kiss us, and all that.  
20 And then, me and my cousin, we, you know, since he does that to  
21 us, me and him does it back. People say, you gay, or stuff, I  
22 say, "Yeah, we are." We'll grab each other and we'll kiss each  
23 other.
- 24 WILKINS: You ever had sex with him?
- 25 MISSKELLEY: No.



1 WILKINS: Sure?

2 MISSKELLEY: Positive.

3 WILKINS: You say here, "when they have a cult meeting, every-

4 body has an orgy and stuff like that." What's an orgy?

5 MISSKELLEY: When a whole bunch of gays do it - - some boys and

6 only one girl.

7 WILKINS: When you killed the dog, what do you do with it?

8 MISSKELLEY: What would I do with a dog if I killed a dog?

9 WILKINS: Uh-huh. (Affirmatively indicating.)

10 MISSKELLEY: Throw 'em away.

11 WILKINS: Well, it says here, you said that when you killed a

12 dog you got to skin it and make a - - make a bonfire and eat it

13 and stuff like that?

14 MISSKELLEY: I don't do that stuff.

15 WILKINS: Why did you lie about that, Jessie?

16 MISSKELLEY: It, it's funny.

17 WILKINS: What's funny about it?

18 MISSKELLEY: Playing a - - about skinning dogs and eating it,

19 and stuff. I guess a dog's just like chicken; I don't eat

20 chicken.

21 STIDHAM: Why would you tell the police that you did that if you

22 didn't?

23 MISSKELLEY: I told 'em I wasn't even there in the first place,

24 but they wouldn't listen. They kept on hollering at me.

25 STIDHAM: Well, how could you make up a story about skinning a

1 dog and eating him?

2 MISSKELLEY: I guess to see one of them cult things. I don't  
3 know.

4 WILKINS: One of what cult things, Jessie?

5 MISSKELLEY: Eating and stuff. Eating animals and stuff.

6 STIDHAM: Did you make that up by yourself, or did someone else  
7 tell you about that?

8 MISSKELLEY: What?

9 STIDHAM: About skinning dogs and eating them?

10 MISSKELLEY: I made that up by myself. 'Cause I don't know what  
11 they do in those cult meetings.

12 WILKINS: Well, where did you get the idea about skinning a dog?

13 MISSKELLEY: Just popped in my head.

14 WILKINS: Have you ever done that?

15 MISSKELLEY: What, skin a dog?

16 WILKINS: Uh-huh. (Affirmatively indicating.)

17 MISSKELLEY: Huh-uh. (Negatively indicating.)

18 WILKINS: You ever skin a deer or a rabbit?

19 MISSKELLEY: I - - a rabbit and a squirrel. That's it.

20 WILKINS: How do you do that?

21 MISSKELLEY: I don't do it; my dad does it. I just help him,  
22 you know, hold it.

23 WILKINS: How do you do it? How does your dad do it?

24 MISSKELLEY: I hold down the side, on the back take the knife  
25 and cut him up there in the back and then pull the hair off of

1 him. Then cut it from the bottom and take their guts out.

2 STIDHAM: Hey, Jessie, how did you make up that stuff about the,  
3 uh, briefcase and pictures of kids and stuff like that?

4 MISSKELLEY: Made it up. It popped up in my head.

5 STIDHAM: Had anybody ever told you about a briefcase?

6 MISSKELLEY: Uh-huh. (Affirmatively indicating.) They've told  
7 me about a briefcase.

8 STIDHAM: Who is "they"?

9 MISSKELLEY: Ridge and Gitchell.

10 MR. DAVIS: Let me interrupt there and ask Mr.  
11 Stidham some questions.

12 CROSS-EXAMINATION, continuing:

13 Q] Dan, when you're asking the questions of how, who told you  
14 to make that up, why did you ask that question?

15 A] The reason I asked that question, because he previously  
16 told me that that's what had happened. And, uh, I was trying  
17 to, uh, get him to be spontaneous in front of Dr. Wilkins.

18 Q] So that's why you had asked him a leading question like  
19 that and re-directed his attention back to what he had previous-  
20 ly had told you before?

21 A] Usually, every time I asked a leading question, I'd get a  
22 different answer. So it was hard to follow along with any kind  
23 of scenario.

24 Q] And if you could, if you will pay particular attention,  
25 because after this is over, I may ask you about something that I

1 think might fit in the same category?

2 A] Okay.

3 VIDEO, continuing:

4 STIDHAM: Well, why do you think the police would want to make  
5 something up like that?

6 MISSKELLEY: It's like I say, they - - 'cause they - - they just  
7 want to frame me like they did my dad.

8 STIDHAM: Would you agree with the statement that most people  
9 want to say what the police tell them to say, that they'll just  
10 tell them what they weren't there, they didn't have anything to  
11 do with it?

12 MISSKELLEY: Hum?

13 STIDHAM: Wouldn't most people just say, "No, I didn't have  
14 anything to do with it," if they didn't have anything to do with  
15 it?

16 MISSKELLEY: That's what I told them in the first place. I  
17 didn't have nothing to do with it. I was with Rickey Deese.  
18 They said, "No you wasn't."

19 WILKINS: Why don't you believe them? Why didn't they believe  
20 you?

21 MISSKELLEY: I don't know. I guess, 'cause I'm, I'm another  
22 Jessie. That's why they don't want to believe nothing.

23 STIDHAM: Has there been anything happen that would make them  
24 not believe you?

25 MISSKELLEY: I don't know.

1 STIDHAM: They give you any kind of a test or anything, to see  
2 if you were telling the truth?

3 MISSKELLEY: They gave me one of them lie detector's test.

4 STIDHAM: And what is a lie detector's test?

5 MISSKELLEY: What I seen it's on a desk. It's got paper and - -  
6 some kind of needles and stuff.

7 STIDHAM: Tell us what happened when they gave you that test?

8 MISSKELLEY: Well, they asked me some questions and they put a  
9 thing on my arm, but a thing on my finger. And he asked me them  
10 three questions over and over and over.

11 STIDHAM: How many questions?

12 MISSKELLEY: I don't know. One of they, uh, "have you ever done  
13 drugs?" Another was "have I been at that Robin, Robin Hood  
14 field" and whatever, and uh, another one they asked me, uh, "did  
15 I know who killed them three boys?" I told them, "no."

16 STIDHAM: How many times did they ask you those three questions?

17 MISSKELLEY: Three times.

18 STIDHAM: Three times?

19 MISSKELLEY: (Inaudible.) times.

20 WILKINS: Well, did they ask you more than once when they asked  
21 you?

22 MISSKELLEY: He asked me, he asked me that one time. Then he'll  
23 wait a little bit, and then he'll ask me again over, and then  
24 he'll wait, and he would ask me again.

25 WILKINS: Did he ask you any other questions along the way?

1 What's your name or address, that kind of stuff?

2 MISSKELLEY: Nope.

3 WILKINS: About where you went to school or go to school, or  
4 anything, any other kind of questions at all?

5 MISSKELLEY: Nope. He just asked me them three questions.

6 WILKINS: Just those three, that's all he asked you?

7 MISSKELLEY: No, there was some more questions on there. I  
8 don't - - don't I don't remember them other ones.

9 STIDHAM: Well, what happened immediately after they got done  
10 with the test?

11 MISSKELLEY: Then that one guy said, "You're lying." I said,  
12 "Okay, I did drugs."

13 He said, "No, I ain't talking about that." And he, he said,  
14 "You know who done it."

15 And I said, "No, I don't know who done it."

16 He said, "Yes, you do, 'cause your brain is telling us."

17 STIDHAM: Said your what?

18 MISSKELLEY: My brain was telling them.

19 STIDHAM: Who told you that?

20 MISSKELLEY: That guy that gave me the test.

21 STIDHAM: So he told you your brain was lying?

22 MISSKELLEY: My brain was telling him.

23 STIDHAM: Well, is that why you decided to go ahead and tell  
24 them this story, then?

25 MISSKELLEY: No, I wasn't going to say nothing to them. Then

1 when they asked me them questions, I told them I didn't know who  
2 done it. After he done, after I done took that test, they asked  
3 me did I know who done it. I told them no, I didn't know who  
4 done it.

5 STIDHAM: How long was it between the time that they gave you the  
6 lie detector test 'till they showed you the picture of the  
7 little boy? Just a couple of minutes? Or an hour? Or?

8 MISSKELLEY: About, I'd say about an hour, 30 minutes, somewhere  
9 in there.

10 STIDHAM: What did you think when you seen the picture of the  
11 little boy?

12 MISSKELLEY: Wasn't nice.

13 STIDHAM: What do you mean?

14 MISSKELLEY: Seein' somebody laying on the floor dead, and they  
15 cold.

16 STIDHAM: Did that upset you?

17 MISSKELLEY: Yeah.

18 STIDHAM: Then what happened?

19 MISSKELLEY: Then I started crying.

20 STIDHAM: How come you started crying?

21 MISSKELLEY: 'Cause I can't, can't stand to see nobody dead.

22 STIDHAM: Did you know what happened to the little boy?

23 MISSKELLEY: No. Not from what I've heard.

24 STIDHAM: What do you mean from what you heard?

25 MISSKELLEY: I heard that they - - they was cut up.

1 STIDHAM: Who told you that?

2 MISSKELLEY: Kevin, that same day the, uh, they paged him - -  
3 they thing was cut - - thing was cut.

4 WILKINS: Who's Kevin?

5 MISSKELLEY: Johnson.

6 WILKINS: Who's he?

7 MISSKELLEY: He's a search and rescue.

8 WILKINS: Oh, and he lives behind you?

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

10 STIDHAM: Then what happened after you started crying?

11 MISSKELLEY: They started asking me some questions, and they're  
12 tell - - and then I - - you know, then I told them I didn't  
13 know, then they said we're going back to the - - we're going  
14 back to, uh, ground one again. They when they'd say something,  
15 then I said it, then they said "now we're getting somewhere."  
16 Then when they say something again and I don't know what they're  
17 talking about, I told them I don't know, then they're saying,  
18 "well, we're going back to ground one again," then when they  
19 tell me something else, then I say it. They they're saying...

