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State's Exhibit No. 39.

MR. DUNCAN: I have no objection.

THE COURT: All right; it will be admitted.

Q Detective Fueston, the individual that you talked to on those different occasions and gave you the statements you referred to in your testimony as Sandra Hemme, do you see that individual here in the courtroom today?

A Yes, I do.

Q Would you point her out, please?

A The lady in the pink and white outfit (Indicating).

MR. ROBB: Thank you. No further questions.

CROSS-EXAMINATION BY MR. DUNCAN:

Q Detective Fueston, I want to talk to you a little bit about some of these statements, but first I want to cover a few other things. Did you go out to the scene the day the body was found?

A No, sir, I did not.

Q Your first involvement in this case then was like the 28th of November?

A No, sir; it would have been somewhere between that period. I was out of town at the time this occurred.

Q But you didn't go out to the scene?

A No, I did not.

Q Now, there had been indeed some newspaper publicity about

1 this homicide, isn't that correct?

2 A Yes.

3 Q And as I understand it, Miss Hemme went with you back to
4 the scene on that day that you have told us about?

5 A Yes, sir.

6 Q And shortly before you arrived at Riverside Street, which
7 is just off of Frederick, one of the main streets here in
8 St. Joseph?

9 A Yes.

10 Q You asked if she could identify anything or recognize any-
11 thing, isn't that correct?

12 A Yes, sir.

13 Q Is there any sign up about what apartment project it was
14 that was there, do you recall?

15 A No, sir; I don't recall such a sign.

16 Q During none of the statements or none of the times that you
17 talked to Miss Hemme did she make any mention about a dog
18 being present at the time this homicide took place, isn't
19 that correct?

20 A That's right, sir.

21 Q And you told us that on that occasion you and the other
22 officers that were with you on this occasion, when you
23 were taking the route Miss Hemme was showing you, that you
24 searched the area there at Faucett where she told you
25 Wabski was wanting her to sit on his face?

1 A Yes, sir.

2 Q Other officers were sent out on another occasion to search
3 that area, too, isn't that correct?

4 A Yes, sir; that's correct.

5 Q Did you participate in any of the searches of the other
6 areas for any items?

7 A Which areas are you referring to?

8 Q Well, for instance, did you participate in the search of
9 the battiefield park down in Lexington, Missouri?

10 A No, sir, I didn't.

11 Q Did you participate in the search along 6th Street in
12 Kansas City, Missouri?

13 A No, sir, I did not.

14 Q Now, the statements that you have taken are in your hand-
15 writing except for her signature?

16 A That's correct.

17 Q And I take it not every word that was said was reduced to
18 writing?

19 A That's correct.

20 Q Now, let's go-- Do you have them in front of you?

21 A Yes, sir.

22 Q Okay. Let's start out by doing a little talking about
23 these. The first time you talked to her was on November 29,
24 1980. I don't believe that has been marked as an exhibit.
25 That was just your little brief discussion out there with

1 her about the events on November 12?

2 A That's right.

3 Q On November 28, she told you that she really didn't recall
4 much?

5 A That's right.

6 Q She recalled trying to hitch a ride, and the next thing she
7 remembered was being in Concordia, Missouri, is that right?

8 A Yes, sir.

9 Q It was obvious to you that she was having some mental con-
10 fusion, isn't that correct?

11 A Yes.

12 Q You thought that was possibly due to former drug abuse?

13 A Yes.

14 Q Of course, she was in a drug abuse center, isn't that
15 correct?

16 A That's right.

17 Q And she didn't appear to be totally comprehensive to you
18 at that time when you were talking to her, isn't that
19 correct?

20 A That's right.

21 Q And you also checked with the security officers out there
22 to see how she was dressed when she left, isn't that correct?

23 A Yes, I did.

24 Q You determined she was wearing bluejeans, a blue jean jacket
25 and was carrying some type of tube-type handbag with handles

1 A I believe so.

2 Q No one told you that she was wearing a backpack?

3 A I don't think so.

4 Q And she even told you on that occasion she came back to the
5 hospital on Sunday, and in fact she came back Saturday,
6 isn't that correct?

7 A I think that's correct.

8 Q That's the occasion when she told you that she might have
9 caught a ride with Pat--I'll refer to the deceased as Pat--
10 in a small foreign car, and she thought maybe she got a
11 ride to Dearborn with her, is that correct?

12 A Yes. I think she was referring to November 12.

13 Q Right. And she made no mention of being at Pat's house or
14 having any knowledge whatsoever of the killing?

15 A That's correct.

16 Q Now, let's move on to Exhibit 23. Of course, one of the
17 reasons you went back to talk to her on December 1st is
18 because when she told you about catching this ride with
19 Pat, you knew that was inconsistent because Pat was at work
20 at the time she said she caught the ride, isn't that
21 correct?

