

1 THE COURT: That's my understanding.

2 MR. MC BRIDE: Yes, that's my understanding as well.

3 MR. BROWN: That's my understanding, also.

4 MR. MC BRIDE: Thank you.

5 MR. BROWN: Thank you, counsel.

6 ROBERT BELL,

7 called as a witness by the People, having been previously duly
8 sworn by the Clerk of the Court, was examined and testified as
9 follows:

10 *CROSS-EXAMINATION*

11 BY MR. MC BRIDE: Q. Officer Bell.

12 A. Good morning.

13 Q. Referring your attention once again, to the
14 interview with Mr. Kraft on May 19th, 1975, in the Long Beach
15 Police Department, prior to --

16 THE COURT: Excuse me a second. I notice that there are
17 many more people in the courtroom today than as usual.
18 Witnesses had previously been excluded, so if anybody is now
19 seated in the courtroom who may be called to testify during this
20 matter, you are ordered to remain outside of the courtroom until
21 further notice by the Court.

22 It appears that we have no potential witnesses in
23 the courtroom.

24 MR. MC BRIDE: Thank you.

25 BY MR. MC BRIDE: Q. Prior to asking Mr. Kraft any
26 questions regarding his conduct -- or his contact with Keith



1 Crotwell, did you explain to Mr. Kraft the nature of the
2 evidence that you had to date?

3 A. Well, I don't believe we had any evidence to date
4 other than a human skull.

5 Q. That's specifically referring to the information
6 you had -- or Sergeant Woodward or other Long Beach officers had
7 gathered from the various teenage witnesses that saw Mr.
8 Crotwell leave with Mr. Kraft. Did you explain that information
9 that you had at that date to Mr. Kraft prior to asking him any
10 questions?

11 A. Some of the information was related to him, not all
12 of it, of course.

13 Q. All right. Now, in these questions, Mr. Bell,
14 regarding the conversation that you had with Mr. Kraft and
15 Sergeant Woodward was present by necessity, I will ask you if
16 you asked him; however, if those questions were asked by
17 Sergeant Woodward, in your presence, I wish you would indicate
18 that. Am I clear?

19 A. I'll do my best. That will be rather hard to
20 differentiate.

21 Q. My interest is in questions that were asked of Mr.
22 Kraft either by yourself or Sergeant Woodward.

23 A. All right, sir.

24 Q. Now, did you, during the course of this interview
25 with Mr. Kraft, show Mr. Kraft any photographs of either Kent
26 May or Keith Crotwell?



1 A. Not to my recollection, no.

2 Q. Did you describe the physical appearance of those
3 two people, or either of them, to Mr. Kraft?

4 A. I don't recall if we did or not.

5 Q. Did you make some effort in your interview with Mr.
6 Kraft to determine whether the persons that he was discussing
7 that he had picked up and had in his car at one point were in
8 fact Kent May and Keith Crotwell?

9 A. Would you say that again?

10 Q. What effort, if any, did you make to determine
11 whether the individuals that Mr. Kraft said were in his car were
12 in fact Keith May -- or Kent May and Keith Crotwell?

13 A. He was asked to describe the two male individuals
14 that were in his car, which he did. I -- we asked him or he was
15 asked if he knew the names of either or both of the people that
16 were in his vehicle, which he replied that he didn't.

17 Q. First or last names?

18 A. He didn't know either one.

19 He was asked regarding clothing worn by one or
20 both, and he could not recall on either. I believe that would
21 be about the extent of the questioning regarding things in his
22 vehicle.

23 Q. Do you recall any efforts on his part to describe
24 the clothing? Was there a partial description of clothing or a
25 possible clothing attributed to either one of the people that
26 were in his car?



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1 not he had been with anyone in this bar before going to the
2 Grenada parking lot?

3 A. He didn't say.

4 Q. Did he give you the name of the bar that he had
5 been in before he went to the Grenada parking lot?

6 A. Yes, I believe he did.

7 Q. And what was the name of that?

8 A. Ripples.

9 Q. During your investigation of this case, did you go
10 to the Ripple's Bar to attempt to verify that fact?

11 A. I personally did not, no.

12 Q. To your knowledge, did your fellow officers do
13 that?

14 A. I don't know.

15 Q. All right. Mr. Kraft told you that he walked from
16 a location where -- strike that.

17 He walked from the bar to his car and then drove to
18 this parking lot; is that right?

19 A. No.

20 Q. All right. Set me straight.

21 A. I believe he said that he left the bar, walked to
22 the parking lot and got into his vehicle.

23 Q. So walking to the parking lot, you took to mean the
24 Grenada parking lot?

25 A. Yes, that's the only public parking lot in the
26 area.



1 Q. How far did you understand him to tell you, if he
2 did, was the parking lot from the location of his car?

3 A. I don't believe he said.

4 Q. Did you understand from the location of the bar --
5 strike that.

6 How far is this bar, if you can estimate for us,
7 from this parking lot that we're discussing?

8 A. Oh, it's the entrance to the lot is the width of a
9 four-lane street with a divider, so whatever -- I haven't worked
10 traffic in years so I couldn't tell you how wide a street is.

11 Q. Can you see the parking lot from the bar?

12 A. Oh, yes. It's directly across the street.

13 Q. All right. So he walks over to the parking lot
14 area, and what does he tell you he does after arriving at the
15 parking lot area?

