



MR. SARLEY: If counsel wishes to examine them they have no other marks on them.

THE COURT: I assume they're exact xerox copies, photocopies of the statement.

MR. ZELAZO: I think they should be marked as Defendant's Exhibits.

MR. SARLEY: That's fine, Judge. I can mark them. Although they are identical to People's Exhibit No. 40A, they can be marked as duplicate People's Exhibit No. 40A.

THE COURT: That's the way they should be marked.

MR. SARLEY: If I could have a moment, your Honor.

THE COURT: Duplicate 40A. They may be considered marked. You can do it at a later time.

MR. SARLEY: Fine, Judge.

BY MR. BILYK:

Q Mr. Gerber, would you please read People's Exhibit No. 40A.

A It starts off, "Re: Investigation, fatal stabbing of Debra Smith. Statement of Ronald Jones taken at the Area 1 Violent Crimes unit, 5101 South Wentworth, Chicago, Cook County, Illinois, on October 5th, 1985 at 113 o'clock a.m. Present, Mr. Michael Gerber and Mr. Robert W. Bertucci, assistant state's

attorneys, Investigator John Markham, Area 1 Violent Crimes, star 2913, reported by E. Smith, book 8510-3.

Mr. Gerber: Let the record reflect that we are in an interview room at Area 1 Violent Crimes. Today's date is the 5th day of October, 1985 and the time is now 1:13 in the morning a.m. Present in the room with me Assistant State's Attorney Michael P. Gerber and Robert Bertucci, Detective John Markham, M-a-r-k-h-a-m, star 2913 of Area 1 Violent Crimes. The court reporter, Emmett Smith.

We are here to take the statement of Ronald J. Jones concerning the fatal stabbing of [REDACTED] which took place on the 10th day of March, 1985 between the hours of 3:00 a.m. and 4:40 a.m. That stabbing took place at 6724 South Stony Island in Chicago, Cook County, Illinois.

Q Ronald, I spoke with you earlier. Is that correct?

A Yes, sir.

Q And at that time -- and at the time I spoke with you I gave you various rights. Is that also correct?

A Yes, sir.

Q Ronald, I am going to tell you those

rights again and I will ask you if you understand them. Do you understand that you have a right to remain silent?

A Yes, sir.

Q Do you understand that anything you say can be used against you in a court of law?

A Yes, sir.

Q Do you understand you have the right to talk to a lawyer and have him present with you while you are being questioned?

A Yes, sir.

Q Do you understand if you cannot afford to hire a lawyer one will be appointed by the court to represent you before any questioning if you wish one.

A Yes, sir.

Q Understanding these rights do you want to talk to us now?

A Yes, sir.

Q Ronald, I'd like to take you back in time to the early morning hours of March 10, 1985, a Sunday morning, and ask you if you were in the general vicinity of

67th and Stony Island in Chicago, Cook County, Illinois.

A Yes.

Q What were you doing at approximately 3:00 to 4:40 in the morning on that date?

A I was walking from 67th and Blackstone and I got to 67th Place and proceeded east on 67th Place and I came to an alley at 67th Place by the Crest.

Q Who did you see when you got to the alley by the Crest?

A I seen a female.

Q And the Crest is an abandoned hotel?

A Yes.

Q Is that female now known to you as [REDACTED] [REDACTED]?

A Yes, sir.

Q Did you have a conversation with that female [REDACTED]?

A Yes, I did.

Q What did you say to her and what did she say to you?

A Well, she asked me if I wanted to make a

date.

Q What did you say to her?

A I asked how much would it cost me.

Q What did she say to that?

A She said \$10.

Q And after she said \$10 what happened next?

A I said that is all right with me, where are we going?

Q What did she say as to where you were going to go?

A She said we go right here in the Crest.

Q After she said that you can go inside the Crest, what happened then?

A Then we proceeded through the window.

Q You proceeded through an open window. Is that right?

A Yes, sir.

Q How high was that window?

A It was about six feet, no, about four feet.

Q Four feet? Were you able to see through the window from the ground?

A Partly.

Q Who went through the window first?

A I did.

Q What happened after you went through the window?

A I reached down and I helped her up in the window.

Q And did she come through the window with your help?

A Yes, sir.

