

1 KENNETH HEMME, having been first duly sworn, testified:

2 DIRECT EXAMINATION

3 BY MR. HARMAN:

4 Q Please state your name and address.

5 A Kenneth Hemme. 1101 Main; Concordia, Missouri.

6 Q You are the father of Sandra Hemme, the petitioner, in
7 this case, is that correct?

8 A Yes.

9 Q You are familiar are you not that Sandy was charged in
10 Buchanan County with the crime of capital murder, is that
11 correct?

12 A Yes.

13 Q Did you undertake to provide any legal defense for her?

14 A Yes.

15 Q Who did you contact?

16 A Dale P. Sullivan.

17 Q Did Sandy suggest Mr. Sullivan to you or did you suggest
18 Mr. Sullivan to Sandy?

19 A I suggested Mr. Sullivan to Sandy.

20 Q You had known him previously?

21 A Yes.

22 Q And he is an attorney to your knowledge?

23 A Yes.

24 Q With offices in Kansas City?

25 A Yes.

- 1 Q During the course of the criminal proceedings, did you
2 have occasion to talk with Mr. Sullivan?
- 3 A Yes.
- 4 Q Did you talk about Sandy's past?
- 5 A Yes, we have, sir.
- 6 Q What did you talk about?
- 7 A We talked about her mental condition. Her hospitaliza-
8 tion. How many times she's been in the hospital and we
9 talked quite a bit about Sandra's history.
- 10 Q Why did you talk quite a bit -- in your words -- about
11 Sandra's history?
- 12 A Well, because she had a mental defect of usage -- I call
13 it mental and then usage of drugs and alcoholism.
- 14 Q Well, was this just a recent thing that Sandy had en-
15 countered?
- 16 A No. I'd say it started back in 1972.
- 17 Q How old was Sandy at the time the criminal cases were
18 pending against her?
- 19 A When?
- 20 Q Approximately.
- 21 A The capital murder?
- 22 Q Yes, sir.
- 23 A Approximately 19 or 20 because she was born in 1960, and
24 she would have been about 20 years old.
- 25 Q While Sandy was growing up, did you and her mother have

1 an occasion to place Sandy in any institutions or hospi-
2 tals for any reason?

3 A Yes.

4 Q Do you recall which hospital Sandy was placed in?

5 A Well, she was placed in a lot of them.

6 Q Could you list the ones that you know or recall?

7 A Well, she was admitted to St. Mary's Hospital three,
8 four, or five times. She was admitted to Trinity
9 Lutheran Hospital. She was admitted to Menorah Medical
10 Center. She was admitted to Independence Sanitarium.
11 She was admitted to Malcom Bliss Hospital.

12 Q Where is that located?

13 A In St. Louis.

14 Q All right.

15 A And then there was a hospital there in Jeff City; I
16 believe, they call it Still Hospital at Jeff City. Then
17 she was admitted to the University of Missouri at
18 Columbia, Missouri.

19 Q The University of Missouri or the hospital located at
20 the University of Missouri?

21 A The hospital located there. For psychiatric treatment
22 down there. Well, since her first admission to the
23 hospitals which was I think back in 1972, she hasn't had
24 too much time out of the hospitals.

25 Q All right. Were there any other hospitals?

1 A Well, excuse me.

2 Q Excuse me. I didn't mean to interrupt you.

3 A She was even admitted out to the St. Joseph Hospital a
4 number of times, too.

5 Q Would seven admissions at the St. Joseph State Hospital
6 coincide with your recollection of the number of times
7 she was admitted?

8 MR. SHEPHERD: I object. That's a leading
9 question.

10 MR. HARMAN: Judge, the record indicates that.
11 The lady identified it. I have a right to ask if
12 he knows.

13 THE COURT: All right.

14 A At least seven if not more, your Honor.

15 THE COURT: All right.

16 Q (Mr. Harman) Was she admitted to any hospitals outside
17 the State of Missouri?

18 A Yes, in Maryland.

19 Q Now, with respect to hospitals that you mentioned,
20 St. Mary's, Menorah, Trinity, Malcom Bliss, University
21 of Missouri Hospital at Columbia, the Independence
22 Sanitarium, St. Joseph State Hospital, Still Hospital,
23 and the hospital in Maryland; what was the basis for her
24 going to those hospitals? Was it for a physical problem
25 or for a mental problem or what was the reason?

