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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
MCLEAN COUNTY, ILLINOIS

PEOPLE OF THE)
STATE OF ILLINOIS)
)
Plaintiff,)
)
vs.) NO. 99 CF 1016
)
JAMES SNOW,)
)
Defendant.)

JURY TRIAL

REPORT OF PROCEEDINGS of the trial before the
Honorable DONALD D. BERNARDI and Jury on the 12th day of
January, 2001.

APPEARANCES:

MR. CHARLES REYNARD,
State's Attorney for McLean County,
MS. TEENA GRIFFIN,
First Assistant State's Attorney,
for the People of the State of Illinois;

MR. G. PATRICK RILEY,
MR. FRANK PICL,
Attorneys at Law,
for the Defendant;

Defendant also present.

NO. 99 CF 1016

VOLUME X

Jury Trial, JANUARY 12, 2001

NANCY L. McCLARTY, CSR, CP-RPA
CSR LICENSE NO. 094-002264

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(The following proceedings were had outside the presence and hearing of the jury.)

THE COURT: We'll go on the record in 99 CF 1016. People appear by Mr. Reynard, Miss Griffin, defendant, Mr. Picl and Mr. Riley. We're prepared to continue with the defendant's case and any rebuttal.

And are the People prepared to proceed?

MS. GRIFFIN: Yes, your Honor.

THE COURT: And, Mr. Riley?

MR. RILEY: Yes.

THE COURT: Do you have additional witnesses?

MR. RILEY: No, your Honor, we rest.

THE COURT: And, Mr. Reynard and Miss Griffin, do you have a witness ready then if they rest? They're apparently going to rest.

MS. GRIFFIN: Yes.

MR. REYNARD: Yes, your Honor. I just wanted to indicate to the court that we're not certain how the time budget will go this morning. I wanted to let the court and counsel know that our last witness will be arriving at approximately 11:15. We're confident that we can finish this morning, but I do want you to know if we finish before 11:15 we might have a gap.

THE COURT: All right. And I'll explain that to

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the jury if we get to that so...

(The following proceedings were had in the presence and hearing of the jury.)

THE COURT: Folks, please be seated. The record will reflect the jury has returned. We're prepared to continue with evidence for the defendant.

Mr. Riley, anything further at this time?

MR. RILEY: Defense rests, Your Honor.

THE COURT: All right. Then we will go on to rebuttal. Is there rebuttal, Miss Griffin?

MS. GRIFFIN: Yes, your Honor.

THE COURT: All right.

(Witness sworn.)

K A R E N S T R O N G

called as a witness on behalf of the plaintiff, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION BY MS. GRIFFIN:

Q Would you state your name, please?

A Karen Strong.

Q And, Miss Strong, you're the same Karen Strong that

1 previously testified in this case a few days ago, correct?

2 A Yes.

3 Q Miss Strong, could you tell us what your maiden name
4 was, your name was back in 1991?

5 A Ballenger.

6 Q Miss Strong, I want to direct you back to around the
7 time frame you previously testified to around Easter Sunday,
8 1991, March 31st, 1991, and just to orient you, you
9 previously testified about the fact of Mark McCown arriving
10 at your residence, your trailer court, with Jamie Snow on
11 Easter Sunday evening. Do you know the time frame I'm
12 talking about?

13 A Yes.

14 Q Now, at some point shortly after that did you have a
15 conversation with Mark McCown about why he was bringing the
16 defendant to your apartment there in Greenwood?

17 A Yes, I did.

18 Q Okay. And why would you be -- why did that concern
19 you that he brought Jamie there?

20 A He told me that Jamie needed a place to stay for a
21 few days because he was in trouble.

22 Q Did he describe the trouble?

23 A Not right at first but later on he did.

24 Q Okay. And was there something about the

1 relationship between you and the defendant, Jamie Snow, that
2 made you question him even more about why he would be
3 bringing him there?

4 A I asked him why he brought him to our house, why
5 can't he go home, you know.

6 Q And did he then later explain to you what the
7 trouble was?

8 A Yes.

9 Q Okay. What did he tell you?

10 A He said --

11 MR. RILEY: Objection, hearsay.

12 THE COURT: Okay.

13 MS. GRIFFIN: This is impeachment towards Mark
14 McCown's denial of the statements being made, and if you
15 want me to ask the specific statements, I'll go directly to
16 that.

17 THE COURT: One moment, please. Why don't you
18 approach for just a second here so I can make sure I
19 understand.

20 (The following proceedings were had outside
21 the presence and hearing of the jury.)

22 THE COURT: I guess just so I understand, did you
23 say that you asked McCown if he had discussed it with her
24 after?