20 STIDHAM: ...now when you're saying - - you mean you were saying  
21 what they said earlier?

22 MISSKELLEY: Well, uh, if I don't know what they were talking  
23 about, I'd tell them that I didn't know. Then they're saying we  
24 ain't getting nowhere, we're just going back to ground one  
25 again. And when they said something about where the boys was



1 laying at, then I'd say it. Then they're saying, "we're getting  
2 somewhere now."

3 STIDHAM: Why would you say something about where they were  
4 laying if you didn't know it - - where they were laying?

5 MISSKELLEY: I did know - - cops - - they told me. When they  
6 said it, I said it.

7 WILKINS: Why did you do that?

8 STIDHAM: Didn't you know that was going to get you in trouble?

9 MISSKELLEY: I didn't know.

10 STIDHAM: Well, then what happened?

11 MISSKELLEY: UH, that's mainly it.

12 STIDHAM: They tell you anything about, uh, helping them, or,  
13 uh...?

14 MISSKELLEY: They said they'd get me out of that, out of that  
15 circle.

16 STIDHAM: What circle?

17 MISSKELLEY: That, that, they're, the cops are around us and  
18 where the circle is and we can get out, then you can be with  
19 others.

20 STIDHAM: Who said that?

21 MISSKELLEY: Ridge.

22 STIDHAM: Who?

23 MISSKELLEY: Ridge.

24 STIDHAM: Are you sure it was him?

25 MISSKELLEY: Ridge.

- 1 STIDHAM: Did he draw a circle or did Gitchell draw a circle?
- 2 MISSKELLEY: Gitchell.
- 3 STIDHAM: Ridge is, is, is kind of short and stocky and  
4 Gitchell's kind of tall, with a bald head. Which one was it?
- 5 MISSKELLEY: Gitchell.
- 6 STIDHAM: He drew a circle on a piece of paper?
- 7 MISSKELLEY: Then he put Xs around the, around the circle and  
8 then put three dots in the middle.
- 9 STIDHAM: And what did he tell you about the circle?
- 10 MISSKELLEY: He said, "This is you, Damien and Jason, and we can  
11 get you out."
- 12 STIDHAM: What did he mean by "we can get you out"?
- 13 MISSKELLEY: I don't know what he meant. That's all he said.
- 14 STIDHAM: What did you tell him when he said that?
- 15 MISSKELLEY: I told him I want- - I wanted to get out. If I'm  
16 in that circle, I want to get out.
- 17 STIDHAM: Then what'd he say?
- 18 MISSKELLEY: Then he started asking me some questions. And then  
19 when I got something wrong he'd say, "well, you're (inaudible)  
20 getting closer, and closer, and closer."
- 21 WILKINS: You ever robbed a store, Jessie?
- 22 MISSKELLEY: Robbed a store?
- 23 WILKINS: Yeah.
- 24 MISSKELLEY: I ain't never robbed nobody.
- 25 WILKINS: Strange. Because there's a report that said you did.

- 1 MISSKELLEY: A report?
- 2 WILKINS: Yeah.
- 3 MISSKELLEY: I ain't never robbed no store.
- 4 WILKINS: Sure?
- 5 MISSKELLEY: I'm positive.
- 6 STIDHAM: There's a Flash Market by your house?
- 7 MISSKELLEY: Huh?
- 8 STIDHAM: There's a Flash Market by your house?
- 9 MISSKELLEY: Flash Market? That's down the road, by the court-
- 10 house.
- 11 STIDHAM: Yeah, is that the one?
- 12 MISSKELLEY: Saying I robbed it?
- 13 STIDHAM: Yeah.
- 14 MISSKELLEY: They're lying. I ain't never robbed nobody.
- 15 WILKINS: Have you ever been in there?
- 16 MISSKELLEY: Have I been in the Flash Market?
- 17 WILKINS: Uh-huh. (Affirmatively indicating.)
- 18 MISSKELLEY: Yeah, I've been in the Flash Market a bunch of
- 19 times.
- 20 WILKINS: Why?
- 21 MISSKELLEY: Been in to get cigarettes, put gas in the car.
- 22 WILKINS: Ever been in there with somebody else?
- 23 MISSKELLEY: Huh?
- 24 WILKINS: Ever been in there with somebody else?
- 25 MISSKELLEY: Yeah, with my dad.

1 WILKINS: Your dad? Anybody else?

2 MISSKELLEY: My cousin.

3 WILKINS: Cousin?

4 STIDHAM: What's his name?

5 MISSKELLEY: Bubba.

6 WILKINS: Bubba?

7 MISSKELLEY: His name is Charles Ashley.

8 WILKINS: Bubba is - - yeah, yeah, he's the other one I was  
9 talking about.

10 STIDHAM: He's the one that told the police that you did it.

11 MISSKELLEY: Huh? Huh-uh. (Negatively indicating.)

12 STIDHAM: He's the one that told the police you went in there  
13 with a gun.

14 MISSKELLEY: I ain't got no gun. I don't even own one.

15 STIDHAM: Why would he say that?

16 MISSKELLEY: I don't know. Ridge and Gitchell told 'em that he  
17 was in on it, too.

18 WILKINS: He's "in on" what?

19 MISSKELLEY: Huh? This stuff, killing and stuff.

20 WILKINS: He said that Bubba was in on it, too?

21 MISSKELLEY: They asked me was he on it, in on it, and I don't  
22 know.

23 WILKINS: They said he was?

24 MISSKELLEY: Uh-huh. (Affirmatively indicating.) They asked me,  
25 "Are you sure?" I said, "I'm positive." I only been to one

1 store, and we was down the street when somebody was stealing  
2 something.

3 WILKINS: Who was that?

4 MISSKELLEY: It was me, Richard Lovelace, William Jones and, uh,  
5 Scott something.

6 WILKINS: What'd you steal?

7 MISSKELLEY: I didn't steal nothing. We was down the street  
8 waiting for them. It was William and Scott is the ones that  
9 stole.

10 STIDHAM: What day was this?

11 MISSKELLEY: It's been a while back.

12 STIDHAM: Did they have a gun?

13 MISSKELLEY: Huh-uh. (Negatively indicating.) All they did was  
14 went in the store, grabbed some - - grabbed a beer.

15 STIDHAM: Was it the Flash Market?

16 MISSKELLEY: It was in West Memphis.

17 STIDHAM: Was it the Flash Market, though?

18 MISSKELLEY: Huh-uh. (Negatively indicating.)

19 STIDHAM: Bubba says that you and him went in with a gun and  
20 stole some stuff and got some money out of the cash register.

21 MISSKELLEY: No, I don't even know about it.

22 STIDHAM: Why would he say something like that?

23 MISSKELLEY: I don't know.

24 WILKINS: Ever held a gun?

25 MISSKELLEY: Yeah, I held a gun.

1 WILKINS: What?

2 MISSKELLEY: I held a gun before.

3 WILKINS: Whose?

4 MISSKELLEY: My dad's.

5 WILKINS: What is it?

6 MISSKELLEY: Well, it was my grandfather's gun. Somebody sold  
7 it for some drugs. And my dad had a .25 when I was little, and  
8 I held it. I had a .22 and then I carried it back where I  
9 bought it from.

10 WILKINS: Why did you do that?

11 MISSKELLEY: It tore up. It wouldn't eject the shells.

12 WILKINS: But you didn't rob anybody?

13 MISSKELLEY: I would never pull a gun on nobody.

14 WILKINS: You've pulled a knife on people, don't you?

15 MISSKELLEY: Huh?

16 WILKINS: And you've pulled a knife on people?

17 MISSKELLEY: Pulled a knife on people?

18 WILKINS: Yeah.

19 MISSKELLEY: (Not answering.)

20 WILKINS: And a ball bat (inaudible)?

21 MISSKELLEY: Yeah. If they make me mad enough, I would. Just  
22 like Dino, he got me mad one night 'cause he was drinking. He  
23 got me mad. And I pulled a gun on him.

24 WILKINS: You pulled a gun on him? You don't have a gun, you  
25 said.

1 MISSKELLEY: I know I don't, but I pulled one on him.

2 WILKINS: Where'd you get it?

3 MISSKELLEY: I took it from my dad.

4 WILKINS: Is that the same one you robbed the store with?

5 MISSKELLEY: Hmm. I didn't rob no store.

6 WILKINS: Look, Jess, I just, I mean, you said you'd never  
7 pulled a gun on anybody, you wouldn't do that...

8 MISSKELLEY: ...not unless they got me mad enough.

9 WILKINS: Got you mad. People try to get you mad, it's all  
10 right to pull a gun on them?

11 MISSKELLEY: Yeah.

12 WILKINS: Who first started? What got you mad?

13 MISSKELLEY: Dino's got me mad before; I pulled a gun on him.

14 WILKINS: But, but, but people started it, too, then?

15 MISSKELLEY: Yeah, they start it.

16 WILKINS: What?

17 MISSKELLEY: Yeah, they start stuff. That's why people's lying  
18 now, saying I robbed the store. I hadn't got a gun to rob a  
19 store. See, people lie 'cause they don't like me, that's what  
20 it is.

21 WILKINS: Better than that, let's step back Jessie. Now you  
22 said, okay, you've never pulled a gun on anybody; right?

