

Witness for the Prosecution

March 9, 1994

FOGLEMEN: We call Jodee Medford - Your Honor, the same thing applies about the cameras.

THE COURT: And again, this witness has requested not to be photographed.

(mumbling)

THE COURT: And the same instruction, I have given you previously, this testimony is going - will apply only to the defendant, Damien Echols.

(mumbling)

THE COURT: Raise your right hand to be sworn. Do you swear to tell the truth, the whole truth and nothing but the truth in the matter now pending before the court so help you God?

MEDFORD: I do.

THE COURT: Have a seat.

FOGLEMEN: If that's too close, you can push it away a little bit.

(microphone screech)

FOGLEMEN: Would you state your name and where you go to school for the jury?

MEDFORD: Jodee Medford, West Memphis and West.

FOGLEMEN: West Junior High?

MEDFORD: Yes sir.

FOGLEMEN: How old are you, Jodee?

MEDFORD: Fifteen

FOGLEMEN: Who are your brothers and sisters? Or just sisters if that's all it is.

MEDFORD: Jessica and Jackie Medford.

FOGLEMEN: Ok. And Jodee, I want to direct your attention to uh - May of 1993, after the murders of the three little boys. Uh - did you have an occasion to be at the softball field and uh - hear a comment in regard to the murders?

MEDFORD: Yes sir.

FOGLEMAN: Alright. Tell the jury uh - first - well, tell the jury first what you heard.

MEDFORD: Um - I heard Damien Echols say that he killed the three little boys and before he turned himself in, that he was gonna kill 2 more and he already had one of 'em picked out.

FOGLEMAN: Ok. And uh - where - were you with your sister Jackie at that time?

MEDFORD: No sir.

FOGLEMAN: Alright. Uh - where were you in relation to the group he was talking to?

MEDFORD: I was walking around the corner from where he was standing.

FOGLEMAN: Ok. The corner of what?

MEDFORD: The concession stand.

FOGLEMAN: Ok. And uh - do you - do you know the - did - before this happened, did you know who Damien Echols was?

MEDFORD: No sir.

FOGLEMAN: Alright. Uh - when you heard this comment, uh - what did you do?

MEDFORD: I went and told my mom.

FOGLEMAN: Ok. And what did he say again?

MEDFORD: He said before - he said, "I killed the three little boys and before I turn myself in, that I'm going to kill 2 more and I already have 1 of 'em picked out."

FOGLEMAN: Alright, is the person that made this statement in the courtroom?

MEDFORD: Yes sir.

FOGLEMAN: Alright, would you point him out for the jury?

MEDFORD: Right there.

FOGLEMAN: Your Honor, may the record reflect the witness has identified the defendant, Damien -

THE COURT: - The record may be so reflected.

FOGLEMAN: Now after you heard uh - uh - when you heard this comment, about how far from him were you?

MEDFORD: Just - I don't - uh - not very far.

FOGLEMEN: Not in feet, but I mean in terms of, point to something -

MEDFORD: - Like, from me and you.

FOGLEMEN: Ok. Was it light or dark?

MEDFORD: It was - it was light, it was in the evening.

FOGLEMEN: Ok. But it was still light?

MEDFORD: Yes sir.

FOGLEMEN: I don't have any further questions at this time, your Honor.

DAVIDSON: Ok, I've got a few questions for you now, ok, Jodee?

MEDFORD: Um hmm.

DAVIDSON: Ok. Now, were you playing softball that night?

MEDFORD: Yes sir.

DAVIDSON: And what time was your game?

MEDFORD: Probably about 9:00.

DAVIDSON: 9:00?

MEDFORD: Yes sir.

DAVIDSON: Was it dark?

MEDFORD: When I played my game?

DAVIDSON: Um hmm.

MEDFORD: Yes sir.

DAVIDSON: What time did you get to the uh, ballpark?

MEDFORD: About 5:30.

DAVIDSON: 5:30?

MEDFORD: Yes sir.

DAVIDSON: Why did you go so early?

MEDFORD: My sisters had ballgames.

DAVIDSON: Ok. And who are your sisters?

MEDFORD: Jessica and Jackie Medford.

DAVIDSON: Jessica and Jackie. And who took ya to the ballpark?