16 A. Drove to the area of the Belmont Pool, which is
17 west from that location.

18 Q. He drove?

19 A. Yes, sir.

20 Q. From the parking lot?

21 A. He drove in the parking lot.

22 Q. All right. I'm confused again. He walked from the
23 bar to where?

24 A. To the parking lot.

25 Q. And that's where his car was?

26 A. Yes.



1 Q. That's what you understood?

2 A. That's what I understood, yes.

3 Q. And he went went from that parking lot to the pool
4 of Belmont Shores?

5 A. It's all in the same lot, sir.

6 Q. I see.

7 A. It's one lot that starts at Grenada and goes all
8 the way down to -- whatever the street is.

9 Q. So he did drive his car, then, to another location
10 from where it had been parked at the time that he was in the
11 bar; is that your understanding?

12 A. My understanding is from the east end of the lot to
13 the west end of the lot.

14 Q. All right. He arrives at that location and it is
15 that location that he comes in contact with who you believe to
16 be Kent May; is that correct?

17 A. Not originally, no. Not from his statement.

18 Q. What did you get from his statement?

19 A. The statement was originally he came in contact
20 with a friend.

21 Q. He gave you that friend's name?

22 A. I don't believe he did.

23 Q. You would have asked, wouldn't you?

24 A. Yes, I am sure I did, but I don't believe he gave
25 me the name.

26 Q. Do you remember the discussion regarding the name



1 of the ~~friend~~ that he saw?

2 A. I don't independently remember it, no.

3 Q. At any rate, you feel that because of your custom
4 and experience, that if he said he went there with a friend, you
5 would have asked the friend's name?

6 A. He didn't say he went there with a friend.

7 Q. Met a friend there?

8 A. Saw a friend at the west end near the Belmont Pool
9 and chatted for a minute or two.

10 Q. And you believe in the ordinary course of your
11 interrogation or investigation, you would have asked the name of
12 that friend?

13 A. I'm sure I did, yeah.

14 Q. You don't recall his response?

15 A. He apparently didn't give me a name or I would have
16 had it in my report.

17 Q. You don't recall that specifically from your memory
18 as you sit here today?

19 A. No, sir.

20 Q. Now, did he tell you how long he shot the breeze
21 with his friend that he met?

22 A. Just a very short time, to my recollection.

23 Q. Did he indicate to you whether he had any beer with
24 him at that time?

25 A. No. He did not say.

26 Q. All right. And what did Mr. Kraft tell you, if



1 anything, regarding his conduct immediately after shooting the
2 breeze with his friend there?

3 A. He stated that he observed and heard an argument
4 between a male white and a female white. And that he seated
5 himself on the fender, I believe, of his vehicle and quote,
6 "Watched the show," unquote.

7 Q. Did he indicate to you if his friend was with him
8 at the time that he observed this male and female having an
9 argument?

10 A. No. I didn't.

11 Q. Did you ask him that?

12 A. I don't recall.

13 Q. That would normally have been a factor that would
14 be important to you, wouldn't it?

15 A. I don't recall asking that or not.

16 Q. All right. So he's watching these -- this man and
17 woman have an argument, and then as I understand your direct
18 testimony, he told you that he came into contact with the man
19 that was arguing?

20 A. Yes.

21 Q. And from your previous descriptions of the people
22 and the investigation of this case, it was your opinion that
23 even though he didn't use the words Kent May, but that was Kent
24 May that he came into contact with; is that correct?

25 MR. BROWN: I object. It calls for a conclusion.

26 THE COURT: Sustained.



1 BY MR. MC BRIDE: Q. Did he describe the person that he
2 came into contact with that had been arguing with -- with a
3 woman there in the parking lot?

4 A. Nothing other than he used a male white.

5 Q. What efforts, if any, did you make to determine
6 whether this male white was the same male white that got into
7 the car with Mr. Kraft?

8 MR. BROWN: I object. It assumes facts not in evidence.

9 THE COURT: Sustained.

10 BY MR. MC BRIDE: Q. He came into contact with this man.
11 Did he describe his conversation with him to you?

12 Do you know who I'm talking about when I say, "this
13 man"?

14 A. Yes.

15 Q. The fellow that had been arguing with the girl.

16 A. Yes, I know.

17 He stated that this man, this male white was
18 still -- I don't recall his exact word, but he was still upset
19 or something regarding the argument. And he offered him a beer.

20 Q. And Mr. Kraft offered this man a beer?

21 A. Correct.

22 Q. And did Mr. Kraft tell you whether this man
23 accepted that beer or not?

24 A. I don't think he said it in that words. I believe
25 he said that he drank the beer or something to that effect.

26 Q. Did you ask him if anyone else was in their



1 ~~immediate~~ presence at the time these beers were drunk?