23 MISSKELLEY: No.

24 WILKINS: Then you said, "I pulled one on Dino one night because  
25 he got - - he pissed me off"?

1 MISSKELLEY: 'Cause I won't - - peop - - people make me mad.  
2 I'll pull a ball bat and I'll pull a knife on them if they make  
3 me mad.  
4 WILKINS: And then you said, "I don't own a gun"?  
5 MISSKELLEY: I don't.  
6 WILKINS: Then you said, "I got a gun and pulled it on Dino."  
7 Now you know, this ain't making sense, Jessie; okay?  
8 MISSKELLEY: You asked me did I pull a gun, uh, pull a knife and  
9 a baseball bat on people?  
10 WILKINS: Uh-huh. (Affirmatively indicating.)  
11 MISSKELLEY: Yes, if they make me mad enough. So I, I pulled a  
12 gun on Dino, when me made me mad.  
13 STIDHAM: Well, Jessie, did it make you mad when that lady that  
14 you robbed at the store, and she called you a little faggot, did  
15 that make you mad?  
16 MISSKELLEY: Little lady?  
17 STIDHAM: While you was working at the store at the Flash  
18 Market?  
19 MISSKELLEY: I don't know nobody...  
20 STIDHAM: ...she said she called you a little faggot, and you  
21 got mad and pulled a gun and you took the money.  
22 MISSKELLEY: No. I don't know no woman at the Flash Market  
23 that's short; my dad does, but I don't. I don't know her. He  
24 knows everybody works at the Flash Market. I don't.  
25 WILKINS: Well, you've been in there, haven't you?



1 MISSKELLEY: Yeah, I've been in there with him.

2 WILKINS: And so, and so essentially, they know what you look  
3 like now, don't they, in there?

4 MISSKELLEY: Yeah.

5 WILKINS: And they know who you are?

6 MISSKELLEY: Yeah.

7 WILKINS: Okay. She says...

8 STIDHAM: ...I'm going to get a drink of water.

9 WILKINS: She says you came in there and was shoplifting shit.  
10 And she caught you and called you a little faggot and you got  
11 mad at her and pulled out a gun.

12 MISSKELLEY: People lie.

13 WILKINS: I'll be back in a second.

14 STIDHAM: Well, I'm going to go down the hall and make that  
15 phone call again and see if they've got that tape.

16 [Stidham leaves the room; tape still running. Phone rings and  
17 Wilkins answers: "Yes. Okay, so it'll be here when? Okay.  
18 Good. Thanks."]

19 WILKINS: That tape's on its way, Jessie. So here we are.  
20 Let's talk about the robbery, Jessie.

21 MISSKELLEY: Who are you talking to?

22 WILKINS: You.

23 MISSKELLEY: You ain't talking to me.

24 WILKINS: Yes, I'm talking to you.

25 MISSKELLEY: No, you ain't, either.

1 WILKINS: Why not?

2 MISSKELLEY: Talk to yourself. I'm not talking.

3 WILKINS: You're not talking?

4 MISSKELLEY: Huh-uh. (Negatively indicating.)

5 WILKINS: You damn well are now.

6 MISSKELLEY: (Silent.)

7 WILKINS: Look, Jess, okay? Let's quit this shit. You lied to  
8 the police; Jess?

9 [Door opens, closes. Telephone rings. Very long pause.  
10 Footsteps into the room.]

11 WILKINS: Are you on, Dan?

12 STIDHAM: We're on.

13 WILKINS: Jess, okay. Let's go back to the couch, okay. You're  
14 on Vickie's couch, okay, and your dad wakes you up; all right?  
15 Can you start through this? Tell me what happens after that?

16 MISSKELLEY: Uh, I was, I was on the, uh, sleeping on the couch  
17 in my boxers, and dad came and got me, told me Mike Allen wanted  
18 to talk to me.

19 STIDHAM: About what?

20 WILKINS: Did he say? Say what he wanted to talk to you about?

21 MISSKELLEY: About that guy that (phone rings) so, said okay, so  
22 let me go down to the house, get some...

23 STIDHAM: ...what guy got picked up?

24 MISSKELLEY: Tracy. The one that was turned in.

25 STIDHAM: That's what your dad said?

1 MISSKELLEY: Yeah. He said Mike Allen wanted to talk to me  
2 about that.

3 STIDHAM: Tracy Laxton?

4 MISSKELLEY: Yeah. So okay, so I said I go to go back down to  
5 the house and get me some clothes on. So I went to the house,  
6 put on a shirt and shorts, and some tennis shoes. And went to  
7 the shop and Mike Allen was there. I got in the car with Mike  
8 Allen.

9 STIDHAM: Okay. Let's stop right there. When you got to the  
10 shop, you got out of your dad's truck?

11 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

12 STIDHAM: Where was Mike at?

13 MR. DAVIS: Judge, at this point I want to  
14 interrupt so I can ask a question.

15 THE COURT: Go ahead.

16 CROSS-EXAMINATION, continuing:

17 Q] Dan, at this point you're asking questions and going  
18 through the sequence of events that occurred when he was picked  
19 up by Mike Allen on the day that he was questioned; right?

20 A] It appears so; yes, sir.

21 Q] Okay.

22 A] I haven't seen this part of the video in many, many years.

23 VIDEO, continuing:

24 MISSKELLEY: Well, my dad got the second spot, like - - Mike  
25 Allen was there. When dad - - daddy pulled up to the door and

1 Mike Allen's car was in the, by the next door, you know - -  
2 there's two big old doors, and...

3 STIDHAM: ...was he out of the car, or sitting there and waiting  
4 for you, or what?

5 MISSKELLEY: He was sitting in the car.

6 WILKINS: (Inaudible.) Okay.

7 STIDHAM: What did he say when you got out?

8 MISSKELLEY: He just said, "We need to ask you some questions."

9 STIDHAM: About what? Did he say?

10 MISSKELLEY: No. He, no, he, no, he said, "Do you care to ride  
11 with me to West Memphis?"

12 I said, "No," and got in the car.

13 STIDHAM: Did your dad say anything to you, or did Jim McNease  
14 say anything?

15 MISSKELLEY: I don't - - I didn't see Jim that day, I don't  
16 think.

17 STIDHAM: He wasn't there, or do you just not remember?

18 MISSKELLEY: His truck wasn't there. So I don't know if he was  
19 there or not.

20 STIDHIM: Okay. So...

21 WILKINS: ...did your dad say anything to you about what you had  
22 to go with him, or not go with him, or needed to do, or anything  
23 down there?

24 MISSKELLEY: He asked my dad could I, uh, was it all right if I  
25 go with him. Dad said sure. So I got in the car with him.

1 STIDHAM: What'd you talk about on the way to the police  
2 station?

3 MISSKELLEY: Nothing. We didn't talk.

4 WILKINS: Didn't say anything till you got to the police  
5 station?

6 STIDHAM: Where'd you go when you got to the police station?  
7 What part of the building? Down a set of stairs? Basement?

8 MISSKELLEY: It was upstairs.

9 STIDHAM: Whose office? Do you remember?

10 MISSKELLEY: Huh-uh. (Negatively indicating.)

11 STIDHAM: Was it a man, or a woman?

12 MISSKELLEY: It was by the, close to the, where they, where they  
13 had a couch and stuff at. Where the - - I guess it's a lounge.

14 STIDHAM: Was it across the hall from where the couch was?

15 MISSKELLEY: Kinda. You go...

16 STIDHAM: ...you walk down a long hall?

17 MISSKELLEY: Yeah, you go past the bathroom, then there's the  
18 lounge, then there's a window and cut across, and there's a  
19 little room, another room.

20 STIDHAM: So you were in the room where the lie detector machine  
21 is?

22 MISSKELLEY: No, I didn't go to that place. I went to the...

23 STIDHAM: ...place where the couch is?

24 MISSKELLEY: No.

25 WILKINS: Here, Jess, okay. Here's the hall and here's the

1 couch...

2 MISSKELLEY: ...the couch was on this side, and I was on this  
3 side.

4 WILKINS: Okay. And so there's the couch, and then what  
5 happens?

6 MISSKELLEY: And then there's downstairs. I didn't go down-  
7 stairs, and I went to a room they had, uh...

8 WILKINS: ...y'all probably go out to the couch right here.  
9 Just about right across from the south side?

10 MISSKELLEY: Yeah. Then I, there was a room, then it's like in  
11 the same room, but different doors.

12 WILKINS: Okay.

13 MISSKELLEY: Just say like this one and that one put together.  
14 And then...

15 WILKINS: ...okay. You came in here and you went in another  
16 room over there?

17 MISSKELLEY: Right.

18 WILKINS: Okay. Now, is this where you did the lie detector  
19 test here, or was that somewhere else?

20 MISSKELLEY: Huh-uh. (Negatively indicating.) Right next door.

21 WILKINS: Back this way?

22 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

23 WILKINS: Okay.

24 STIDHAM: So this is the hallway here and there's a bathroom  
25 over there; right?

1 MISSKELLEY: Bathroom about right up in here.

2 STIDHAM: Okay.

3 MISSKELLEY: And a couch, the window...

4 STIDHAM: ...this couch is in the room over here; right?

5 MISSKELLEY: Yeah.

6 WILKINS: And then so it's...

7 STIDHAM: ...it's the end of the building...

8 WILKINS: ...with a window. Okay.

9 STIDHAM: There's stairs going down here?

10 MISSKELLEY: Uh-huh. (Affirmatively indicating.) Then, uh, I

11 was right in here.

12 WILKINS: And these windows go over to here?

13 MISSKELLEY: And as soon as you walked in the door, there's a

14 desk, then there's a door right there, and I was in, right in

15 there.

16 WILKINS: What's right here?

17 MISSKELLEY: Huh?

18 STIDHAM: This is where the...

19 MISSKELLEY: ...a desk?

20 STIDHAM: Is this the desk that has the lie detector in behind

21 that door there?

22 MISSKELLEY: No.

23 WILKINS: You had to cut back out here to go through here?

24 MISSKELLEY: Like - - like - - like I just walked in from the

25 door. There's a desk sitting right here. There's a desk sit-

1 ting right here. There's a desk sitting right there and there's  
2 the door.

