

Wed January 2, 2002

EXHIBIT A

1 you have just read into the record; is that correct?

2 A That's correct.

3 Q Now, you knew that Mr. Evans had been talked to by other
4 interrogating officers in connection with this; did you
5 not?

6 A Yes, I did.

7 Q He had been talked to by Sgt. Felix Kirk?

8 A That's correct.

9 Q And he'd been talked to by Tyrone --

10 A Kemp.

11 Q Kemp; right?

12 A Yes. Um-hum.

13 Q Now, did he ever tell you that he wanted to see a lawyer?

14 A No.

15 Q That's the truth; isn't it?

16 A Absolutely.

17 Q Did you have any other involvement with this case,
18 Sergeant, other than just this one interview with Mr.
19 Evans?

20 A I was overseeing the squad, okay, as it relates to the
21 cases that were assigned to the squad that Sgt. Kirk and
22 Investigator Kemp work in.

* 23 Q You would never, Sergeant, keep an individual in custody
24 just for the purpose of getting a statement from him;
25 would you?

1 A No.

2 Q You've never done that?

3 A No.

4 Q Sergeant, this interview you talked about happened
5 March 4; correct?

X 6 A That's correct.

7 Q And at that time you were a Sergeant in the Homicide
8 Section; is that correct?

9 A That's correct.

* 10 Q Did there come a time later that same month, Sergeant,
11 when you were no longer assigned to the Homicide Section?

X 12 A No.

13 MR. MORELAND: Relevance, your Honor.

14 THE COURT: No, it's not relevant. But he's
15 answered the question; he said no.

16 BY MR. HARRIS:

17 Q Were you assigned to the telephone crime --

18 THE COURT: Again, it's not relevant what his
19 assignement --

20 MR. HARRIS: Your Honor, the witness'
* 21 credibility is always --

22 THE COURT: No, no. I'm going to sustain the
/ 23 objection. Sustain the objection.

24 BY MR. HARRIS:

25 Q Is three an a half days a bit longer than the average

1 time a person is kept in custody after being arrested?

2 A Just a little; yes.

3 Q And again, you're suggesting it had nothing to do with
4 his willingness to sign a piece of paper?

5 A No, that was not the --

6 Q Absolutely.

7 A That's not the reason that he as held the additional
8 time.

9 Q Thank you, sir.

10 THE COURT: Oh, I'm sorry. Mr. Harris, are you
11 done?

12 Mr. Harris, had you finished?

13 MR. HARRIS: Yes, I have.

14 THE COURT: Oh, okay.

15 MR. MORELAND: Your Honor, I would just move to
16 admit the actual statement into . . .

17 THE COURT: Oh, it's admitted already. But
18 yes, the statement can be received.

19 MR. MORELAND: I don't think I put the exhibit
20 in, your Honor.

21 THE COURT: Okay. Well, he read from it, so
22 it's in anyway.

23 MR. HARRIS: Exhibit number?

24 MR. MORELAND: Yes, it is marked.

25 THE COURT: Okay. It may be received.