

1 Your Honor.

2 THE COURT: All right.

3 BY MR. SMITH:

4 Q Did you live near Ms. Stoeckley?

5 A Across the street.

6 Q In what city was that?

7 A Nashville, Tennessee.

8 Q Did you ever talk with Helena?

9 A Many times.

10 Q Could you state whether or not you ever
11 talked with Helena any about the MacDonald murders
12 which you have heard had occurred in Fayetteville,
13 North Carolina, in 1970?

14 A Yes, sir.

15 Q Do you remember any of the statements
16 she made to you about that?

17 A Yes; I do.

18 Q Would you state for the Court the
19 circumstances under which she made the statements
20 and what she said?

21 A Yes; I will.

22 Q Okay.

23 A Helena lived across the street from me in
24 Nashville, Tennessee. She lived in a very small,
25 white house, and the house was--a lot of hippies



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1 lived there. I lived across the street. I was
2 making a living as a freelance artist, and the rent
3 was cheap there. Helena and I both sometimes worked
4 for a small shoe store named Bonnie Shoetique.

5 It was on the corner of Belmont and
6 Portland Avenue. There was a vacant lot between the
7 hippie house and Bonnie Shoetique. Helena was around
8 the neighborhood. I had known her for several months
9 and I had seen her on many occasions.

10 On occasion, we had worked together for
11 Bonnie on Saturdays maybe when Bonnie would have a
12 sale--a big shoe sale. And I had--my first meeting
13 came--I had a great big, yellow cat, and he used to
14 wander out of the apartment, and she retrieved him
15 for me one day.

16 That's how I got to meet her, and I
17 thought she was a runaway. You know, she seemed
18 very young to me. I didn't know how old she was.
19 I never asked her. I just--she looked too young to
20 be away from home.

21 She was sick. She had hepatitis. On a
22 lot of occasions when I would see her, she would be
23 yellow. Even her eyeballs would be yellow, and one
24 day--I hadn't seen her for a few days and I thought,
25 "Well, I better check on her." So I went over there.



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It was in the evening. I don't know

what day it was. I can't remember. It's been that long ago.

BY MR. SEGAL:

Q Can I just ask you one question: do you know approximately what month that would be 'in?

A Yes, sir; I met Helena first in September, and this was probably before Thanksgiving.

Q 1970?

A Yes, sir.

Q All right, go ahead and tell us about that evening.

A I went to her house to see if she was all right, because I was worried about her. I hadn't seen her for a few days and I didn't know if those hippies were feeding her or not or how she was getting her food.

So, I went over and I knocked on the door and I called and I said, "Helena, are you there?" And she said, "Yes." She came to the door. It took her a few minutes, and, as she opened the door, she turned around, and I followed her into the house.

I went into her room. It was the front room right on the street. And she went over. She was weak and she was shaky and she sat down on the

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bed, and I sat down beside of her, and I said--you know--"I haven't seen you for a few days and I was worried about you--you know--are you all right?"

She said, "I've been sick," and I said, "Well, Helena, why don't you go home. You know, why don't you go home to your family and let them take care of you?" And she said, "I can't. I can't ever go home again."

I said, "Well, why?" She said, "Because I was involved in some murders," and she said, "My family don't want me around."

Q What did you say or do when she said she was involved in some murders?

A I didn't say anything. I was just too shocked. You know, I expected a teenage confession like "I hate my mother," you know, or "I'm a runaway. I didn't expect that. I was horrified. I---

Q (Interposing) Did you do or say anything to express your shock?

A I did. I said, "Well, did you do it?" She said--I'm trying to remember the exact words-- she said, "I don't know whether I did or not." She said, "I've been a heavy drug user and when you are on drugs, you do funny things." She said, "Drugs make you--when you are on drugs, you do things that

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1 you don't think you did. Things you think you
2 didn't do, you really did." She said, "I don't know."
3 So, I said, "Well, why don't you tell me about it?"
4 She said, "I can't remember."

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5 But she said, "When I came to myself"--
6 she skipped, you know, a whole--whatever it was--I
7 didn't want to hear it anyway. She said, "When I
8 came to myself, I was in the rain," and she said,
9 "It was raining," and she said, "I was terrified."