MEDFORD: My mom.

DAVIDSON: Ok. And now, where uh - where had you gone when uh - when you say you heard this conversation, where had you been and when you say you came by - where had you been?

MEDFORD: Excuse me?

DAVIDSON: Had you been to the concession stand, is that what you said?

MEDFORD: No, I was just walking around the corner, gonna go talk to some of my friends and I saw him and I heard him.

DAVIDSON: Ok. Who were you with?

MEDFORD: No one. By myself.

DAVIDSON: Nobody. Um - were you with uh - uh - Miss VanVickle that just testified?

MEDFORD: No, we weren't together.

DAVIDSON: You weren't together?

MEDFORD: No sir.

DAVIDSON: Is she a friend of yours?

MEDFORD: Yes sir.

DAVIDSON: And did she come home with you all that night?

MEDFORD: Yes sir.

DAVIDSON: Did you see her when this was said?

MEDFORD: I saw her telling my mom when I went to tell my mom.

DAVIDSON: Ok. Did - when you say you heard this conversation, did you see, uh - Christy?

MEDFORD: Uh uh.

DAVIDSON: She wasn't around?

MEDFORD: No sir.

DAVIDSON: So, you were by yourself?

MEDFORD: Yes sir.

DAVIDSON: How many people you think were out there?

MEDFORD: At the ballfield?

DAVIDSON: Um hmm.

MEDFORD: I don't know, there was a lot.

DAVIDSON: Ok. A lot of people out there, walking by and stuff?

MEDFORD: Um hmm.

DAVIDSON: You were around the concession stand?

MEDFORD: Yes sir.

DAVIDSON: And uh - how far is that away from the ballfield there?

MEDFORD: It's in the middle of all the fields - like, the concession stand and the fields come out from it.

DAVIDSON: Oh, fields all the way around from it and the concessions stand in the middle?

MEDFORD: Yes sir.

DAVIDSON: A lot of people in there?

MEDFORD: By the concession stand?

DAVIDSON: Um hmm.

MEDFORD: Not - yeah, but mostly kids.

DAVIDSON: Ok. Um - were games going on at the time?

MEDFORD: Yes sir.

DAVIDSON: People yelling at the games and that sort of thing?

MEDFORD: Yeah, but you could still hear him say it.

DAVIDSON: Ok. Now, you were by yourself when you walked by?

MEDFORD: Yes sir.

DAVIDSON: You say you saw Damien Echols, who was with him?

MEDFORD: I don't know, it was just a bunch of people that he was talking to that their backs were turned to me.

DAVIDSON: So, he was facing you and everybody else was facing the other way?

MEDFORD: Facing him.

DAVIDSON: How many people were there with him?

MEDFORD: I'd say about 6 or 7.

DAVIDSON: 6 or 7. And who were these 6 or 7 people?

MEDFORD: I don't know.

DAVIDSON: Don't know 'em at all?

MEDFORD: No sir.

DAVIDSON: Could you pick them out today, if they were in the courtroom?

MEDFORD: No sir.

DAVIDSON: Had you ever met Damien Echols before?

MEDFORD: No sir.

DAVIDSON: Did you know who he was?

MEDFORD: No sir.

DAVIDSON: Never seen him before?

MEDFORD: No sir.

DAVIDSON: First time you ever saw him?

MEDFORD: Yes sir.

DAVIDSON: And hadn't seen him since?

MEDFORD: On tv.

DAVIDSON: On tv?

MEDFORD: Um hmm.

DAVIDSON: Seen him a lot on tv, hadn't ya?

MEDFORD: Um hmm.

DAVIDSON: You've been watching this, hadn't ya?

MEDFORD: Yes sir.

DAVIDSON: Ok. Been watching it everyday this week?

MEDFORD: Pretty much.

DAVIDSON: You know what's been said and what hadn't been said, is that right?

MEDFORD: Yes sir.

DAVIDSON: So, what time was it that you heard this statement?

MEDFORD: Probably about 6:30.

DAVIDSON: At 6:30?

MEDFORD: Yes sir.

DAVIDSON: Do you know what day this was?

MEDFORD: No sir.

DAVIDSON: Never seen him since this time, is that right?