22 A Yes.

23 Q So you went back and took a detailed statement from her?

24 A Yes, sir.

25 Q Okay. Now, on this occasion she mentioned not only that

1 she caught a ride with Pat, but some guy named Joe was
2 driving the car?

3 A I believe so.

4 Q Right. On that occasion it was a '78 or '79 light blue
5 car, bigger than a Chevette but smaller than a large car?

6 A That's right.

7 Q So no longer was it a small foreign car; it was some other
8 type automobile or an older car?

9 A That's right.

10 Q She told you how the three of them in the car had stopped
11 at a pharmacy and how Pat had went in the Pharmacy?

12 A Yes.

13 Q And how they then went to some other house, that she didn't
14 know where it was at, that Pat went into that house?

15 A I'm sorry, what page is that on that you are referring to?

16 Q Page one, two, three, bottom paragraph.

17 A Yes.

18 Q "I think we went to a house--"

19 A Yeah; that's right.

20 Q On this occasion she gave you a pretty detailed description
21 of the man she called Joe, isn't that correct?

22 A Yes.

23 Q And gave a pretty detailed description of the clothes that
24 Pat was wearing, isn't that correct?

25 A Yes.

1 Q She described them as being a light blue jacket with a low
2 turtle-neck top and pants that matched the jacket, isn't
3 that correct?
4 A Yes.
5 Q Carrying a brown, square-shaped shoulder purse about 10
6 inches wide and 8 inches tall?
7 A Yes, sir.
8 Q And on that occasion, she made no mention of going to Pat's
9 house?
10 A That's right.
11 Q And made no mention of any type of knowledge of the murder,
12 isn't that correct?
13 A Yes; that's right.
14 Q Other than she indicated when Joe and Pat left he was kind
15 of mean to her?
16 A That's right.
17 Q Now, moving on to Exhibit No. 25. Okay; this is the con-
18 versation you had the very next day after the last one, the
19 one on December 2nd?
20 A Yes, sir.
21 Q Now, this conversation started about 4:45, I believe,
22 according to Exhibit No. 24, the Miranda waiver?
23 A Yes.
24 Q And I believe you have indicated on this last page has the
25 statement ending about 6:44, is that correct?

1 A Yes, sir.

2 Q So it's a little bit over two hours?

3 A Yes, sir.

4 Q Incidentally, going back to the other statement, Exhibit 23,
5 I believe the Miranda, Exhibit No. 22, shows that started
6 about 3:25, and shows it ended about 5:37, is that correct?

7 A I think it's 5:39.

8 Q 5:39, all right.

9 A Yes.

10 Q That one took about two hours and 14 minutes?

11 A Yes.

12 Q Now, on Exhibit No. 25, this is the occasion when she
13 identified this fellow that gave her a ride. She previously
14 said she didn't know him, or indicated she didn't know him.
15 This time she said she had met him as far back as 1977, and
16 knew him to be Joe Wabski, isn't that correct?

17 A Yes.

18 Q And this time she made no mention of Pat being with her?

19 A I don't understand what you mean.

20 Q Oh, Pat was with her-- was with them along on this ride,
21 isn't that correct? Wabski and Pat picked her up and again
22 they stopped at a pharmacy?

23 A Yes.

24 Q Pat got out, and on this occasion, she told about going to
25 this other house. She even described the route, isn't that

1 correct?

2 A Yes.

3 Q And she talked about it being five or six blocks south of
4 the Trail Theater, which she didn't mention previously in
5 the first statement, isn't that correct?

6 A Yes, sir. -

7 Q Okay. And this is the occasion when she said Mr. Wabski
8 took Pat home, she waited in the car, and Wabski come out
9 and said, "I have just killed the bitch"?

10 A That's correct.

11 Q And of course, Pat was still at work at 5:00 p.m., the
12 time that the defendant was telling you that this murder
13 was taking place, isn't that correct?

14 A Yes.

15 Q And of course, your investigation later turned out to appear
16 that Joe Wabski in no way could have been along with her or
17 committed this murder, isn't that correct?

18 A That's correct; he could not have.

19 Q Right. And on this occasion she again described in detail
20 the clothing that was worn by Pat. I think it's on the
21 first page; that she was wearing a light blue suit, isn't
22 that correct?

23 A Yes.

24 Q And she described the automobile on this occasion as being
25 a light blue car and described the interior of the car as

1 having some maps located between the seats?

2 A Yes, sir.

3 Q She went into great detail about these descriptions, isn't

4 that correct?

5 A Yes, she did.

6 Q And on this occasion she said, after Wobski come out and

7 told her he had just killed the bitch, he threatened her?

