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BY MR. SMITH:

Q Did you ever see the other three again?

A Never again.

Q Do you know what happened to them?

A No, sir.

Q What happened to Helena after that?

A Shortly after that, she left and went to Nashville, Tennessee.

Q Before she left and went to Nashville, Tennessee, did you have that conversation you told us about about the wig?

A Yes, sir; I talked with her again; yes, sir. I talked with her a couple of times.

Q Where were you when you saw that wig and floppy hat?

A I was sitting near her house in another unmarked car. She gave it to me--the hat and the wig.

Q How often, Mr. Beasley, did you talk with her about the MacDonald case after that?

A On two occasions after that.

Q And how long was---

A (Interposing) Maybe more. I can remember a couple times.

Q How many days had passed from the 17th of February, 1970, when you had those other conversations

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1 you described?

2 A Well, on the 18th she didn't have the wig
3 and the hat with her. I believe she brought me the hat
4 and the wig on the 19th or the 20th.

5 Q Did she leave those with you?

6 A She did for a while.

7 Q How long did you keep them?

8 A I can't really recall just how long I kept
9 them, but she came back and asked me if she could have
10 them back, and I gave them back to her, and she told
11 me she burned them. She wanted to get rid of them.

12 Q How long was the wig?

13 A When she had it on, it would hang--oh--way
14 down to here (indicating).

15 Q Have you had an opportunity to see any
16 photographs in this courtroom of the floppy hat?

17 A No, sir.

18 Q Tell us, in your own words, how you recall
19 what that hat looked like.

20 A It had a broad brim, and it would drop down
21 a little on the front, a little on the side, and a
22 little in the back, and it was sort of rounded off on
23 the top. But that wasn't the only hat she had like
24 that. She had several hats. That wasn't the only one
25 she had.



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Q Did you ever go to Nashville to see her?

A Yes; I did.

Q State whether or not Helena would write you occasionally.

A She had written me on occasion. After she got to Nashville, she wrote to me then.

Q When she would write you letters, Mr. Beasley, would she ever use the word "pig"?

THE COURT: Do you have the letters that she wrote you?

THE WITNESS: Your Honor, I had the letters.

THE COURT: I say have you got them with you?

THE WITNESS: I don't have them now; no, sir.

THE COURT: Go ahead.

BY MR. SMITH:

Q Do you ever recall that she used the word "pig"?

A That was one of Helena's favorite words-- was pig.

Q Do you recall in what context she would use it with you, Mr. Beasley?

A Referring to other officers.

1 Q Did you have conversations with her that
2 night?

3 A Yes, sir.

4 Q Would you state whether or not you went out
5 to Nashville to talk to her about the MacDonald murders?

6 A Yes, sir.

7 Q Did you ask her questions about the
8 MacDonald murders?

9 A Yes, sir.

10 Q Did she give you answers?

11 A She did.

12 MR. SMITH: You may examine.

13 C R O S S - E X A M I N A T I O N 10:53 a.m.

14

15 BY MR. BLACKBURN:

16 Q Mr. Beasley, you stated on direct
17 examination that Ms. Stoeckley was one of your
18 informants; is that correct?

19 A That is correct, sir.

20 Q And, again, how long did she remain an
21 informant with you?

22 A I--well, I know she was regular until 1970.
23 After that---

24 Q (Interposing) When--excuse me; go ahead.

25 A ---after that, I would pick up pieces. She

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would even call me.

Q And she became an informant for you in 1968?

A Approximately; yes.

Q Did you ever have an occasion to pay her any money?

A She would never accept any money whatsoever.

Q She did it totally free; is that correct?

A Totally free; I tried to pay her and she wouldn't accept.

Q Now, you say she remained an informant for you into 1970; is that correct?

A Yes, sir; and on past that too.

Q All right, now, how long into 1970 did she remain an informant for you--a regular informant is what I am getting at?

A Well, she left town shortly after this--I guess maybe a week or two later--and then I didn't have contact with her--only by telephone or letter or something, and I would say the end of 1970.

Q Now, I believe you testified that you on occasion had seen her with a black and a couple of white males; is that correct?

A Yes, sir; on several occasions.