MEDFORD: No sir.

DAVIDSON: Is that right?

MEDFORD: Yes sir.

DAVIDSON: Ok. Now, when you uh - (pause) And you were by yourself?

MEDFORD: Yes sir.

DAVIDSON: Now, have you given a statement before to the - to Diane Hester or West Memphis police department?

MEDFORD: Yes sir.

DAVIDSON: Now, you told her um - and did you sign this statement and write it yourself?

MEDFORD: One of them I did, the other one she wrote.

DAVIDSON: One of 'em you did. Now, in the statement uh - do you recall telling uh - can I approach, your Honor?

THE COURT: (indicating)

DAVIDSON: You've never said -

(tape flipped)

DAVIDSON: - telling the officer that "I don't know him, I just know of him"

MEDFORD: I just - I knew like, that he had been at the girl's club that night and then when I saw him, they told me who he was.

DAVIDSON: Who told you who he was?

MEDFORD: Just a group of girls.

DAVIDSON: There's a lot of people talking about him, wasn't there?

MEDFORD: Yes sir.

DAVIDSON: And uh - you didn't recognize anybody else that was with him?

MEDFORD: Um - I saw Jason Baldwin there, but he wasn't - he was like standing by, where you buy the food at.

DAVIDSON: Who else did you see there?

MEDFORD: That's - just them two.

DAVIDSON: Who?

MEDFORD: Just them two.

DAVIDSON: Nobody else?

MEDFORD: Umm.

DAVIDSON: Think about it.

MEDFORD: No, that's all.

DAVIDSON: In your earlier statement, didn't you say that uh - Heather was there standing right by him? You want to look at this?

MEDFORD: Oh, yes sir, she was - she was standing right by him.

DAVIDSON: Oh ok, so now you - now you're remembering that?

MEDFORD: Yes sir.

DAVIDSON: Did you talk with Heather about this?

MEDFORD: No sir, I don't know her.

DAVIDSON: Now, you were by yourself, is that correct?

MEDFORD: Yes sir.

DAVIDSON: In your earlier statement, you said you were with your sister, Jackie, didn't ya? You want to look at that? Right under the pink part.

MEDFORD: I wasn't with her, but when I walked around, I saw - like at the corner with my mom. Talking to my mom.

DAVIDSON: Oh, so - so when you made this earlier statement, this just wasn't right then, is that right? You weren't with her, is that right?

MEDFORD: Right.

DAVIDSON: Ok. And you also said that you were with her friend, Christy VanVickle.

MEDFORD: Um hmm.

DAVIDSON: Well, is that not right either?

MEDFORD: They were talking to my mom, at the corner.

DAVIDSON: So when you heard this, you weren't with them?

MEDFORD: Right.

DAVIDSON: Had you heard people talking about Damien before this?

MEDFORD: Yes sir.

DAVIDSON: Did you think - did you think he was kind of weird or something?

MEDFORD: Yes sir, 'cause he was dressed all in black and his hair was jet black and long and shaved on the side.

DAVIDSON: Ya'll always thought he was kinda weird looking, didn't ya?

MEDFORD: I had never seen him before that night.

DAVIDSON: You had never seen him before. You hear people calling him Edward Scissorhands?

MEDFORD: No sir.

DAVIDSON: You didn't hear that. Ok, how far were you away from him when you heard this conversation? About - did you earlier say about from this distance?

MEDFORD: Yes sir.

DAVIDSON: And would you agree with me that that's about 25 feet?

MEDFORD: I guess.

DAVIDSON: And what did he say before he said this?

MEDFORD: Before he said that he killed 'em?

DAVIDSON: Yes.

MEDFORD: I don't know, I was walking around and I just heard him - he said that "I killed the three little boys" and I turned around 'cause that didn't sound right and then he finished what he was saying.

DAVIDSON: And tell - tell me what else he said.

MEDFORD: He said, "I killed the three little boys and before I turn myself in, I'm gonna kill two more and I already have one of 'em picked out."

DAVIDSON: Ok. And then what did he say?

MEDFORD: And I - I went off and told my mom.

DAVIDSON: You went and told your mom, and who is your mom?

MEDFORD: Donna Medford.