2 A. No. I don't believe I did.

3 Q. Did Mr. Kraft then describe to you a conversation
4 that he had with this man that he's having a beer with?

5 A. I'd have to refer to my notes.

6 Q. Please do.

7 A. (Witness complies.)

8 No. He didn't say anything about the conversation
9 to him.

10 Q. Did Mr. Kraft indicate to you whether this man that
11 he was having a beer with ultimately got into his car?

12 A. Yes, he did.

13 Q. What did he say in that regard?

14 A. He stated that he got into his car along with
15 another person. That this subject went and got, or either --
16 well, to be very precise, he said a few minutes later a friend
17 of the victim either walked over to the car or the victim went
18 and got him and brought him to the car and got into the back
19 seat and also drank some beer. That's at the bottom paragraph
20 of the first paragraph.

21 Q. Yes. Well, Mr. Kraft then described to you the
22 entry into his car of not only the man that he had originally
23 been drinking a beer with, but another individual that had been
24 retrieved or invited by the first man; is that correct?

25 A. That's correct.

26 Q. Did he describe to you the circumstances -- strike

1 that. —

2 Did he describe to you the reason, in his mind, of
3 inviting those two people into his car?

4 A. No.

5 Q. Did you ask him to describe the second man that was
6 invited over by the first man?

7 A. Yeah, eventually he was asked that. Yes.

8 Q. And is that the same description that you've given
9 to a previous answer regarding Mr. Kraft's description of the
10 people that were in his car?

11 A. That's correct.

12 Q. All right. So these two fellows are in Mr. Kraft's
13 car, and the car then, as I understand your direct testimony,
14 leaves the parking lot with Mr. Kraft driving?

15 A. That's correct.

16 Q. Did you ask Mr. Kraft what -- where their intended
17 destination was?

18 A. I believe I asked him where he went, and his reply
19 was that he drove around the Belmont Heights area for 20 or 30
20 minutes.

21 Q. Did you ask him whether the three of them were
22 drinking beer in the car while they were driving around?

23 A. Yes, I believe I did.

24 Q. And what was his response?

25 A. He stated that that's all they were doing -- excuse
26 me -- that's all that they were doing, was drinking beer.



1 Q. You specifically asked him about whether any
2 narcotics or drugs were ingested by any of the occupants of that
3 car during that time, didn't you?

4 A. Yes, sir.

5 Q. And what was Mr. Kraft's response to that?

6 A. He replied that -- no.

7 Q. Did you specify in what kind of drugs you were
8 interested in?

9 A. I said drugs or narcotics.

10 Q. You didn't use the word "reds"?

11 A. I don't believe I did.

12 Q. And Mr. Kraft said there had been none?

13 A. That's correct.

14 Q. Did you discuss the -- strike that.

15 Did marijuana come up in this conversation with you
16 and Mr. Kraft?

17 A. I don't believe so.

18 Q. And Mr. Kraft said they drove around for, what, 20
19 or 30 minutes?

20 A. Yes, sir.

21 Q. And that they then returned to the parking lot?

22 A. That's correct.

23 Q. Mr. Kraft was doing the driving during this time as
24 he described it to you?

25 A. Yes.

26 Q. Did he tell you why they returned to the parking



1 lot? —

2 A. Yes.

3 Q. And what was that reason?

4 A. That the younger of the two wanted to go back to
5 the parking lot.

6 Q. Did he tell you why the younger of the two wanted
7 to go back to the parking lot?

8 A. No.

9 Q. Do you, specifically centering your memory on that
10 conversation regarding the return to the parking lot, do you
11 recall a conversation about marijuana being a motivating factor
12 for returning to the parking lot?

13 A. No.

14 Q. Did he tell you during this 20 or 30-minute ride
15 with these two people, the younger one and the older -- can we
16 discuss these as the younger one and the older one; is that
17 clear to you?

18 A. Yes.

19 Q. The younger one being the man that first had the
20 beer with Mr. Kraft, the older man being the man that got into
21 the car?

22 A. No. Just the opposite.

23 Q. So it's the older fellow that talks to Mr. Kraft
24 first?

25 A. That's to my recollection, yes.

26 Q. And the taller one, too?

1 A. I don't know about taller, but younger and older.

2 Q. He's described these people to you, he did not --

3 A. Second paragraph in the last page of my report.

4 Q. Did he tell you which were the physically larger of
5 the two men, the younger one or the older one?

6 A. He said the older one was -- well, he said the
7 older one was 20 to 22 years, five foot ten, medium build, with
8 collar-length hair. And he described the other one as a male,
9 white, younger than the first and somewhat smaller.

10 Q. All right. And as you understood what he was
11 describing to you then on May 19th, it was the older man that
12 approached him -- or it was the older man that he had first had
13 contact with and had that beer?

14 A. That's my understanding, yes.

15 Q. And it was the older man that went and got the
16 younger man to get in the car; is that your understanding of the
17 conversation?

18 A. Yes, sir.

19 Q. And it was the younger one, then, that wanted to
20 return to the parking lot?

21 A. That's correct.

22 Q. Younger man being the second man into Mr. Kraft's
23 car?

24 A. Correct.

25 Q. So they returned to the parking lot and Mr. Kraft
26 indicated to you, as I understand your direct testimony, that



1 the younger man left the car?

2 A. Yes, sir.

3 Q. Did Mr. Kraft describe to you the physical location
4 in the car during this 20 or 30-minute ride of the younger man
5 and the older man? Were they both in the front, the back seat?

