

## **Testimony of Fred Revelle in Misskelley trial Feb 1994**

STIDHAM: Could you please state your name for the court?

REVELLE: Fred Revelle.

STIDHAM: And where do you live, Mr. Revelle?

REVELLE: 805 South Porter, (?) Arkansas.

STIDHAM: Do you remember where you lived back on May the fifth of 1993?

REVELLE: Yes sir, I lived in Lakeshore.

STIDHAM: And um, do you have any independent recollection of May the fifth?

REVELLE: Yes sir.

STIDHAM: How can you tell the jury how you can remember that day as opposed to any other day.

REVELLE: Because Kevin Johnson, one of the guys that went to wrestle with us, he was at a search and rescue meeting that night so he didn't get to go wrestle with us and practice that night.

STIDHAM: Is there anything else about May the fifth that makes it stand out in your mind in relation to any other event?

REVELLE: Just that Keith Johnson, Kevin's brother, that's the only night that he went with us, that he ever went with us and wrestled there.

STIDHAM: Ok. Did anything happen prior to May the fifth that helps you recall May the fifth?

REVELLE: My birthday, May second, I was at guard drill and I was telling everybody at guard drill about us wrestling up there that night. I believe we went there that night and Kevin Johnson went with us that night. And then a couple three days later is when we went back up there and Kevin didn't go.

STIDHAM: Did anything happen on May the sixth that helps you relate to May the fifth?

REVELLE: Yes, uh, I heard about them finding the boys the next day and Kevin wasn't there

May fifth and he had been at a search and rescue meeting.

STIDHAM: Were you going to Dyess on a regular I guess its dice is that how you pronounce it?

REVELLE: dice

STIDHAM: Were you going there on a fairly regular basis?

REVELLE: Yes sir.

STIDHAM: And why were you going to this particular place?

REVELLE: Because they had a ring there. Thats where I trained to wrestle at. My father trained me there and I knew the ring was there.

STIDHAM: Ok. Were you making any arrangements to purchase part of this building or

REVELLE: I was buying a ring from Charles Stone.

STIDHAM: Ok. Do you remember seeing the defendant, Jessie Lloyd Misskelley, Jr. on May the fifth?

REVELLE: Yes sir.

STIDHAM: And do you know about what time that was?

REVELLE: We all met at Kevins house. Every time we went, wed all meet there cause that was the central area where everyone lived that went with us and he was there; he road with us that night. We met Keith at the old Exxon station on Highway 63, I believe.

STIDHAM: Is there anything about the time that you left that would make you remember what time it was?

REVELLE: It was starting to get dark. At first, in my first statement I said it was about five or five thirty but it was getting dark when we left.

STIDHAM: When you left Highland Trailer Park?

REVELLE: Yes sir.

STIDHAM: With Jessie Misskelley, Jr?

REVELLE: Yes sir.

STIDHAM: And did you all go straight to Dyess or did you stop somewhere in between?

REVELLE: We stopped at the Exxon station to meet Keith, me and Bill Cox

STIDHAM: Let me stop you right there for a minute, Mr. Revelle. When you say this Exxon station, where is that located at?

REVELLE: I believe they call it Lake David.

STIDHAM: Lake David?

REVELLE: Yes sir.

STIDHAM: Where is it located as far as a road or a town is concerned?

REVELLE: Highway 63, I believe, um, old highway going towards Dyess.

STIDHAM: And who did you meet there at this old Exxon station?

REVELLE: Keith Johnson.

STIDHAM: And who is Keith Johnson?

REVELLE: Kevin Johnsons brother.

STIDHAM: Ok. And what happened after you met him?

REVELLE: Bill Cox didnt trust his car to drive all the way to Dyess so he parked his car and we exchanged vehicles and Roger Jones and Jessie got out of the car with Zella Adams and Johnny Hamilton and got in the car with Keith and me and Bill Cox got in the car with Dennis Carter, I believe, and Johnny Hamilton and Zella so thered be room. They had speakers in the back seat. We were me and Bill Cox was gonna ride with Keith too, but he had speakers in the back seat so we all couldnt fit in there.