10 And when she said "I was terrified," she
11 took her arms like this and she hunched her body over
12 like this and the tears were running down her face and the
13 mucous was dripping from her nose, and she was
14 hysterical, and she was just crying.

15 I was trying to calm her down. I wanted
16 to get out of there because I didn't know if she
17 was on drugs or not, but I wanted to get out of her
18 apartment because I was--I didn't want to be there.
19 I didn't want to hear that.

20 So, anyway, I said, "Well, who were you
21 with?" She said, "I was with three boys." I said,
22 "Did you know them?" She said, "No, I didn't know
23 them." I said, "Well, why were you with them?" She
24 said, "I was with them for the drugs." She may have
25 said the name of the drug but, if she did, it didn't

1 mean anything to me because I have never been
2 around drug addicts, and I don't know anything or
3 how they act. I don't know anything about that.

4 So, anyway, about that time, after I
5 said, "Well, if you knew the names of these people,
6 you could tell." She said, "But I don't know their
7 names." I personally thought she did know their
8 names but she said she didn't.

9 So, she grabbed hold of my arm--my
10 forearm--and she said, "You won't tell; will you?"
11 I said, "No, I won't." And just as quickly as I
12 could, I got out of there, and I went back to my
13 little apartment, and I thought about it for a few
14 days, and I discussed it with Bonnie Hudgins, the
15 lady who owns Bonnie Shoetique, and I said, "Did
16 you know Helena was involved in some murders?"

17 She said, "Yes, I knew that." She said--
18 I said, "You know, I don't know much about it. She
19 just told me it was in Carolina," and she said, "It
20 was the Green Beret murders." I said, "Oh." She
21 said, "Did you know Helena was working for the FBI
22 as a narc?" I said, "I had heard rumors, but I am
23 not sure."
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THE WITNESS: (Continuing) So, I

called the FBI. I picked up the telephone after about three days, and I called the FBI, because I had thought about it and I was convinced that Helena had had something to do with this; and I thought, "Well, if I call the FBI, I'll have been doing 'my duty.'" You know, I didn't want to live in the neighborhood with her, and I didn't want to be around her, because I didn't know when she might not freak out again.

So when I called the FBI I got the royal "Yes, ma'am, thank you, ma'am; we'll check it out, ma'am," and that was all.

I avoided Helena after that because I didn't want her to know that I had called the FBI, and I felt guilty because I told her I wouldn't tell--but I did call the FBI.

BY MR. SEGAL:

Q Ms. Zillioux, when you called the FBI, did you give the name of the person that you were talking about?

A I told them that her name was Helena and she was involved in those murders in Carolina--the Green Beret murders.

Q Did you give them an address as to where she was?

A Yes, I did.

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#26 p2

1 Q Now, let me go back if I can for a minute
2 over the conversation. You were describing where Helena
3 was crying, that she was talking about standing in the
4 rain, and she hugged herself?

5 A Yes.

6 Q Did she at any time look at her hands or
7 say anything about her hands?

8 A Oh, well, I'm sorry. I just--I'm not
9 accustomed to speaking in front of people.

10 When she leaned over and she hugged herself
11 like this, and she was telling me about standing out
12 in front of the rain when she came to herself--she was
13 speaking with her hands.

14 So she flipped her hands like this, and
15 she said, "So much blood," she said, "So much blood.
16 I couldn't see or think of anything except blood," and
17 she said, "I asked the boys to take me home. I had to
18 get home."

19 I did ask her at that time, "What did you
20 do with your clothes?" She said, "I got rid of them."
21 I didn't ask her how she got rid of them. She just got
22 rid of them. I didn't ask her any questions, you know.

23 Q Did she say anything about not wanting
24 any more connection with those clothes?

25 A Yes, she did.



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#26 p3

1 Q What were her words, if you can remember?

2 A I said, "Well, why--you know, why did you
3 get rid of them?" She said, "Because they were the
4 same clothes that the woman in the case was supposed to
5 have been wearing."

6 Q Now, did she say who were the persons
7 murdered either not by name or---

8 A (Interposing) She said a woman and two
9 small children.

10 Q Did she ever mention something about her
11 wig?

12 A Yes, she had--she told me she had on her
13 blond wig and her white boots. I know that they were
14 white plastic-leather boots because before that when
15 we had been working in Bonnie's Shoetique, she pointed
16 the boots out to me--a pair that was in the store; and
17 she said, "I had a pair of boots like these, and I
18 loved them, but I had to get rid of them."