6 A. I believe the younger man was in the back seat.

7 Q. The younger man was in the back seat.

8 A. And the older man was in the front seat.

9 Q. Is that --

10 A. Passenger side.

11 Q. Were you able to refresh your memory from your
12 report in that regard, or is that your memory of the
13 conversation?

14 A. Both.

15 Q. So that is in your report?

16 A. Yes, sir.

17 Q. The younger man gets out of the car. Does he
18 describe to you the manner in which the younger man gets out of
19 the car?

20 A. He stated he got out of the car.

21 Q. All right. At that time you had some information
22 that the younger man or one of the men may have been pushed or
23 shoved from the car, didn't you?

24 A. I don't believe I had that information at that
25 time.

26 Q. So you recall asking Mr. Kraft specifically whether



1 the younger man was pushed or shoved from the car?

2 A. No.

3 Q. Mr. Kraft merely described this exit as the younger
4 man leaving the car; is that right?

5 A. That's correct.

6 Q. And then Mr. Kraft again leaves the parking lot,
7 according to his description of the events to you; is that
8 right?

9 A. Correct.

10 Q. With the older man?

11 A. Correct.

12 Q. Did he tell you how long he was in the parking lot
13 this second time when the younger man left the car?

14 A. No.

15 Q. Did you ask?

16 A. I don't recall.

17 Q. So you don't know if there was any beer drinking or
18 other activity in the parking lot prior to Mr. Kraft leaving the
19 second time?

20 A. No. The impression I got from his answers were he
21 pulled into the parking lot, the younger fellow got out, and
22 they left.

23 Q. But you don't recall whether there was a specific
24 interrogation regarding that fact?

25 A. I don't recall.

26 Q. All right. Did he tell you the purpose in his mind



1 of leaving the parking lot on this second occasion with the
2 older man?

3 A. No.

4 Q. Did you ask him?

5 A. I don't recall if I did or not.

6 Q. It was in your mind at that time, was it not, that
7 this older man may well have been Keith Crotwell?

8 A. Yes, sir.

9 Q. In the ordinary course of investigation at the
10 time, would it not be customary for you to ask Mr. Kraft what
11 his purpose in being with the disappeared Mr. Crotwell was?

12 MR. BROWN: Objection. Calls for a conclusion.

13 MR. MC BRIDE: I'm trying to refresh his memory by our --

14 THE COURT: Overruled.

15 MR. MC BRIDE: Thank you.

16 BY MR. MC BRIDE: Q. That would be ordinarily something
17 you would ask if you got a mysterious disappearance and you have
18 got the man in front of you that may have been the last man to
19 be with him?

20 A. Yes, sir.

21 Q. So with that in mind, can you think back and recall
22 any conversation that you had with Mr. Kraft regarding his
23 purpose in leaving that car, leaving that parking lot with the
24 older man, who you believe might have been Mr. Crotwell?

25 A. I don't recall.

26 Q. Did you ask Mr. Kraft as to this time when he is



1 leaving ~~the~~ parking lot with the older man as to the state of
2 sobriety of either Mr. Kraft or the older man?

3 A. I don't recall.

4 Q. At least you didn't -- did you ask Mr. Kraft as to
5 the state of sobriety of the younger man who exited the car when
6 they went to the parking lot after driving around that 20 or 30
7 minutes?

8 A. Again, I don't recall talking to him about sobriety
9 of any of them.

10 Q. All right. So Mr. Kraft tells you that he leaves
11 the car, leaves the parking lot the second time with the older
12 man and he tells you that he is driving the car; is that right?

13 A. Yes, sir.

14 Q. Mr. Kraft is driving the car?

15 A. That's correct.

16 Q. And he tells you that they then proceed in a
17 southerly fashion towards Leisure World in Orange County?

18 A. He said they were going southbound on the San Diego
19 Freeway.

20 Q. All right. Did he describe any movements in the
21 Los Angeles area prior to getting on the freeway and going
22 south?

23 A. No.

24 Q. Did you ask him if he went directly on the freeway
25 and started south?

26 A. Yes.

1 Q. What did he state?

2 A. He stated he could not recall how he got to the
3 freeway from the parking lot.

4 Q. Did you ask him how much time elapsed from his
5 leaving the parking lot and the entry onto the freeway going
6 south?

7 A. I don't recall.

8 Q. At some point in time, Mr. Kraft told you that this
9 older man was driving his car during the travels that night; is
10 that correct?

11 A. Yes, sir.

12 Q. At what point in time did Mr. Kraft tell you that
13 the older man began driving his car?

14 A. I believe he stated at Harbor and the San Diego
15 Freeway.

16 Q. The junction of the Harbor Freeway and the San
17 Diego Freeway?

18 A. Harbor Boulevard.

19 Q. Harbor Boulevard, excuse me.

20 A. Yes. Heading south in the area of Harbor Boulevard
21 and San Diego Freeway.

22 Q. And that would have been in Orange County at that
23 point, then?

24 A. Yes, sir.

25 Q. Did he tell you why they switched drivers?

26 A. I believe he stated that the fellow wanted to



1 drive. ~~Or~~ words to that effect.

2 Q. Have you had any discussion as to the relative
3 intoxication of these two men up to that point at all in your
4 discussion on May 19th?

5 A. I don't recall.

6 Q. At some point in this investigation you learned
7 that Mr. Crotwell was described as being intoxicated or
8 appearing to be intoxicated at the time that Mr. Kraft left the
9 parking lot on the second occasion; isn't that true?