Q Would it be just the four of them? Would there be more than four?

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A Well, on occasions there has been more

than four; yes, sir.

Q Would those be whites, blacks, females?

A There would always be a black. There was always this one black man.

Q He had a fatigue jacket?

A Every time I saw him he had a fatigue jacket on.

Q Did you ever have occasion at Fort Bragg to see other people with fatigue jackets on?

A Oh, yes.

Q With E-6 stripes on the sleeves?

A Yes, sir.

Q In fact, that is probably fairly common at Fort Bragg; isn't it?

A Well, can I explain?

Q Well, if you would, why don't you answer yes or no and then explain?

A Well, yes, sir.

Q You may explain.

A The fatigue jacket--if we ever would see a guy running around with just a fatigue jacket on or with the stripes or whatever, we would always check him for being AWOL. A special uniform man would or a detective would, but if you were Narcotics like us, you'd not do that.

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But we would try to get another officer

to do it to see if he might be AWOL. In this case, we was watching--we had a drug deal going and we didn't want to blow what we were doing, so we didn't.

Q Now, I believe you testified that in the early morning hours of the 18th of February you had occasion to visit her apartment; is that correct? Or outside the apartment?

A Yes.

Q And that's on Clark Avenue?

A Clark Avenue, and she also had one--I believe shortly after that she moved to Arsenel Avenue. This was another known drug location.

Q Now, I believe you testified she came out to the car and got in and sat down next to you.

A She didn't sit down; no, sir. She came back to the car, and I talked to her outside the car.

Q Was she very friendly to you at that time?

A She always has been.

Q She didn't run from you when she say you; did she?

A No, sir; she came to me.

Q Came to you. This is 24 hours after the MacDonald killings--approximately.

A Well, approximately I would say.



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1 Q Now, when was it that she gave you the
2 blond wig, if you can recall?

3 A I believe it was a day or two later. I
4 asked her if she had it and she said she didn't have it
5 right on, and I asked her if I could have it.

6 Q She didn't hesitate to give it to you; did
7 she?

8 A No; she brought it to me.

9 Q Now, do you recall the color of boots that
10 she had on when you saw her?

11 A The best I can recall--that night--it was
12 pretty dark--but I believe they were black boots.

13 Q This is which night now to get specific?

14 A The night that I picked her up--on the 17th.

15 Q You mean the early morning of the 18th?

16 A Yes, sir; the early morning of the 18th;
17 that's right.

18 Q To the best you can recall they were black
19 boots?

20 A To the best that I can recall they were--I
21 believe they were black boots.

22 Q Now, you said that you saw her on several
23 occasions with her blond wig on; is that correct?

24 A Yes, sir.

25 Q I assume, though, that because you knew she



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1 had black hair that you saw her on many occasions

2 without the blond wig; is that correct?

3 A Yes, sir.

4 Q And I believe that you testified that she
5 had several floppy hats?

6 A Well, I've seen her with different hats.
7 I've seen her with purple hats on, and that was another
8 one of her favorite colors--purple. And I've seen her
9 on occasion with a purple one on; yes, sir---

10 Q (Interposing) What--excuse me. Go ahead.

11 A ---and then, the black is the most prevalent
12 I believe that I have ever seen her with.

13 Q Did she ever wear black very often?

14 A Yes, sir---

15 Q (Interposing) Well--excuse me. Go ahead.

16 A ---well, I was going to refer to the black
17 she wears?

18 Q Yes. She wore black fairly regularly and
19 dark purple?

20 A Yes, sir.

21 Q And the floppy hat that she gave to you--
22 did she give you a floppy hat?

23 A She gave that to me too; yes, sir.

24 Q What color was it?

25 A That was black.

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Q It was black?

A Yes, sir.

Q Now, you testified that the CID--you had called them and waited an hour for them to come; is that correct?

A Probably a little more; I believe it was a little more than that.

Q Do you know whether or not the CID ever subsequently interviewed Helena Stoeckley?

A Yeah; I believe it was in 1971 when I accompanied a CID agent out of Washington into Nashville.

Q Do you know whether or not he ever interviewed her in 1970?

A No, sir; they didn't that night, and I had the hat and the wig and nobody ever came for that.