STIDHAM: Where did you go after you left this Exxon station?

REVELLE: We went straight to Dyess.

STIDHAM: Who all was with you? Who all went with you that night?

REVELLE: Roger Jones, Dennis Carter and Jessie Misskelley and Johnny Hamilton, Zella Adams.

STIDHAM: You mentioned Keith.

REVELLE: And Keith. He was with us that night.

STIDHAM: That's who you mentioned

REVELLE: That's the only night he ever went with us.

STIDHAM: Did anything happen that night at Dyess that helps you remember that particular night?

REVELLE: Just that uh, Kevin wasn't there and he was going every time we went.

STIDHAM: Did anything happen to the defendant that helps you remember that night?

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STIDHAM: And was there a time during the night--the time that you left West Memphis at, you said it was just about dark, until the time you got back at eleven thirty that Mr. Misskelley was away from the group or away from you?

REVELLE: No sir.

STIDHAM: He was with you the entire time?

REVELLE: Yes sir. We'd all sat out in front of the building at Dyess wondering where Kevin was. Questioning, you know, cause he said he was gonna be there as soon as he got out of the search and rescue meeting.

STIDHAM: Ok. Um, you mentioned earlier that you had given a previous statement to the police?

REVELLE: Yes sir.

STIDHAM: Do you remember what you told the police?

REVELLE: I told them that uh, that night that I had paid some money to Charles Stone but later I found out that that wasnt true. We were all sitting around talking to Charles Stone one night and he said that

DAVISTIDHAM: Your Honor, at this point I object. Hes getting ready to go into heresay.

THE COURT: Sustained.

STIDHAM: You cant testify what someone else may have told you. You can testify as to what you believe about the incident with regard why were you giving money to Mr. Stone?

REVELLE: To pay for the ring that was in his building.

STIDHAM: And you thought that you had given him some money that night?

REVELLE: Yes sir.

STIDHAM: Is that true?

REVELLE: No sir. I later found out that it was false.

STIDHAM: Pass the witness.

CROSS EXAMINATION

DAVIS: Mr. Revelle, Im going to have a number of questions for you and if you dont understand my questions you just please ask me to re-phrase them and Ill be more than glad to do so.

REVELLE: Yes sir.

DAVIS: And in exchange, Id like you to respond to my questions, ok?

REVELLE: Yes sir.

DAVIS: And youve indicated that you previously gave a statement to police, right?

REVELLE: Yes sir.

DAVIS: And in fact, you sought out the police to tell them that you knew for certain that Jessie Misskelley was with you on the fifth. Isnt that right?

REVELLE: Yes sir.

DAVIS: And you told the police then that the reason you were absolutely certain, and you told them a number of times in your statement, was because you had paid \$300 dollars and signed a contract the day that you were with Jessie on the fifth. Isnt that right? Thats what you told them?

REVELLE: Yes sir.

DAVIS: And in fact, when you talked to police, you had gone down to talk with this Mr. Stone and confirm with him that there had been money exchanged on the night of the fifth. Is that right?

REVELLE: Yes. Charles Stone had told me that that night, May fifth

DAVIS: Did you go down there and confirm that with him?

STIDHAM: --you gotta at least let him answer.

THE COURT: He didnt ask for heresay, though. Go ahead.

DAVIS: Did you go down there and speak with Mr. Stone to confirm that?

REVELLE: No

THE COURT: Hes not asking what he said to you, hes just asking if you went down there.

REVELLE: No. I called him on the phone.

DAVIS: Ok. And you told police, you told Mr. Stone, you told everybody on June ninth The reason I remember it was the fifth is because thats the night we paid \$300 dollars right? Thats what you told them?

REVELLE: Yes sir, thats what Id said.