19 Q Did she say anything about whether she
20 was wearing the wig while she was standing out there
21 in the rain?

22 A Yes, she did, because she didn't know--it
23 was--from her account it was raining heavily; and she
24 was afraid her wig would be ruined, and she was worried
25 about the wet wig.

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Q Now, you said that during the time that she was telling you these things she was crying, is that right?

A She was hysterical, and then she would pause, and then she would get herself under control; and then she would lose control again. It was very bad for her and me too. It was heavy. It--you know, it was hard for me to handle.

Q And when you say "lose control," what do you mean---

A (Interposing) Sobbing, crying, you know-- holding herself, grasping her arms, her stomach, you know, tears coming down her face--blubbering, incoherent.

Q What was her--I'm sorry; are you through?

A That's all right.

Q What was her condition when you left; I mean what was she doing?

A She was laying on the bed crying when I left. There were people who came in. This was a hippie house, and the bed was like this. The front door was where the judge was sitting, and there was another door directly over at this side.

The two of us were sitting on the bed, and on at least two occasions that I know of hippies came

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#26 p5

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to the door and she screamed at them, "Get out of here, get out of here." And she was screaming, you know, for them to get out, you know.

Q In other words, she did see other people when they came in and she reacted to their being there?

A Yes, sir.

MR. SEGAL: I have nothing further on the witness at this time. That is the offer we make in this regard.



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MR. BLACKBURN: Let me ask just a small

number of questions, Your Honor.

CROSS - EXAMINATION 2:12 p.m.

BY MR. BLACKBURN:

Q Ms. Zillioux, I think you stated that she was almost incoherent while she was talking to you?

A At times periodically.

Q When you went in to see her at first, what was her condition?

A Shaky. She was sick with hepatitis.

Q You don't know whether or not she was taking any drugs at that time?

A I am sorry, sir. I have never been around people on drugs, and I have no idea what they are like. Even today, I couldn't tell you. If you were on drugs, I couldn't say to anyone that you were on drugs because I really don't know.

Q She said that she was involved with the murders; did she?

A Yes, sir. She said, "I was involved in some murders and my family don't want me around."

Q Did she actually say that she killed somebody or just say that she was involved?

A She was involved.



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1 Q She did not define what the term "involved"
2 meant?
3 A No, sir, and I didn't ask.
4 Q You said something--I am not sure I got
5 the full thrust of this, but she said that drugs make
6 you think---
7 A (Interposing) Drugs do funny things to
8 you.
9 Q Tell that very slowly.
10 A Okay. I may have gotten my words mixed
11 up. "Drugs do funny things to you. When you are on
12 drugs, things happen you think didn't. Other things
13 that did happen, you think didn't happen that you think
14 did." It is kind of a tongue twister, but those were
15 her exact words, you know.
16 Q You may have answered this, but let me ask
17 it anyway with respect to that remark: did she ever say
18 anything like, "Sometimes drugs make you think that you
19 did something---
20 A (Interposing) That was not what she said.
21 Q She never said that?
22 A No, sir.
23 MR. BLACKBURN: No further questions,
24 Your Honor.
25 MR. SEGAL: Thank you, Ms. Zillioux.

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You may step down.

THE COURT: Did I understand you to say that she stated that she did not know whether she committed a crime or not?

THE WITNESS: Well, this morning in the Courtroom---

THE COURT: (Interposing) Listen, I want to know what she told you--did I get this down right--"I don't know whether I did it or not," is that what you said?

THE WITNESS: Yes, sir.

THE COURT: That is what she said to you?

THE WITNESS: Yes, sir.

THE COURT: Call your next witness.

(Witness excused.)

MR. SMITH: Jim Gaddis is the next witness we would call.

(Whereupon,

JAMES T. GADDIS

was called as a witness, duly sworn, and testified as follows:)

MR. SMITH: Mr. Gaddis, take the witness stand, please, sir.

THE COURT: Just go ahead and tell us



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1 who he is and then ask the questions, will you, please?