3 WILKINS: Okay. Now, where is the lie detector room? Do you  
4 get to go back out that door to get there?

5 MISSKELLEY: Hmm. (Inaudible.)

6 WILKINS: Is it back out there, back of the hall?

7 MISSKELLEY: There's a door going...

8 WILKINS: ...in the hallway and back out again?

9 MISSKELLEY: Around the corner.

10 STIDHAM: Just around the corner, not back in the hall?

11 MISSKELLEY: No, just around the corner.

12 STIDHAM: Okay. Now I know where you were, then. Uh, who did  
13 you talk to when you first went in and sat down? More than one,  
14 or just one?

15 MISSKELLEY: More than one.

16 STIDHAM: Who was that?

17 MISSKELLEY: Gitchell and Ridge.

18 STIDHAM: Gitchell and Ridge? What about Mike Allen?

19 MISSKELLEY: Huh-uh. (Negatively indicating.) He, he, he didn't  
20 come in 'till after I took that lie detector test.

21 STIDHAM: He just kinda disappeared then, after he dropped you  
22 off there; he just kind of went somewhere else, then?

23 MISSKELLEY: Yeah, he didn't come in until after, after I got  
24 into it with that guy.

25 WILKINS: Did he bring you in here to meet Ridge and Gitchell?



1 He just brought you in and left you and then he left?

2 MISSKELLEY: (silent.)

3 WILKINS: Okay.

4 STIDHAM: So you go in and sit down in a chair by the desk?

5 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

6 STIDHAM: And what happened?

7 WIKLINS: Kinda like you are now?

8 MISSKELLEY: Yeah.

9 STIDHAM: Then what happened?

10 MISSKELLEY: After I sit down, I figured that they was going to  
11 ask me about, about that guy.

12 STIDHAM: Tracy Laxton?

13 MISSKELLEY: Right; and they didn't.

14 STIDHAM: What'd they start asking you about?

15 MISSKELLEY: They ask - - they asked me where I just come from,  
16 the day we come in, yeah, it was that day? Then, then this guy  
17 asked me where'd I come from and I told him, I told him I came  
18 from Vickie's house. He said, "Who's Vickie?" And I said a  
19 woman I stayed the night with her because there was a guy  
20 prowling around. And he asked me, he said, "You sure you  
21 weren't sleeping with her?"

22 I said, "I'm positive." I said, "She slept in one room, and I  
23 slept on the couch and the parents slept in the other room."

24 He asked me what she looked like and I told him. He said, "She  
25 was up here just the other day talking about you." And then,

1 uh, then they started - - then they - - I said...

2 WILKINS: ...what did they say she said about you, or did they  
3 say what she...?

4 MISSKELLEY: He didn't say.

5 WILKINS: She was just talking about you? Okay.

6 MISSKELLEY: And then, uh, they went out and I was sitting there  
7 in that room by myself.

8 WILKINS: How long were they gone? Any idea, Jess?

9 MISSKELLEY: Huh-uh. (Negatively indicating.)

10 WILKINS: Just a little while - - just a minute or two - - just a  
11 little bit?

12 MISSKELLEY: Uh-huh. (Affirmatively indicating.) They said we  
13 need you to go with us because we got to get your test, and I  
14 didn't know what for. And then me and Mike Allen, we left.

15 STIDHAM: Let me stop you just a second. So all they asked you  
16 before they started talking about getting your dad's permission,  
17 was where you had been?

18 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

19 STIDHAM: They didn't ask you anything about Damien or Jason up  
20 to that point?

21 MISSKELLEY: Huh-uh. (Negatively indicating.)

22 STIDHAM: They wanted to do a lie detector test on you after  
23 they asked you where you'd been?

24 MISSKELLEY: Right. So me and Mike Allen left. We was going to  
25 get my dad's signature and we passed my dad. We had to turn

1 around and we met my dad at, uh, Chief's Auto Parts and there he  
2 was, getting out of the wrecker.

3 STIDHAM: What did you and Mike Allen talk about on the way  
4 there?

5 MISSKELLEY: Nothing. He, he didn't say anything, 'till I said,  
6 "There's my dad right there." And he turned around at Chief's  
7 Auto Parts and I seen dad pull up in the driveway and get out.  
8 And Mike Allen said, "We need you to sign this," and dad just,  
9 uh, signed the, uh, he uh, "it'd be nice if Jessie would tell  
10 him that," uh, "who done it or something, 'cause, you know, he'd  
11 have some money."

12 And dad said, "Yeah, he could buy him a new truck."

13 STIDHAM: What kind, what money are you talking about?

14 MISSKELLEY: He, they just said some money; that's all Mike  
15 Allen said.

16 STIDHAM: Allen said if you could tell them who did this, that  
17 you'd get some money?

18 MISSKELLEY: Yeah.

19 STIDHAM: Did he say how much?

20 MISSKELLEY: Huh-uh. (Negatively indicating.) Mike, uh,  
21 Gitchell

22 told me how much it would be, but I ... (phone ringing.)

23 WILKINS: He said that later on, though?

24 MISSKELLEY: Yes.

25 WILKINS: Now, did Mike tell your dad what it is he wanted him

1 to sign? Or he just said, "I want you to sign this," and that  
2 was all there was to it?

3 MISSKELLEY: He said something about what he was supposed to  
4 sign.

5 WILKINS: You don't know what it, what he was saying to him?

6 MISSKELLEY: (silent.)

7 STIDHAM: Then what happened after your dad signed it?

8 MISSKELLEY: I got back in the car with Mike, and we, we drove,  
9 we went back to the police department. And then, I guess they  
10 handed that piece of paper to somebody, 'cause I didn't see that  
11 paper no more. And I went in to take the test.

12 STIDHAM: So you went into the room with Officer Durham?

13 MISSKELLEY: I didn't know the guy.

14 STIDHAM: Was it an older man?

15 MISSKELLEY: He didn't look old to me.

16 STIDHAM: Older than Ridge and Allen?

17 MISSKELLEY: It looked like he's about in his 40's or something.

18 STIDHAM: Okay.

19 WILKINS: Now, now, so at this point then, you have any idea  
20 what time it was (inaudible), Jessie?

21 MISSKELLEY: It still was in the morning.

22 WILKINS: Still in the morning. Okay. So basically, then they  
23 give you a lie detector test before they asked you any questions  
24 at all, really?

25 MISSKELLEY: Right.

1 WILKINS: And now you're in the lie detector test; okay?

2 STIDHAM: Tell us about where you went in and what the lie  
3 detector machine looked like? First of all, before you answer  
4 that, what is a lie detector test?

5 MISSKELLEY: I don't know. I ain't never seen one before.

6 STIDHAM: Did they tell you what it was, or tell you what it  
7 does, or...?

8 MISSKELLEY: ...he, he told me what it does.

9 WILKINS: What'd he tell you?

10 MISSKELLEY: He told me that it, it's tell us if you're lying or  
11 not. And he said, you know, "we'll kind of watch it come out."

12 WILKINS: Now they hooked up things to you where?

13 MISSKELLEY: He hook, he hooked something right here on my arm.  
14 And I was sitting in a chair facing the wall. He, he had a  
15 little thing that slipped on my finger.

16 WILKINS: Just one finger, or was there another finger?

17 MISSKELLEY: Yeah, and I was sitting like this and going like  
18 this. And I was facing the wall while he asked me some  
19 questions.

20 WILKINS: How far away were you from the wall? Right close to  
21 it, or...?

22 MISSKELLEY: ...I couldn't ...

23 WILKINS: ...was it up, you were right up next to the wall,  
24 then, pretty much? Okay. And so what he asked you then?

25 MISSKELLEY: He asked me...

- 1 WILKINS: ...did he ask you what your name was?
- 2 MISSKELLEY: Huh-uh. (Negatively indicating.)
- 3 WILKINS: Did he ask you where you live?
- 4 MISSKELLEY: Huh-uh. (Negatively indicating.)
- 5 STIDHAM: Well, what questions did he ask you?
- 6 MISSKELLEY: As far as I can remember, he didn't.
- 7 WILKINS: What was the first question he asked you; can you
- 8 remember, Jessie?
- 9 MISSKELLEY: Have I - - if I'm not mistaken, have I ever been to
- 10 Robin Hood Hills.
- 11 WILKINS: And you said no?
- 12 MISSKELLEY: And I said, "no."
- 13 WILKINS: Okay.
- 14 MISSKELLEY: And he waited for a little bit, then he asked me
- 15 this stuff. When, when, now, the first question - - I remember
- 16 now, the first question he asked me, he said, uh, "Are you going
- 17 to tell the truth?"
- 18 And I said, "Yes."
- 19 Then the next question he asked me was did I know where Robin
- 20 Hood Lane is.
- 21 WILKINS: Did you know where it was, or had you been there?
- 22 MISSKELLEY: Did I know where it was at. And I said, "No."
- 23 STIDHAM: Did you know where it was at?
- 24 MISSKELLEY: Huh-uh. (Negatively indicating.)
- 25 STIDHAM: Had you ever been there before?

1 MISSKELLEY: Huh-uh. (Negatively indicating.)  
2 WILKINS: Do you now?  
3 MISSKELLEY: What? Know where it's at?  
4 WILKINS: Uh-huh? (Affirmatively indicating.)  
5 MISSKELLEY: After they, after they told me where it was at.  
6 WILKINS: Where is it?  
7 MISSKELLEY: Right beside Blue Beacon.  
8 STIDHAM: So after he asked you if you'd ever been to Robin Hood  
9 Hills, what did he ask, what did he ask you?  
10 MISSKELLEY: Then he asked me did I, did I, have I ever did  
11 drugs? Told him no.  
12 STIDHAM: Is that the truth?  
13 MISSKELLEY: What? Have I ever did drugs? Yeah.  
14 STIDHAM: So you lied to him on that question?  
15 MISSKELLEY: Uh-huh. (Affirmatively indicating.) And then they  
16 asked me, uh, did I know who killed them three little boys. And  
17 I told him "no."  
18 STIDHAM: Did he repeat the questions after...?  
19 MISSKELLEY: ...then he'd wait a little bit and, uh, I was still  
20 hooked up and he'd ask me them questions again.  
21 STIDHAM: Same questions?  
22 MISSKELLEY: Same questions again.  
23 WILKINS: Did they ever ask you anything else?  
24 MISSKELLEY: Huh-uh. (Negatively indicating.) He just asked me  
25 them same questions again. He asked me again, I told him the

1 answers, and then he'd wait - - wait a little bit and then he'd  
2 ask them again. Same questions. Then after I, after he  
3 unhooked me, he showed me the, the piece of paper where it was  
4 scribbled at. He said, "You must have been nervous, or some-  
5 thing."

