

*** Record ***

TRIAL: GRAY TRIAL

DATE: 10/06/1978

TEXT:

1632:01 STATE OF ILLINOIS)
 1632:02) SS:
 1632:03 COUNTY OF C O O K)
 1632:04 IN THE CIRCUIT COURT OF COOK COUNTY
 1632:05 COUNTY DEPARTMENT-CRIMINAL DIVISION
 1632:06 SIXTH DISTRICT
 1632:07 THE PEOPLE OF THE)
 1632:08 STATE OF ILLINOIS)
 1632:09)
 1632:10 vs.) Indictment No. 78 C 4865
 1632:11)
 1632:12 PAULA GRAY) Before JUDGE DWIGHT MC KAY
 1632:13 and a Jury
 1632:14 Friday, October 6, 1978
 1632:15 10:00 A.M.

1632:16 COURT CONVENED PURSUANT TO ADJOURNMENT

1632:17 PRESENT:

1632:18 HON. BERNARD CAREY, State's
 1632:19 Attorney of Cook County, By:
 1632:20 MESSRS. CLIFFORD C. JOHNSON and
 1632:21 J. SCOTT ARTHUR,
 1632:22 Assistant State's Attorneys,
 1632:23 on behalf of the People;
 1632:24 MR. ARCHIE B. WESTON,
 1632:25 on behalf of the Defendant.

1632:01 I N D E X

1632:02 October 6, 1978. 1632
 1632:03 WITNESS DX CX RDX RCX
 1632:04 Patrick Pastirik 1634 1653 1678 1681
 1632:05 Ernest DiBenedetto 1683 1692
 1632:06 Leroy Instone. 1710 1716 1719 1721
 1632:07 Charles Pearson. 1722 1732
 1632:08 1741
 1632:09 William Smith. 1745 1751
 1632:10 October 10, 1978 1764
 1632:11 David Fisher 1769 1782
 1632:12 1796
 1632:13 Michael Podlecki 1799 1804 1813
 1632:14 1810
 1632:15 October 12, 1978 1841
 1632:16 Michael Podlecki 1863 1915

1632:17 1942
1632:18 October 13, 1978 1954
1632:19 Patrick Pastirik 1973 1975
1632:20 1981
1632:21 Michael Podlecki 1986 1995 2010
1632:22 2016
1632:23 October 16, 1978 2025
1633:01 (Whereupon the following
1633:02 proceedings were had in the
1633:03 presence and hearing of the
1633:04 jury:)
1633:05 THE COURT: Good morning, ladies and gentlemen.
1633:06 Do you have another witness?
1633:07 MR. JOHNSON: Yes, Judge. At this time the
1633:08 State would like to call Investigator Pastirik.
1633:09 (Witness sworn.)
1634:01 P A T R I C K P A S T I R I K,
1634:02 a witness, called on behalf of the People of the
1634:03 State of Illinois, having been first duly sworn,
1634:04 was examined and testified as follows:
1634:05 DIRECT EXAMINATION
1634:06 By Mr. Johnson:
1634:07 Q Once again, your name?
1634:08 A Investigator Patrick J. Pastirik;
1634:09 P-a-s-t-i-r-i-k.
1634:10 Q You're the same investigator who testified
1634:11 before, is that correct?
1634:12 A Yes, sir; I am.
1634:13 Q And now, directing your attention to
1634:14 approximately 8:00 o'clock on the day of May 13th,
1634:15 1978, did members of the Gray family have an
1634:16 occasion to arrive at the Homewood facility?
1634:17 MR. WESTON: Your Honor, again before you
1634:18 start I would object to the leading and suggestive
1634:19 questions of Counsel.
1634:20 MR. ARTHUR: Judge, it's already in evidence
1634:21 from yesterday.
1634:22 THE COURT: Yes, I overrule it at this time
1634:23 but please be a little more direct from this point on.
1634:24 MR. JOHNSON: Yes, your Honor.
1635:01 Q At approximately 8:00 o'clock on
1635:02 May 13th, 1978 did anybody have an occasion to
1635:03 arrive at the police station?
1635:04 A Yes, sir; they did.
1635:05 Q And who was that?

1635:06 A That was Mrs. Louise Gray, Paulette Gray
1635:07 and Paula Gray and other members of their family who
1635:08 are not known to me.