Q I believe you testified that on the early morning of the 18th you saw her return to her house on Clark Avenue with three males; is that correct?

A There was at least three with her.



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BY MR. BLACKBURN:

Q Now, did you ever have an occasion during the time that you were on Narcotics, back in 1970, to see other people having floppy hats besides Helena Stoeckley?

A Oh, yes; yes, sir.

Q Was that a fairly common thing to wear in the hippie community?

A With those hippies; yes, sir.

Q So the fact that Helena Stoeckley had a floppy hat wasn't particularly unusual; was it?

A Well, no, sir. I would not say it was unusual.

Q Was it unusual that she wore boots?

A No.

Q And if you saw her in black on the day that she--on the 18th--you didn't think anything particularly unusual about the fact that you saw her in black, did you?

A No, sir, I didn't, huh-uh (no).

MR. BLACKBURN: Just a second.

(Pause.)

BY MR. BLACKBURN:

Q With respect to the time that you held Helena Stoeckley for an hour and the three males for an



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hour--is that correct? Which date was that?

A Well, I didn't exactly hold, really--I detained them more or less. I didn't never--I never arrested them.

Q Did you ever consider arresting them?

A I did--if I had--at Fort Bragg--if I had had a reason--I had no reason, but I would--if they would---

Q (Interposing) At the time you held them you had no reason to arrest them, is that correct?

A No, sir; I had no reason.

MR. BLACKBURN: No further questions, Your Honor, of this witness.

MR. SMITH: Your Honor, may I ask one additional question I did not go into on direct that I would like to? It will just be for one matter.

THE COURT: Yes.

MR. BLACKBURN: Your Honor, may we approach the bench?

THE COURT: Yes.

B E N C H C O N F E R E N C E

MR. BLACKBURN: It seems to us the Defense is getting in the back door what they cannot get in the front door, that those are police drawings--

#7 p3

1 recent ones. These are the most recent police artist
2 drawings.

3 They have not been authenticated and I
4 assume what Mr. Smith is going to do is show his witness
5 and ask him if that looks like him?

6 MR. SMITH: That is what I am going
7 to do. I don't have in mind offering it in evidence,
8 but asking him if he has ever seen that person.

9 MR. MURTAGH: Judge, showing someone a
10 picture like that is like asking a jury not to think
11 of a big white fuzzy bear, because at the time you say
12 it they are going to think it.

13 It is something that I think is not properly
14 offered in this matter -- I think especially when we
15 have the original artist's conception drawings, which
16 are radically different from these four.

17 I mean, why did they have new ones made on
18 the eve of trial, and who made them, and how was it
19 done?

20 THE COURT: Well, to begin with, I
21 have detected in this witness a--I may be mistaken--and
22 it is some hostility toward the CID, both in his voir
23 dire examination and again here this morning.

24 I have assumed that because they did not
25 come down there on the double and arrest those people and

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check it out that he disagreed that it's good police tactics.
Actually, he never called them himself. He's assuming
that some radio operator did contact them.

MR. MURTAGH: The only person on duty,
other than the people who were probably running around
checking out leads--if there was ever a time when the
Fort Bragg CID was strapped, it was then.

MR. SMITH: But that is speculation.

THE COURT: Well, I don't know about
that; but in any event, this recent drawing here--you
want to ask him about it?

MR. SMITH: Judge, yes. Here is the
thing: I think I have a right to take that book and
hand it up to him and ask him if he has ever seen it
before.

I don't know why I've got to authenticate
a photo. I'm not going to publish it to the jury at
this point. It may be published at a later point, but
I think I've got a right to hand him up a photograph of
Genghis Khan, and ask him if he's ever seen it?

And it will be tied in later, but at this
point all I intend to do is hand him a photograph,
identify just whatever it is, and ask him if he has had
an opportunity to examine the photograph before--which
he has--and then ask him if he can identify---



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THE COURT: (Interposing) It is not

a photograph, is it?

MR. SMITH: I will call it a drawing.

MR. MURTAGH: Your Honor, the implication in the minds of the jury is that it is obviously a police artist-type drawing, and they are not properly authenticated.