1 MS. GRIFFIN: Yes.

2 THE COURT: Okay. Do you all dispute that? I'm

3 not going to tell you my memory is perfect.

4 MR. PICL: I'm sorry. What was it?

5 THE COURT: Well, the State's telling me that they

6 had asked McCown if he had discussed it with her, and he

7 denied it so she's going into the discussion because it's

8 impeachment. I mean I don't have a perfect recollection of

9 everything that was said, but if you're telling me they did

10 that and you have no contrary recollection, I'm going to let

11 them do it.

12 MR. PICL: Let me get my notes.

13 THE COURT: Okay.

14 THE COURT: Miss Griffin, did you do the cross of

15 McCown?

16 MS. GRIFFIN: Yes.

17 THE COURT: You did?

18 MS. GRIFFIN: (Nods.)

19 MR. PICL: Okay. Is this what you're referring to

20 towards the end of the cross?

21 MS. GRIFFIN: Uh-huh.

22 MR. PICL: Okay.

23 THE COURT: All right.

24 (The following proceedings were had in the

1 presence and hearing of the jury.)

2 THE COURT: All right. Go ahead, Miss Griffin.

3 MS. GRIFFIN:

4 Q Miss Strong, I believe you were indicating that, in
5 fact, you had a conversation with Mark McCown about what the
6 trouble was that Jamie was in. Is that correct?

7 A Yes.

8 Q And what did he tell you was the trouble?

9 A He said that Jamie needed to stay for a few days.
10 He was in a lot of trouble because he had shot the Little
11 kid in the robbery.

12 Q Okay. And did he also indicate whether anybody else
13 was with Jamie when he shot the kid?

14 A He said that Susan Claycomb was driving the car.

15 Q Did he call her Susan Claycomb or Susan Powell?

16 A Powell, yeah.

17 MS. GRIFFIN: That's all, thank you.

18 THE COURT: Mr. Picl?

19
20 CROSS EXAMINATION BY MR. PICL:

21
22 Q Oh, Miss Strong, when did you report this
23 conversation to the police or the State's Attorney's office?

24 A When I was notified to come up and speak with them.

1 Q And when was that, please?

2 A Six months ago.

3 Q Six months ago?

4 A Five months ago.

5 Q Five months ago. And that's the first mention you
6 made of this conversation to any authority. Is that right?

7 A Yes.

8 Q Now, during the past ten years, roughly from the
9 time of this conversation to five months ago, you did have
10 access to telephones, did you not?

11 A Yes, I did.

12 Q You did have the ability to write out a note or
13 letter and mail it to the police, didn't you?

14 A Yeah.

15 Q You were here in Bloomington, were you?

16 A Yes.

17 Q So you were aware, I suppose, from perhaps looking
18 at the newspaper that the investigation was continuing?

19 A Yes.

20 Q Were you aware back in September of 1999 that Jamie
21 had been indicted by the grand jury?

22 A Yes.

23 Q Now when exactly was this conversation with you and
24 McCown that you've testified to?

1 A A couple days after Jamie was arrested.

2 Q Arrested in when?

3 A Missouri.

4 Q Oh, in Missouri?

5 A Uh-huh.

6 Q Okay. A couple days -- pardon, strike that. I'm
7 sorry. Strike that. Karen, the apartment in which you were
8 living at the time that you say Mr. McCown wanted Jamie to
9 stay or permission for Jamie to stay, was that jointly owned
10 or leased by the two of you?

11 A No.

12 Q Simply by you, is that what you're saying?

13 A Yes.

14 Q And was it an apartment or a house?

15 A It was an apartment.

16 Q And so the lease was in your name alone?

17 A Yes.

18 Q And when is it that you recall McCown bringing Jamie
19 to the house and asking or the apartment and asking
20 permission to stay?

21 A It was Easter Sunday night.

22 Q Easter Sunday night. And then he told you a couple
23 of days after Jamie was arrested in Missouri that that was
24 the reason he'd made the request?

1 A Well, he had made the comment before that Jamie was
2 in a lot of trouble and that he had needed a place to stay
3 because he didn't want to be found and wanted to know if I
4 would let him, excuse me, stay there for a couple days
5 because he had shot the Little kid. And then he again told
6 me after Jamie was arrested that that's why he wanted him to
7 stay.

8 Q I thought you told us on direct that the first time
9 Mark mentioned this to you he didn't explain what type of
10 trouble?

11 A Yes, he did.

12 Q He did or he didn't?

13 A He did.

14 Q So both times McCown talked to you about this he
15 explained in detail what type of trouble Jamie was in?

16 A Well, not in great detail. One conversation had
17 more detail in it than the other.

18 Q Did he, the Easter night, did he tell you that Jamie
19 needed a place to stay for a few days because he was in a
20 lot of trouble?