DAVIS: And you didnt say anything about this bunk about it being your birthday, did you? You didnt say anything about that, did you?

REVELLE: No sir.

DAVIS: Ok. And you didnt say anything about a car breaking down, and so-and-so being at search and rescue, or anything about that. Did you?

REVELLE: Yes sir. I said something about Kevin Johnson being at a search and rescue meeting.

DAVIS: You didnt use that as a basis of determining when it was you were there.

STIDHAM: He most certainly did, Your Honor, its in his statement.

THE COURT: Is that an objection?

STIDHAM: Your Honor

THE COURT: Is that an objection? Make an objection if you want to make an objection.

STIDHAM: Your Honor, if hes going to impeach him with the statement he ought to at least do it directly

DAVIS: Your Honor, if hes gonna

THE COURT: What is your objection?

STIDHAM: Your Honor, my objection is that its improper impeachment.

THE COURT: All right, confront him with the statement. Allow him an opportunity to refer to it.

DAVIS: Now, the receipt, and Im going to show you a copy of a receipt. You told officers, you said We paid \$300 dollars and thats why I remember it was the fifth cause we went down thereIn fact you and Bill Cox went down there and paid him the money, right? Thats what you told officers?

REVELLE: Yes sir.

DAVIS: Ok. I wanna show you a receipt. And does that receipt have your name at the top?

REVELLE: Yes sir.

DAVIS: Ok. You're Fred Revelle, right?

REVELLE: Yes sir.

DAVIS: Ok, and does that receipt reflect that you paid Charles Stone \$300 dollars?

REVELLE: Yes sir.

DAVIS: Ok, and what does that receipt show?

REVELLE: April 27th.

DAVIS: Ok, and April 27th was a Wednesday too, wasn't it?

REVELLE: Yes sir.

DAVIS: It was just a Wednesday the week before these murders occurred, right?

REVELLE: I'm not really sure. I'd have to look at a calendar.

DAVIS: Well, you know in fact that you told police that the night we were there was the night I paid him the \$300 dollars. That's what you told police, correct?

REVELLE: That's what I said.

DAVIS: Ok, and the truth, in fact, is the night that you paid \$300 dollars was a week before the night of the murders.

REVELLE: Yes sir.

DAVIS: Now, just to go back over what you told police: do I understand correctly that when you talked and gave a statement to Detective Bill Durham that you indicated that whatever night this was you say you went down there that you left about 6:30 to 7:00?

REVELLE: I never said that.

DAVIS: I'm not that conversation was tape recorded, correct?



REVELLE: That we left from the building at Dyess? To come home or to go up there?

DAVIS: Officer Durham says Now what date was that? Your response It was May fifth, the day of the murders, around 7:00. 6:30 - 7:00. You want to look at that? Ill highlight it in pink down here.

REVELLE: We left to go to Dyess at 6:30, 7:00.

DAVIS: You told him it was May fifth but you also told him it was the day you paid \$300 dollars, right?

REVELLE: Yes sir.

DAVIS: You also told him yall were getting high on the way down there, correct?

REVELLE: No sir. I sure didnt.

DAVIS: Does it not say and did you not tell Officer Durham Im training him to be a pro wrestler, teaching him. We left and picked up Jessie in Highland Trailer Park and we were going to get high on the way up there.

REVELLE: No sir, I sure didnt.

DAVIS: So if Officer Durham and the tape recorded statement reflect otherwise, you would disagree with that?

REVELLE: Yes sir, I sure would. I dont do drugs. I dont mess with anybody who does drugs.

DAVIS: And you also told the officer when you were talking with him and you were trying to get your time straight, you said It was around 6:30 or 7:00 cause the times hadnt changed yet., correct?

REVELLE: No sir, I dont recall that.