10 MR. BROWN: Objection. It's irrelevant.

11 THE COURT: Overruled.

12 THE WITNESS: Yes.

13 BY MR. MC BRIDE: Q. Do you recall if you learned that
14 before or after the May 19th conversation with Mr. Kraft?

15 A. I'm not sure, but I believe it was after.

16 Q. And examining your own memory as to what was in
17 your mind on May 19th when you're having these conversations
18 with Mr. Kraft, do you recall being puzzled or curious about Mr.
19 Crotwell or the older man driving the car?

20 A. Well, yes, or I wouldn't have asked him why.

21 Q. Right.

22 But you don't recall a specific thought in your
23 mind, well, this doesn't make sense because we know Mr. Crotwell
24 was out of it at the time -- or intoxicated at the time he left
25 the parking lot on the second occasion; you don't recall
26 thinking in that fashion?

1 A. I don't know that I knew he was intoxicated at that
2 time.

3 Q. So your mind is just -- your memory is just
4 incomplete in that regard?

5 A. Well, like I stated earlier, I don't recall if I
6 got that information before or after. I believe it was after.

7 Q. And you asked Mr. Crotwell -- I mean Mr. Kraft, why
8 they switched drivers and your memory of that is he said the
9 older man wanted to drive?

10 A. Yes.

11 Q. And you recall nothing other than that regarding
12 Mr. Kraft's explanation of the switching of the drivers?

13 A. That's all I can recall, yes.

14 Q. And I notice you just attempted to refresh your
15 memory from the report and that doesn't help you any in that
16 regard?

17 A. No. It states, like I stated earlier, they
18 switched drivers about Harbor and the San Diego Freeway.

19 Q. You asked Mr. Kraft where they're headed as they're
20 on the freeway going south?

21 A. Their -- you mean did I ask him -- did they have a
22 specific place in mind?

23 Q. Yes.

24 A. I don't believe I did, no.

25 Q. Did he tell you a reason for his proceeding south
26 on the freeway?

6

1 A— No.

2 Q. You don't recall asking him?

3 A. I don't recall asking or him telling me, no.

4 Q. Now, Mr. Kraft indicated to you that he stopped,
5 they switched drivers and then continued to proceed south
6 towards the Leisure World area of Orange County; is that right?

7 A. Yes, sir.

8 Q. Did he describe any other stops from the time that
9 he switched drivers to the area of Leisure World in Orange
10 County?

11 A. No. He did not.

12 Q. And did you ask him those questions?

13 A. I don't recall specifically asking him if they made
14 any other stops, no.

15 Q. Do you recall inquiring as to whether any drugs or
16 alcohol were being ingested by either of the men during this
17 trip to the Leisure World area of Orange County?

18 A. I already asked him that question and he stated
19 nothing had been taken other than beer.

20 Q. And was beer being drunk, according to your
21 understanding in talking to Mr. Kraft on May 19th, during this
22 trip to the Leisure World area of Orange County?

23 A. I don't know.

24 Q. And he told you that they got off on El Toro Road?

25 A. Yes.

26 Q. Did he tell you why they got off on El Toro Road?

1 A. No. He just said they got off on El Toro Road.

2 Q. Did you ask him why?

3 A. I don't recall.

4 Q. And your understanding is Mr. Kraft described it to
5 you, the older man was driving at this time?

6 A. Yes.

7 Q. And then they go off on some dirt road, according
8 to Mr. Kraft?

9 A. Not immediately.

10 Q. All right. Would you describe Mr. Kraft's
11 description to you of their travels after getting off the
12 freeway in the area of Leisure World and Orange County.

13 A. Okay. After getting off -- excuse me -- at El
14 Toro, they drove approximately a mile and then onto a dirt road
15 where they got stuck.

16 Q. Which direction did he tell you they went on El
17 Toro Road?

18 A. I don't recall.

19 Q. You later went down there, didn't you, with
20 Sergeant Woodward and physically examined the area, didn't you?

21 A. Yes, sir.

22 Q. Where did you go when you went down there?

23 A. I went to the direction that he stated that he
24 went.

25 Q. Well, when you got to El Toro Road, which direction
26 did you go?

1 A. I believe I went, it would have been south, I
2 believe.

3 Q. Toward Laguna Beach?

4 A. I believe it was, yes.

5 Q. Well, did you make some notations or -- strike
6 that.

7 When you went down -- when did you go down there at
8 a later time to check the area out? How long after May 19th?

9 A. A few days later; I don't recall the exact date.

10 Q. Did you have some notes or something to describe to
11 yourself or help you get to the location you felt Mr. Kraft had
12 gone with this older man?

13 A. We went to the area where Mr. Kraft stated that he
14 had been. I don't believe he gave us any specific directions.
15 We just went down to that area and tried to find a road and a
16 dirt road and whatever --

17 Q. So you were going down this freeway at this later
18 time -- is Sergeant Woodward with you?

19 A. Detective Woodward -- well, he's a sergeant now.

20 Q. You get to the intersection of Leisure World and
21 the San Diego Freeway, and there had to be a decision made
22 between the two of you as to which direction you went on El Toro
23 Road, and what I would like to know is how you made the decision
24 to go on El Toro Road?

