

Testimony of Roger Jones in Misskelley trial Feb 1994

CROW: State your name, sir.

JONES: Roger Jones.

CROW: And how old are you, sir?

JONES: Nineteen.

CROW: Im sorry?

JONES: Nineteen.

CROW: Ok. Where do you live?

JONES: Highland Trailer Park.

CROW: Ok. Where did you live on May fifth?

JONES: Uh, with my aunt.

CROW: Ok, was that in Highland Trailer Park?

JONES: Yes sir.

CROW: Ok. In connection with Jessie Misskelleys house, where?

JONES: Five, maybe six trailers down.

CROW: Do you know which way?

JONES: I think its south. Across the street, anyway.

CROW: Ok. Do you remember the day May fifth?

JONES: Yes sir.

CROW: Why do you remember that day?

JONES: We went to wrestling in Dyess that night.

CROW: Why do you remember did you go wrestling other nights?

JONES: No sir. I went one other time but that night there.

CROW: Ok. Why do you remember this as May fifth as opposed to another date?

JONES: Because we heard about it a couple months later. A couple days later, I mean.

CROW: What did you hear about?

THE COURT: You're gonna have to speak into the microphone. I can barely hear you here.

JONES: The boys come up missing.

CROW: Ok

THE COURT: Speak up.

CROW: Sorry.

THE COURT: I can't hear him.

CROW: Scoot up towards the mic. Ok, so you heard about the boys coming up missing?

JONES: Yes sir.

CROW: That's why you remember this being the day?

JONES: Yes sir.

CROW: Do you remember when the first time you saw Jessie that day?

JONES: About 5:30.

CROW: Where'd you see him?

JONES: He was outside and I was going in my other aunt's house.

CROW: Ok, not the aunt youre living at?

JONES: No sir.

CROW: Ok, wheres this auntthe house you were going into, where was it in relation to Jessies house?

JONES: Right in front of his trailer.

CROW: Ok.

JONES: Across the street.

CROW: Do you remember who was with him or anything?

JONES: No sir.

CROW: Ok. Were you paying attention?

JONES: No sir.

CROW: What were you doing?

JONES: I was going in the house.

CROW: Ok. When was the next time you saw Jessie that day?

JONES: At 7:00 when he come down to my aunts house.

CROW: Ok, this same auntis this the one youre living at or the aunt

JONES: The one Im living at.

CROW: Ok, so thats the one five or six trailers down?

JONES: Yes sir.

CROW: Ok, and what happened when he got there? You cant tell what Jessie told you, now. What happened when he got there?

JONES: We sit there for a little bit and talked, then we got up and we went down to Johnny Hamiltons house.

CROW: Ok. How long did you sit and talk?

JONES: About five minutes.

CROW: Ok. What were you doing at Johnny Hamiltons house?

JONES: Waiting for a guy by the name of Bill to get there.

CROW: Ok, and then what were you going to do?

JONES: Go to Dyess.

CROW: Ok. Did you go to Dyess?

JONES: Yes sir.

CROW: Who went with you?

JONES: It was me, little Jessie, Freddy Revelle, Keith Johnson, Bill Cox, Dennis Carter, Zella and Johnny Hamilton.

CROW: Ok, did Kevin Johnson go?

JONES: No sir.

CROW: Ok. Do you remember why he didnt go?

JONES: He had a rescue meeting that night.

CROW: Ok, did Keith Johnson leave leave from yallleave with yall for the same place?

JONES: No sir.

CROW: Whered you meet up with Keith?

JONES: At the Tyronza Jonesboro exit, at that old Exxon station.

CROW: When yall left what car since you got to Tyronza, whose car did what?

JONES: Me and Jessie rode with Keith in his car. Little Dennis, Fred Revelle, Bill, Zella and Johnny rode in Johnnys car.

CROW: What about Bills car? What happened to it?

JONES: We left it

DAVIS Your Honor, I object to the leading. Its kind of like a script (?) He asks the question about the car

CROW: Your Honor, Im asking opening questions What happened to the car? He can respond, It went, It didnt went, He can respond It blew up, whatever happened, he can tell the story.

CROW: Your Honor, when he asks the question it presumes something happened to the car and this witness can certainly testify about events that occurred without being prompted.

THE COURT: Avoid leading.

CROW: Yes, Your Honor. Do you remember what time yall left?

JONES: It was anywhere from 7:15 to 7:30.

CROW: Ok, and do you know what time you left Dyess coming back?

JONES: 11:15.

CROW: Thats when you left or when you got back?

JONES: When we got back.

CROW: Ok, what did you do at that point?

JONES: Well, me and Jessie was with Bill Cox and Fred in his car Bills car and they let us out and me and Jessie went to my house.

CROW: Ok, this is the one six or seven trailers down?

JONES: Yes sir.

CROW: Ok. What happened next?

JONES: We sit down therehe sit down there and talked to me and my cousin till 12:00 and he went home.

CROW: Is there anything important about twelve that made him want to go home around twelve?

JONES: Because my aunt always come home at 12:00.

CROW: Ok.