THE COURT: What is he going to say?

MR. SMITH: He is going to say that yes, he has seen that photograph before and that it does--that the photograph or the drawing does look like one of the individuals he saw with Helena Stoeckley.

MR. SEGAL: We will tie it up, Your Honor.

THE COURT: Well, if that's got any probative force, I can't see it. I will let you ask him the question, if you are not going to publish it.

MR. BLACKBURN: Before we go back, since we're here--where are you going next--the next one?

THE COURT: Listen, you don't have to take that down--it's just some scheduling matters.

MR. BLACKBURN: What I am getting at-- could some of these six people--this Jane Zillioux and Gaddis and Brisentine--their entire relationship with Helena was statements as opposed to visual. That is

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what we are concerened about.

MR. SMITH: Not necessarily. For example, Jane Zillioux could certainly attest to the fact that she was in Nashville and what she looked like --you know, her physical condition.

MR. MURTAGH: Your Honor, as to that witness, I don't think that witness is capable of following the Court's instructions. I really don't think she understands the difference between what she saw and what she thinks.

I think in particular that witness could not be examined.

THE COURT: Who?

MR. MURTAGH: Zillioux, the woman from Nashville -- without her blurting out.

MR. SMITH: Let me ask you this. I assume that the Court feels that we handled Mr. Beasley very well within Your Honor's instructions?

THE COURT: I don't think you transgressed any ruling I have made about that.

MR. SMITH: I would say the way to handle that is to let us try, and if we get out of line, ojbect and the Court can rule.

I don't see why we should take the judge's time.



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THE COURT: Will you caution her?

MR. SMITH: Sure.

MR. MURTAGH: The business of her looking down at her hands--in other words, if she wants to testify that Helena lived in a little house and she worked at Bonnie's Shoetique and the rest of this, and that she had hepatitis---

THE COURT: (Interposing) I have ruled all that out. All that mess is out.

MR. MURTAGH: Your Honor--well, I am concerned that she is capable of following the instructions.

THE COURT: Go ahead.

(Bench conference terminated.)

THE COURT: Ask your question.

R E D I R E C T E X A M I N A T I O N 11:08 a.m.

BY MR. SMITH:

Q Mr. Beasley, I have what is marked for identification as Defendant Exhibit Number 90; and first, I will ask you, Mr. Beasley, if you have ever examined that object before?

(Defendant Exhibit No. 90 was marked for identification.)

A I have seen one like this.



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THE COURT: I thought you were not

going to publish this to the jury? He is publishing it.

MR. SMITH: Don't hold it so anyone can see it, Mr. Beasley.

THE WITNESS: I'm sorry.

THE COURT: That's all right. Now, that you have already done it, show it to them again if you want to.

MR. SMITH: If Your Honor pleases, I would hasten to inform the Court---

THE COURT: (Interposing) That was not your fault.

MR. SMITH: I am sure Mr. Beasley did not intend to do it.

BY MR. SMITH:

Q Mr. Beasley, have you examined that photograph, or whatever it is, before?

A Yes, sir.

Q When did you have a chance to look at it?

A I saw one in the newspaper like this.

Q Have you had an opportunity to examine that particular item in the past few days?

A Yes, sir; back in the interview room with Ms. Stoeckley and Mr. Segal.

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Q All right, now, Mr. Beasley, I will ask

you if you will to describe what this object is that
you have examined?

A It is a picture of one of the suspects.

Q Is it a drawing?

A Drawing of one of the suspects.

Q Mr. Beasley, does that drawing portray
fairly any individual that you ever saw with Helena
Stoeckley?

A Yes, sir.

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BY MR. SMITH:

Q Do you know the name of that individual?

A Yes, sir.

Q What was his name?

A His last name was Mazzarole.

Q Mazzarole?

A Yes, sir.

Q Do you know his first name?

A Yes, sir; I've got it here.

Q Would it refresh your recollection if I asked you if his name was Allen?

A That's it; Allen P. Mazzarole.

Q Allen Mazzarole?

A Yes, sir.

MR. SMITH: No further questions, Your Honor.

MR. BLACKBURN: Just a moment, Your Honor.