1635:09 Q And did you have an occasion to engage in
1635:10 conversation with any of those people?

1635:11 A Yes, sir; I did.

1635:12 Q And who was it that you first had an occasion
1635:13 to engage in conversation with?

1635:14 A Paulette Gray.

1635:15 Q Where did that conversation take place, do
1635:16 you recall?

1635:17 A Yes, sir; in the administrative office of
1635:18 our facility.

1635:19 Q And who was present or privy to that con-
1635:20 versation?

1635:21 A Miss Paulette Gray and myself.

1635:22 Q How long did that conversation take place?

1635:23 A Approximately forty-five minutes.

1635:24 Q And after that did you have occasion to have
1636:01 a conversation with anybody else?

1636:02 A Yes, sir; I did.

1636:03 Q Who was that?

1636:04 A That was with Paula Gray.

1636:05 Q Where did that conversation take place?

1636:06 A In the homicide office--

1636:07 MR. WESTON: I object unless we know who is
1636:08 present at the conversation.

1636:09 THE COURT: Yes, he should lay the foundation.

1636:10 MR. JOHNSON: Q Where did it take place?

1636:11 A The homicide office of the Sheriff's Police
1636:12 Station.

1636:13 Q And who was present or privy to that con-
1636:14 versation?

1636:15 A That would be Mrs. Louise Gray, Paulette
1636:16 Gray, Paula Gray and myself.

1636:17 Q Approximately what time of the day or
1636:18 night did this conversation take place?

1636:19 A 8:45, 9:00 o'clock, sir.

1636:20 Q What if anything did you say to Paula Gray
1636:21 at that time or other members of her family? What
1636:22 was the conversation? What if anything did you say
1636:23 to them and what if anything did they say in reply
1636:24 to you and could you identify the speakers, please?

1637:01 A I came into the office. I don't think Paula
1637:02 knew me by name at that time. Paulette accompanied

1637:03 me to the office. I introduced myself to Paula and
1637:04 said I had just talked to Paulette for the last forty-
1637:05 five minutes or so and that she had told me what
1637:06 Paula had told her on the 11th of May.

1637:07 Q And what if anything else did anybody say
1637:08 at that time?

1637:09 A Paulette told Paula the police officer is
1637:10 not here to hurt you. I told them. I tried to help
1637:11 them. Tell them what you told me.

1637:12 Q Was Mrs. Gray there at that time?

1637:13 A Mrs. Gray was there, sir.

1637:14 Q Did she have any conversation at that time?

1637:15 A Mrs. Gray told Paulette and Paula both,
1637:16 "I raised you girls to tell the truth. I don't want
1637:17 any trouble. Tell this man the truth. No harm can
1637:18 come to you by telling the truth."

1637:19 Q And then and there did you engage in a con-
1637:20 versation with Paula Gray?

1637:21 A Yes, sir; I did.

1637:22 Q What if anything did she say to you and what
1637:23 if anything did you say to her?

1637:24 A All right, I asked her to tell the story
1638:01 that she had related to her mother and her sister,
1638:02 at which time she went into the details of what
1638:03 happened on the date of the 11th.

1638:04 Q And what if anything did you ask her and
1638:05 what if anything did she say?

1638:06 A Okay. She told me that that evening she
1638:07 had been sitting at home at the kitchen table; that
1638:08 her boyfriend, Kenny Adams, came over and was sitting
1638:09 down talking to her. She stated that she told Kenny,
1638:10 "I want to go out and listen to some music in the car."
1638:11 Kenny had a beige Toyota. They went out and were
1638:12 sitting in the car talking for quite some time listening
1638:13 to music.

1638:14 Q Did she say what if anything happened after
1638:15 they were out there in the car talking?

1638:16 A Yes, she did.

1638:17 Q What did she say?

1638:18 A She went into the house after a time and
1638:19 she heard Kenny pull around the corner. She heard
1638:20 noises. She went to what would be the courtyard side
1638:21 living room window, pulled back the curtain and looked
1638:22 outside.

1638:23 Q Did she tell you what she saw at that time?

1638:24 A Yes, sir.

1639:01 Q What did she say she saw?

1639:02 A She saw a car known to her as Dennis Williams'

1639:03 car, a red Toyota, stuck out there that was making

1639:04 loud noises. The gentlemen were trying to get the

1639:05 car out of the mud.

