

JAMES M. GILLEN,

CALLED AS A WITNESS ON BEHALF OF THE DEFENSE,
HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED
AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND
SPELL IT, PLEASE.

THE WITNESS: JAMES M. GILLEN, G-I-L-L-E-N.

THE CLERK: THANK YOU, OFFICER GILLEN. YOU MAY BE
SEATED IN THE WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD: Q. DEPUTY GILLEN, YOU ARE
EMPLOYED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT?

A. YES.

Q. HOW LONG HAVE YOU BEEN SO EMPLOYED?

A. APPROXIMATELY THREE YEARS.

Q. AND HAS THAT ENTIRE THREE-YEAR PERIOD OF
TIME BEEN AT ORANGE COUNTY JAIL?

A. YES, IT HAS.

Q. WHAT TYPE OF ASSIGNMENTS HAVE YOU RECEIVED
SINCE THAT EMPLOYMENT?

A. VARIOUS ASSIGNMENTS. COURT DEPUTY, ROOF
DEPUTY.

Q. HOW ABOUT MOD? HAVE YOU BEEN--

A. I HAVE BEEN MODULE DEPUTY BEFORE, YES.

Q. MODULE DEPUTY ALSO?

A. YES.

S. WINGERD, CSR 6467

Q. DURING THAT THREE-YEAR PERIOD OF TIME, YOU HAVE HAD THE OPPORTUNITY TO MAKE OBSERVATIONS WITH REGARD TO RANDY KRAFT; IS THAT CORRECT?

A. YES.

Q. HAS YOUR OBSERVATIONS BEEN OF AN INMATE THAT IS COOPERATIVE?

A. HE HASN'T GIVEN ME ANY PROBLEMS, NO.

Q. SO YOU HAVE NO PROBLEMS AT ALL WITH RANDY.

A. NO, NONE.

Q. WHATEVER INSTRUCTIONS YOU'VE GIVEN TO HIM HE'S FOLLOWED?

A. YES.

Q. HE'S FOLLOWED WHATEVER RULES AND PROCEDURES THAT YOU HAVE MADE HIM AWARE OF.

A. YES.

MR. MC DONALD: THAT'S IT.

THE COURT: MR. BROWN, ANY QUESTIONS? THANK YOU, SIR.

MR. MC DONLAD: THANK YOU, OFFICER.

DEPUTY COTTINGHAM.

THE CLERK: RAISE YOUR RIGHT HAND, SIR.

RONALD R. COTTINGHAM,

CALLED AS A WITNESS ON BEHALF OF THE DEFENSE, HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND

SPELL IT, PLEASE.

THE WITNESS: RONALD R. COTTINGHAM,
C-O-T-T-I-N-G-H-A-M.

THE CLERK: THANK YOU. YOU MAY BE SEATED IN THE
WITNESS STAND, MR. COTTINGHAM.

DIRECT EXAMINATION

BY MR. MC DONALD: Q. DEPUTY COTTINGHAM, YOU ARE
EMPLOYED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT?

A. YES, SIR.

Q. HOW LONG HAVE YOU BEEN SO EMPLOYED?

A. YEAR AND A HALF.

Q. IS YOUR ASSIGNMENT WORK RESPONSIBILITY IN
THE ORANGE COUNTY JAIL?

A. YES, SIR.

Q. AND WHAT TYPE OF ASSISNMENTS HAVE YOU
RECEIVED DURING THAT PERIOD OF TIME?

A. BEEN A HOUSING PROWLER ON THE THIRD FLOOR
AND ALSO A MOD DEPITY ON THE THIRD FLOOR.

Q. DURING THAT YEAR AND A HALF PERIOD OF TIME,
YOU'VE HAD CONTACT WITH RANDY KRAFT.

A. YES, SIR.

Q. HAS HE GIVEN YOU ANY PROBLEM?

A. NO, SIR.

Q. HAS HE BEEN COOPERATIVE?

A. YES, SIR.

Q. WHATEVER RULES AND PROCEDURES THAT YOU'VE

EXPLAINED TO HIM, HE'S FOLLOWED.

A. YES, SIR.

Q. HAVE YOU SEEN HIM INTERACT WITH OTHER INMATES?

A. YES, SIR.

Q. HAVE YOU EVER SEEN HIM RAISE HIS VOICE OR HAVE ANY PROBLEMS WITH ANY OTHER INMATES?

A. NO, SIR.

Q. NOTHING FURTHER. THANK YOU.

THE COURT: THANK YOU, SIR.

