

OPENING STATEMENTS

BY MR. KNOLL:

Ladies and gentlemen of the Jury, first of all, permit me to say I congratulate you upon your selection to serve as a member of this Petit Jury for the purposes of determining the outcome of this matter that's coming before you. You will recall that there were a number of people who were questioned and, there's only twelve of you, along with two alternates, or a total of fourteen people, who were acceptable to both, the State and the Defense in this matter. So, for your selection, I certainly would like to extend my congratulation, and I do that on behalf of the attorneys for the defense as well. You've heard the Clerk of Court read to you the charges for which this defendant is being brought to court. I would like to again read them to you, and ask that you keep them in mind throughout this entire proceeding. "The Defendant, Vincent Simmons is charged, with on or about May 9, 1977 of Count 1: Attempting to commit Aggravated Rape in that he did attempt to have sexual intercourse with one, Sharon Sanders, without her lawful consent under circumstances where she was prevented from resisting the act by threats of great and immediate bodily harm, accompanied by the apparent power of execution by said Vincent Simmons. Count 2: Attempt to have Aggravated Rape, in that he did attempt to have sexual intercourse with one, Karon Sanders, without her lawful consent under circumstances where she was prevented from resisting the act by threats of great and immediate bodily harm, accompanied by the apparent power of execution by said Vincent Simmons." We are going to introduce evidence and testimonies, ladies and gentlemen, to

show that on the night of May 9th, 1977, Sharon Sanders and her twin Sister, Karon Sanders, who are fourteen years of age, went to help to clean the house of their cousin, Keith Laborde, in Fifth Ward, here in Avoyelles Parish, Louisiana, because Keith's wife, was about to come back from the hospital. They wanted to have a cleanhouse when she got home. We will offer testimony, that after cleaning the house, Sharon, Karon and their cousin, Keith Laborde, went to the 7-11 Store in Marksville, Louisiana, to get some gas for Keith's Chevrolet Malibu Automobile. When Keith drove up to the Self-Service Gas Station at the 7-11 here in Marksville, drove up to the gas pumps.

The Defendant, Vincent Simmons, began looking at them in an angry fashion. It looked like he was mad. Keith asked him what was wrong, and he told Keith, you. Keith told the defendant he didn't want to fight, but if he wanted to fight, they would go ahead and fight. They talked a little while; the defendant extended his hand to Keith; they shook hands, and then they engaged in some general conversation. The testimony will show, ladies and gentlemen, that Vincent Simmons then asked Keith to give him a ride to his home. Keith agreed; the defendant told him exactly where to turn; and finally winds up telling him onto the Little California Road, just between here and Hessmer, turn onto the Little California Road. We're going to show you that there were four stops on the Little California Road. We're going to show you, that three of those stops, resulted in rapes of these little girls, by this defendant. We're going to show you that after Keith turned on to the Little California Road, he then became suspicious. He recognized that

something was wrong. He stopped the car, and when he stopped the car, the Defendant engaged in some conversation with him, and told him, he says, "You're a man, I'm a man, and these are two women". Keith said, "Leave us alone; let's just go home."

At this time, he pulled a gun, Keith opened the door, saw the gun, and he told Keith to drive ahead. Keith then continued to drive down the Little California Road. He stopped him again. The defendant told him to stop. This was a second stop. The first stop, there was not a rape. Second stop, we're going to show you that there was. When he stopped the second time, he told Keith, "give me the keys." He took the keys from Keith, and he told him to get out of the car. He had Keith walk around to the back of the car, the trunk of the car, at which time he pulled his pistol, and told him, "get in the car". He ordered him to get into the trunk of the car. After he got into the trunk of the car, he closed it. Now, while he was telling Keith to go to the back of the car, he told the two little girls, to Sharon and Karon, "if you attempt to get a gun, I'll shoot you before you can get it." While he was putting Keith -- or after he had put Keith in the car, or during the time he was putting Keith in the car, Karon, made an attempt to break and run, at which time he told her, "if you try to run, I'll shoot you before get -- I can shoot you before you get two steps away, at which time she stopped. He then said, "it looks like this one is going to give me some trouble." So, he then took Karon, went back to the rear of the car, opened the trunk, took Karon and put her in the trunk with Keith, and left only Sharon out. He then told Sharon to take her clothes off. She took her clothes off, and