6 WILKINS: Was it just scribbled like this: up and down; was it  
7 graph paper like this, and it goes up and down like this?

8 MISSKELLEY: Uh-huh. (Affirmatively indicating.) It was a lot  
9 worse than that. And then he told me that I was lying. Then I,  
10 then I went ahead and admitted and said, uh, I did drugs. And  
11 he said, no, he'd deal with me about them later. He meant, did  
12 I kill them little boys, and I told him no. And he kept on and  
13 kept on hollering.

14 STIDHAM: Hollering at you?

15 MISSKELLEY: He raised his voice real loud.

16 STIDHAM: Then what happened?

17 MISSKELLEY: And then I stood up, and balled my fist and did  
18 like that, and then Mike Allen said, "Sit down," and I sat down.  
19 And then, uh, we went back to the other room.

20 WILKINS: Back to this one over there, one off to the side over  
21 here? Okay.

22 MISSKELLEY: And then that's when they, after he hand, handed  
23 Mike Allen and them the paper.

24 WILKINS: So, so the lie detector didn't take but about five  
25 minutes or so, it went pretty quick then, about ten minutes, and



1 you weren't in there very long?

2 MISSKELLEY: Seemed like I was in there a long...

3 WILKINS: ...seemed like a long time? Okay. So you're back over  
4 there and they start talking to you?

5 MISSKELLEY: They showed me that paper and they said, uh, "You,  
6 you've been to Robin Hood Lane, haven't you?"

7 And I said, "No, I haven't."

8 He said, "The paper is saying you have."

9 And I said, "Well, it's lying."

10 STIDHAM: Did they tell you anything about your brain, or any-  
11 thing?

12 MISSKELLEY: After, after, uh, at the end of the, they showed me  
13 the paper, and he said, "You're lying."

14 And I said, "No, I'm not." And then I said, "Okay, I admit I  
15 did drugs before."

16 They said, "No, it ain't that," they said, "you know where Robin  
17 Hood Lane is and you know who done it."

18 I said, "No, I don't."

19 And they said, "Yes, you do, because your brain is telling us.

20 I said, "My brain?"

21 And he said, "Yes, your brain is telling me."

22 WILKINS: So how long did this go in there, Jessie; did it go  
23 over and over and over?

24 MISSKELLEY: A lot.

25 WILKINS: Asked you questions about you being there, and...

- 1 MISSKELLEY: ...yeah. Every time I got something right, then  
2 they'll change it. And then they...
- 3 WILKINS: ...did he have a tape recorder going on all this time?
- 4 MISSKELLEY: Not the first time.
- 5 WILKINS: So, what they were, they weren't taping what you were  
6 saying now?
- 7 MISSKELLEY: Huh-uh. (Negatively indicating.) Not the first  
8 time.
- 9 STIDHAM: Jessie, let's go back to after you got mad and balled  
10 up your fist. You said Mike Allen came in?
- 11 MISSKELLEY: Mike Allen came in.
- 12 STIDHAM: Did they ever do a polygraph test on you that day?
- 13 MISSKELLEY: Polygraph? What's that?
- 14 STIDHAM: You don't know what it is?
- 15 MISSKELLEY: No.
- 16 WILKINS: The polygraph and a lie detector are the same thing.
- 17 STIDHAM: So then after Mike Allen came in and got you, did they  
18 take you to another room?
- 19 WILKINS: Took you back over here to through this other door;  
20 right?
- 21 MISSKELLEY: (No audible response.)
- 22 STIDHAM: Now did you ever go into a lady's officer's room?
- 23 MISSKELLEY: That's where I was at when they asked me the  
24 questions.
- 25 STIDHAM: Okay. Was there anything hanging on the wall in her

1 office that you remember?

2 MISSKELLEY: (No audible response.)

3 STIDHAM: Pictures of anything or anybody?

4 MISSKELLEY: She had a bookshelf, some pictures of some, some  
5 people. I don't know them. And behind me was a, a bulletin  
6 board, I think.

7 WILKINS: Right here?

8 MISSKELLEY: Huh?

9 WILKINS: So, so, bulletin board was right next to you, just  
10 like this?

11 STIDHAM: What was on the bulletin board?

12 MISSKELLEY: Well, I was sitting like this. The bulletin board  
13 was right here behind me like this.

14 WILKINS: All right.

15 STIDHAM: What was on the board?

16 MISSKELLEY: And the door was right there. The, it had some  
17 pictures of some boys.

18 STIDHAM: Which boys?

19 MISSKELLEY: The ones that got killed.

20 WILKINS: Did you look at it?

21 MISSKELLEY: Huh?

22 WILKINS: Did you look at it?

23 MISSKELLEY: Yeah. It just, it just had them in there standing  
24 up. Something like that right there.

25 WILKINS: Like this?

- 1 MISSKELLEY: Yeah, like that and then they had the...
- 2 STIDHAM: ...was it a newspaper picture, or...?
- 3 MISSKELLEY: ...yeah, it was a newspaper.
- 4 STIDHAM: Did they have their names under, their names under  
5 their pictures?
- 6 MISSKELLEY: (No audible response.)
- 7 STIDHAM: Did you know their names?
- 8 MISSKELLEY: (No audible response.)
- 9 STIDHAM: So, after you got done with the lie detector test,  
10 they took you back into the lady officer's office and then they  
11 started asking you questions?
- 12 MISSKELLEY: Uh-huh. (Affirmatively responses.)
- 13 STIDHAM: What did they ask you?
- 14 MISSKELLEY: They asked me how, what, do I know where that place  
15 at, at Robin Hood Lane is and I told them "no."  
16 They said, "Yes, you do, because you told us."  
17 Said "I didn't tell you nothing."  
18 They said, "this ain't what the paper shows." And, uh, then  
19 they start talking about it. They said that, uh, get uh, then  
20 they asked me have I ever been to Turrell-Twist, and I said  
21 "no." And I haven't been to Turrell-Twist. And, uh, they had  
22 me down for being in Turrell-Twist in a, uh, a, a cult meeting  
23 with Damien. I said "no."
- 24 WILKINS: Is, is Turrell-Twist the same place?
- 25 MISSKELLEY: I don't know. I hadn't ever been there. I don't

1 know where it's at.

2 WILKINS: They said have you ever been to Turrell-Twist, though?

3 MISSKELLEY: Huh-uh. (Negatively indicating.)

4 WILKINS: He didn't say Turrell, he said Turrell-Twist?

5 MISSKELLEY: Turrell-Twist, and I said "No."

6 STIDHAM: Then what happened?

7 MISSKELLEY: Then, then, uh, Ridge said he's seen me there  
8 before. He said I, I was riding, I rode up there with Damien.

9 STIDHAM: Ridge said he rode up with Damien or you rode up with  
10 Damien?

11 MISSKELLEY: I rode up there with Damien; he said he saw me up  
12 there with Damien, and I said I ain't ever been up there.

13 STIDHAM: So Officer Ridge told you that he seen you there with  
14 Damien?

15 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

16 STIDHAM: Had you ever been there?

17 MISSKELLEY: Huh- - I don't know where it's at. I been -I went  
18 by there to go where I go to wrestling at, but...

19 STIDHAM: ...you mean you've seen the exit for it?

20 WILKINS: The sign, the sign.

21 MISSKELLEY: Uh-huh. (Affirmatively indicating.) Bit I ain't  
22 ever been there.

23 STIDHAM: So then what happened after he asked you if you'd ever  
24 been to there?

25 MISSKELLEY: Then he started, uh, he started asking me them

1 questions.

2 STIDHAM: What questions?

3 MISSKELLEY: About who killed them three little boys. I kept on  
4 telling him I didn't know.

5 WILKINS: How long did this go on, Jessie? You have any idea?

6 MISSKELLEY: From that morning they picked me up to about nine  
7 or so that night.

8 WILKINS: Now, they said that you made the statement they copied  
9 down at 2:30 in the afternoon?

10 MISSKELLEY: That ain't when it stopped.

11 WILKINS: But they have a ticket in here. This was from...

12 MISSKELLEY: ...they picked, they picked me up that morning.

13 WILKINS: Okay. And it says, uh, the time is 2:44.

14 MISSKELLEY: That, that's when they started asking me them  
15 questions, uh, put me on that tape.

16 WILKINS: Yeah, okay. But after the tape was done, did they ask  
17 you more question after that, too?

18 MISSKELLEY: Yeah, they kept on asking me about if I'd done it.

19 STIDHAM: That was the second...

20 WILKINS: ...that wasn't until the next day.

21 STIDHAM: That was at late that night?

22 MISSKELLEY: The next day is when I went to the, uh...

23 STIDHAM: ...to court?

24 MISSKELLEY: Uh-huh. (Affirmatively indicating.) 'Cause, 'cause  
25 I was, I didn't sleep, really. And, uh, then some black woman

1 wanted to talk - - they said somebody wants to talk to you, and  
2 I said "okay." They said it was a lawyer or somebody, and it  
3 was a black woman.

4 STIDHAM: Did you talk to her?

5 MISSKELLEY: Yeah.

6 STIDHAM: What did you say to her?

7 MISSKELLEY: She, she asked me did it do it.

8 STIDHAM: What did you tell her?

9 MISSKELLEY: No. And then the next - - right across the hall I  
10 saw Damien looking at me and Jason was sitting in a chair.

