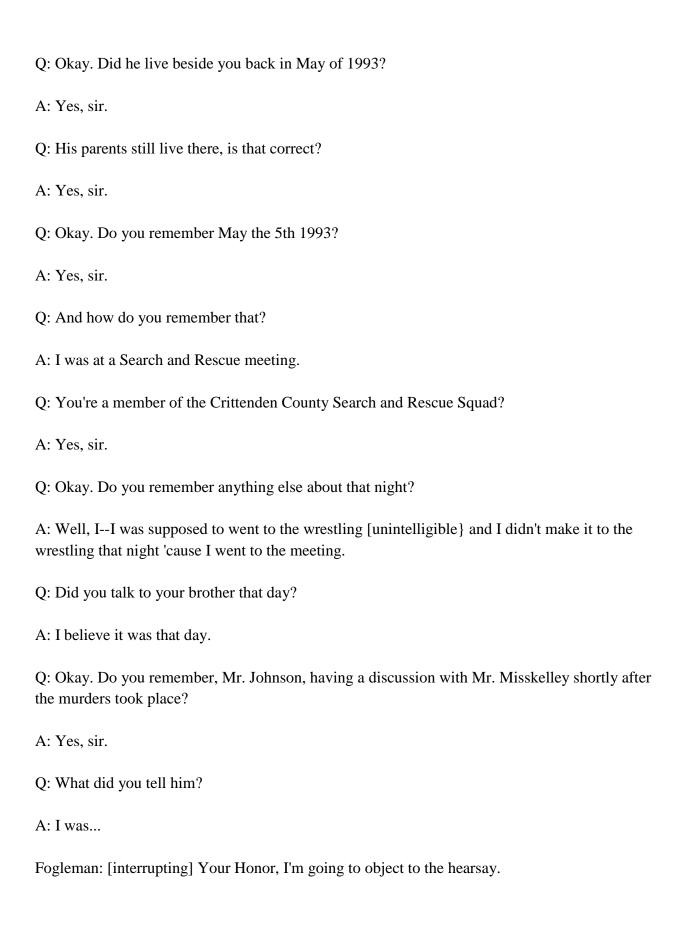
Testimony of Kevin Johnson in Misskelley trial Feb 1994

DIRECT EXAMINATION

By Dan Stidham: Q: Would you state your name for the court?
A: Sir?
Q: Would you state your name for the court, please?
A: Kevin Johnson.
Q: And where do you reside, Mr. Johnson?
A: Sir?
Q: Where do you reside?
A: What?
Q: Where do you live?
A: In Highland Trailor Park, in Marion.
Q: What do you do for a living?
A: I'm an iron worker.
Q: Okay. Do you know the defendant, Mr. Misskelley?
A: Yes, sir.
Q: How do you know him?
A: He lives right next door.
Q: Okay. And when you say "right next door," does that mean behind you or beside you?
A: Beside.



Stidham: Your Honor, I'm asking this witness what he told...

Fogleman: [interrupting] Still hearsay, your Honor.

Stidham: No, it's not, your Honor. If the witness is testifying what he told the defendant, it's not hearsay.

Fogleman: Your Honor, it is still an out-of-court statement made by a declarant.

Crow: [unintelligible] can testify about what he told someone else.

The Court: Well, state the question again and let's see what you're trying to get him to do.

By Stidham:

Q: Did you have a discussion with Mr. Misskelley, the defendant, shortly after the murders?

The Court: All right, you can answer yes or no to that.

A: Yes, sir.

Q: Could you tell the jury what the nature of that conversation was, what you told Mr. Misskelley.

Fogleman: Your Honor, our objection is to hearsay.

Stidham: Your Honor, I don't believe that it's hearsay.

The Court: Now, wait a minute, I'm going to allow him to state what he said to Mr. Misskelley.

Stidham: Thank you, your Honor.

By Stidham:

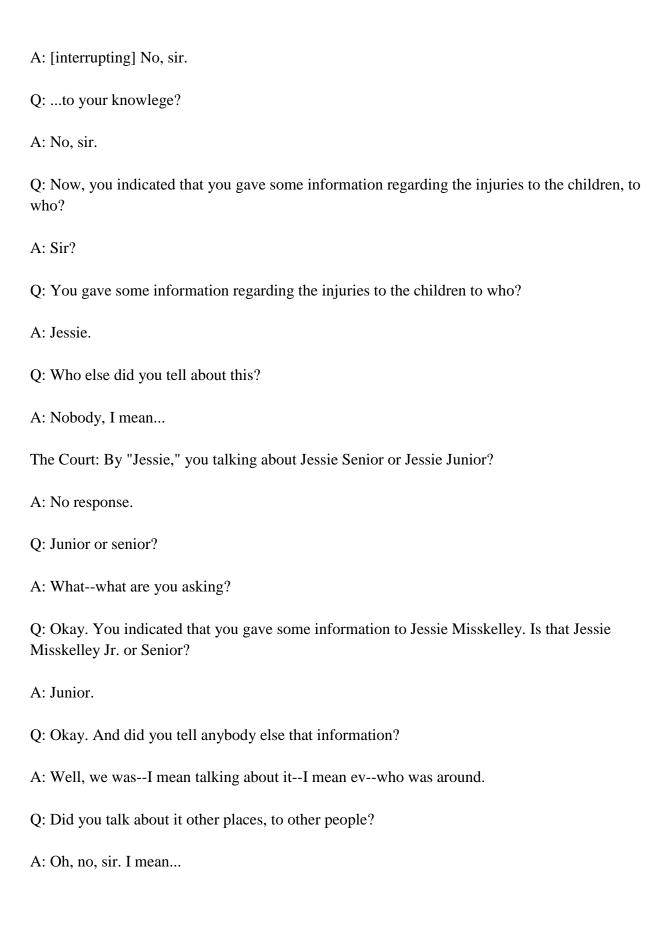
Q: You tell the jury what you told Mr. Misskelley?