21 A Yes.

22 Q Did he go on to say on that occasion that it was
23 because he'd shot a kid and needed a place to stay?

24 A It was a couple days later that he said that.

1 Q All right. And then there was another --

2 A Another --

3 Q Conversation after Jamie was arrested in April?

4 A Yes.

5 Q So there were three conversations?

6 A Yes, well there was probably more than that, but
7 those were the important ones.

8 Q All right. These were important conversations you
9 believe?

10 A Yeah.

11 Q So can you explain why you didn't contact the police
12 about them?

13 A Cause I don't want to be involved.

14 MR. PICL: Ah, thank you. That's all I have.

15 THE COURT: Miss Griffin?

16
17 REDIRECT EXAMINATION BY MS. GRIFFIN:

18
19 Q Miss Strong, you just indicated you don't want to be
20 involved and would it be correct to say that you never did
21 go to the police and contact the police? Is that correct?

22 A That's right.

23 Q They came to you. Is that correct?

24 A That's right.

1 Q And I believe you testified the first time you
2 testified that that was sometime in the summer of 1999?

3 A Yes.

4 Q Is that correct?

5 A Uh-huh.

6 Q And you told them when the first time they came to
7 talk to you, the very first time and asked you, you told
8 them about this conversation?

9 MR. RILEY: Objection, leading.

10 THE WITNESS: Yes, I did.

11 THE COURT: Sustained.

12 MS. GRIFFIN:

13 Q Did you tell the police about this conversation the
14 very first time they talked to you about this case?

15 A Not all the conversation but parts of it.

16 Q Okay. And, in fact, you -- counsel here just asked
17 you a few minutes ago, he kind of threw everything together
18 and said did you talk to the State's Attorney, talk to the
19 police and when was all that. And you said I believe five
20 to six months ago. Is that correct?

21 A Right.

22 Q You -- did you talk -- excuse me -- did you testify
23 at the grand jury back in August of 1999 about these
24 conversations?

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A Yes.

Q Before the defendant was indicted?

A Yes.

Q Okay. Mrs. Strong, just to kind of a clarify, maybe explain, with the questions going back and forth, did you get any sleep last night?

A No, I did not.

Q Did something happen last night?

A Yes.

Q Does that affect how you're feeling here today?

MR. PICL: Objection, beyond the scope.

THE COURT: Sustained.

MS. GRIFFIN:

Q And when you testified and defense counsel asked you why you didn't go to the police, you indicated you didn't want to be involved. Is that correct?

A Yes.

Q Are you scared?

A Yes.

MS. GRIFFIN: I don't have any other questions.

THE COURT: Okay. Mr. Picl?

RE-CROSS EXAMINATION BY MR. PICL:

Q You've just told Miss Griffin that you were

1 interviewed by the police during the summer of 1999 and you
2 testified at the grand jury sometime thereabouts or early
3 autumn of 99 prior to the indictment, yet you told me on
4 cross-examination that it was five months ago when you first
5 mentioned this to the authorities?

6 A I don't remember every conversation that I've had
7 between the grand jury and with Miss Griffin. It's -- I
8 don't believe that I told the grand jury about the
9 conversation that I had with Mark, but I don't remember.
10 It's been a long time ago.

11 Q And these conversations you had with Mark, did you
12 write them down in some fashion to preserve your memory of
13 them?

14 A No.

15 Q Have you ever told Mark Huffington that you don't
16 know anything about this and had no conversation with Mark?

17 MS. GRIFFIN: Objection, this is beyond redirect.

18 THE COURT: Sustained.

19 MR. PICL: No other questions.

20 THE COURT: Anything further, Miss Griffin?

21 MS. GRIFFIN: Yes, your Honor.

22
23 FURTHER REDIRECT EXAMINATION BY MS. GRIFFIN:

24 Q I'm going to show you now what's been marked as

1 State's exhibit 80. Does that appear to be a transcript of
2 questions and answers?

3 A Yes.

4 Q Of you?

5 A Uh-huh.

6 Q And without reading this out loud, would looking at
7 this refresh your memory as to whether or not you told the
8 grand jury --

9 A Yes.

10 Q -- about your conversations with Mark?

11 A Yes.

12 Q And again at that page I'm just going to ask you if
13 you would read to yourself the question. Now, just reading
14 that does that refresh your memory as to whether or not you
15 would have told the grand jury about these conversations?

16 A Yes.

17 Q And did you tell them about these conversations?

18 A Yes.

19 MS. GRIFFIN: Nothing further.

20 THE COURT: Okay. Mr. Picl?

21 MR. PICL: No other questions.

22 THE COURT: All right. Then you may step down.

23

24

(Witness excused.)