11 WILKINS: Was that the next morning?

12 MISSKELLEY: Yeah. 'Cause I, I asked her could I get a drink of  
13 water. She...

14 STIDHAM: What was the black woman's name?

15 MISSKELLEY: I don't know her. I hadn't ever seen her.

16 STIDHAM: Was she, was she a lawyer?

17 MISSKELLEY: I don't know.

18 WILKINS: How early was it, Jessie? You have any idea?

19 MISSKELLEY: Well, I didn't get no breakfast.

20 STIDHAM: Let's back up now. They'd just got you off the lie  
21 detector machine and Ridge is asking you have you ever been to  
22 Robin Hood Lane?

23 MISSKELLEY: After, after they asked me the, they got me on that  
24 tape and stuff.

25 STIDHAM: So how long did they ask you those questions before

1 they turned the tape recorder on, how long a time was it; do you  
2 know?

3 MISSKELLEY: Huh-uh. (Negatively indicating.) They kept on  
4 going over.

5 WILKINS: Did you eat lunch?

6 MISSKELLEY: No, it was almost that night.

7 WILKINS: When did you finally eat?

8 MISSKELLEY: I'd say it was almost getting dark.

9 WILKINS: Was that when you, was that when they turn on the tape  
10 recorder, it was almost dark?

11 MISSKELLEY: Yeah.

12 WILKINS: They didn't turn it on until afternoon?

13 MISSKELLEY: In the afternoon?

14 WILKINS: Yeah.

15 STIDHAM: They turned it on twice, didn't they?

16 MISSKELLEY: Yeah.

17 STIDHAM: The first time was in the afternoon?

18 MISSKELLEY: Right.

19 STIDHAM: But you didn't eat anything?

20 MISSKELLEY: No.

21 STIDHAM: From the time you got there until almost dark?

22 MISSKELLEY: 'Till, yeah, 'till the...

23 STIDHAM: ...did they ask you if you wanted anything to eat?

24 MISSKELLEY: No.

25 STIDHAM: Did you ask for anything to eat?



1 MISSKELLEY: No.

2 STIDHAM: Did they let you go to the bathroom?

3 MISSKELLEY: Yeah, I asked to go to the bathroom.

4 STIDHAM: Did they let you?

5 MISSKELLEY: Yeah, they - - but one time they didn't.

6 STIDHAM: Did you have to wait a long time before you did?

7 MISSKELLEY: What? Go to the bathroom? Huh-uh. (Negatively  
8 indicating.) They just said "okay."

9 WILKINS: So they asked, they turned on the tape recorder and  
10 then they asked you a bunch of questions, and they turned on the  
11 tape recorder and then they asked you the same questions over  
12 again?

13 MISSKELLEY: Over and over.

14 WILKINS: And then, how long did they have the tape recorder on,  
15 Jessie? For a long, long, long time?

16 MISSKELLEY: I guess. I don't...

17 WILKINS: ...did they change the tape or turn it over or any-  
18 thing?

19 MISSKELLEY: Far as I know, they did.

20 WILKINS: Was it a big round tape like this? Or just a little  
21 bitty tape like you play songs on?

22 MISSKELLEY: (No audible response.)

23 STIDHAM: Do you remember?

24 WILKINS: Was it on a big machine with a big round tape, big  
25 round?

1 MISSKELLEY: I think it was like a, like a headphone set. I  
2 think, uh, well, it was something like that, had a, like a  
3 antenna, like a, what is, I'd say it was like this; something  
4 like that. And it had a microphone, they pushed the microphone  
5 up close to me.

6 WILKINS: Okay, but did you see the tape itself?

7 MISSKELLEY: I didn't see the tape.

8 WILKINS: Did they change tapes, or anything like that?

9 MISSKELLEY: Yeah, they changed tapes.

10 WILKINS: More than one?

11 MISSKELLEY: Uh-huh. (Affirmatively indicating.) I'd say about  
12 twice.

13 STIDHAM: Jessie, uh, after you got done with the lie detector  
14 test, they set you down in that lady officer's room, and they  
15 asked you if you'd been to Robin Hood Hills; they asked you if  
16 you'd been to Turrell-Twist; then they started asking you about  
17 Damien and Jason; is that right?

18 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

19 STIDHAM: Did they tell you you were lying to them?

20 MISSKELLEY: They asked me was, uh, well, was Charles Ashley  
21 there? I said "no."

22 They said, "Are you sure?"

23 I said, "I'm positive." I said, "He don't go nowhere with me."

24 I said, "I don't go nowhere with him, not unless it's to go to  
25 the store for his mama or something." I said, "That's the only

1 place I go with him."

2 STIDHAM: So after you told him you didn't know nothing about  
3 it, they told you you were lying; right?

4 MISSKELLEY: Right.

5 STIDHAM: Now did they also tell you that you had to get it  
6 right, or that we have to start over again, or what did they  
7 say?

8 MISSKELLEY: They didn't say nothing about me getting it right.

9 STIDHAM: They said something about going back to ground zero,  
10 or...?

11 MISSKELLEY: ...they said they, when they got something wrong,  
12 then they said we - - just start over - - uh, we ain't getting  
13 nowhere this time. Then when I got something right or some-  
14 thing, then they said now we're getting someplace. And when  
15 they asked me another question, I got it wrong, and then we went  
16 back to the, to the same again.

17 STIDHAM: Ground level again, is that what they called it?

18 WILKINS: Now when you said you're back to ground level, did  
19 they start off with the same questions over again?

20 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

21 WILKINS: So they'd start you over again?

22 MISSKELLEY: So, so, yeah. After I got...

23 WILKINS: ...so like I said to you, Jessie, okay, they said to  
24 you, uh, "today is Friday," and you said "yes." And I say "it's  
25 the afternoon," you said "yes," and I said it's uh, "it's August

1 31<sup>st</sup>," and you said "no"?

2 MISSKELLEY: No, then I had to start back (inaudible) when you  
3 asked me that question and I said yes.

4 WILKINS: So they start, I started back again saying "today is  
5 Friday"?

6 MISSKELLEY: And I'd say "yes," and they'll put a (inaudible)  
7 when I got it right.

8 WILKINS: Okay. So, and so then, so then if we go on ten or  
9 fifteen questions, you got one wrong?

10 MISSKELLEY: Then I had to all the...

11 WILKINS: ...go back to number one and start over again? Okay.

12 STIDHAM: How many times did you have to start over again, do  
13 you think?

14 MISSKELLEY: A bunch.

15 STIDHAM: Did it go on for hours?

16 MISSKELLEY: A bunch, 'cause I didn't know, I didn't know --  
17 nothing. You know, I didn't know how they was killed or not.

18 WILKINS: So it was kind of like, kind of like what we were  
19 doing here earlier; okay?

20 MISSKELLEY: Right.

21 WILKINS: And then we have to go back now and, let's go back to  
22 the beginning, Jessie. "You're, you're lying. Let's go back  
23 and start over again," now here's what, and then you go through  
24 that all over again?

25 STIDHAM: Okay, now is that after or before Gitchell drew the

1 circle?

2 MISSKELLEY: The whole time.

3 STIDHAM: Why did he draw the circle?

4 WILKINS: After you was there a little while, or at the very  
5 beginning?

6 MISSKELLEY: When I was in there for a little while. It's  
7 before they put me on the, on the tape.

8 STIDHAM: Okay. So basically, then, what you're saying is they  
9 went over it and over, over and over and over again and re-  
10 hearded it until you finally had the story right and then they  
11 turned the tape on?

12 MISSKELLEY: Uh-huh. (Affirmatively indicating.) Then when they  
13 asked, asked me, then after what they told me, I tried to  
14 remember what they was telling me.

15 WILKINS: What's a script, Jessie; do you know?

16 MISSKELLEY: A what?

17 WILKINS: A script.

18 MISSKELLEY: (No audible response.)

19 WILKINS: When they make a movie, okay, (inaudible) on TV, they  
20 have this thing called a script. In it says, Jessie says, and  
21 Jessie says what he says, and then Margaret says what she says,  
22 and you know, back and forth that way. Everybody reads their  
23 lines, okay? Is that kind of what, what they did, kinda, kinda  
24 put together a script and then read through this together, and  
25 you were there; yes, I was there; it was a brown rope; yes, it

1 was a brown rope, (inaudible.)

2 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

3 WILKINS: You got it kinda all put together; okay?

4 MISSKELLEY: (Inaudible.) They put together what they wanted  
5 everybody to know, and they (inaudible).

6 WILKINS: If, well, make it right, Jessie. It's kind of like  
7 earlier; okay? When you're being angry, okay, and I said you  
8 were having sex, I can't remember what it was, and you got  
9 angry. Well, well, if you want to say that it's okay. Is that  
10 kinda what happened that day, you wanted to say it was a brown  
11 rope, a brown rope is okay. That, that what happened; okay?

12 MISSKELLEY: He ask, they asked me was they tied up with, and I,  
13 I guessed, I just said, well, brown rope. And, uh, Ridge said  
14 no, it wasn't, and then I tried to argue with him and say yes it  
15 was. And it was like they was arguing with me so I was going to  
16 argue with them back and say yes, it was.

17 WILKINS: "Jessie, was it a brown rope?" You know, you say,  
18 "No, it was a green rope." And you said "no."

19 MISSKELLEY: They was arguing with me so I was arguing with them  
20 back, saying it was a brown rope. He asked me how they was tied  
21 up and, I didn't know. So I just guessed. I said from the  
22 front, and he said no, they wasn't. So...

23 STIDHAM: ...so you just kept guessing until you got it right?

24 MISSKELLEY: Yeah.

25 WILKINS: So you said okay and talked it back to them the next

1 time around?

2 MISSKELLEY: Yeah. I, I just guessed until I got it right, you  
3 know. I didn't know how they was tied up.

4 STIDHAM: Did you ever stop and think for a minute that you were  
5 going to get yourself in trouble by guessing, playing this  
6 guessing game with them?