2 MR. SMITH: Your Honor, this witness
3 is named Jim Gaddis. He is a police officer in
4 Nashville, Tennessee.

5 DIRECT EXAMINATION 2:13 p.m.

6
7 BY MR. SMITH:

8 Q Mr. Gaddis, do you know Helena Stoeckley?

9 A Yes, sir; I do.

10 Q Did she ever make any statements to you
11 about any murders which took place in Fayetteville,
12 North Carolina, in February, 1970?

13 A Yes, sir; she did.

14 Q If you will move as quickly as you can,
15 skip any of the preliminaries, and tell the Court
16 exactly as you recall what she told you?

17 A I talked with her on several occasions
18 about the murders. She said that she thought she had
19 been there when the murders took place. The night that
20 the murders took place, she had tripped out on some
21 mescaline and some LSD and she remembered being there.
22 On other occasions, she would say that she knew who had
23 done it, but that she wasn't there. She would get very
24 depressed when she talked about it. In fact, on several
25 occasions, she would become so depressed that we could

1 not even talk with her. It led me to believe that
2 she did talk--it led me to believe that she was there
3 and had been there.

4 Q Mr. Gaddis, did she seek you out or did you
5 seek her out?

6 A She sought me out.

7 Q Would you tell the Court how that happened?

8 A I had been working a special assignment
9 hunting for a person who was assaulting women in the
10 area where she lived. I had driven by her house one
11 night and she stopped me. After talking several minutes
12 with her, she said that she had some information she
13 wanted to give me concerning some drugs that were being
14 used in the area and also about a police officer on our
15 department who was selling drugs to children.

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BY MR. SMITH:

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2 Q How did she get into the subject of the Mac-
3 Donald murders?

4 A After about two or three days of talking with
5 her about the police officer and the other drugs being
6 used in the area, she asked me if I could find out if she
7 was still wanted for questioning in the MacDonald mur-
8 ders, and explained to me that she thought she was, but
9 she wasn't sure, and told me who to contact, which I did.

10 Q Did she then give you specific names?

11 A She gave me the names of a boy named Greg.
12 She did not know his last name at the time--but also a
13 gentlemen named Bruce Fowler whom she had been with the
14 night that she took the mescaline and the LSD, and who
15 had a blue Ford Mustang.

16 Q Did she ever make any further description to
17 you about what occurred, giving you any specific examples
18 or any other specific information?

19 A The only information that she related to me
20 was that she had been at the scene. She felt she had
21 been there, and that the clothes she wore while she was
22 in Nashville fit the exact description of the clothes of
23 the female that was involved in the murders themselves.

24 Q When you talked with her, Mr. Gaddis, in your
25 opinion, was she under the influence of any narcotic



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drugs?

A At times she was and at times she wasn't. I knew that she was dealing some. I knew that she was using heroin at the time.

Q During the times that she gave you information about the MacDonald case, was it your opinion she was under the influence of narcotic drugs?

A She gave me information on several occasions. At times, she was under the influence. Most of the time when she gave me the information about the MacDonald murders, she was not.

MR. SMITH: You may examine.

CROSS - EXAMINATION 2:18 p.m.

BY MR. BLACKBURN:

Q Mr. Gaddis, is it true that Ms. Stoeckley has told you that on the 17th of February, she took LSD but that it had no effect on her?

A That is correct.

Q Is it not true that she has told you at one time that she remembers nothing about that evening, but that she does remember coming home in a blue automobile?

A That is correct also.

Q Isn't it true that at one time, since you have met her, she said that she cannot remember who she

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was with or where she went?

A That is correct also.

Q And she has told you, I believe, that at one time she knew who was involved, but did not give you any names?

A That is correct also.

Q And at another time, she said she only had suspicions of who was involved?

A That's true.

Q Isn't it true that at other times she said Dr. MacDonald did the killings?

A That is true also.

Q In your opinion, has she ever simply said things to you but refused to explain them any further?

A Yes, sir; she has.

Q Has she ever described the inside of the MacDonald apartment to you?

A No, sir; she didn't.

Q Now, on the 23rd of April, 1971, did you have occasion to see her?

A Yes, sir.

Q At that time, did she say to you that she was not involved, but that she knew who was?