25 A. Well, Counsel, we probably went both ways, once
26 south and then turned around and went north. We were just

1 checking the area Mr. Kraft said he went.

2 Q. You went about a mile on El Toro Road?

3 A. Approximately, yes.

4 Q. And you found a road -- a dirt road that you went
5 off on?

6 A. Yes, there were several dirt roads that we entered
7 up on on that day.

8 Q. I wonder if you would approach the diagram for me,
9 please.

10 A. If you're going to ask me to diagram it, you are
11 out of luck, because I don't recall.

12 Q. As roughly as you can, I realize it is not to
13 scale, I would like you to trace your route.

14 A. I can't, I don't recall it. I recall being down
15 there, but I can't tell you which way we turned, right or left
16 or whatever. That's been quite a few years ago, Counsel, it's
17 changed.

18 Q. Are you familiar with the south county -- the south
19 Orange County area around the intersection of El Toro and the
20 San Diego Freeway?

21 A. Well, I know where it is, yes. I'm not real
22 familiar with it.

23 Q. Well, if I can refresh your memory, you know where
24 O'Neil Park is?

25 A. Yes.

26 Q. And when -- if you were traveling south on the



7
1 freeway ~~and~~ you got off on El Toro Road, you would turn left to
2 go to O'Neil park, wouldn't you?

3 A. You would go north.

4 Q. And you turn right or south on El Toro Road to go
5 in the direction of Laguna Beach and the hills there?

6 A. Correct.

7 Q. Now, because of your conversation with Mr. Kraft on
8 May 19th, did you have any hint as to whether you should turn
9 left or right when you got to El Toro Road?

10 A. I don't recall. Like I say, I don't recall which
11 way we turned. I'm sure we probably went both ways.

12 Q. Officer -- Detective Bell, do you know that there
13 was a headless skeleton found down in that area, don't you, you
14 know that as you sit here today?

15 A. I know that today, yes.

16 Q. After finding that fact out, have you made any
17 effort to go down there and see if it is in the area that you
18 were told by Mr. Kraft that he went with this older man?

19 A. No.

20 Q. Did you -- strike that.

21 In your travels with Detective Woodward shortly
22 after the May 19th interview with Mr. Kraft, did you ultimately
23 find a dirt road which you described in your report?

24 A. Yes.

25 Q. Where was that dirt road?

26 A. It was in the area of the San Diego Freeway and El



1 Toro is all I can tell you, Counsel.

2 Q. A mile either way?

3 A. Yes, sir, I couldn't tell you.

4 Q. Could you find it again?

5 A. Are you kidding? Have you been down there? No.

6 Q. I live down there, it's easier for me.

7 A. I don't think there's very many down there anymore.

8 Q. All right. This dirt road you found after going
9 down there on May 19th, it was a couple days after May 19th, the
10 trip with Sergeant Woodward -- you only made one trip, didn't
11 you?

12 A. Best of my recollection, yes, sir. That's all I
13 made.

14 Q. And you found a dirt road a mile either way on El
15 Toro Road in which you found some evidence or some indication
16 that a car may have bottomed out or got stuck in the dirt,
17 didn't you?

18 A. We found a place where a car possibly could have
19 gotten stuck.

20 Q. Did you -- right.

21 In fact, on this road there were several places
22 where a car possibly could have gotten stuck?

23 A. I believe there was only the one place that we
24 indicated.

25 Q. All right. This area where you found this dirt
26 road was one area on that dirt road the car could have got

1 stuck, ~~did~~ you take photographs?

2 A. No.

3 Q. Did you draw a diagram of its location?

4 A. No.

5 Q. Do you know as you sit here today how far that is
6 from where the headless skeleton was found?

7 MR. BROWN: Objection. It calls for a conclusion.

8 THE WITNESS: No.

9 MR. MC BRIDE: It does.

10 THE COURT: The answer will remain.

11 MR. MC BRIDE: Thank you.

12 BY MR. MC BRIDE: Q. Now, this area, this dirt road --
13 let me ask you this. I'm not trying to belabor the point, I'm
14 trying to refresh your memory, perhaps by the conversation. Do
15 you recall a conversation or discussion with Sergeant Woodward
16 when you hit the intersection of the freeway and El Toro Road
17 about which way we should go?

18 A. No.

19 Q. Do you recall some confusion, "Geez, I wish I'd
20 asked Mr. Kraft where we should go"?

21 A. Counselor, I don't recall which way we went, sorry.

22 Q. We could talk about it until next week and you
23 don't think you'll be able to remember?

24 A. No, sir.

25 Q. All right. This area where you went on the dirt
26 road, was there construction going on?



1 A. I don't believe there was any construction in the
2 immediate vicinity of the roads we were on.

3 Q. Did you get out of your cars at any time? At any
4 point -- you were only in one car, weren't you?

5 A. Yes.

6 Q. Did get out of your car at some point in your
7 travels with Detective Woodward on that date and conduct any
8 search, or was your observations from the interior of your car?

9 A. At that time we were just looking for a place for a
10 vehicle to get stuck, and we could see that from within the
11 vehicle.