1 A. Her reason for going there was due to psychiatric mental,
 2 drug, and alcoholism.

3 Q All right. From the period of 1972 through the first
 4 part of December 1980, do you have a recollection as to
 5 the longest consecutive period that Sandy was not in a
 6 mental hospital?

7 A. If she's been out of the hospital -- I hate to say, but
 8 I think not much over two years at different times in
 9 that much period of time.

10 Q I'm not sure I understand your answer. During that
 11 approximately eight-year period from 1972 to 1980, is
 12 your answer that she was out for a period of two years
 13 altogether or is your answer that she was out for a
 14 consecutive period of about two years?

15 A. No.

16 Q What is your answer?

17 A. My answer is she was out of the hospital about two years
 18 in them eight years. She was in and out that much.

19 Q So in other words, she would have been in the hospital
 20 approximately six years to your knowledge?

21 A. Yes.

22 Q Do you know of any of the diagnoses that the doctors
 23 made at various times about Sandy?

24 A. Well, I tell you, the doctors---

25 MR. SHEPHERD: I object to that.

1 THE COURT: Sustained.

2 MR. SHEPHERD: It calls for a hearsay response.

3 THE COURT: Sustained.

4 Q (Mr. Harman) Do you know of any illegal drug usage or
5 illicit drug usage that Sandy participated in during that
6 period of time?

7 A Well, she was -- they say she used LSD, pot, hash, Valium,
8 and she sniffed glue, lighter fluid, and she was on
9 barbiturates, cocaine, and I don't know how many more
10 that she has used or tried to use.

11 Q Did you ever observe Sandy when she had been under the
12 influence of any of these drugs?

13 A Yes.

14 Q Was she able to think clearly and express herself clearly
15 when she was under the influence of those drugs?

16 A No.

17 Q Would the effect of her taking these drugs last for any
18 length of time or would it disappear right away?

19 A It would last for a length of time.

20 Q Do you know of any drugs that were prepared for Sandy
21 during this period of time by the various doctors or
22 psychiatrists?

23 A Well, now she was -- she was taking some medicine, but
24 as far as recollecting what medicine she was actually
25 taking I don't know.

1 Q All right. If you don't know that's okay. Do you know
2 whether or not during the period of 1972 to 1980 Sandy
3 ever attempted to commit suicide?

4 A Yes.

5 Q How many times and what method did she utilize if you
6 know?

7 A Oh, Sandra tried to commit suicide four or five different
8 times.

9 Q What's the first one that you recall?

10 A Well, the first one I recall is she overdosed on
11 aspirins.

12 Q Do you know how many she took?

13 A Well, she took a big bottleful and I'd say there was --
14 I don't know what them bottles hold -- 75 or 100.

15 Q How old was she then, approximately?

16 A Oh, she was about 13 years old.

17 Q What's the next one that you remember?

18 A Well, she tried to hang herself several different times,
19 and then she tried to cut her wrists several times.

20 Q Did any of these occur while she was in the various
21 hospitals?

22 A Yes.

23 Q Did she ever ingest or take any substance that was not
24 necessarily a drug in an attempt to hurt herself that
25 you know of?

1 A Well, not that I know of, but I imagine she did.

2 Q Do you know the last time Sandy had attempted to take
3 her life?

4 A Yes. It was she threatened to take her life in, I
5 believe, it was in the early part of 1980.

6 Q That would have been before she pled guilty in the
7 criminal case here in Buchanan County?

8 A Yes.

9 Q After Sandy was arrested for the crime we have been
10 talking about, did she ever get out of jail?

11 A No.

12 Q While she was in jail, did she ever write letters to
13 you and her mother?

14 A Yes.

15 Q Did you inform Dale Sullivan of this history of mental
16 situations and problems?

17 A Yes, he knew about them.

18 Q Did you tell him?

19 A Yes. He represented her one time.

20 Q Was it with respect to a mental problem?

21 A Yes.

22 Q What was the result of that representation?

23 A It was to get her out of Johnson County in Warrensburg,
24 Missouri, to have her treated at St. Mary's Hospital for
25 mental problems there.