7 MISSKELLEY: No, I didn't know.

8 WILKINS: Now, let me read you something, Jessie; okay? Let me  
9 see if I can find it real quick. Let me find something here.  
10 Why they asked you which two boys Damien and Jason were having  
11 sex with...

12 MISSKELLEY: ...I just guessed.

13 WILKINS: And you said, uh, Branch and...?

14 MISSKELLEY: ...no, I did, I, I don't know their name. They  
15 showed me, they showed me, uh, pictures of them. I didn't know  
16 their names.

17 WILKINS: Did they have names on them?

18 MISSKELLEY: Yeah. They had their name up on them, like, like  
19 here's their name, their picture, then they had their name up on  
20 them.

21 WILKINS: Were they, were they like the pictures on the bulletin  
22 board, or were they pictures of them dead, or what?

23 MISSKELLEY: Pictures on the bulletin board. They, he only  
24 showed one picture of them dead. (Inaudible.)

25 WILKINS: But then they told you, apparently up on the bulletin

1 board. And the one person there was is Branch and this one is  
2 (inaudible). Now point to the two they were having sex with.  
3 Is that kind of what happened?

4 MISSKELLEY: Yeah, they showed me, they showed me a picture of  
5 them.

6 WILKINS: And so you said that one and that one, or you said  
7 this one and this one, and oh, you mean, uh, Branch and Byers;  
8 yes?

9 MISSKELLEY: Yeah. And then the, uh, uh, Gitchell showed me a  
10 picture of one of them dead.

11 WILKINS: Which one; do you know?

12 MISSKELLEY: (No audible response.)

13 WILKINS: Did he tell you who it was?

14 MISSKELLEY: I didn't know his name. He had, he had black hair.  
15 It looked like it's black.

16 WILKINS: Had black hair. Was he naked?

17 MISSKELLEY: No.

18 WILKINS: Had, had clothes on? Was he tied up or anything like  
19 that?

20 MISSKELLEY: Huh-uh. (Negative indicating.) He, he was, he was  
21 laying on his side. I couldn't tell, he was just laying on his  
22 side. It was in a Polaroid picture, he was laying on his side.

23 WILKINS: Side, but he, but he, but he, but he, but he had  
24 clothes on?

25 MISSKELLEY: Yeah, he had clothes on.



1 WILKINS: You couldn't tell whether he was tied up or not,  
2 (inaudible.)

3 MISSKELLEY: It looked like his hand was in front of him, but  
4 looked like maybe to the side.

5 WILKINS: And so, and if, so you don't know whether that was a  
6 picture that was just now taken? Last year or anything else;  
7 you didn't know where that picture came from? Whether he was  
8 dead or not dead or anything lese?

9 MISSKELLEY: It could have been Satan, all I know, but you know,  
10 I didn't know.

11 STIDHAM: How did you know how deep the water was, and how...

12 MISSKELLEY: ...they told me how deep the water was.

13 STIDHAM: Who did?

14 WILKINS: What did, what did they say to you?

15 MISSKELLEY: They said how deep was the water? I, you know, I  
16 said, I said it's about knee deep. They said, I, I, I had my  
17 head down and I saw Gitchell shaking his head, so I, then I said  
18 about, about not even a foot deep, then.

19 WILKINS: Now, you said at one point that Damien and Jason were  
20 ducking, jumping down under the water?

21 MISSKELLEY: No, I told them that Damien and Jason was sitting  
22 in the water. I was sitting on one side.

23 WILKINS: Uh-huh.

24 MISSKELLEY: I said they had a, they took their pants off but  
25 they had shorts underneath, and I said Damien, one of them would

1 go down and get their hair wet, not even seconds, then they come  
2 up. Then the other one went under.

3 WILKINS: In this water that was, that was a foot deep?

4 MISSKELLEY: Might have been over a foot deep.

5 WILKINS: Okay. And they are sitting in the water a foot and a  
6 half deep; okay? And you could see their undershorts and all  
7 that, too?

8 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

9 WILKINS: But they were sitting down?

10 MISSKELLEY: Sitting down.

11 WILKINS: Then they would bend over and put their head in the  
12 water?

13 MISSKELLEY: They, they done like this.

14 WILKINS: Can you sit down and bend your head over and put, dunk  
15 any ways?

16 MISSKELLEY: No.

17 WILKINS: But that's what they were doing?

18 MISSKELLEY: That's what I told them.

19 STIDHAM: Why did you tell them that?

20 MISSKELLEY: Huh?

21 STIDHAM: Why did you tell them that?

22 MISSKELLEY: After, after they told me that they seen Damien and  
23 Jason have sex together, and...

24 WILKINS: ...and so, so did you tell them they were having sex  
25 there, too, or they were having hard-ons, or whatever?

1 MISSKELLEY: Yeah, I told, after they told me they, uh, they  
2 seen Damien and Jason have sex, then that's why I said that  
3 Damien go up under the water and then Jason, and then...

4 WILKINS: Were they, were they giving each other blow jobs, is  
5 that what you're saying?

6 MISSKELLEY: Yeah, and then I, I, you know, they said they seen  
7 them having sex, and then I told them that I seen them.

8 WILKINS: Have their shirts on?

9 MISSKELLEY: No, they had their shorts on. And then, uh...

10 WILKINS: ...shorts?

11 MISSKELLEY: Shorts?

12 WILKINS: Yeah, they got their undershorts?

13 MISSKELLEY: Yeah, they had their shorts on.

14 WILKINS: So, how were they having sex with their shorts on?

15 MISSKELLEY: After. The, when the boys was there, that's what I  
16 told them. After that. What I told them when the boys was  
17 there, then they started screwing the boys.

18 WILKINS: Okay. And did they take off their underpants, then?

19 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

20 WILKINS: And they're both naked now and they're screwing the  
21 boys?

22 MISSKELLEY: (No audible response.)

23 WILKINS: Okay.

24 STIDHAM: Why did you tell the police that?

25 MISSKELLEY: They told me that they seen Damien and Jason have

1 sex together and then I told them that I, that I seen them doing  
2 it with the boys.

3 STIDHAM: Did they tell you that they knew the boys had had sex  
4 before they died?

5 MISSKELLEY: Huh-uh. (Negatively indicating.) Nope. I, I, I  
6 just guessed at it, I just said it.

7 WILKINS: And so after you said that you saw Jason and Damien  
8 having sex with the boys and (inaudible) and pulled their ears  
9 up and then licking the blood up and stuff. They didn't say you  
10 were wrong, did they?

11 MISSKELLEY: They didn't say nothing. They asked me, then,  
12 after, you know, the cutting was going on, they asked me did I,  
13 you know, cut anyone. I said "no."

14 WILKINS: Good. And so, and so, so you thought that what you  
15 said about them having sex with the little boys and all that was  
16 true because they said, they, they?

17 MISSKELLEY: They didn't say nothing.

18 WILKINS: They didn't say, "no, that's wrong?" You didn't have  
19 to go back to the beginning again and start back at ground zero.  
20 So you knew that, that that was true, then?

21 MISSKELLEY: No, they didn't tell me to start over or nothing.

22 WILKINS: Okay, so you just thought you had the, had the right  
23 information then; okay?

24 STIDHAM: Okay, Jessie, we're back on tape. Now you stated that  
25 after they, after Gitchell drew the circle and asked you to come

1 out of the circle and showed you the picture of the little boy  
2 laying there dead, but they asked you a bunch of questions?  
3 MISSKELLEY: Uh-huh. (Affirmatively indicating.)  
4 STIDHAM: And then, if you didn't get an answer right, they'd go  
5 back and start from the beginning?  
6 MISSKELLEY: I had to go back over to the beginning.  
7 STIDHAM: All the way back to the beginning?  
8 MISSKELLEY: To the beginning. The beginning is...  
9 WILKINS: ...do you know where Robin Hood Lane is; is that where  
10 the beginning was?  
11 MISSKELLEY: They ask - - yeah.  
12 WILKINS: Is that, is that kinda where the beginning is?  
13 MISSKELLEY: Yeah.  
14 WILKINS: So if you were along the half hour talking about the  
15 sexual content and this stuff and you made a mistake, they'd say  
16 "oop, you got to go back to the beginning"?  
17 MISSKELLEY: Right.  
18 WILKINS: So they'd go all the way back to do, you know, where  
19 Robin Hood Lane is, then they'd go through it all again?  
20 MISSKELLEY: Through the whole section over and over and over.  
21 WILKINS: Okay. And then if you go another while along and he  
22 asked about their penis being cut, and then you made a mistake,  
23 you'd go all the way back to, to, to "do you know where Robin  
24 Hood Lane is?" Then go through it all again?  
25 STIDHAM: When did they turn the tape on? How many times did

1 you rehearse it before they turned the tape on?

2 MISSKELLEY: Just that once.

3 STIDHAM: I mean, how many times did you have to start over,  
4 though?

5 MISSKELLEY: A bunch.

6 STIDHAM: Did they turn the tape recorder on after you got every  
7 thing right?

8 MISSKELLEY: The way they wanted to, the way, the way they  
9 wanted it to sound. Then they put me on the tape recorder.  
10 Then when they asked me questions again I couldn't do it. Then,  
11 then they going to ask, had to stop again, then they had to  
12 asked me the questions over.

13 STIDHAM: So once they started the tape, did they ever turn it  
14 off, and start it on again?

15 MISSKELLEY: No, the tape, the tape was running.

16 MR. DAVIS: Judge, Mr. Stidham needs a break  
17 before we come to the end of this.

18 THE COURT: All right, court will be in recess  
19 ten minutes.

20 THE WITNESS: Thank you, Your Honor.

21 (WHEREUPON, a recess was taken; proceedings resumed as follows,  
22 to-wit:)

23 VIDEO, continuing:

24 WILKINS: Jessie, let me ask you something right now. Here it  
25 says, it starts out, it just says, okay, it starts off, "this is

1 Detective Brian Ridge, of West Memphis; okay? Do you understand  
2 all your rights?"

3 You said "yes"; is that the way he started?

4 MISSKELLEY: (No audible response.)

5 WILKINS: And now it went on, then he talks about Robin Hood and  
6 about the truck wash, and, uh, then when it gets done, it ends  
7 with "are you scared of Damien?"