R E C R O S S - E X A M I N A T I O N 11:12 a.m.

BY MR. BLACKBURN:

Q When was the last time you saw Mr. Mazzarole?

A I can look at my records and tell you.

Q Approximately?

A About 1970--'69 or '70. I arrested him with about \$15,000 worth of LSD.

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Q How many times did you see him in your

career?

A In my career--about half a dozen times.

Q Do you have a picture of him?

A No, sir; I don't have one with me. The records don't have them in Fayetteville. They're all misplaced. I don't know where they are. I tried to get one, but I could not find it.

Q The drawing that was exhibited to you by Mr. Smith--do you know when it was made?

A No, sir.

Q Do you know who made it?

A No, sir; I don't.

Q Well, the time that you had Helena and the three friends in with you at the police station, did you take any pictures of them?

A No, sir; they were never arrested. They do not---

Q (Interposing) I don't want to cut you off. Are you through, or were you through?

A Yeah; I'm through. I was just going to explain why.

Q Yes; go ahead?

A We don't take pictures unless we arrest them.

MR. BLACKBURN: No further questions.



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THE COURT: Any further?

MR. SMITH: No, sir.

E X A M I N A T I O N 11:13 a.m.

BY THE COURT:

Q Let me ask you, Mr. Beasley, about several matters that either I didn't hear your answers, or you were not asked. You say you didn't arrest these people? Where did you detain them?

A At Helena's house.

Q Just out there in the driveway?

A Yes, sir; I stayed right out there. We was right out there in the street.

Q You kept them there for about an hour?

A Yes, sir.

Q You called in to the police department and asked them to get somebody on the radio, to get these people to come out there?

A That is correct.

Q After an hour, nobody showed up?

A Nobody showed up.

Q So you let them go?

A That is correct.

Q I assume you did get their names, didn't you?

A Yes, sir; I've got their names in the folder

1 that is missing, Your Honor. We can't locate it any-
2 place. We have located these records, but that folder is
3 missing.

4 Q Did you ever turn that folder over to the
5 investigators?

6 A Yes, sir; it was turned over--well, turned
7 over to our office. Now, it was 1971 before I got any
8 further contact with the CID and this folder was never
9 requested. Had it been, they could have had it easily.

10 Q You never volunteered to let them have it?

11 A No, sir.

12 Q I see. And do you know whether or not any
13 of these people were ever interviewed by the CID?

14 A To my knowledge, not one of them. The only
15 one was Helena.

16 Q I say, do you know whether or not?

17 A To my knowledge; no, sir, except Helena
18 Stoeckley.

19 Q Can you recall the names of any of the people
20 that were with her that night?

21 A There was one name that I can remember--his
22 name was Greg Mitchell. And the other two I cannot.
23 That name sounds familiar because he was one of the boys
24 that was sort of in charge of a group of the hippie-type
25 people there, and we had a special lookout on him. He



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1 lived somewhere here in North Carolina, but we can't
2 find any records on him anywhere in our office.

3 Q As a result of any investigation that you
4 ever made, do you know whether or not anyone was ever
5 arrested or charged with anything in connection with
6 these crimes?

7 A Not with the crimes, Your Honor, but the
8 black man--I signed a warrant for him and he was arrested
9 and released on a \$2,000 bond, and we have not seen him
10 since. He never showed up and the case was nol pros'd
11 in Superior Court.

12 Q What was he charged with?

13 A Possession of drugs. He was one of the men
14 that I was looking for the day we hit the trailer with
15 the other people that were supposed to have been there.
16 The other three was not there--or he wasn't there when
17 we raided the trailer.

18 THE COURT: Do the lawyers on either
19 side of this case want to ask this witness anything in
20 consequence of what the Court has asked him?

21 MR. BLACKBURN: Your Honor, I have one. I
22 don't know if Mr. Smith does.

23 MR. SMITH: I have one.

24 THE COURT: You may sit there, because
25 you are just before being asked several questions by each



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side.

MR. SMITH: We will let the Government proceed if they wish.

THE COURT: He is your witness. I will let you go first.

MR. SMITH: I was just trying to be kind to the Government, Your Honor.

FURTHER REDIRECT EXAMINATION
11:16 a.m.