A: Yes, I told him that--that one of the boys were beaten and caserated.

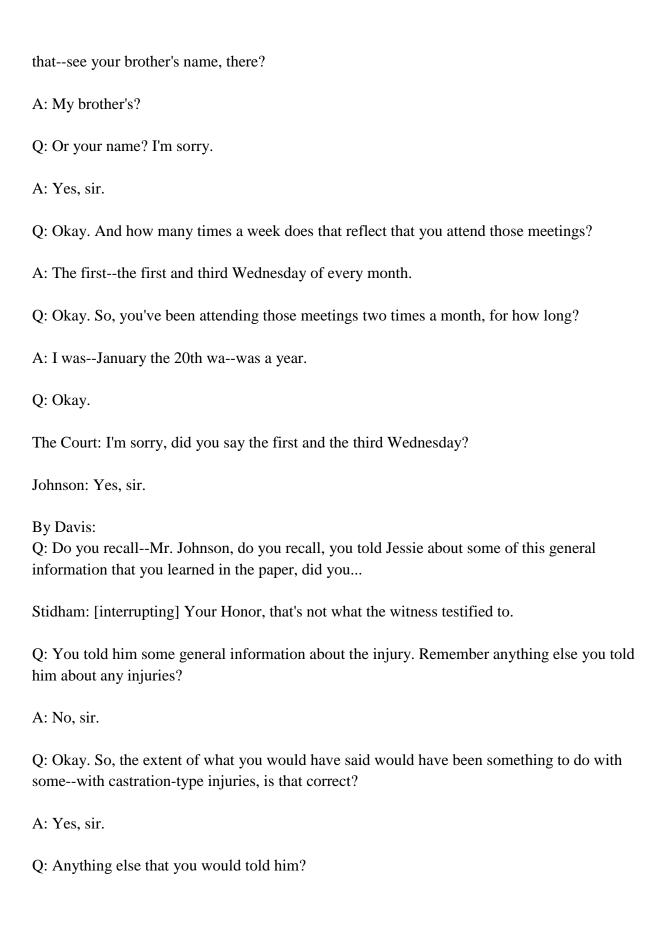
Q: You told him that one of the boys had been castrated?

A: Yes, sir.

Q: What else did you tell him?
A: Uh
Q: Did you tell him anything else?
A: Yes, that they, thatthat they was tied with the shoestrings.
Q: Where did you get this information, Mr. Johnson?
A: From theheard it from the members of the Search and Rescue.
Q: Did you tell Mr. Misskelley anything else?
A: I can't recall.
Stidham: May I have a moment, your Honor?
Pause
Stidham: Pass the witness, your Honor.
CROSS EXAMINATION
By Davis: Q: Now, as I understand it, on May 5th, you were at a Search and Rescue meeting?
A: Yes, sir.
Q: You don't know where Jessie Misskelley was on May 5th, do you?
A: No, sir.
Q: And you don't know who may have gone wrestling and who didn't, correct?
A: Sir?
Q: You don't know who went wrestling and who didn't



Q: Nobod--You wouldn't have told anybody else about that, right? A: I mean, ev--whoever who was standing there. I mean... Q: Did you talk about it on other occasions? A: No, sir. I can't recall. I mean it was in the papers and everything. I mean... Q: Okay. So, you basically told him what was in the papers? A: And what I heard at the Search and Rescue because I wasn't at the scene. Q: Okay. So, you weren't at the scene and you didn't have any first-hand knowledge, is that correct? A: No, sir. Q: Okay. And so, basically what you were relating to him was the same stuff you had been reading in the paper. A: Right and what I was told, I mean, what I had heard. Q: And you didn't know which one or if all of the boys had had their genitals removed, right? A: Right. Q: Okay. And you certainly didn't know which one had, correct? A: Right. Q: You certainly didn't tell Jessie that, did you? A: No, sir. Q: Okay. So, if Jessie knew which one had had that occurred to him, he wouldn't have gotten that information from you, true? A: Right. Q: I'd like to show you what is a Crittenden County Search and Rescue attendance record. Is



A: No, sir.

Q: Okay. Didn't mention to him about injuries to the ears, anything like that?

A: No, sir.

Q: Didn't mention to him anything about signs or injuries or indications of sexual abuse?

A: No, sir. I can't recall.

Q: No further questions, your Honor.

Stidham: Nothing further, your Honor.

The Court: All right, you're free to go. Thank you.

Johnson: Thank you, sir.