1639:06 Q What happened then did she say?

1639:07 A She went outside and went into the building

1639:08 next door which was an abandoned building 1527

1639:09 Cannon Lane. She tried to, you know, hide behind

1639:10 the building and watch what was going on.

1639:11 Q Did she say what happened next when she

1639:12 attempted to do that?

1639:13 A Yes, sir.

1639:14 Q What did she say?

1639:15 A She saw Dennis Williams, Verneal Jimerson,

1639:16 Kenny Adams and Willie Rainge and two white people

1639:17 that were unknown to her, woman and a man.

1639:18 Q Did she say what was being done or what

1639:19 happened to these white people?

1639:20 A They were being taken out of the back

1639:21 seat of the car and being pushed ahead by Dennis

1639:22 Williams and told to walk.

1639:23 Q And at that point in time did she say what

1639:24 if anything happened to her?

1640:01 A I don't know if she made noise or what,

1640:02 but Dennis Williams saw her, walked over to her location

1640:03 and physically grabbed her by the arm.

1640:04 Q Did she say what this Williams did with her?

1640:05 A He told her to come with and at that time

1640:06 he held on to her arm and said, "Come with us," and

1640:07 he made her walk ahead of him.

1640:08 Q Did she say where they went to?

1640:09 A Okay, all the people with two white people

1640:10 walking in front, she said everyone was led across

1640:11 the courtyard into a building located at 1528 Cannon

1640:12 Lane.

1640:13 Q Did she say what if anything happened once

1640:14 they're inside 1528 Cannon Lane?

1640:15 A Yes, she said that everyone went upstairs

1640:16 except the male white subject and at that time Tuna.

1640:17 She referred to him as Tuna. And this is known to

1640:18 me as Willie Rainge.

1640:19 Q What did she say Willie Rainge or Tuna

1640:20 did?

1640:21 A Stayed downstairs with the male subject.
1640:22 Q Did she say what everybody else did?
1640:23 A They walked up a flight of stairs leading
1640:24 to a second floor bedroom and entered this room on
1641:01 the north side of the building.
1641:02 Q Did she say what if anything occurred once
1641:03 they got into that area of that building?
1641:04 A Dennis Williams put the girl down on the
1641:05 ground and took her clothes off except for her socks
1641:06 and her upper garments, took her clothes off, her
1641:07 boots and threw them in the closet.
1641:08 Q Did she say what if anything she was doing
1641:09 at this time?
1641:10 A Dennis Williams handed her a disposable
1641:11 cigarette lighter like a Bic type lighter and it was
1641:12 very dark, there was no light, no electricity. He
1641:13 told her to light the lighter and hold it which she
1641:14 said she did.
1641:15 Q Did she indicate to you for what purpose
1641:16 Williams had asked her to hold the lighter and light
1641:17 it?
1641:18 A I asked her and she said it was very dark.
1641:19 He couldn't see anything in there.
1641:20 Q And did she say she did that?
1641:21 A Yes, sir; she did.
1641:22 Q Did she say what happened next?
1641:23 A Yes, sir; she said that Dennis Williams, her
1641:24 words to me were, "got down on the girl." I asked
1642:01 her what that meant. She said that means sexual
1642:02 intercourse.
1642:03 Q Did she state if there was any conversation
1642:04 up there at that time?
1642:05 A Not at this time. She said the girl was
1642:06 just very scared and shaking. She was lying on her
1642:07 back at this time.
1642:08 Q Did she indicate or tell you what happened
1642:09 next?
1642:10 A Yes, sir. When Dennis got up from the girl
1642:11 the subject known as Verneal Jimerson, she referred
1642:12 to him as--
1642:13 MR. WESTON: Objection, your Honor. There's
1642:14 been no mention of any Jimerson heretofore.
1642:15 MR. JOHNSON: I beg to differ, Judge.
1642:16 MR. WESTON: I beg to differ too.
1642:17 THE COURT: I didn't hear any conversations