DAVIS: Well, he said, Officer Durham asked It was already dark? and you said Yeah, when I left, and he says Highland Trailer Park?, and you said Yes sir, the time hadnt changed yet, it was already dark. When you said the time hadnt changed yet were you talking about going to daylight savings time?

REVELLE: All I know is it was dark when we left.

DAVIS: But you would agree that you told him that you hadnt switched to daylight savings time by the time you left, correct?

REVELLE: I dont recall saying that.

DAVIS: And daylight savings time would have been in effect on May fifth of 1993.

REVELLE: I dont have any idea. I dont recall making that statement.

DAVIS: Now, is this a copy of that contract that you also talked about signing? Let me exchange that, heres one thats already been marked. Your Honor, marked for identification purposes is States Exhibit 103.

REVELLE: Yes sir, this is the contract we signed.

DAVIS: Ok, now show me where Fred Revelle signed that contract.

REVELLE: Right here, second line.

DAVIS: Ok. Now is there a reason why Mr. Stone wasnt able to determine who Fred Revelle was?

REVELLE: Because of my wrestling name.

DAVIS: Huh?

REVELLE: I guess because of my wrestling name.

DAVIS: Oh. So the guy you were entering into the contract with up there, he thought your name was Fred James, didnt he?

REVELLE: He only knew me as Fred James.

DAVIS: Ok. Are there any other names that you go by?

REVELLE: No sir.

DAVIS: And the other people that signed that contract, are they people that accompanied you there to the wrestling match?

REVELLE: Those are people that went to the building with us to practice.

DAVIS: And you indicated to police that this contract and the receipt were done on the same night, correct?

REVELLE: As far as I can remember.

DAVIS: Ok, and you will agree that that was April the 27th, correct?

REVELLE: All the people didnt sign the contract on the night that we gave the money. Only me and Bill Cox was going at the time.

DAVIS: And so its your testimony that this contract was not signed all at the same time?

REVELLE: People like Keith signed later on cause he wasnt going with us. He came on a different night so he signed it later on. Theres other people that started coming with us later on, some didnt even sign it.

DAVIS: Well now, you were anxious to tell police that because of this \$300 dollars paid you could show that Jessie was there with you on the fifth, right?

REVELLE: Charles Stone told me that we gave him the money on May fifth.

DAVIS: Ok, but Charles Stone didnt tell you that till you called him and were trying to ask him and trying to make up a determination as to why you were there on the fifth.

REVELLE: I knew we was there

DAVIS: Ok, would you answer he didnt tell you that till you called him and tried to pick his brain to determine

REVELLE: No, I didnt try to pick his brain. I was asking him to see if he could recollect his memory to that night.

DAVIS: Ok, and then you tell the police that its all connected to this \$300 dollar payment. And you found out after that that the \$300 dollar payment was made on April 27th, didnt you?

REVELLE: It was made at a earlier date, yes.

DAVIS: Ok, and so then when you come back and formulate this new theory as to why youre there on May fifth, when was it that you went and told the police about this new theory youd formulated?

REVELLE: I never talked to the police. After that.

DAVIS: You never told this to the police?

REVELLE: No sir.

DAVIS: Youre wearing one of those ribbons. How long have you known Jessie Misskelley Jr?

REVELLE: Ive known him, I cant tell exact years how long Ive known him. Ive known him for awhile, we lived in the same trailer park.

DAVIS: So, you first come to police to give them information about where he was on the fifth. And when that proves to be wrong, the next theory you come up with you keep all to yourself until you walk in here and testify in court, correct?

REVELLE: Its not a theory. Its the actual truth.

DAVIS: But it sure is your memory sure has improved a whole lot over the months than what it was back in June when you gave this statement back on June ninth when you gave this statement to Officer Durham, isnt that right?

REVELLE: I could recall events that happened on different nights, but I had to think about it more. I jumped the gun when I went and made that statement. I knew that he was there.

DAVIS: But it wasnt just like the police called you into the office and under the pressure you werent able to recall, you went out and actively searched for information and went to the police with the information you knew to be accurate in an effort to come up with an alibi for Jessie Misskelley, didnt you?