12 Q. And once you found that one area, you didn't get
13 out and check the surrounding area?

14 A. No, sir.

15 Q. Now, do you recall specifically asking Mr. Kraft
16 his purpose, if any, in getting off El Toro Road onto some dirt
17 road?

18 A. I believe we did and he stated that the other
19 fellow was driving and he's the one that drove there, and that
20 was his answer.

21 Q. Did you inquire further into that?

22 A. I don't recall.

23 Q. And then as I understand in his testimony in his
24 words, they bottomed out?

25 A. That's correct.

26 Q. And those were words that you've noted as a



1 quotation from Mr. Kraft; is that correct?

2 A. That's correct.

3 Q. Bottom out -- strike that.

4 And did Mr. Kraft describe to you his efforts to
5 free the vehicle?

6 A. He just stated that he and the other fellow
7 attempted for a half hour or so to free the vehicle. He didn't
8 go into specific details and I didn't ask specific details on
9 what they did to get it free.

10 Q. All right. And then he told you he walked to a
11 24-hour restuarant?

12 A. That's correct.

13 Q. And he told you he thought it might be Bob's Big
14 Boy?

15 A. That's correct.

16 Q. But he wasn't sure, was he?

17 A. That's correct. He said he thought it was Bob's
18 Big Boy.

19 Q. Okay. Now, when you're on the road with Sergeant
20 Woodward a couple days later, did you look for a Bob's Big Boy?

21 A. Yes.

22 Q. Did you fine one?

23 A. Yes, there's one at El Toro ...

24 Q. Did the dirt road that you went up, what was its
25 relationship distance-wise from this Bob's Big Boy?

26 A. I don't know.



1 Q— Same general vicinity?

2 A. General area, yeah. There was, like I said, there
3 was several dirt roads in that area. It was quite desolate.
4 Seventy-five it was pretty desolate.

5 Q. Did you check the resturants in the area to see
6 which ones were open 24 hours?

7 A. Yes, I believe there was one other south of that
8 location called Buffy's, something like that.

9 Q. Did you personally do this checking?

10 A. I believe we did it that same day, yes.

11 Q. That was the same day.

12 And did you check with Bob's Big Boy?

13 A. Yes.

14 Q. And did you inquire of them as to whether they are
15 open 24 hours?

16 A. Yes.

17 Q. Did you talk to any waitresses or other persons who
18 may have been on duty at sometime during the events that had
19 been described to you by Mr. Kraft?

20 A. I believe they were interviewed, but I don't recall
21 specifically doing that or if Sergeant Woodward did it or who
22 did it. I believe there was some waitresses and/or manager. I
23 don't know who else was contacted.

24 Q. Have you in your efforts to refresh your memory
25 from these 1975 events reviewed any police reports indicating an
26 interview of possible employees of 24-hour restuarants in the

1 area? --

2 A. I -- no. I haven't read that report.

3 Q. To your knowledge, there isn't any reports of that
4 nature, is there, to your knowledge?

5 A. I don't know if there is or there isn't, I haven't
6 read any.

7 Q. Well, that's my -- that's the point.

8 A. Okay.

9 Q. So you did an investigation down there and you
10 discovered two restuarants in the area that were open 24 hours?

11 MR. BROWN: Objection. Calls for a conclusion.

12 THE COURT: Overruled.

13 THE WITNESS: Yes, bob's and I believe the other one was
14 Buffy's, and I'm not sure if they were open 24 hours or not, but
15 I think they were.

16 BY MR. MC BRIDE: Q. Did you make -- you think it was
17 Buffy's, is there a notation someplace that you read to help
18 refresh your memory in that regard?

19 A. No. I just recall it.

20 Q. All right. How many restuarants did you check with
21 Sergeant Woodward on that day when you went down there?

22 MR. BROWN: Objection. It's irrelevant.

23 THE COURT: Sustained.

24 BY MR. MC BRIDE: Q. Mr. Kraft told you the car bottomed
25 out and he walked to a restaurant, which he thought was Bob's
26 Big Boy?

1 A. Yes.

2 Q. But he displayed to you some confusion in his own
3 mind as to what the name of the restuarant was, didn't he?

4 MR. BROWN: Objection. It calls for a conclusion.

5 THE COURT: Sustained. You can rephrase it.

6 BY MR. MC BRIDE: Q. Did he indicate to you a degree of
7 certainty in his mind that it was Bob's Big Boy that he went to?

8 A. I believe his statement was, "I think" -- "I
9 thought it was Bob's Big Boy," or "I think it's Bob's Big Boy."

10 Q. And where -- strike that.

11 He told you, did he not, that when he went walking
12 down the road to the restuarant, that the older man stayed with
13 the car, didn't he?

14 A. Yes.

15 Q. And he also told you that was the last time he saw
16 the older man; isn't that correct?

17 A. Yes.

18 Q. And you asked him, didn't you, was that older man
19 alive when you left him? You asked him that question, didn't
20 you?

21 A. I don't know if I phrased it exactly that way, but
22 yes.

23 Q. You asked him if this man was alive --

24 A. Yes.

25 Q. -- when he left him?

26 A. Yes.

1 Q.— And Mr. Kraft told you he was?

2 A. Yes.

3 Q. Did you inquire of Mr. Kraft as to any activity
4 between himself and this man at the location where the car
5 bottomed out, other than their efforts to free the car?