8 A That's right.

9 Q Now, moving on to Exhibit 27. Now, this is a report made

10 by you of a conversation that you had with her?

11 A Yes, sir; this was prepared by Mr. Kemper and myself.

12 Q Right. And it was not reduced to writing. She didn't read

13 it and approve it and sign it?

14 A That's right.

15 Q But of course, the purpose of this report is to be just as

16 accurate as you can, isn't that correct?

17 A Yes, it is.

18 Q Now, do you recall how long this conversation took place?

19 A I think this took approximately an hour and a half or two

20 hours.

21 Q Now, this is the occasion when she changed the place of

22 where Wobski picked her up. This time she said he picked

23 her up alone while she was at J. C. Penney's?

24 A Yes.

25 Q On this occasion she told you he was in Mr. Brown's car?

1 A Yes.

2 Q And on this occasion she described this car, again in de-
3 tail, as having the maps between the seats?

4 A Yes, she did.

5 Q She looked at the odometer, and it had 19,000 miles on it?

6 A Yes, she did.

7 Q On this occasion, she said she went in the house and watched
8 Wabski commit the killing?

9 A That's correct.

10 Q But she also told you that the reason she knew about this
11 was because of E.S.P., isn't that correct?

12 A Yes; that's correct.

13 Q And that was while you are on this trip, going this route,
14 isn't that correct?

15 A Yes; that's right.

16 Q She told you she knew about it because of E.S.P.?

17 A Yes.

18 Q On that occasion she described it was Wabski grabbing the
19 victim by the throat at the door, pushing her back into the
20 bedroom. He hit Pat in the face with his fist. He tried
21 to rape her. He may have bit her breast. And then he
22 stabbed her and tied her up and wiped the knife off with
23 the towel, but there's no mention whatsoever about any
24 strangulation, is there, in that report?

25 A No, sir.

1 Q And on this occasion, she told you when she was there, she
2 described how the body was. She stated that the body was
3 laying with its head toward the head of the bed, isn't that
4 correct?

5 A Yes, sir.

6 Q And of course, in looking at the diagram, Exhibit No. 1,
7 that wasn't true, was it?

8 A No, it was not.

9 Q On this occasion, she described a white cat running into
10 the house?

11 A Yes.

12 Q And again, no mention of a dog?

13 A No, sir.

14 Q No mention of any TV antenna wire?

15 A No, sir.

16 Q And no mention of any hammer or any other striking of Pat
17 other than with the knife and with his fist?

18 A No, sir.

19 Q Now, moving on to Exhibit No. 29. This is the written
20 statement that was taken the afternoon of the 3rd, after
21 she had showed you this route that she told you she knew
22 by E.S.P?

23 A Yes, sir.

24 Q According to Exhibit No. 29, by the Miranda paper, this
25 conversation started at 2:35 p.m?

1 A That's right.

2 Q And I believe the last page of the statement is timed out
3 at 4:09?

4 A Yes.

5 Q So that took an hour and a half?

6 A Yes.

7 Q On this occasion I believe Lieutenant Boyer was also
8 present, is that correct, or at least he was--

9 A He was initially. We had a brief conversation prior to
10 reducing this to writing.

11 Q In fact, that's how these written statements come about,
12 isn't that correct? You normally have an oral conversation
13 with the person, and then when you get it down to what it
14 looks like they are going to say, then you take the written
15 statement, isn't that correct?

16 A That's right.

17 Q And sometimes the written statement leaves out things that
18 they could have told you orally; sometimes they add things,
19 isn't that correct?

20 A Yes.

21 Q Now, on this occasion, she told you that Wabski picked her
22 up in a light blue car?

23 A Yes.

24 Q Again, she described the maps between the seats?

25 A That's right.

1 Q On this occasion, she said they drove around and finally
2 ended up over at the victim's house about 4:30 or 5:00 p.m?
3 A Yes, I believe so.
4 Q And of course, that couldn't be true because the victim was
5 still down at the library at 5 o'clock, isn't that right?
6 A That's right.
7 Q Now, on this occasion, as they rode around, she said that
8 Wabski told her he was going to kill the bitch?
9 A That's right.
10 Q And she told Wabski you're kidding or bulling, or words to
11 that effect?
12 A Yes.
13 Q He said, "I'm going to prove it"?
14 A That's right.
15 Q On this occasion she said Wabski grabbed Pat by the throat
16 at the door, pushed her back into the bedroom. He choked
17 her with his hands. He then took her blue suit off, tried
18 to rape her, put the pantyhose around her neck and pulled,
19 isn't that correct?
20 A Yes.
21 Q And on this occasion she said he stabbed her three times
22 while she was on the bed, then pulled her off the bed real
23 fast, apparently to keep blood from getting on the bed,
24 isn't that correct?
25 A Yes.