STIDHAM: Your Honor, how long is this going to continue? Hes asked the question over and over

THE COURT: Do you have an objection?

STIDHAM: Yes, Your Honor.

THE COURT: What is the objection?

STIDHAM: Its improper impeachment. Hes asked him three or four times

THE COURT: Over-ruled

STIDHAM: --Hes answered him three or four times

THE COURT: Over-ruled. Avoid repetition, however.

DAVIS: Isnt it true that during this time period that you all were going to Dyess three or four times a week?

REVELLE: Or more.

DAVIS: Or more? And you had been for how long? Over a month?

REVELLE: I dont really know. I met Bill Cox and we started going pretty regular from there.

DAVIS: Ok, well had you been going for a month? Two months? Three months prior to the time, prior to May fifth?

REVELLE: No sir, it hadnt been that long. Maybe a month.

DAVIS: Ok, and you continued to go after May fifth, right?

REVELLE: Yes sir.

DAVIS: So, during a month period of time yall would go down there twenty-some-odd times?

REVELLE: Or more.

DAVIS: Ok. And youd been doing it for a couple of months by the time youd talked to police, right?

REVELLE: Yes.

DAVIS: So thered been forty-some-odd trips down there? Is that correct?

REVELLE: I cant recall no actual numbers of the times we went down there. I didnt have no

reason to count how many times we went down there.

DAVIS: No reason to really pay much attention as to what one night from the next, did you?

REVELLE: There were events that happened certain nights and I had to recall my memory to actually remember the nights that it took place.

DAVIS: Ok now this is your signature on the end of this statement, is that true?

REVELLE: Yes sir.

DAVIS: And this is a statementis that your handwriting?

REVELLE: Yes sir.

DAVIS: Ok, so you hand wrote this statement, it looks like to Officer Durham, back on June ninth. Is that correct?

REVELLE: Yes sir.

DAVIS: About six days after Jessies arrest?

REVELLE: Yes sir.

DAVIS: And show me in that statement where it was you told the officer that you could recall that evening because thats the evening that so-and-so, Kevin or Keith was at search and rescue. Just take your time and read that and when you get to that point, point it out to us.

REVELLE: I dont see it anywhere in this statement.

DAVIS: Its not there, is it?

REVELLE: No sir.

DAVIS: In fact, whats in this statement is about the \$300 dollars that was paid down. Thats why you knew it was the fifth, right?

REVELLE: Thats what I thought at first.

DAVIS: And you never bothered to tell anybody any different till you come in here with your

yellow ribbon and testify in this courtroom today?

REVELLE: Thats right. I figured the police would want to

DAVIS: No further questions, Your Honor.

THE COURT: Anything else?

STIDHAM: Mr. Revelle, is there any doubt in your mind that Jessie Misskelley was with you from about

DAVIS: Your Honor, I object to leading.

THE COURT: Avoid leading.

STIDHAM: Was Jessie Misskelley with you that night? May the fifth?

REVELLE: Yes sir.

STIDHAM: Any doubt in your mind?

REVELLE: No sir.

STIDHAM: Nothing further

REVELLE: I wouldnt put my life on the line

THE COURT: All right, you may stand down.

DAVIS: Your Honor, we would like to introduce the receipt. I have the original here, hes already identified a copy of it.

THE COURT: All right, it may be received.

(UNIDENTIFIED): What number is that?

FOGLEMAN: 102.

DAVIS: Your Honor, I move for introduction of States Exhibit 101.

THE COURT: What is that?

(UNIDENTIFIED): 103

DAVIS: 103

FOGLEMAN: The contract.

THE COURT: Any objection?

STIDHAM: Id like to look at it, Your Honor.

THE COURT: Sure

THE COURT: You can stand down, youre free to go.

THE COURT: All right, they may be received without objection.