

## **Testimony of Stephanie Dollar (Part 2) in Misskelley trial Feb 1994**

### **DIRECT EXAMINATION**

**BY CROW:**

Q: Ms. Dollar, are you the same person who testified a few minutes ago?

A: Yes, I am.

Q: You recall you're still under oath?

A: Yes.

Q: On the day of May 5th, when was the first time you remember seeing Jessie that day?

A: At, uh, 2:00.

Q: What happened?

A: I had a parent-teacher conference meeting and he had come over and I asked him if he could watch my children until I got home.

Q: How many children do you have?

A: I have three.

Q: Were all those at home at that time?

A: No, they weren't. My four-year-old at the time - he's now five - was home and then my other two was going to be getting off the bus and I knew I would not be home in time to get them.

Q: Who was the parent-teacher conference with?

A: Justin's teacher, Mrs. Stewart, Dr. McGrew, and myself.

Q: Where was that conference to be at?

A: At Felix Elementary School.

Q: Okay, if Jessie hadn't been there at around 2:00, what were you going to do with your children?

A: I was going to bring them to my father in law's house.

Q: Okay, was it unusual for Jessie to babysit for you?

A: No.

Q: He babysat for you how often?

A: A lot - at least four times a week.

Q: Do you remember what time you got back from the parent-teacher conference?

A: It was about 4:00.

Q: Okay. Who was at your home when you returned?

A: Susie Brewer and Jessie.

Q: Okay, what happened at that point with Jessie? Did he stay, leave, or what?

A: Well, we stayed for a few minutes and then Susie and Jessie left.

Q: Okay, were your children still at home at that point?

A: Well, they left and went down the street to Johnny Deadman's house.

Q: Okay. Is that some relative of yours?

A: No, just a friend.

Q: And what did you do?

A: Well, I stayed at the house for a few minutes and then I left and went down to Johnny Deadman's.

Q: Okay, and what happened at Johnny Deadman's house?

A: Well, when I got there my husband told me that a Connie Mulden had slapped my son off the bicycle.

Q: What, which son, which child is this?

A: Cody.

Q: Okay. How old is Cody?

A: He was four at the time. He's five now.

Q: Okay. What did you do in response to receiving that information?

A: I called the police.

Q: Okay. Do you know what time it was when you called the police?

A: It was around 5:00.

Q: Okay. What happened?

A: Well, we waited for awhile and they didn't show up, and then when they did, they went down to my house and I seen them leaving the trailer park so I went back into the house and called the police, and the dispatcher, and told them that I had seen the police leave. That I was down at Johnny Deadman's - for them to come back, because I was at Johnny Deadman's, not at my house.

Q: Did the police know where Johnny Deadman's house was to get there?

A: No.

Q: So did you ever meet up with the police?

A: Yes. They, uh, the dispatcher told me to meet them at the four-way stop sign.

Q: Okay. Did you do that?

A: Yes, I did.

Q: Who went to the stop sign?

A: My husband.

Q: And yourself?

A: And myself.

Q: Okay, do you recall talking to an officer at that point?

A: Yes, I did.

Q: Okay, what did you relate to the officer?

A: I told him what Connie had done - this incident that happened. That she had slapped Cody off the bicycle.

Q: You know what officer that was?

A: Officer Dollahite.

Q: What did Dollahite - did leave and you left. What happened next?

A: Well, he left and I just walked right back, you know, by the house.

Q: How long did it take you to get back from the four-way stop - when you say "the house,"

excuse me, let me interrupt -

A: Johnny Deadman's house.

Q: Johnny Deadman's house. How long did it take you to get from the four-way stop to Johnny Deadman's house?

A: Ten seconds. I mean, it was just right there.

Q: Okay, and what ensued?

A: Well, we was standing around and Jessie was standing at the corner on the bicycle and then the lady came over - her and her husband came over.

Q: One second - excuse me while I interrupt - you say "the lady" -

A: Connie Mulden...

Q: Okay.

A: ...came over and her husband Melvin came over and her husband asked my husband if he was gonna have Connie arrested. My husband said yes. And they really started arguing really bad and I thought they were beginning to get into a fight.

Q: Did anyone pick up anything?

A: Yes. Connie's husband picked up a shovel.

Q: Okay, did your husband pick up anything?