BY MR. SMITH:

Q Mr. Beasley, what efforts have you made to locate your records?

A We have had two subpoenas issued for my records with the Narcotics Bureau and with the Identification Bureau in Fayetteville, and we have not come up with anything except one name, and that is on the Sanders man. And the only thing we have is the records in the court, and nothing else. That is all.

Q When is the last time you saw your records?

A When I retired in 1975, I believe I left my records intact. I asked my supervisor if I ever needed them again--or could I have them or could I take them with me. They said, "no," that if I ever needed them, that they would be there.

Q And have you been actually to look for them?



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A Myself? Yes, sir. I have been down,

along with Mr. Myers, I believe his name is, and along with an SBI agent. We went through the files and we cannot find them.

MR. SMITH: No further questions.

FURTHER RECROSS - EXAMINATION
11:18 a.m.

BY MR. BLACKBURN:

Q Mr. Beasley, you testified when you detained these folks, you were in the driveway of Helena's?

A Yes, sir; the vicinity. Yes, sir.

Q You went to your car and called the police department and told them to call CID?

A That is correct.

Q You never yourself called CID directly, did you?

A No, sir; I stayed with these people and had my dispatcher to call.

MR. BLACKBURN: No further questions.

MR. SMITH: Any questions by the Court?

THE COURT: One more. Did you ever thereafter undertake, during 1970, to communicate with the CID relative to this thing?

THE WITNESS: Prior to '71, or during 1970?

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THE COURT: Just like the question

said--1970.

THE WITNESS: Yes, sir. I had a CID

agent riding around with me one night. Helena was in the back seat and he was in the front seat, and no questions were ever asked regarding this.

THE COURT: That answered my one question. Anyone else got any?

(No response.)

THE COURT: Call your next witness.

MR. SMITH: Come down, please, Mr. Beasley.

(Witness excused.)

MR. SEGAL: The Defendant calls Mrs. Jane Zillioux, Your Honor.

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THE CLERK: Ms. Zillioux, would you

come around please and take the witness stand? You have previously been sworn in this matter.

(Whereupon,

JANE ZILLIOUX

was recalled as a witness, and having been previously sworn, was examined and testified further as follows:)

D I R E C T E X A M I N A T I O N 11:20 a.m.

BY MR. SEGAL:

Q Would you state your full name and address for the record, please?

A Jane Zillioux; 6495 Southwest 83rd Street, Miami, Florida.

Q And would you spell your last name, Ms. Zillioux?

A Capital Z, like in zebra-i-l-l-i-o-u-x.

Q And are you employed?

A I handed in my resignation the 9th of this month to the Department of Corrections to the State of Florida.

Q How long have you worked with the Department of Corrections in Florida?

A Slightly over a year as Staff Assistant to the Regional Director.

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1 Q Did you ever live in Nashville, Tennessee,
2 Mrs. Zillioux?
3 A Yes, sir; I did.
4 Q And from when until when approximately were
5 you living in Nashville?
6 A I lived in Nashville from September, 1970,
7 until about March, 1971.
8 Q And at that time were you married to Mr.
9 Zillioux?
10 A No, sir; I was single.
11 Q And what was your maiden name?
12 A McCampbell.
13 Q And would you spell that for us?
14 A Capital M-small c-capital C-a-m-p like in
15 Paul-b like in Bill-e-l-l.
16 Q Where did you live in Nashville, Mrs.
17 Zillioux?
18 A 119 Portland Avenue.
19 Q What kind of neighborhood was that? Could
20 you give us a little description of the area?
21 A It was a very poor neighborhood. It was a
22 lot of people on social security and welfare who lived
23 there. It was a hippie area. The rent was low--55
24 dollars a month for unfurnished apartments.
25 Q Did you meet a lady by the name of Helena

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1 Stoeckley sometime while you were living in Nashville?

2 A Yes, sir.

3 Q Do you recall when you first met Helena
4 Stoeckley?

5 A Yes, sir; I had a great big, yellow Persian
6 cat and he used to stroll out for air. He strólled into
7 the street one day and Helena retrieved him for me, and
8 that's how I got to know her.