he proceeded to rape Sharon, at this location. This is the second time they stopped. After the rape, he then went and took Sharon and he put her in the trunk with Karon and with Keith, closed the trunk. He got back in the car; Little California Road is a non-paved, non-black topped; it's dusty. He started driving down the dusty road, and he stopped again, in that same vicinity, all of which is in Avoyelles Parish, Louisiana. He then went back to the trunk; he opened the trunk, and he told the other one -- he told Karon, "you get out of the car." This is the third stop. He took Karon out of the car -- out of the trunk of the car, took her up to the front of the car, told her to get undressed and he undressed also. The defendant took his pistol and he put his pistol on the top of the car, the roof of the car. He then took the pistol and he put it in his boot that he had taken off. He then proceeded to rape her vaginally. After the rape, he took his knife, and he placed his knife at her throat, and ask her if she had ever had her neck cut. She was begging him for all of their lives. Then went to the trunk and opened it again, he took out a gas can, a green army gas can, that was in the trunk; he started looking for a hose; he couldn't find a hose, so he got a lug wrench out of the trunk. He punched a hole in the gas tank of the car, and they could hear some air coming out of the tire. He then told them that -- to think about it, whether or not they would tell of what happened. He told them, that he could either shoot 'em, he could blow 'em up, or he could run them off into the lake with them in the trunk. He then closed the trunk, still leaving Sharon and Keith in the trunk of the car. He told Karon to come up front with him, and he

had Karon sit next to him in the front of the car. He then drove off, went to another location, and he stopped again. This is the fourth time. On the way going over there, that tire went flat, and they continued to drive on the flat tire. When he stopped the fourth time, we're going to offer testimony to show you that he raped Karon, rectally, vaginally, rectally, in that order, and then had -- then he had her perform oral sex upon him. After the rapes, he had Karon write all of their names down on a little piece of paper, and give it to him. The defendant then drove back to Marksville. He still had Karon riding in the front with him, next to him. Sharon and Keith were still in the trunk of the car. Now, we're also going to show you that all during this time, Keith was in the trunk of the car, trying to pry open the trunk with a tire tool. The defendant then drove to St. Joseph's Cemetery, right over here, next to the mausoleum. He stopped there, he let Keith and Sharon out of the trunk of the car at that point. He asked them, if they made up their mind, as to whether or not they were going to tell what happened. They told him that they had thought about it, and that they weren't going to say anything about it. He told them, that if they did tell, that they would wind up in the cemetery just like all the rest of the people out there. Because his buddies -- because his buddies would get them. He then told Keith that he wanted a ride back to his house. They had ridden on a flat tire all the way, from the Little California Road, back to Marksville. So, the defendant wanted to go and steal a tire to put on the car. Keith didn't want to go to steal the tire. So, the de-

defendant had them drive him over to Felix Street near the bus station, here in Marksville, where he got out of the car. When he was getting out of the car, he told them, that he was going to a telephone to call his buddies, to let them know what had happened, so if they told anything, they would get them. After the defendant got out of the car, Keith drove to his Grandfather's House, that's Mr. Eric Sherman, out here in the Brouillette Community, approximately five miles from Marksville, still driving on that flat tire. I'm going to introduce that flat tire for you. I want you to see that tire. Don't forget, that tire drove all the way from Little California here, and then from here to Brouillette. I want you to see the condition of that tire. About two weeks later, Karen couldn't keep it any longer. She finally told her cousin, and then it was then reported to the law enforcement officers. We're also going to show that at the time he stopped when he -- and this was before he raped Karen for the first time, he mentioned that he was going to get Keith's money. Karen told him that Keith had lost his wallet; and that she was holding his money. She had Ten Dollars; and she gave that Ten Dollars to the Defendant. Ladies and Gentlemen, after this trial, the State will most definitely have -- we submit that the State will have most definitely carried its burden of proof beyond a reasonable doubt, as to the guilt of this defendant to both of those counts of "Attempted Aggravated Rape". And, you will recall, at the time we asked you, "could you and would you, if the evidence so assured, that you would return a verdict of 'guilty as charged'?" We will prove it, then we'll ask you to return your verdict of "guilty as charged".