A Yes, sir.

Q And that on the same day, she said that she

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1 was there, and she witnessed the murders?

2 A That is correct, but she had not been in-
3 volved in the actual killings themselves.

4 Q Right; and she has given you the name of at
5 least two people, but no others?

6 A That is correct.

7 Q Has she ever said anything to you about any
8 of the weapons that were used?

9 A No, sir.

10 Q Anything about candles?

11 A No, sir.

12 MR. BLACKBURN: Your Honor, that concludes
13 our questioning.

14 THE COURT: All right. Call your next
15 witness.

16 MR. SEGAL: Mr. Underhill, please.

17 THE COURT: While he is coming, let me
18 ask Mr. Gaddis just one question. On the basis of what
19 this girl told you--these murders--had these murders
20 happened in Nashville, would you have issued or signed a
21 warrant for her?

22 THE WITNESS: I am not sure, sir. I have
23 a feeling--like I say, I would have tried to have her in-
24 dicted.

25 THE COURT: You would have investigated

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further?

THE WITNESS: I would have investigated further, and I would have indicted her; yes, sir.

THE COURT: All right; call your next.

CHARLES EDWARD UNDERHILL

was called as a witness, duly sworn, and testified as follows:)

DIRECT EXAMINATION 2:20 p.m.

BY MR. SEGAL:

Q Mr. Underhill, were you living in Nashville in late 1970?

A Yes, I was.

Q Did you know Bonnie Hudgins, a lady now known as Jane Zillioux, and Helena Stoeckley?

A Yes, sir; I did.

Q Did you have an occasion in late 1970, to go to Helena Stoeckley's apartment where she was living?

A Yes, I did.

Q Do you recall what month that was?

A It was in the month of December.

Q What happened when you got to the door of her apartment?

A Well, I just walked up and knocked on the door. After I had knocked--of course, this was like in the same second, really, or two seconds, and I heard someone crying--more or less, just into a hysterical sob instead of a normal cry. I asked, "Helena?" The



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voice that came back was, "Get away."

I asked again--I said, "Helena, is that you in there crying?" She said, "Get away. I don't want to see you or nobody," so I said, "Well, I will go down and get Bonnie and she can come down here and maybe straighten you out."

She said, "Who is it?" I said, "It is Underhill." She said, "Red?" I said, "That is right. I am going to get Bonnie," which the lady had been working with her and helping her along and so forth. Then, she said, "Wait a minute. Don't go get Bonnie. I will let you in," which she came to the door and unlocked the door and I walked in--the first and only time I have ever been in her apartment.

I asked her--I said, "What in the world is wrong with you carrying on like this--something happen to you? What is wrong? Tell me." She just started sobbing worse and just terrible. The next thing that came from her mouth was, "They killed her and the two children."

I said, "What is wrong with you, you goofy fool, are you on dope or something?"

BY MR. SEGAL:

Q What did she say?

A And then, at that minute, she reversed it for

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1 some reason--why, I don't know--and said, "They
 2 killed," and sobbing just hysterically at the same time
 3 getting these words out, "they killed the two children
 4 and her," so it is stated one way and then reversed.
 5 I said, "Ah, you are just as goofy as hell. Something
 6 is wrong with you, so I am going to get Bonnie right
 7 now, and Jane, and see if they can't take you somewhere
 8 or do something for you or help you or do something."
 9 She begged me not to go get them, so I just left and
 10 went across the street where Jane was living and told
 11 Jane--I said, "She is over there crying and screaming
 12 and carrying on. You better go check on her or
 13 something." That is the end of that situation.

14 Q All right, did you ever find out from her
 15 about what woman and two children she was talking about?

16 A Well, I never did ask her as to names--what
 17 could be the names of these two people, just where they
 18 lived, or whatever. I never did ask her those questions.

19 Q Did she indicate where they took place?

20 A Only North Carolina is the only thing she
 21 said--did not name a city--just North Carolina.

22 MR. SEGAL: Cross-examine?

23 C R O S S - E X A M I N A T I O N 2:24 p.m.

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 25 BY MR. BLACKBURN:

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Q Mr. Underhill, I believe you testified

that she was crying hysterically; is that correct, when you saw her?

A Right. You are correct.