YOU MAY HAVE SHUT DOWN THE ORANGE COUNTY JAIL THIS MORNING.

MR. MC DONALD: I AM MOVING THEM IN AND OUT AS QUICKLY AS I CAN.

DEPUTY HURST.

THE CLERK: RAISE YOUR RIGHT HAND SIR.

MICHAEL ALLEN HURST,

CALLED AS A WITNESS ON BEHALF OF THE DEFENSE, HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND SPELL IT, PLEASE.

THE WITNESS: MICHAEL ALLEN HURST, H-U-R-S-T.

THE CLERK: OFFICER HURST, YOU MAY BE SEATED IN THE

WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD: Q. DEPUTY HURST, YOU ARE
EMPLOYED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT?

A. YES, I AM.

Q. AND HOW LONG HAVE YOU BEEN SO EMPLOYED?

A. ABOUT FIVE YEARS NEXT MONTH.

Q. FOR A PERIOD OF TIME YOU WERE ASSIGNED TO
ORANGE COUNTY JAIL AND HAD VARIOUS RESPONSIBILITIES OVER
THERE.

A. CORRECT.

Q. HOW MANY YEARS WERE YOU A DEPUTY ASSIGNED TO
THE JAIL?

A. RIGHT AT FOUR YEARS.

Q. AND DURING THAT PERIOD OF TIME, WHAT
ASSIGNMENTS HAVE YOU BEEN GIVEN?

A. I WORKED ABOUT EVERY ASSIGNMENT IN THE JAIL
FROM FINGERPRINTING TO TAKING CARE OF MODULES TO RUNNING
GUARD STATIONS.

Q. ALL RIGHT. DURING THAT PERIOD OF TIME YOU
HAD CONTACT WITH RANDY KRAFT, CORRECT?

A. CORRECT.

Q. COULD YOU DESCRIBE TO THE JURY THE TYPE OF
INMATE RANDY KRAFT WAS BASED ON THE OBSERVATIONS YOU HAD?

A. WELL, IF EVERY INMATE WAS LIKE HIM, IT WOULD
BE GREAT. HE NEVER GAVE YOU ANY TROUBLE, HE'D ONLY ASK

FOR THINGS WHEN HE NEEDED THEM, AND HE'D DO WHAT YOU TOLD HIM TO.

Q. SO IT GOES WITHOUT SAYING OR ADDITIONALLY SAYING THAT HE WAS COOPERATIVE, RESPECTFUL TO YOU?

A. YES.

Q. WHATEVER WAS-- WHATEVER SUPERVISION OR POLICIES THAT YOU TOLD HIM ABOUT HE'D FOLLOW.

A. CORRECT.

MR. MC DONALD: ONE MOMENT, PLEASE, OFFICER.

RANDY WOULD LIKE TO ASK YOU A QUESTION, IF HE MAY.

EXAMINATION

BY THE DEFENDANT: Q. DEPUTY HURST.

A. YES, SIR.

Q. IN THE JAIL I LIVED IN A SINGLE CELL AREA OF P.C.; IS THAT TRUE?

A. CORRECT.

Q. CAN YOU TELL US HOW THE DAY ROOM IS OPERATED IN THAT AREA? WHAT THE DAYROOM IS FIRST, PERHAPS, AND HOW IT IS.

A. THE DAY ROOM IS AN AREA LOCATED AT THE END OF THE CELLS, IT'S A LARGER AREA WITH TELEVISION, THE SHOWER, TABLES, GAMES AND EVERYTHING. THE INMATES ARE ALLOWED TO GO THERE FOR A CERTAIN AMOUNT OF TIME PER DAY TO WATCH T.V AND MAKE PHONE CALLS.

Q. AND IN THE SINGLE CELL AREA IT IS GROUPED SO

THAT DIFFERENT GROUPS GO IN AT DIFFERENT TIMES?

A. YES, IT IS, DEPENDING ON COMPATABILITY IS WHAT I WANT, WITH THE OTHER INMATES IN THE CELLS.

Q. AND THE JAIL TRIES TO SPLIT UP THE TIMES SO IT'S FAIR SO EACH GROUP GETS THE SAME RELATIVE AMOUNT OF TIME?

A. CORRECT.

Q. HAVE YOU AND I HAD OCCASION TO DISCUSS THE DAY ROOM POLICY IN THE PAST?

A. YES, WE HAVE.

Q. DO YOU RECALL WHERE ONE OF THESE-- ANY OF THE DISCUSSION MAY HAVE TAKEN PLACE?

A. THAT WOULD BE ABOUT A YEAR AND A HALF AGO WHEN YOU WERE IN MOD D.

Q. DO YOU RECALL A DISCUSSION WE HAD THAT EITHER YOU OR I OR ONE OF US WAS IN THE VESTIBULE AND THE OTHER ONE WAS ON THE OTHER SIDE?