A: He went to his truck and got a roller handle.

Q: Okay, did that concern you?

A: Yeah.

Q: So what did you do?

A: I went back and called the police.

Q: Okay. What happened at that point? Did the police come back?

A: Yeah, three cop cars came back within just a few minutes, I mean, it was no time at all. And they pulled up at Connie Mulden's house and talked to her for a few minutes and then they left.

Q: Okay during the time that...

[tape flipped]

... you see Jessie Misskelley, Jr.?

A: He, when the police left, he came and talked to me.

Q: Okay. During the time the police were there, did you see Jessie?

A: Yes, I did.

Q: Where was he standing?

A: Where was he standing? He was standing like at - alright, the street is like this, you know, it's a four-way stop, and he was standing in the street over here and I was standing in the yard over there.

Q: After the police left, did you have a conversation with Jessie?

A: Yes, I did.

Q: You can't tell me what Jessie said, but what was the conversation about - you know, the general nature of the conversation - why were you all talking?

A: He just came and told me what Connie told the police.

Q: He was telling you what he overheard the officer say?

A: Yeah.

Q: You know what time it was when all this was occurring?

A: It was between 5:00 and 6:30, because the police officer arrived at 6:30.

Q: Okay. May I have a second, your Honor?

THE COURT: Yes.

BY CROW:

Q: When was the last time you saw Jessie? In relation to the police officer being there, whatever time that turns out to be, when was the last time you saw Jessie after that?

A: About 6:45.

Q: Okay, so you're saying 6:45 or you're saying fifteen minutes after the officer left?

A: Well, the officer arrived at 6:30 and then I called the other officer and it was just a matter of minutes, so it was between 6:30 and 7.

Q: Okay. After Jessie and you had the conversation, did you see him anymore that night?

A: Not after I had the conversation with him.

Q: Okay. That's all.

CROSS EXAMINATION

BY DAVIS:

Q: Ms. Dollar, are you familiar with the haircut that Jessie had when he got arrested? That pigtail on the top?

A: Yes, I am.

Q: Okay. And I believe that you indicated in a statement to Officer Birch that he didn't have any of that unusual haircut on the day of the 5th. Is that correct, that that occurred sometime afterwards?

A: He didn't have the eight-ball on top of his head, and he didn't have the rooster cut on top of his head.

Q: Your husband's the one who cut his hair, correct?

A: Yes, he is.

Q: And you told the officers that that had occurred sometime after this particular incident, is that correct?

A: Which haircut?

Q: The haircut with the pigtail on top.

A: That happened after the 5th.

Q: And you indicated that you're good friends with Jessie? Is that correct?

A: Yes, I did.

Q: In fact, you knew him long before you even moved out there in the same trailer park, is that

true?

A: Yes, I did.

Q: Okay. In fact, some three to four years before you moved into that trailer park you had been friends of his, correct?

A: Yes.

Q: In statements to the police, you indicated that Jessie actually came right up to the car where you were talking to a police officer. Is that true?

A: Well, the corner is right here and the car was right here. I mean, it wasn't exactly up against the car, but he was standing close to the car.

Q: Okay. It said in your statement to the officer you said that you took Jessie up there to the car so he could hear what the lady was saying. Did you actually take Jessie up to the police car?

A: I never told anyone that.

Q: Okay. It's in the transcribed statement. Are you indicating that - you recall giving a statement to Stan Birch? A tape-recorded statement to Stan Birch regarding your activities on the afternoon of May 5th?

A: Yes, I do.

Q: And if the transcription of that indicates that you said "Alright, I took Jessie up there to the car so he could hear what the lady was saying." Are you saying that's inaccurate?

A: Yes, it is because I never took - I wasn't even there. The police officer went to Connie Mulden's house, she never came to where I was at. She went, the officers went and talked to her.

Q: Okay. And is it also your testimony that your initial call that the police officers went to your trailer?

A: mm-hmm [yes]

Q: Okay.

A: I seen him leaving the trailer park. He had come in, Dollahite had come in to the trailer park, went down to my trailer, and left the trailer park, and then whenever he was leaving the trailer park, I seen him. So I went back and called the police.

Q: So it's your testimony that when you first called on that date that Officer Dollahite went to your trailer. Is that correct?

A: Well, he said that he went down to my trailer.