Q Do you know whether or not she was on drugs or anything like that?

A Well, I don't fool with drugs. I wouldn't give you a dollar if this room were full of them. I don't fool around with drunkards, liars, and dopeheads, and stuff of this nature; so naturally, whether she could be on drugs or not, I would not know because I am not qualified to know.

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BY MR. BLACKBURN:

Q She was not in a calm state of mind?

A Well, whatever had got her in the state of crying or whatever had built--got her built up to get in this state, I don't know.

Q Is it correct to say that what she told you was that, "They killed her and the two children," and that, "They killed the two children and her," is that correct?

A That is correct.

Q And that this took place in North Carolina?

A Right.

MR. BLACKBURN: No further questions.

MR. SEGAL: Thank you, Mr. Underhill.

(Witness excused.)

MR. SMITH: Robert A. Brisentine.

Your Honor, while Mr. Brisentine is coming in, let me state for the court that his name is Robert A. Brisentine, Jr., and he lives on Chesney Lane in Bowie, Maryland.

(Whereupon,

ROBERT A. BRISENTINE, JR.

was called as a witness, duly sworn, and testified as follows:)

D I R E C T E X A M I N A T I O N 2:28 p.m.

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BY MR. SMITH:

Q Mr. Bristentine, have you ever interviewed Helena Stoeckley?

A I have, sir.

Q Do you recall about when that was?

A Yes.

Q When was it?

A On the 23rd and 24th of April, 1971, sir.

Q Where were you when you interviewed her?

A In Nashville, Tennessee, sir.

Q Did you retain any notes from that interview?

A I did, sir.

Q Do those notes refresh your recollection as to statements she made to you?

A Yes, sir, they would.

Q Do you have any of the notes with you on the witness stand?

A Yes, sir.

Q Would it help you to refer to those notes---

A (Interposing) It would, sir.

Q ---in stating to the court what she said to you?

A It would, sir.

Q If you will use those notes to refresh your

#30 p3

1 recollection, state to the court what Helena Stoeckley
2 told you, if anything, relating to any murders that
3 took place in Fayetteville, North Carolina, in February
4 of 1970?

5 A Helena Stoeckley--I interviewed her on the
6 23rd for a period of four hours and 20 minutes, sir; and
7 on the 24th of April--23rd of April for four hours and
8 20 minutes, and the 24th of April for six hours and six
9 minutes.

10 She stated on the 23rd, during that parti-
11 cular interview, that due to a mental block--and that
12 is the terms that Ms. Stoeckley used--she does not
13 remember her activities or whereabouts between 00--well,
14 that's 12:30 a.m., to 4:00 o'clock a.m. on the 17th of
15 February; that during a period of three to four months
16 subsequent to the homicides in the MacDonald residence,
17 she was convinced that she participated in the murder
18 of Mrs. MacDonald and her two children; that she
19 presently is of the opinion that she personally did
20 not actively participate in these homicides, but may
21 have been physically present at the time of the murders;
22 that prior to the homicide she had heard that the
23 hippie element was angry with Captain MacDonald as he
24 would not treat them by prescribing methadone for their
25 addiction to drugs.



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30 p4

1 Ms. Stoeckley later retracted this state-
2 ment and said that she only thinks she heard of Captain
3 MacDonald before the murders; that she had never been to
4 Captain MacDonald's residence prior to the homicide;
5 that prior to the homicide she had visited Castle Drive,
6 Fort Bragg, North Carolina, for the purpose of deliver-
7 ing illicit drugs to an officer she knows only as Bob;
8 that approximately 24--12:00 p.m.--12:00 o'clock p.m.,
9 16th of February, 1970, she and a man named Greg
10 Mitchell consumed LSD and mescaline; that she was using
11 all types of drugs--opiates, heroin, marihuana, depres-
12 sants, stimulants, and hallucinogenics prior to and
13 immediately following the homicides.

14 That during April, 1970, she was admitted
15 to the University of North Carolina hospital for
16 hepatitis and drug addiction; that as a result of
17 excessive drug use during the time of the homicides,
18 she was not always oriented as regards time, dates, and
19 surroundings; that since the deaths of Mrs. MacDonald
20 and her children, she, Helena Stoeckley, has suffered
21 nightmares whenever she sleeps, and that due to these
22 frightening dreams she is afraid to sleep, causing
23 insomnia.