9 Q About what month and in what year was that?

10 A September, 1970.

11 Q September, 1970. Do you know how long that
12 Helena Stoeckley had been living in the neighborhood
13 prior to that time?

14 A No, sir.

15 Q Did you find out after a while where she
16 actually lived in Nashville?

17 A She lived right across the street from me in
18 a little white house. I called it the hippie house
19 because there were all kinds of hippies in there--you
20 know--from 15 to 22.

21 Q How many people would you say lived in that
22 house at any one time?

23 A I don't know, but they had bunks stacked up
24 in the back--you know--all along the walls.

25 Q Now, did you ever find out that Helena

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Stoeckley had once lived in Fayetteville, North Carolina, or that she lived in North Carolina at all?

A Yes, sir.

Q When did you find that out?

A Shortly after I met her; she used to come to my apartment to take a shower because that hippie house didn't have very good facilities, and the shower didn't always work, and she asked me if she could come to my apartment to take a shower so she could keep herself clean because she was clean. I said, "Sure, bring your own towel."

Q Now, during one or more of those visits--is that when you learned that she was from the Fayetteville area?

A Yes; she told me that her father was an officer at the base, and I knew that she had had advantages. I thought that she was a runaway because she looked so young--you know--she was sick. She had hepatitis.

Q And when you say that her father was an officer at the base, did you learn that was Fort Bragg, North Carolina?

A Yes, sir; it was Fort Bragg.

Q Now, did you ever find out or ever discuss with her the reasons why she left Fayetteville, North

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Carolina?

MR. BLACKBURN: OBJECTION.

THE COURT: SUSTAINED.

MR. SEGAL: May I not ascertain

whether or not she learned it without the conversation
being stated?

THE COURT: I will let her say yes or
no.

BY MR. SEGAL:

Q Did you ever learn the reason why Ms.
Stoeckley said she left North Carolina?

A Yes.

Q You cannot tell us that, however.

MR. MURTAGH: OB---

MR. SEGAL: Do you want me to have her
tell us?

THE COURT: Ask your question.

BY MR. SEGAL:

Q About what month, if you can pinpoint it,
Mrs. Zillioux, did you hear from Helena Stoeckley the
reasons for her leaving North Carolina?

A It was right around the last of October or
November. It was right around Thanksgiving time--
somewhere around that.

Q 1970?

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A Yes, sir.

Q When was the last time you saw Ms. Stoeckley in Nashville?

A Well, I don't remember when the last time I saw her--the last time I spoke to her I remember very well.

Q Okay, when was the last time you spoke to Helena Stoeckley?

A When I went to her apartment to check on her because she was sick, and I hadn't seen her for a few days.

Q Again, you cannot tell us what was said. Do you recall a date or a month in which that conversation took place?

A Around Thanksgiving.

Q Of 1970?

A Yes, sir.

Q And that was the last time you had occasion to talk with Helena; is that right?

A Yes, sir.

Q Have you seen Helena Stoeckley during any time in the last week?

A Yes.

Q Could you tell the members of the jury where and under what circumstances you had occasion to see Ms.

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Stoeckley?

A I was in the witness room Friday--Thursday
afternoon--the first time I had seen Helena in ten years,
and I recognized her immediately. I said, "Hello,
Helena."

Q Were you present in the witness room when
Helena Stoeckley was shown a series of photographs in a
book similar to the one that I am holding in my hand?

A Yes, sir; I was.

Q Were you seated in the room when that was
taking place?

A I was seated right beside her.

Q And who was the person who showed her those
photographs?

A I believe Mr. Beasley probably.

Q Did Ms. Stoeckley continue to look at those
photographs more than once?

A At least four times she kept going back to
the photograph of the smallest MacDonald child--the one
that the baby was laying in bed in a pool of blood and
had its little bottle.

Q Now, let me show you some photographs that
have previously been marked in evidence and see perhaps
if you can tell us which one of the photographs Ms.
Stoeckley returned to. I have, just to make it a little



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easier, put some paperclips on some photos here.

A It was this one.

MR. SEGAL: The witness has indicated

the photo that has been marked for identification as Government Exhibit G-60, Your Honor, which has previously been identified here in court as a photograph of Kristen MacDonald in her pajamas on the bed.