A. YES, IT WAS RIGHT AT SHIFT CHANGE. DUE TO THE NEW DEPUTY AND UNFAMILIAR WITH IT, HE WASN'T SURE ABOUT THE DAY ROOM SCHEDULES. WITH COURTS COMING BACK, NOT EVERYBODY WAS GETTING THE PROPER AMOUNT OF TIME. SO WE WORKED ON IT, READJUSTED IT SO EVERYBODY GOT THE PROPER AMOUNT OF TIME.

Q. YOU AND I DISCUSSED WHAT THE PROBLEM WAS, HOW IT MIGHT BE SOLVED?

A. YES.

Q. DO YOU RECALL APPROXIMATELY HOW LONG OF A DISCUSSION WE HAD?

A. TOTAL TIME WAS PROBABLY A HALF HOUR TO 45 MINUTES.

Q. IS IT FAIR TO SAY THAT I DISAGREED WITH SOME OF WHAT YOU WERE SAYING WAS JAIL POLICY?

A. TO A POINT, YES.

Q. BUT IT WAS A FRIENDLY DISAGREEMENT?

A. YES, IT WAS. NO MENACE IN IT.

THE DEFENDANT: THAT'S ALL. THANK YOU.

MR. MC DONALD: THANKS A LOT.

THE COURT: MR. BROWN.

MR. BROWN: NO, SIR.

THE COURT: THANK YOU. YOU ARE EXCUSED.

MR. MC DONALD: THAT'S OUR LAST WITNESS OF THE MORNING, YOUR HONOR.

THE COURT: WHAT TIME WOULD YOU LIKE TO START UP?

MR. MC DONALD: COULD WE START AT 2:00? WE HAVE SOME OTHERS THAT DIDN'T MAKE IT THIS MORNING I NEED TO SPEAK WITH.

THE COURT: ALL RIGHT. IT'S YOUR DUTY NOT TO CONVERSE AMONG YOURSELVES, WITH ANYONE ELSE ANY SUBJECT CONNECTED WITH THE TRIAL, OR FORM OR EXPRESS ANY OPINION UNTIL THE MATTER'S FINALLY SUBMITTED TO YOU.

THANK YOU, WE WILL SEE YOU AT 2:00 O'CLOCK.

(NOON RECESS.)

SANTA ANA, CALIFORNIA- TUESDAY, AUGUST 1, 1989

AFTERNOON SESSION.

(THE FOLLOWING PROCEEDINGS WERE HAD IN OPEN COURT IN THE PRESENCE OF THE JURY:)

THE COURT: GENTLEMEN. MR MC DONALD. BE SURE YOU ARE WHISPERING IN MR. BROWN'S GOOD EAR.

MR. BROWN: HE'S GOT THE WRONG ONE. I CAN'T HEAR A THING.

MR. MC DONALD: DEPUTY ELSNER.

THE CLERK: RAISE YOUR RIGHT HAND, PLEASE.

DANIEL L. ELSNER,

CALLED AS A WITNESS BY THE DEFENDANT, HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND SPELL IT, PLEASE.

THE WITNESS: MY NAME IS DANIEL L. ELSNER, D-A-N-I-E-L, MIDDLE INITIAL L, ELSNER, E-L-S-N-E-R.

THE CLERK: THANK YOU, OFFICER ELSNER. YOU MAY BE SEATED IN THE WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD:

Q. DEPUTY ELSNER, YOU'RE EMPLOYED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT?

A. YES, I AM.

Q. HOW LONG HAVE YOU BEEN SO EMPLOYED?

A. THREE AND A HALF YEARS.

JODI HALE, OFFICIAL COURT REPORTER

Q. ARE YOU CURRENTLY ASSIGNED TO THE ORANGE COUNTY JAIL?

A. NO. I WAS JUST TRANSFERRED TO THE PARTOL DIVISION.

Q. HOW LONG WERE YOU ASSIGNED TO THE ORANGE COUNTY JAIL FACILITY?

A. THREE YEARS AND FOUR AND A HALF MONTHS.

Q. OKAY.

THE COURT: SEVEN HOURS, 15 MINUTES.