1642:18 related with Jimerson. I thought he was downstairs.
1642:19 MR. JOHNSON: Q Okay, did she identify any
1642:20 of these individuals by nickname?
1642:21 A Yes, she did.
1642:22 Q What nickname did she use? You already went
1642:23 into one?
1642:24 A Yes, sir. One of the other ones was Lurch.
1643:01 Q And did she identify to you or tell you
1643:02 who she knew Lurch to be?
1643:03 A Yes, sir.
1643:04 Q Who did she tell you she knew Lurch to be?
1643:05 A Verneal Jimerson.
1643:06 Q Going back to the conversation you had with
1643:07 her at that time, after Dennis Williams did what he
1643:08 did what did she say happened next?
1643:09 A Dennis got up, zipped his pants back up.
1643:10 Verneal Jimerson, Lurch, unzipped his pants. He also
1643:11 got down and had sexual intercourse with the girl.
1643:12 Q What did she say happened next?
1643:13 A At this time another subject who she described
1643:14 to me as her boyfriend, Kenneth Adams, likewise had
1643:15 sexual intercourse with the girl.
1643:16 Q Did she tell you what happened next?
1643:17 A She said that Lurch went downstairs and Tuna
1643:18 came upstairs.
1643:19 Q Did she say what if anything Tuna did when
1643:20 he got up there?
1643:21 A Tuna likewise had sexual intercourse with the
1643:22 girl.
1643:23 Q When he was done what did she say happened
1643:24 next?
1644:01 A After a time span she said in this time the
1644:02 lighter was going out and Dennis would yell at her
1644:03 to light it again. She said, "My fingers were burning.
1644:04 The lighter became very hot." And he would keep telling
1644:05 her to light the lighter. And then she would relight it.
1644:06 Dennis Williams for a second time got down
1644:07 on top of the girl and had sexual intercourse with her.
1644:08 Q After that what happened next?
1644:09 A Tuna is still upstairs, Lurch is downstairs,
1644:10 so Tuna takes a second turn now on top of the girl.
1644:11 Q What happened after that?
1644:12 A She said Dennis told Kenny to go ahead, it's
1644:13 your turn and Paula told me she said, "I started pleading
1644:14 with Kenny, 'Kenny, please don't do it.'" She said,

1644:15 "I walked over and was holding onto Kenny and said,
1644:16 'Please don't do it.'" Kenny wouldn't do it. He
1644:17 said, "No, I don't want to."
1644:18 Q Did she say after this what happened next?
1644:19 A Yes, sir.
1644:20 Q What did she say happened next?
1644:21 A Lurch goes back downstairs and the other
1644:22 gentleman comes up, Tuna, and has sexual intercourse
1644:23 for the second time with the girl against her will.
1644:24 Q At this time after that's been completed, that
1645:01 second act by Tuna, Rainge, what did she say happens
1645:02 next?
1645:03 A She told me, "I saw Dennis take a gun out
1645:04 of his front pants pocket." And I asked her to describe
1645:05 the gun. She said, "I can only tell you it was black."
1645:06 Q Did she tell you what Dennis Williams did with
1645:07 the woman after he pulled the gun out of his pants?
1645:08 A He held the gun in his hand, he reached down,
1645:09 grabbed the woman and pulled her over face down to lie
1645:10 on her stomach or face.
1645:11 Q After he did that did she tell you what
1645:12 Williams did next?
1645:13 A He took the gun and put it right next to
1645:14 her head and fired two shots into her head.
1645:15 Q Did she say what happened after this was done?
1645:16 A Yes, sir. She says all the subjects, her
1645:17 first and then a guy, she doesn't know what order,
1645:18 walked downstairs to where the man was standing with
1645:19 Tuna.
1645:20 Q What did she say happened then?
1645:21 A She said the man was shaking. He's not saying
1645:22 a word, just shaking. I said, "What do you mean by
1645:23 shaking?" She said, "All over, the guy is just shaking."
1645:24 Q What did she say happened to this man?
1646:01 A Dennis tells her to come on. Dennis,
1646:02 Willie Rainge, her and the man walk across the street.
1646:03 They got the gun on the man. They walked him across
1646:04 Cannon Lane out into the field down by Deer Creek.
1646:05 Q Did she say what they did with the man?
1646:06 A The man is walking ahead of them. He doesn't
1646:07 know where he's walking and Dennis just pushed him over.
1646:08 He fell over a small mound of dirt and fell face down
1646:09 into the ground.
1646:10 Q Did she tell you at that time what Dennis
1646:11 did to that man?