BY MR. SEGAL:

Q Now, what, if anything, did Helena Stoeckley say--well, did she say anything the first time she looked at the picture?

MR. BLACKBURN: Your Honor, we would

OBJECT.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Did Helena Stoeckley ever indicate to you that she had ever seen the scene or the person depicted in that picture previous to the time that she looked at that book?

MR. BLACKBURN: OBJECTION.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Did Helena Stoeckley in any way indicate familiarity with the materials there?

MR. BLACKBURN: OBJECTION.

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THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Was there anything else in that book that Ms. Stoeckley had occasion to look at and took some particular note of during the time that you were present?

MR. ANDERSON: OBJECTION to the question.

MR. SEGAL: I am not asking for conversation, Your Honor--only reactions.

THE COURT: I will let her say yes or no to that one.

THE WITNESS: Yes.

BY MR. SEGAL:

Q And was it in regard to some other picture in that book?

A Two.

Q Would you look through the book again--well, do you know what was depicted in the first of those two pictures? We will do them one at a time. What is depicted in the picture that you say something was said about?

A A child's rocking horse.

Q All right, would you look again at the pictures and again either the paperclips may be of some help in the back of the book or you may find them yourself?

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A This one.

MR. SEGAL: May the record reflect that the witness has indicated a photograph previously marked as G-59 which would be a longer range photograph of the bed of Kristen MacDonald showing the child in the bed and in the left foreground, a rocking horse.

BY MR. SEGAL:

Q Now, in regard to this particular photo, what, if anything, did Ms. Stoeckley say to you about that photo?

MR. ANDERSON: OBJECTION.

MR. MURTAGH: OBJECTION.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Did in any way Ms. Stoeckley indicate that she recognized seeing that scene herself?

MR. ANDERSON: OBJECTION.

MR. BLACKBURN: OBJECTION.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Now, you mentioned there was a third photograph, Mrs. Zillioux, that Ms. Stoeckley stopped and looked at. What did that scene depict?

A There was one--an artist's rendition of her own face from Dr. MacDonald's police---



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MR. MURTAGH: (Interposing) OBJECTION,

Your Honor.

THE COURT: She has stopped in the middle. She has answered part of the question. I will OVERRULE it as to that. Ask your next question.

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BY MR. SEGAL:

Q Let me show you what has been marked previously as Defendant Exhibit 89, artist's rendition of a female and ask whether this is the picture that Ms. Stoeckley stopped and looked at?

A Yes, sir.

Q What if anything did she say when she saw that picture?

MR. ANDERSON: OBJECTION.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Did she indicate that she recognized the face of the person depicted in that drawing?

MR. ANDERSON: OBJECTION.

THE COURT: SUSTAINED.

BY MR. SEGAL:

Q Now, was Ms. Stoeckley shown some other artist-type drawings like the one you have up there?

A Yes, sir.

Q I want to show you one that has been marked for identification as Defendant Exhibit D-90.

MR. BLACKBURN: That has not been published.

THE WITNESS: This is the one.

MR. SEGAL: You are about one step



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1 ahead of me.

2 BY MR. SEGAL:

3 Q What if anything happened when that--well,
4 first of all, was that picture shown to Ms. Stoeckley?

5 A This was the picture.

6 MR. BLACKBURN: Your Honor--

7 BY MR. SEGAL:

8 Q When you say, "This is the picture," though,
9 we don't have the context. What if anything happened
10 when that picture was shown to Ms. Stoeckley?

11 A She identified it.

12 MR. BLACKBURN: OBJECTION.

13 THE COURT: SUSTAINED.

14 BY MR. SEGAL:

15 Q Without telling us what she said---

16 MR. MURTAGH: (Interposing) OBJECTION.

17 MR. SEGAL: I don't know what--without
18 telling us what she said--is an objectionable statement,
19 but I will wait for a ruling on that, Your Honor.

20 MR. BLACKBURN: Your Honor, may we
21 approach the bench?

22 THE COURT: Yeah, come up.

23 B E N C H C O N F E R E N C E

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25 MR. BLACKBURN: Your Honor, this is nothing