BY MR. MC DONALD:

Q. DID YOU PRETTY MUCH HANDLE THE FULL GAMUT OF ASSIGNMENTS OVER THERE AT THE JAIL?

A. YES, I DID.

Q. PROWLER, MOD DEPUTY, DEPUTY IN CHARGE OF ESCORTING PEOPLE, GUARD DEPUTY?

A. YES, SIR.

Q. IN OTHER WORDS, BEFORE YOU WERE ESSENTIALLY TRANSFERRED OUT OF THE JAIL, YOU HAVE DONE IT ALL?

A. BASICALLY, YES.

Q. YEAH. OKAY. DURING THE COURSE OF THAT TENURE OR THAT PERIOD OF TIME THAT YOU WERE AT THE, THE ORANGE COUNTY JAIL, DID YOU HAVE OCCASION TO COME IN CONTACT WITH RANDY KRAFT?

A. YES. HE WAS HOUSED IN MY MOD, MOD-A.

Q. MOD-A?

A. MY WORK MOD-A.

Q. WHEN WAS THAT, APPROXIMATELY?

A. I WOULD SAY THAT WAS ABOUT TWO, TWO YEARS
AGO.

Q. OKAY. WOULD YOU DESCRIBE TO THE JURY WHAT
TYPE OF INMATE RANDY WAS?

A. HE WAS BASICALLY SOMEONE WHO WOULD ALWAYS DO
WHAT HE WAS TOLD.

Q. OKAY. DID YOU HAVE ANY PROBLEM WHATSOEVER
WITH HIM?

A. NO, I NEVER DID.

Q. HOW DID HE TREAT YOU PERSONALLY WHEN HE HAD
TO ASK YOU TO DO SOMETHING OR MADE A REQUEST OF YOU?

A. WHEN HE MADE A REQUEST FOR ME?

Q. YEAH, OR ADDRESSED YOU IN ANY WAY, HOW DID
HE--

A. HE WOULD ALWAYS ADDRESS ME WITH RESPECT LIKE
ALL THE OTHER INMATES WOULD.

Q. ALL THE OTHER INMATES WOULD TREAT WITH YOU
RESPECT?

A. WELL, MOST OF THEM.

Q. DID RANDY-- LET'S TALK ABOUT THAT. DO YOU
HAVE SOME INMATES THAT CAUSE PROBLEMS OVER THERE AT THE
JAIL?

A. SURE WE DO.

Q. DO YOU HAVE INMATES OVER THERE THAT, THAT
THROW FOOD?

A. SURE.

Q. AND INMATES OVER THERE THAT ATTACK OTHER INMATES?

A. YES.

Q. OKAY. INMATES OVER THERE THAT ESSENTIALLY MAKE YOUR WORKING DAY HELL FOR YOU?

A. IT'S WHAT I GET PAID FOR.

Q. BUT LIT-- NOT LITERALLY HELL, BUT CERTAINLY A VERY DIFFICULT ENVIRONMENT?

A. WELL, DIFFICULT, YES. I GUESS, YOU KNOW, FROM YOUR POINT OF VIEW, BUT EXCITING FROM MY POINT OF VIEW.

Q. OKAY. BUT I'M TRYING TO DRAW A COMPARISON BETWEEN RANDY AND THE TROUBLESOME OR PROBLEM INMATE.

A. RIGHT. HE--

Q. BUT--

A. HE IS NOT.

Q. THERE'S A WORLD OF DIFFERENCE BETWEEN THE PROBLEM INMATE OVER THERE AND RANDY KRAFT?

A. RIGHT.

Q. IS THAT A FAIR STATEMENT?

A. (WITNESS NODS.)

Q. HOW ABOUT COMPLAINING? YOU EVER SEE HIM COMPLAINING OF, HEAR OF HIM COMPLAINING.

A. NO, SIR.

Q. HOW ABOUT DEALING WITH OTHER INMATES? DID HE

APPEAR TO GET ALONG WITH THEM?

A. WHEN WORKING WITH HIM UP IN THE MOD, HE WOULD NEVER HAVE ANY PROBLEM WITH THE OTHER INMATES THAT I SEEN.

Q. DO YOU THINK THERE WERE, GIVEN THE CHARGES, AND GIVEN THE ENVIRONMENT THERE, WERE THERE TIMES THAT MAYBE YOU WOULD HAVE EXPECTED SOME AGGRAVATION OR SOME TYPE OF STRIKING OUT ON HIS PART?