1646:12 A Dennis from a standing up position fires
1646:13 two shots into the man's head.

1646:14 Q Did he say what if anything he did with the
1646:15 gun after he fired those two shots?

1646:16 A She told me that he handed the gun to Willie
1646:17 Rainge, Tuna, and Willie Rainge fired one shot into
1646:18 the man's back.

1646:19 Q And did she say what happened next?

1646:20 A Dennis grabbed her again by the arm and they
1646:21 walked along the creek back in a southerly direction
1646:22 that would be southeast actually along the creek.
1646:23 There's a bend in the creek. They walk to an area off
1646:24 of Cannon Lane at which time Dennis takes the gun and
1647:01 throws it into the water. He has her. He's holding
1647:02 her and he says, "If you tell anybody, if you tell
1647:03 the police or anybody about this I will kill you and
1647:04 I will kill your family."

1647:05 Q And then what did she say Dennis does with
1647:06 her after that's done?

1647:07 A Just walked back to the area at which time
1647:08 all male suspects commence to leave the area, different
1647:09 directions. She said, "I don't know where anybody
1647:10 went." And Paula said she went back home.

1647:11 Q Did she tell you whether or not she told
1647:12 anybody else this story?

1647:13 A She told me the next morning that when she
1647:14 woke up her sister Paulette was there and she told
1647:15 Paulette the whole story, what happened. And, you know,
1647:16 ran it down to her the same way.

1647:17 Q And did she indicate to you that she told
1647:18 anybody else?

1647:19 A She said she also told her mother, Mrs. Louise
1647:20 Gray, what happened.

1647:21 Q And did-- do you remember what day or any-
1647:22 thing like that?

1647:23 A This would have been on Thursday, the 11th
1647:24 about 9:00 to 11:00 A.M. I was under the impression
1648:01 she had first told me at 11:00 A.M. when she got up
1648:02 but I would not be able to be that specific on the
1648:03 exact time she told them.

1648:04 Q Now, how long did this conversation take
1648:05 place between you and Paula Gray?

1648:06 A Is this in the room with Paulette and Mrs.
1648:07 Gray also?

1648:08 Q Yes.

1648:09 A This took forty-five minutes to an hour.
1648:10 Once she started telling me it didn't take that long.
1648:11 Q During the entire time of this conversation
1648:12 who else is in the room with you?
1648:13 A Mrs. Louise Gray and her sister, Paulette
1648:14 Gray.
1648:15 Q After that conversation with Paula Gray
1648:16 has terminated did certain members of the State's
1648:17 Attorney's office have an occasion to respond to that
1648:18 location?
1648:19 A Yes, sir.
1648:20 Q Do you know the name of the individual who
1648:21 responded?
1648:22 A Sir, it was Mr. DiBenedetto from the State's
1648:23 Attorney's office came to the station.
1648:24 Q And did you and/or this Assistant DiBenedetto
1649:01 have an--
1649:02 MR. WESTON: Your Honor, again leading and
1649:03 suggestive.
1649:04 THE COURT: Sustained.
1649:05 MR. JOHNSON: Q What if anything did you and
1649:06 DiBenedetto do relative to Paula Gray?
1649:07 A He first sat down with me about 2:00 A.M.
1649:08 and asked me to tell him everything that I had up
1649:09 to that point. I briefly in summary told me exactly
1649:10 what had transpired and he told me I would like to
1649:11 talk to the sister first, Paulette Gray, and then
1649:12 I want you in the room and I want to talk to Paula
1649:13 Gray.
1649:14 Q Then what in fact happened?
1649:15 A Mr. DiBenedetto and myself went into that
1649:16 same room I previously mentioned as the administrative
1649:17 room and talked to Paulette alone, just the three
1649:18 of us in the room.
1649:19 Q How long did that conversation take place,
1649:20 if you recall?
1649:21 A It was relatively short, sir. Probably
1649:22 about twenty minutes or so.
1649:23 Q And did you have a conversation with any-
1649:24 body else?
1650:01 A Yes, sir.
1650:02 Q Okay. You and DiBenedetto I mean?
1650:03 A Yes, sir; that's correct.
1650:04 Q Who was that conversation with?
1650:05 A That would have been with Paula Gray, with