JONES: She got home at about five minutes after.

PASS THE WITNESS

CROSS EXAMINATION

FOGLEMEN: Mr. Jones, when was the first time you talked to the police and told them this story?

JONES: I havent talked to them.

FOGLEMEN: You have not talked to the police?

JONES: No sir. I talked to a undercover cop about a week ago.

FOGLEMEN: Oh, so hes not police?

JONES: Yes sir.

FOGLEMEN: Ok, so you have talked to the police?

JONES: Yes sir.

FOGLEMEN: All right. And so about a week ago was the first time you ever told anybody with law enforcement about this?

JONES: Mmm-hmm. (yes)

FOGLEMEN: All right. Now, when you said that the reason that you remembered this was because you went wrestling, right?

JONES: Yes sir.

FOGLEMEN: Ok. And you went wrestling one other time?

JONES: Yes sir. Before that.

FOGLEMEN: Before that? When was that?

JONES: I cantI think it was onI think it was April something but Im not for sure of the day.

FOGLEMEN: Ok, well, but you remember vividly May the fifth because you went wrestling?

JONES: Yes sir.

FOGLEMEN: But you dont know the date you went wrestling before?

JONES: No sir.

FOGLEMEN: Whod you go with the first time?

JONES: With Johnny Hamilton.

FOGLEMEN: Who else?

JONES: Dennis Carter.

FOGLEMEN: Who else was there?

JONES: Uh, Fred Revelle.

FOGLEMEN: Anybody else?

JONES: Uhm, I think little Jessie was there.

FOGLEMEN: Ok. And those were the only two times you went?

JONES: I went one other time after that

FOGLEMEN: When was that?

JONES: It was a holiday, but I cant exactly remember what holiday it was.

FOGLEMEN: Ok, the time that you went on a holiday, you remember going but you dont even remember what the holiday was?

JONES: No sir. I know it was on a Monday, thats all I remember.

FOGLEMEN: But you remember May the fifth, right?

JONES: Yes sir.

FOGLEMEN: Isnt it true that you told the police that you remember, you know it was May the fifth because you signed the contract saying you wouldnt sue anybody that day?

JONES: Yes sir.

FOGLEMEN: Right? I want to show you States Exhibit 103 and ask if you recognize that?

JONES: Yes sir.

FOGLEMEN: Is that the contract you signed?

JONES: Yes sir.

FOGLEMEN: All right. Take my pen here and put you a little red star by where your name appears.

WITNESS COMPLIES

FOGLEMEN: All right, and when did youdid you sign it that night?

JONES: Well, I signed it. I signedyou had to sign them every night.

FOGLEMEN: Every night?

JONES: Yea, I signed one twice when I went.

FOGLEMAN: Well, if you signed them more than once, what is it that's magical about signing a piece of paper that makes you remember it's May the fifth?

JONES: Because two days three days before that it was also Fred Revelles birthday.

FOGLEMAN: Oh, it was Freddy Revelles birthday two days before? But you didn't say that was why you remember in your statement.

JONES: No, it wasn't. The reason I remembered is because I heard the next day or the day after that the boys come up missing.

FOGLEMAN: All right, well just a few minutes ago you said that

JONES: I said that too.

FOGLEMAN: You said what?

JONES: That the boys come up missing.

FOGLEMAN: Yea, you said something about you knew because we heard and you said we heard it was about a month and a couple a days later

JONES: I said a couple a days later.

FOGLEMAN: Didn't you say a month and a couple a days?

JONES: No, I said that and then I said No, it was a couple a days later.

FOGLEMAN: Ok, so you did say a month. And then you changed it, right?

JONES: Yes, I changed it.

FOGLEMAN: All right.

JONES: It was either the next day or the day after.

FOGLEMAN: But what you told the police, let me show you your statement. You recognize that?

JONES: Yes sir.

FOGLEMAN: And thats in your handwriting?

JONES: Mmm-hmm.

FOGLEMAN: And what you told the police was that you knew it was May the fifth because you signed this contract, right? But youre now saying that you signed the contract more than one day that you went wrestling?

JONES: Mmm-hmm.

FOGLEMAN: I dont have any further questions, Your Honor.

THE COURT: Anything else?

CROW: Yes, Your Honor.

REDIRECT

CROW: Were there any other times you went wrestling when some boys turned up missing the next day?

JONES: No sir.

CROW: Was there any other times you went wrestling where Keith Johnson went?

JONES: No sir, that was the only night I went.

CROW: Thank you.

FOGLEMAN: On the contract, you signed below Kevin Johnsons name, right?

JONES: Hmm-mmm (no).

FOGLEMAN: You didnt?

JONES: Uh, Kevin wasnt there. Yea, Kevin wasnt there when I signed it.

FOGLEMAN: Ok, but you signedyour signature on that is right below Kevin Johnsons name,

isnt it?

JONES: Because you all signed on the same piece of paper.

FOGLEMAN: Jessies is right above Kevin Johnsons, isnt it?

JONES: I dont know why.

FOGLEMAN: I dont have any further questions.

THE COURT: All right, you may stand down.