DAVIDSON: Uh - there was a police officer out there that night, wasn't there?

MEDFORD: I can't remember.

DAVIDSON: You don't remember. Did uh - did you and your mom go to the police station then?

MEDFORD: Yes sir.

DAVIDSON: That night?

MEDFORD: No, not that night.

DAVIDSON: When did you go to the police station?

MEDFORD: I guess like, (pausing)

DAVIDSON: Was it the day you made this statement?

MEDFORD: Um - no, the day I went, she wrote it.

DAVIDSON: Would it been - have been on the 7th day of June?

MEDFORD: Yes sir.

DAVIDSON: So, that's after you had seen this on tv, isn't it?

MEDFORD: No sir.

DAVIDSON: No sir?

MEDFORD: Uh uh.

(pause)

MEDFORD: Well, I think -

DAVIDSON: When was the first -

MEDFORD: - Yes, yes it was, 'cause I was like, babysitting and I saw him on tv and I called my mom and told her that that was him and she said "Ok."

DAVIDSON: Ok, so only after you saw something on tv did you contact the police, is that what you're telling us?

MEDFORD: But, I had told my mom, yes sir.

DAVIDSON: You had told your mom. You and your mom hadn't talked with the police before then, had ya?

MEDFORD: No sir.

DAVIDSON: Ok.

(mumbling)

FOGLEMAN: Jodee, uh - Mr. Davidson asked you about this statement about you saying you don't know him, you just know of him and questioned whether that was the first time you had ever seen him.

MEDFORD: Um hmm.

FOGLEMAN: Down here at the bottom of the same statement, uh - what - what did you tell the police in your statement? By - where it starts with "That was the".

MEDFORD: (reading) "That was first time I had ever seen Damien and the he - and he might" - what? (pause) Oh, and " He was there too the next night".

FOGLEMAN: Alright, so you did tell the police that that was the first time you had seen him?

MEDFORD: Yes sir.

FOGLEMAN: Alright, are you - is there any doubt in your mind who it was you heard say this?

MEDFORD: No sir.

FOGLEMAN: Alright. Now, he also asked about your statement in here that you were with uh - your sister, Jackie, and her friend, Christy - how did you get to the ballpark that night?

MEDFORD: My mom.

FOGLEMAN: And who else? Who was with you?

MEDFORD: My si - me, my mom, Jessica, Jackie, and Christy.

FOGLEMAN: Ok. I don't have any further questions.

DAVIDSON: I did leave something, a bit too soon. Uh - now earlier you said that's the only time you have seen Damien, is that right?

MEDFORD: Yes sir.

DAVIDSON: And uh - is that the way you remember it now? That's the only time you saw him?

MEDFORD: Yes sir.

DAVIDSON: In the statement that you gave to the police, is it true that you said, "That was the first time I ever seen Damien and the next night, he was there, too."

MEDFORD: Um hmm.

DAVIDSON: Well, did you see him that next night?

MEDFORD: Yes sir.

DAVIDSON: Well that's not true then, now is it? You saw him more than once then.

MEDFORD: No, the first night I saw him was the night that he said that.

DAVIDSON: And - but earlier, I can't, uh - in our testimony, in what you said here today, you said that's the only time you've ever seen him. Now, which is it?

MEDFORD: It was the first time I seen him, not the only time.

DAVIDSON: What about uh - who else was there with you?

MEDFORD: With me?

DAVIDSON: Yes.

MEDFORD: At the girl's club?

DAVIDSON: Um hmm.

MEDFORD: Jessica and Jackie and Christy and my mom.

DAVIDSON: Who is Katie Hendrix?

MEDFORD: My cousin.

DAVIDSON: And wasn't she there, too?

MEDFORD: Yes sir, but we didn't bring her or anything.

DAVIDSON: Ok. What did he say the next night?

MEDFORD: He didn't - I didn't - I wasn't around him.

FOGLEMAN: Jodee, I did fail to ask one question, of those 6 or 7 people, do - you can't remember who they were, that were standing around Damien - did any of those 6 or 7 people say that they killed the three little boys?

MEDFORD: No sir.

FOGLEMAN: I don't have any further questions, your Honor.

THE COURT: Alright, you may stand down, you're free to go. Call your next witness.