24 That her original dreams portrayed the
25 word "pig" in blood on the headboard of Mrs. MacDonald's



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bed.

Ms. Stoeckley described her dream by printing the word "pig" horizontally on the left side of a drawn picture of a bed headboard. She asserted that in her dreams the word "pig" is always on the left side of the headboard.



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THE WITNESS: (Continuing) That

1
2 during the past three or four months her dream places
3 her on the couch in Captain MacDonald's living room
4 and that Captain MacDonald is pointing at her with
5 one hand while holding an ice pick that is dripping
6 blood with the other hand.

7 That during February, 1970, she possessed
8 and occasionally wore a pair of white boots, a floppy
9 type, white hat, and a blond wig. That following
10 the homicide, she discarded the boots, wig, and hat.
11 That about the same time as the homicide, she stole
12 some floral wreaths from the florist in Fayetteville,
13 North Carolina, and displayed them in the front of
14 her residence.

15 That one of the wreaths had the word
16 "Mother" written on its ribbon while one or more of
17 the other wreaths had the word "Sister" written on
18 them. That immediately following the homicide, she
19 wore black clothing and the day of the funeral of
20 Mrs. MacDonald and her children, she--Ms. Stoeckley--
21 meditated and wore black clothing.

22 That she desired to attend the MacDonald
23 funerals but did not attend as none of her friends
24 would accompany her. That she went into hiding to
25 evade police arrest subsequent to the homicides and

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considered fleeing from Fayetteville, North

Carolina. That she knew the identity of the persons who killed Mrs. MacDonald and her children. That if the Army would give her immunity from prosecution, she would furnish the identity of those offenders who committed the murder and explain the circumstances surrounding the homicides.

BY MR. SMITH:

Q That concludes the gist of the statement she made to you; is that correct, Mr. Brisentine?

A On the 23rd; yes, sir. That's not the 24th.

Q All right, now, did she make a statement to you on the 24th?

A She did.

Q What did she say?

A On the 24th Ms. Stoeckley related she had been incorrect in her statements and had and I quote "talked too much" and that she only suspected some people of committing the homicides. At this time, Ms. Stoeckley stated that she suspected Don Harris, a Caucasian male, who told her after the homicide that he must leave Fayetteville, North Carolina, as he could not find an alibi for the time of the murders; Bruce Fowler, the owner of a blue

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Mustang automobile in which she, Ms. Stoeckley, was a passenger or a driver on the night of the homicides; Janet Fowler, wife of Bruce Fowler and who was employed as a go-go dancer in Fayetteville, North Carolina, at the time of the homicides.

I should digress here, sir. I later learned this lady's name was Janice Fowler--not Janet Fowler.

Q All right.

A Joe Kelley, a Negro soldier who was assigned to a medical holding detachment at Womack Army Hospital, Fort Bragg, North Carolina, at the time of the homicides, and a Negro male she knew only as "Eddie" who introduced her--Ms. Stoeckley--to heroin.

At one time during the interview on 24 April, Ms. Stoeckley asserted that she had been lying when she admitted knowing who committed the homicides and stated that Captain MacDonald had killed his family. Further, that her rationale was based on the fact that four hippies could not have entered Captain MacDonald's home without being observed by neighbors or causing dogs to bark.

Ms. Stoeckley further explained that it had been drizzling rain during the night but that it

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did not start to rain hard until after the homi-
cides. On inquiry from me, Ms. Stoeckley explained,
"I've already said too much." Later, during the
interview, Ms. Stoeckley again repeated her previous
statement about saying she suspected hippie-type
individuals of the crime.

Q Does that conclude her statements to you?

A Basically. That is all the notes that I
took during the statement.

MR. SMITH: You may examine.

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BY MR. MURTAGH:

Q Mr. Brisentine, were you ever in the Army?

A Yes, sir.

Q How long, please?

A I was on military active duty for 22 years, sir.

Q During the course of your active duty in the military and subsequent to that time, have you observed many people under the influence of narcotics?

A Yes, sir.

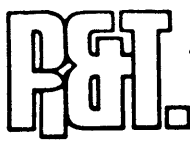
Q Would it be accurate to say that you would recognize an addict or a junkie when you see one?