6 A. No.

7 Q. You didn't ask him?

8 A. I don't believe I did, no.

9 Q. And then Mr. Kraft told you that he walked to this
10 restuarant he thought might be Bob's Big Boy and he told you he
11 met an older couple there that aided him?

12 A. Eventually aided him, yes.

13 Q. How far did he tell you that he walked to get to
14 this 24-hour restuarant?

15 A. I believe he stated -- if I could have just one
16 moment.

17 Q. Did he tell you it was approximately a mile walk?
18 It's the third paragraph.

19 A. Yes, I believe he did.

20 Q. When you went down there several days later with
21 Sergeant Woodward, did you make an effort to measure the
22 distance between this area where the car could have bottomed out
23 and the main road?

24 A. I don't independently recollect that, but I'm sure
25 that we probably did.

26 Q. Did you make a notation of that someplace?

9



1 A.— I may have, but I wouldn't have any idea where it
2 is now.

3 Q. All right. He told you this couple helped him get
4 his car free, didn't he?

5 A. Yes.

6 Q. Did he describe this couple to you?

7 A. Just as they were an older couple.

8 Q. Did you ask for further description of these
9 people?

10 A. I believe I did and he couldn't give me any
11 further, to the best of my recollection.

12 Q. You believed you asked him for a further
13 description?

14 A. I'm sure I probably questioned him if he knew their
15 names or what have you, and he didn't, the best as I remember.

16 Q. You didn't recall any further questions, record
17 answers in your report?

18 A. No.

19 Q. And you didn't record any further responses by Mr.
20 Kraft in your report other than his description that they were
21 an older couple?

22 A. No. I did not.

23 Q. So as you sit here, you don't have an independent
24 memory to him telling you he couldn't describe them further?

25 A. Well, I recall that he didn't know who they were.
26 They were an older couple and that was it.

1 Q. How about their height, weight, dress, car?

2 A. No. He didn't tell me that.

3 Q. Did you ask him those things?

4 A. I don't recall.

5 Q. And he told you, did he not, this older couple
6 drove him, then, back to the location where his car had bottomed
7 out?

8 A. Correct.

9 Q. And they helped him get his car free?

10 A. Correct.

11 Q. How did they help him get his car free, did you
12 know that from your conversation with Mr. Kraft?

13 A. I don't know.

14 Q. And Mr. Kraft told you when they returned to the
15 location where the car was bottomed out that this older man was
16 not there any longer, didn't he?

17 A. That's correct.

18 Q. Did you ask him how much time had elapsed between
19 when he had first left this man at the car as Mr. Kraft sought
20 help and when Mr. Kraft returned with the older couple?

21 A. I don't recall.

22 Q. Did you ask Mr. Kraft what time it was that his car
23 was freed from this area where it had been bottomed out?

24 A. I don't recall if I asked him or he volunteered,
25 but there was a time of approximately 5:00 a.m.

26 Q. All right. Did you ask Mr. Kraft during the course



1 of the interview what time it was, approximately, that he left
2 the parking lot this second time with the older man in the car?

3 A. I don't recall if I did or not.

4 Q. Did you ask him, do you recall asking him or him
5 volunteering what time it was he first came into contact with
6 these two men in the parking lot?

7 A. No. It was sometime between 11:00 p.m. and 1:00
8 a.m.

9 Q. Why do you say that?

10 A. Because that's the time he stated that he left the
11 bar.

12 Q. Was the bar still open when he left?

13 A. He didn't say whether it was open or not. The bars
14 usually stay open until 2:00.

15 Q. Now, specifically describing -- strike that.

16 In Mr. Kraft's description to you on May 19th,
17 regarding the freeing of his car, did he tell you that it was an
18 older couple with a pickup?

19 A. I don't believe so, no.

20 Q. Did he describe to you the freeing of his car with
21 a rope?

22 A. I don't believe so.

23 Q. Were you -- when you went down there a couple days
24 later with Sergeant Woodward, did you examine the dirt road that
25 you've described as having a place where someone could get
26 stuck, did you examine that area for tire tracks?



1 A. Not specifically, there were a lot of tracks in
2 there.

3 Q. What was it about this area that caused you to
4 think this is someplace where somebody could get stuck?

5 A. The terrain, it was a high spot in the road, I
6 believe, or somewhere where a vehicle could bottom out.

7 Q. And did you see any signs on that dirt road that
8 would be made, perhaps, by a car spinning or throwing dirt out
9 or being stuck in some other fashion?

10 A. I don't recall.

11 MR. MC BRIDE: I have no further questions.

12 THE COURT: Mr. Brown?

13 MR. BROWN: No questions.

14 THE COURT: Mr. Otto, did you have any questions?

15 MR. OTTO: Just one.

16 BY MR. OTTO: Q. Are you sure he told you the name of
17 the bar was Ripples that he left?

18 A. The best of my recollection, yes. I believe it
19 was.

20 MR. OTTO: No further questions.

21 THE COURT: Mr. Brown?

22 MR. BROWN: Still no questions.

23 THE COURT: Sergeant Bell, thank you, sir. You are
24 excused at this time. Remember the admonition.

25 THE WITNESS: Yes, thank you.

26 THE COURT: Call your next witness.