8 MISSKELLEY: "Am I scared of Damien?"

9 WILKINS: That's all it says; it ends with, okay?

10 MISSKELLEY: Nope.

11 WILKINS: Then it says, "Why did you not come forward with this  
12 information before?"

13 You said, "Because I was scared."

14 And Ridge says, "Scared of Damien or scared of the police?"

15 And you said, "Scared of the police."

16 And Ridge says, "Are you scared of Damien now?"

17 And you say, "No."

18 And Ridge says, "Are you scared of the police now?"

19 And you say, "No."

20 And Ridge says, "You're not? So we have treated you really  
21 well?"

22 And you said, "Yes."

23 MISSKELLEY: They - - them two did, but that one didn't.

24 WILKINS: But is that what you said, all that stuff?

25 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

1 WILKINS: Now, did you go from the very beginning to all the way  
2 over here on the tape just once, or did they stop the tape in  
3 between along the way?

4 MISSKELLEY: Huh-uh. (Negatively indicating.) They didn't stop  
5 at nothing.

6 WILKINS: So they went all the way through all this then, from  
7 asking you did you know who we were, and then to the end where  
8 they treated you well. They did it all at one time without  
9 stopping the tape?

10 MISSKELLEY: Uh-huh. (Affirmatively indicating.) And then when  
11 I got it wrong, then I'd just sit there and try to remember what  
12 they had told me, and did.

13 STIDHAM: So, after they went over it with you several times  
14 from beginning to end, over and over and over again, then they  
15 said they wanted to turn the tape on?

16 MISSKELLEY: Uh-huh. (Affirmatively indicating.)

17 STIDHAM: 'Cause then they turned the tape "on" they asked you  
18 the questions again?

19 MISSKELLEY: Right.

20 WILKINS: Then you went through all the tape and after all  
21 through that again, did they say you've made mistakes, we've got  
22 to do it all over again, or anything about it, or what?

23 MISSKELLEY: Huh-uh. (Negatively indicating.) After, after they  
24 put me on the tape, they asked me them same questions again.

25 STIDHAM: Off the tape?



- 1 MISSKELLEY: Huh?
- 2 STIDHAM: Off the tape?
- 3 MISSKELLEY: On the tape. Whey they put me on the tape, they  
4 asked me the questions.
- 5 WILKINS: Now after the tape was over with, okay, did they ask  
6 you the same questions over again?
- 7 MISSKELLEY: Yeah.
- 8 WILKINS: After they put you on tape again?
- 9 MISSKELLEY: They put me on tape another time.
- 10 WILKINS: Second time?
- 11 MISSKELLEY: Yeah.
- 12 STIDHAM: What time was that?
- 13 MISSKELLEY: I don't know.
- 14 WILKINS: Was it dark where you could tell, or was it...?
- 15 MISSKELLEY: ...(Inaudible response.)
- 16 STIDHAM: What did they ask you the second time they put you on  
17 the tape?
- 18 MISSKELLEY: I can't remember the second time.
- 19 WILKINS: Was it the same questions?
- 20 MISSKELLEY: Basically, most of it was.
- 21 WILKINS: So was it the confession over again?
- 22 STIDHAM: Was it about what time this happened?
- 23 MISSKELLEY: It was about, they asked me about what time  
24 (inaudible) and all that.
- 25 WILKINS: Was it getting dark?

1 MISSKELLEY: They asked me about what time did it happen, and I  
2 said about, about noon.

3 And they said, "No, 'cause the boys went to school, and they got  
4 out at two."

5 WILKINS: Okay, now. Did they do a...

6 MISSKELLEY: ...they said the boys went to school. And then  
7 they went to the truck wash.

8 WILKINS: Who said that?

9 MISSKELLEY: Uh, Gitchell told me that.

10 STIDHAM: Well, Jessie, when you were go - - when they were  
11 asking these questions over and over again before they turn the  
12 tape on the first time, when you'd get something wrong, they'd  
13 start over; right?

14 MISSKELLEY: Yeah.

15 STIDHAM: Were they screaming at you or hollering at you, or  
16 anything?

17 MISSKELLEY: Huh-uh. (Negatively indicating.) They, they raided  
18 their voices a little bit, but not much.

19 STIDHAM: So, so when you were, when you were saying this on  
20 the tape, you got some things wrong, didn't you?

21 MISSKELLEY: Right.

22 STIDHAM: Did they ask you about anything that was wrong while  
23 the tape was on?

24 MISSKELLEY: (No audible response.)

25 STIDHAM: How come?

1 MISSKELLEY: They, they, after I got something wrong, they said  
2 "that ain't what you told us before."

3 WILKINS: Now, what did you tell them about the basketball shoes  
4 and Adidas, and all that?

5 MISSKELLEY: Basketball shoes?

6 WILKINS: Yeah, tennis shoes?

7 MISSKELLEY: Basketball, I ain't got no basketball shoes.

8 STIDHAM: Didn't you tell them you loaned Buddy Lucas a pair of  
9 your shoes?

10 MISSKELLEY: That, that was way before this happened, 'cause we,  
11 we was playing out in the rain. We, uh, we was coming in from  
12 his house during the rain, when it was raining. So I let him  
13 borrow a pair of shoes of mine.

14 STIDHAM: You don't know what time it was when the second taped  
15 interview started?

16 MISSKELLEY: Nope.

17 STIDHAM: Was it dark? Had you ate yet?

18 MISSKELLEY: I didn't eat 'till about, I'd say about, four or  
19 five, I guess, somewhere along there.

20 STIDHAM: Does it get dark that early that time of year?

21 MISSKELLEY: Well, yeah. It can get dark. It, it was a little  
22 bit, it wasn't like this when I ate. It was getting a little  
23 dark.

24 WILKINS: And, and you made the second tape before that?

25 MISSKELLEY: Well.

1 WILKINS: Second tape before you ate, right before you ate?

2 MISSKELLEY: I think it was before. And then, after I, after I  
3 done told him, then they took me downstairs and then this black  
4 guy looked at me. They he said, "I can tell, I don't like you."  
5 I shrugged my shoulders, told him, "Oh, well." And they put me  
6 in one of these cells.

7 STIDHAM: The black guy was a sheriff's deputy, or a police  
8 officer?

9 MISSKELLEY: He was a jailer. And then the next morning I woke  
10 up and that's when I saw that woman.

11 STIDHAM: That black woman that you don't remember her name?

12 MISSKELLEY: Nope.

13 STIDHAM: What'd she look like?

14 MISSKELLEY: She, she looked like she was kind of tall with  
15 long black hair.

16 WILKINS: What did you say to her?

17 MISSKELLEY: Can't remember. She didn't talk to me long.

18 STIDHAM: Did she represent you in court that day? Was she  
19 there with you when the judge...?

20 MISSKELLEY: ...I didn't see her.

21 STIDHAM: Did she tell you she was a lawyer?

22 MISSKELLEY: That's what they told me.

23 STIDHAM: Who's "they"?

24 MISSKELLEY: The, the guy that let me out of my, out of the  
25 cell.

1 STIDHAM: The guy that was in the cell with you?

2 MISSKELLEY: Huh-uh. I was in a cell by myself.

3 WILKINS: The, uh, the...

4 MISSKELLEY: ...the jailer.

5 WILKINS: Jailer. You said there was a lawyer talked to you  
6 (inaudible) what not?

7 MISSKELLEY: Yeah, he said a law, somebody wants to talk to you.  
8 And then when I walked out of my cell, I saw Jason sitting in a  
9 chair, had a, a blue shirt and kind of dark pants. And I saw  
10 Damien go out across the hall.

11 (End of tape.)

12 (WHEREUPON, the video was concluded; proceedings resumed in open  
13 court as follows, to-wit:)

14 THE COURT: Was that the end of it? Is that kind  
15 of like the Nixon tapes? Is that it?

16 MR. DAVIS: Since I have never seen the original  
17 and I just saw this, part of this just last night and  
18 never got that far, I don't know it ended prematurely  
19 or if that is the end.

20 THE WITNESS: Your Honor, if I may elaborate for  
21 purposes of the record, I, I think that somehow during  
22 the transmission from VHS to digital format, that  
23 there may be some parts of the interview that, that  
24 are missing.

25 THE COURT: Where is the VHS tape?

1           MR. ROSENZWEIG: We have the original, Your  
2 Honor.

3           THE COURT: Is it the same?

4           MR. ROSENZWEIG: I've not compared it, but we  
5 have the original.

6           THE WITNESS: There are gaps in this one, and  
7 then there wasn't any gaps in the original VHS tape,  
8 as I recall.

9           THE COURT: Well, you better take a look at it.

10          THE WITNESS: Since it appears that I will be  
11 making an appearance again in the morning, Your Honor,  
12 I will be happy to, uh, uh, review the VHS tape this  
13 evening and report, uh, back to the lawyers.

14          THE COURT: I'm going to let the lawyers do it.

15 CROSS-EXAMINATION, continuing:

16 Q] Dan, you've had an opportunity to listen to the video of  
17 December 10, '93, uh, made between yourself and Dr. Wilkins and  
18 also Jessie Misskelley?

19 A] Yes.

20 Q] Okay. And you heard him, you heard the description of  
21 Jessie Misskelley as to the circumstances that surrounded the  
22 taking of his statement and the polygraph exam, where it  
23 occurred, the details of that; you heard him describe that?

24 A] I did.

25 Q] Okay. Was it, I mean, did you find that lacking in details