A I would say in a lot of instances, if not in most instances, if an individual is on drugs at the time, I probably could recognize it as being some type of intoxicant.

Q Would you describe your observations, sir, if any, of Ms. Stoeckley on the 23rd of April and the 24th of April?

A On the 23rd of April, sir, Ms. Stoeckley, in my opinion, was under the influence of narcotics.

Q And on the 24th of April, which is, I believe you testified, the time at which she retracted her previous statement?



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A Yes, sir. Well, Ms. Stoeckley would re-

tract, and then she would again say, yes; that she was there. "No; I was not there." "I am involved." "I am not involved." Basically, though, generally speaking, on the 23rd she contended that she was involved in these homicides. On the 24th she did change originally, but then later said she did know something about it.

Q Would it be accurate to say that the overall situation would be that she was all over the lot, whether she was involved or not involved?

A She certainly changed her statements during the two days; yes, sir.

Q Did she ramble at any time?

A On the 23rd, she rambled some; on the 24th, she was in much better mental condition.

Q Did she seem, at any time, out of touch with reality?

A She was very nervous, somewhat depressed occasionally, on the 23rd. And she made statements that would indicate that she may not be completely oriented at that time on the 23rd.

Q Let me ask you, have you ever been at the crime scene?

A Yes, sir.

Q Was that prior to interviewing Ms. Stoeckley?

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A Yes; that was a year prior, in April of '70

I believe, sir.

Q Okay; would it be accurate to say that you were generally familiar with this investigation?

A I was generally familiar with the crime scene and I had a general familiarization of the investigation. I did not know all aspects of the investigation.

Q Okay; and I believe you testified that she described the letters as "pig" on the headboard; is that correct?

A She drew it on the headboard. Well, she drew it on a photograph of the headboard.

Q Had you seen that headboard previously?

A No, sir; I had not seen the headboard. I had seen a photograph of the headboard.

Q Let me ask you, do you know which way the letters "pig" go on the headboard?

MR. SEGAL: Your Honor, I don't think this goes to the question of voir dire. It is really general cross.

THE COURT: I rather think it does. I will OVERRULE this, if it is an objection.

MR. SEGAL: All right, sir.

BY MR. MURTAGH:

Q On the actual headboard, which I believe you

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saw a photograph of, which way?

A Horizontal, if I recall, sir--I mean, vertical.

Q Which way did Ms. Stoeckley do it?

A Horizontal.

Q Do you know whether the fact that the letters "pig" were written in blood on the headbaord had ever appeared in any of the Fayetteville papers?

A I can't tell you, sir, what was in the Fayetteville paper.

Q Would you agree, if I were to suggest to you that it was published in the paper?

MR. SMITH: OBJECTION. How could he possibly know?

THE COURT: OVERRULED. I don't think the question is going to prove anything, but this is voir dire. There is no jury here.

MR. SMITH: The basis of my objection is the previous answer made it impossible for him to know.

BY MR. MURTAGH:

Q Now, in her statement in which she said she had a dream or nightmare about being in the living room, who was holding the ice pick?

A Captain MacDonald.



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Q Captain MacDonald was holding it? Okay;

was she able to describe the house to you in any way--the interior of the house?

A No; that was part of--that was the reason I was trying to get some information, to find out what she knew about the interior of the house. That is why I asked these questions.

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BY MR. MURTAGH:

Q Did she tell you anything that wasn't common knowledge, if you know, sir?

A She did not tell me anything that I didn't know, sir.

Q Did she tell you anything which indicated insider's knowledge of the crime scene?

A No, other than she knew about the blood on the bed. I can't recall anything else that she told me.

Q All right, now, she named some individuals; did she not?

A Yes, sir.

Q Did you conduct an investigation or are you aware of the results of the investigation, if any, of those individuals?

A Yes, sir. I am aware of the interviews and some portions of investigation of the other individuals, and I personally interviewed some of them.

Q If you know, sir, other than Helena Stoeckley's statement, is there anything that ties those people to the commission of this crime, whether they were fingerprinted or anything like that?

A I would have to answer those about each one, sir. I cannot answer that in one. As to the names that Ms. Stoeckley---