Q What happened after you got inside the window?

A We proceeded and we went to have sex.

Q Did you do it right there by the window?

A We walked a little further into the Crest.

Q Were you in a room or in a hallway?

A It seemed like a type of room.

Q This entire building is vacant?

A Yes.

Q There was nobody living in there?

A No.

Q When you got in the room did either one of you get undressed?

A We both undressed.

Q After you undressed what did you both do?

A We proceeded having sex.

Q Did you have sexual intercourse?

A Yes.

Q Did you put your penis into her vagina?

A Yes.

Q Did you complete the sex act?

A Yes.

Q You reached a climax. Is that right?

A Yes.

Q After you reached a climax with [REDACTED], what happened then?

A I proceeded to put my clothes on. I took it for granted that she put her clothes on too.

Q You are not sure if she got dressed or not?

A No.

Q After you put your clothes on what happened then?

A She asked me for the \$10.

Q What did you say to her?

A I told her I wasn't going to give her



\$10.

Q What happened after that?

A Somewhere she came up with a knife.

Q You saw the knife?

A Yes.

Q After she showed this knife what happened?

A We were wrestling and tussling.

Q After you tussled what happened?

A I ended up getting the knife from her.

Q You took the knife from her?

A Yes.

Q After you took the knife from her what happened?

A I lost my temper and I cut her a few times.

Q What did you do then?

A I proceeded to run out of the building.

Q You ran out of the building. Is that correct?

A Yes, I ran out a side window.

Q Where did you go then?

A I ran home.

Q What did you do after you got home?

A I changed my clothes and I threw them away.

Q Why did you do that?

A Because I thought maybe she had the police looking for me for some reason or another.

Q Were you afraid that the police might come looking for you?

A Yes.

Q And what did you do with your clothes?

A Threw them in the garbage.

Q Where was the garbage that you threw your clothes into?

A 66th Place in the alley.

Q What did you do after you put your clothes in the garbage?

A I put on other clothes.

Q You put on other clothes?

A Yes, sir.

Q Do you remember what happened to the knife that you used to cut [REDACTED]?

A I was in such a panic mood I just dropped the knife somewhere on the ground.

Q Ron, have any promises or threats been made to you in order for you to give this statement?

A No.

Q No one has threatened you or promised you anything to give this statement?

A No, sir.

Q Have you been allowed to use the washroom since you have been Here?

A Yes.

Q And now have you been -- and how have you been treated by the police and myself since coming here?

A Better than I expected.

Q Everybody treated you all right?

A Yes, sir.

Q Have you been given food since you have been here?

A Yes.

Q What were you given to eat?

A McDonald's.

Q Have you been given anything to drink since you have been here?

A Yes.

Q And you had cigarettes?

A Yes.

Q Why are you giving this statement at this time?

A Because I decided I wanted to tell the truth.

Mr. Gerber: All right. Let the record reflect that it is 1:25 a.m. and the interview with Ronald Jones has been completed."

Q Mr. Gerber, if I could direct your attention to page 2, please.

A Yes, sir.

Q There's a correction midway down the page. Can you tell the ladies and gentlemen of the jury how that correction was made.

A There was a spelling error. The word you was typed y-u and it was corrected by Mr. Jones to spell y-o-u.

Q Did the same thing occur on page 3?

A That's correct. About a third of the way down the page where it says I got to 67th Place and proceeded east on 67th Place, I came to the alley, the word at 67th Place, it was originally written as of

67th and it was corrected by Mr. Jones to read properly the word at, a-t.

Q And did the same thing occur on page 4 about the middle of the page.

A Yes, sir, it did, the same thing. The correction there was able to see through the window down to the ground and Mr. Jones struck the word down and the word to and wrote in the word from so it read from the ground.

Q Now the words that were written in, were those written in by Mr. Jones?

A Yes, sir they were.

Q May I have People's Exhibit 40A and B, please.

A Certainly.

MR. BILYK: I have no further questions at this time.

THE COURT: You may cross-examine.

MR. GRZECA: Thank you, your Honor.

CROSS-EXAMINATION

BY MR. GRZECA:

Q Good afternoon, Michael, how are you doing.

A Good afternoon.

Q When counsel asked you is that normal to have