Q: Well, you just testified that you saw him go down to your trailer. Is that accurate?

A: Well, I seen him go down towards my trailer. I don't know, exactly, if he went, pulled into the driveway.

Q: Now, on that particular day, did Jessie and Susie Brewer babysit for your kids?

A: She showed up while Jessie was babysitting and she helped him when she got there.

Q: So Jessie was the babysitter and she just happened to show up?

A: Yeah, and she helped him.

Q: Okay. Was that unusual for them to babysit with your children?

A: No, it was not.

Q: How many times a week would that happen?

A: At least four times a week.

Q: Okay, so nothing unusual about that?

A: No.

Q: Nothing unusual about them being over there together?

A: No.

Q: Okay. And, in fact, the police coming out to that trailer park - they had been out there the day before, hadn't they? Nearly at the exact same time?

A: On which day?

Q: On May 4th.

A: I don't know if they came to my trailer May 4th. The police officer never came to my trailer May 4th.

Q: They had been to the trailer park on May 4th, hadn't they? The day before?

A: I don't know that.

Q: Now, you indicated that you, or that Jessie and Susie Brewer went to Johnny Deadman's. Is that right?

A: Yes.

Q: And is Johnny Deadman the same as Johnny Hamilton?

A: No.

Q: They're two different people? Correct?

A: Yes.

Q: Okay. But you saw them go to Johnny Deadman's?

A: I seen them going toward Johnny's.

Q: Did you see them go in?

A: No, I did not.

Q: And when was that?

A: That was, uh, May 5th. That was when the police and stuff were out there.

Q: When the police were there, how far would you say Jessie Misskelley was from the police vehicles?

A: From about me to about the corner of the, this desk right here.

Q: Okay.

A: To where you're standing.

Q: No more than five yards?

A: Yeah, he was very close.

Q: And how many people do you place being there around those, in that, well, let's say five yards or closer to the police vehicles. How many people do you put out there in that vicinity?

A: Well, it was me, my husband, uh, Bubba Ashley, um, Connie and Melvin Mulden, uh, Pat Ashley. There was quite a few of them.

Q: Okay. So you've named one, two, three - six people, including yourself?

A: I mean, there was more than that. I mean...

Q: Within five yards of the police car?

A: Oh, I just thought - I thought you meant, you was asking me who was there at the time.

Q: Within five yards of the police car - that close.

A: It was Bubba Ashley and Jessie.

Q: Okay. So there was only two people that close to the police car?

A: And me and my husband was at the police car at the time.

Q: Okay.

A: And Charles Ashley. We was on the side of his house and he was mowing his yard right there.

Q: So Charles really wasn't up there, he was just mowing his yard?

A: Okay, now that's Charles Ashley, Sr. and Bubba is Charles Ashley, Jr.

Q: So there's actually three people within five yards of the police vehicle?

A: Yeah, Jessie and Bubba was on this side, and Charles Ashley, Sr. was on this side.

Q: How many police vehicles were there at the time?

A: That was when Dollahite was there. That's when I seen Jessie the first time.

Q: Okay.

A: This was before the other three police officers arrived.

Q: Did Jessie continue to stay there, according to your testimony?

A: Until after the other three police officers left and he came and talked to me and then he left.

Q: Okay. So he was still there when the other three officers arrived?

A: That's when he came - that's when Connie talked to him - talked to the police officer and Jessie was standing I guess somewhere around there and then he come back and told me what Connie had told the police officer.

Q: But he was standing in close - you say when the other three officers were out he's in close vicinity to their vehicles?

A: I guess he was - I didn't see him at that police car.

Q: But it's according to your testimony, he's relating things that went on there?

A: After the police officer left.

Q: So he would have been close enough to be within earshot. Is that correct?

A: Yes.

Q: One second, your Honor. Pass the witness, your Honor.

## REDIRECT EXAMINATION

BY CROW:

Q: Ms. Dollar, has your child ever been slapped by Connie Mulden before this?

A: No.

Q: Since this?

A: No.

Q: Okay. Did your husband and Mr. Mulden ever get into a fight or almost get into a fight over your child getting slapped, other than this day?

A: No.

Q: Okay. You're sure about that?

A: Yeah, I'd remember something like that.

Q: Okay. That's all.

THE COURT: Alright. You may stand down.