A. NO.

Q WHAT-- OTHER THAN THE MOD, DID YOU HAVE ANY CONTACT WITH HIM?

A. NO. AFTER THAT IT WOULD-- I WAS WORKING GUARD STATION, HE WOULD JUST PASS BY.

Q. OKAY. THE GUARD STATION BEING--

A. THIRD FLOOR GUARD STATION OR THE SECOND FLOOR GUARD STATION WHEN HE WOULD WALK BY GOING FROM ONE DESTINATION, LIKE TO GET A HAIRCUT OR GO TO COURT, YOU KNOW, HE HAS TO PASS BY.

MR. MC DONALD: OKAY. NOTHING FURTHER. THANK YOU.

THE COURT: MR. BROWN?

MR. BROWN: NO, SIR.

THE COURT: THANK YOU, SIR.

MR. MC DONALD: WE WOULD HAVE DEPUTY NARA- - -
NARANJO.

THE CLERK: RAISE YOUR RIGHT HAND, PLEASE.

ROBERT WILLIAM NARANJO,
CALLED AS A WITNESS ON BEHALF OF THE DEFENDANT,

JODI HALE, OFFICIAL COURT REPORTER

HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME AND SPELL IT, PLEASE.

THE WITNESS: ROBERT WILLIAM NARANJO,
N-A-R-A-N-J-O.

THE CLERK: OFFICER NARANJO, YOU MAY BE SEATED IN THE WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD:

Q. OFFICER NARANJO, YOU ARE EMPLOYED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT?

A. I AM.

Q. YOU ARE CURRENTLY ON PARTOL APPARENTLY, BUT FOR A PERIOD OF TIME YOU WORKED THE ORANGE COUNTY JAIL?

A. I DID.

Q. AND HOW MANY YEARS WAS THAT?

A. APPROXIMATELY THREE AND A HALF YEARS IN THE JAIL SYSTEM.

Q. NOW, DURING THE COURSE OF YOUR EMPLOYMENT AT THE ORANGE COUNTY JAIL, DID YOU COME IN CONTACT WITH RANDY KRAFT?

A. I DID.

Q. CAN YOU DESCRIBE TO THE JURY WHAT YOUR ASSIGNMENT WAS DURING THAT PERIOD OF TIME?

A. I WAS ASSIGNED TO THE SECOND FLOOR MEDICAL

JODI HALE, OFFICIAL COURT REPORTER

ISOLATION CELLS WARD AND MR. KRAFT WAS BROUGHT UP AND PLACED IN ONE, ONE OF OUR CELLS UP ON THE SECOND FLOOR AND I WAS THE OFFICER IN CHARGE.

Q. THIS WAS SHORTLY AFTER HIS ARREST?

A. YES, IT WAS.

Q. OKAY. AND WHAT TYPE OF CONTACT DID YOU, AND FOR HOW LONG DID YOU MAINTAIN WITH MR. KRAFT THEREAFTER?

A. I HAD DAILY CONTACT WITH MR. KRAFT ON MY SHIFT. THE SPAN I AM NOT REALY SURE OF, SO I CANNOT GIVE AN ANSWER ABOUT THAT. IT WAS MORE THAN TWO OR THREE MONTHS.

Q. CAN YOU DESCRIBE TO THE JURY THE TYPE OF INMATE RANDY WAS UNDER YOUR SUPERVISION?

A. I NEVER HAD ANY PROBLEMS WITH MR. KRAFT. HE ALWAYS SEEMED TO GET ALONG WELL WITH EVERYBODY INVOLVED ON THE SECOND FLOOR OPERATIONS.

Q. OKAY. DID HE EVER ASK FOR ANY SPECIAL TREATMENT?

A. NO, HE NEVER DID.

Q. DID HE CONFORM TO ALL THE RULES AND REGULATIONS THAT YOU IMPOSED UPON HIM?

A. YES, HE DID.

MR. MC DONALD: THANKS A LOT.

THE COURT: MR BROWN?

THE WITNESS: THANK YOU YOUR HONOR.

MR. MC DONALD: DEPUTY GOINS.

THE COURT: I UNDERSTAND THEY HAD TO RELEASE 35 PRISONERS BECAUSE YOU HAD SO MANY OF THE DEPUTIES OVER HERE, MR. MC DONALD.

MR. MC DONALD: COME ON, STAY OFF ME, JUDGE.

THE COURT: ACTUALLY, I WORKED OUT IN THE-- OVER AT EDDIE WEST FIELD AND ONE OF THE WOMEN OVER THERE THAT JOGS AROUND WAS FROM THE SHERIFF'S DEPARTMENT. SHE KNEW ME, SO I WAS GETTING A TOUGH NOON HOUR, SO I HAVE TO TAKE IT OUT ON YOU, MR. MC DONALD.

THE CLERK: RAISE YOUR RIGHT HAND, PLEASE.

MARK ALAN GOINS,

CALLED AS A WITNESS ON BEHALF OF THE DEFENDANT, HAVING BEEN PREVIOUSLY DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND SPELL IT, PLEASE.

THE WITNESS: MARK ALAN GOINS, G-O-I-N-S.

THE CLERK: THANK YOU, OFFICER GOINS. YOU MAY BE SEATED IN THE WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD:

Q. OFFICER GOINS, YOU ARE EMPLOYED WITH THE ORANGE COUNTY SHERIFF'S DEPARTMENT AND ARE YOU CURRENTLY ASSIGNED TO THE ORANGE COUNTY JAIL?

A. YES, SIR.

Q. HOW LONG HAVE YOU BEEN SO EMPLOYED?

A. TWO AND A HALF YEARS.

Q. AND IN THAT ENTIRE PERIOD OF TIME YOU HAVE BEEN IN THE JAIL FACILITY?

A. YES, SIR.

Q. OKAY. WHAT TYPE OF ASSIGNMENT HAVE YOU HAD DURING THAT TIME FRAME?

A. I HAVE BEEN A MODULE DEPUTY, WHICH IS FOR HOUSING, AND I HAVE BEEN A PROWLER DEPUTY DURING THAT PERIOD OF TIME.

Q. OKAY. NOW, DURING THAT PERIOD OF TIME, HAVE YOU HAD CONTACT WITH RANDY KRAFT?

A. YES, I HAVE.

Q. BOTH AS A MOD DEPUTY AND AS A PROWLER?

A. YES, SIR.

Q. OKAY. CAN YOU DESCRIBE TO THE JURY THE TYPE OF INMATE THAT YOU OBSERVED DURING THAT PERIOD OF TIME?

A. HE IS REALLY QUIET. UHM, I NEVER SEE, YOU KNOW, REALLY TOO MUCH ACTIVITY FROM HIM AS FAR AS LIKE WITH OTHER INMATES. HE KEEPS TO HIMSELF.

Q. DID YOU SEE ANY DISRESPECTFUL ATTITUDE ON RANDY'S PART TOWARDS OTHER DEPUTIES?

A. NO, SIR.

Q. ESSENTIALLY HE WOULD, WHATEVER THE RULES ARE, HE FOLLOWED IT, WHAT DIRECTIONS YOU GAVE HIM, HE OBEYED AND FOLLOWED YOUR DIRECTIONS?

A. YES, SIR.

Q. WOULD YOU CALL HIM A MODEL INMATE?

A. YES, SIR.

MR. MC DONALD: OKAY. THAT'S IT.

THE COURT: MR. BROWN?

MR. BROWN: NO QUESTIONS.

MR. MC DONALD: THANKS A LOT FOR COMING IN.

MINDY L-----.

THE CLERK: RAISE YOUR RIGHT HAND, PLEASE.

MINDY C----- L-----,

 CALLED AS A WITNESS ON BEHALF OF THE DEFENDANT,
HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED
AS FOLLOWS:

 THE CLERK: STATE YOUR FULL NAME FOR THE COURT,
PLEASE, AND SPELL IT.

 THE WITNESS: MINDY C----- L-----.

 THE CLERK: IS C----- WITH A C OR K?

 THE WITNESS: WITH A C.

 THE CLERK: MISS L-----, YOU MAY HAVE A SEAT IN THE
WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD:

 Q. MINDY, RANDY IS YOUR UNCLE?

 A. YES.

 Q. OKAY. WE DISCUSSED BRIEFLY THESE PARTICULAR
PROCEEDINGS AND YOU UNDERSTAND THAT THE JURY, ONCE HAVING
CONVICTED RANDY OF THE VARIOUS CRIMES, HAVE THE OPTION OF

JODI HALE, OFFICIAL COURT REPORTER