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THE BAILIFF: Mr. Freireich, will you kindly take the witness box and be seated, please.

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THEREUPON, LOUIS H. FREIREICH, a member of the prospective jury panel, having been previously sworn, was examined and testified on voir dire, as follows:

THE COURT: Good morning, Mr. Freireich.

MR. FREIREICH: Good morning.

THE COURT: Mr. Freireich, is that the correct way to pronounce your name?

MR. FREIREICH: Most people call me Freireich, but the correct pronunciation in German is Freirich.

THE COURT: The correct pronunciation is Freirich?

MR. FREIREICH: Yes.

THE COURT: You preferred to be called Freirich?

MR. FREIREICH: No.

THE COURT: Mr. Freireich, the lawyers here will put some questions to you, sir, about the case which we are considering, and the

prospects of you sitting as a juror in this case.

Now, Mr. Ronito, who sits before you, he must put into the record your answers to these questions; do you understand that, do you not, sir?

MR. FREIREICH: Yes,

THE COURT: Mr. Freireich, you must keep your voice at a level, and a point so that each person in this room can hear you; will you do that?

MR. FREIREICH: Yes.

THE COURT: All right, and remember when you are making your answers to these questions, sir, that you are under oath; do you understand that, sir?

MR. FREIREICH: That's right.

THE COURT: You will have to do much better in keeping your voice up when you are answering the questions.

Counselor Corrigan or Spellacy?

MR. SPELLACY: If the Court please.

VOIR DIRE EXAMINATION OF LOUIS H. FREIREICH

By Mr. Scellacy:

Q Would you tell us your full name, please?

A Louis H. Freireich.

Q Would you spell your last name, please?

A F-r-e-i-r-e-i-c-h.

Q Where do you live, sir?

A 32 Eastland Road, Berea, Ohio.

Q Are you married, sir?

A I am.

Q And do you have a family?

A I have one son.

Q Will you tell us his name and age, please?

A His name is Ricky, Ricky Allen. The last name, of course is the same.

Q And how old is he?

A He was twenty years old October 12th.

Q Is he at home?

A No, he is home now -- you mean in my home?

Q Yes.

A No, he is married.

Q He is married?

A Yes.

Q Where does he live?

A I believe it is 76 West Bagley Road, Berea, Ohio.

Q Also in Berea?

A I know where he lives, but the number is -- I believe it is 76.

Q All right. Are you employed, sir?

A I am with the Jones and Laughlin Steel people for -- it will be thirty-three years this coming January.

Q And what do you do at Jones and Laughlin?

A Originally I was instrumentation engineer, but I had a heart condition and now I am a buyer.

Q A buyer?

A I don't know whether it is on the record of the payroll department as such. I never inquired about it, but that is my new job.

Q And how long have you been a buyer?

A March 21st is when I had my heart attack. I believe I went back sixty days later. I was thirty days in the hospital. I think a month later. I don't know the exact date.

THE COURT: Counselor, will you establish the year of this?

MR. SPELLACY: Yes.

Q What year would this have been?

A That would be in '63.

Q 1963?

A Yes.

Q And prior to working in this capacity, what did you do for J and L, again?

A Instrumentation Engineer. That is electronic controls, hydraulic, pneumatic, and calibration of instruments, and so forth.

Q And you had done this for how many years?

A Since 1943.

Q Is your wife employed outside the home?

A No.

Q Had she been employed outside the home recently?

A Not in the last thirty-one years.

Q Sir, do you know anyone connected with the County Prosecutor's Office?

A Not personally, no.

Q When you say not personally, what do you mean?

A Well, I have seen some of the faces.

Q Pardon me?

A I have seen some of the faces in the newspapers.

Q Do you know the defendant in this particular case?

A No, I do not.

Q Do you know Mr. Sherman?

A No, I do not.

Q Do you know Mr. Bailey?

A No, I do not.

Q Do you understand that this is the case of the State of Ohio versus Sam Sheppard, you know that?

A So I have heard.

Q Have you read anything about this particular case?

A To be truthful about it, no.

Q Do you recall at anytime having read anything about this particular case?

A I recall there were headlines years ago, and I can't recall what year it was. But I never paid much -- I never took much interest in such cases and articles in the papers.

Q Sir, is there anything you might have read in the newspapers that would cause you to form an opinion with regard to this matter?

A No, I honestly don't believe I could form an opinion. I don't know anything about it, outside of the stories I have heard people --

Q Pardon me?

A I have heard people talk, but not to me about it.

Q You have heard other people express their opinions, then, is that correct?

A Well, I don't know whether --

Q Yes or no?

A No, it wasn't their opinions.

Q Well, you have heard conversations about this particular case, then?

A Parts of it, yes. Not completely.

Q If you could, sir, just answer my questions yes or no.

Have they caused, these conversations that you heard, have they caused you to form an opinion with regard to this matter?

A No, it hasn't.

Q Do you know where Bay View Hospital is?

A No, I don't.

Q You indicated before, sir, that you had a heart attack in 1963, was it?

A That's right.

Q May I inquire, sir, what hospital you were confined in?

A Berea Southwest Community Hospital.

Q Berea Southwest Community Hospital, that is right in Berea, is that right?

A That's right.

Q Sir, is there anything about your condition at the present time that would prevent you from sitting as a juror in this particular case?

A Not that I know of.

Q Do you feel if called upon that you are physically capable of sitting as a juror here, is that right?

A I believe so.

Q Have you had prior jury experience?

A I served on a jury.

Q When was that, sir?

A I don't recall. It was '52. I was the foreman of the jury at that time.

Q And was that in a civil case or a criminal case?

A I don't know what you mean. It was an armed robbery case, whichever way you care to --

Q Was it here in this particular building?

A I believe it was in the building next door.

Q You mean in the Police Station?

A I think, if I recall correctly, I believe that's where it was.

Q Now, without telling us what the verdict was in that particular case, did the jury arrive at a decision, just yes or no?

A Yes.

Q Did you have occasion to sit on any other jury other than the one that you have just mentioned to us, yes or no?

A No.

Q That was the only one?

A That was the only one.

Q Do you recall the name of the judge that was in that particular case?

A No, I do not.

Q Do you recall the name of the Prosecutor that was

involved in that particular case?

A Believe me, I don't. I do recall the defendant's attorney's name, Garmone or something.

Q What was that?

A Some kind of a --

Q Was it Garmone?

A Garmone, was that it?

Q Is there anything about that experience in that particular case that would preclude you from being a fair and impartial juror in this case?

A No.

Q You understand that as a juror, you are obliged to take the law from Judge Talty, you understand that?

A I understand that?

Q And you are to apply only that law to the facts as you find them facts to be.

Now, would you be able to set outside your mind any ideas you might have gotten from the law that you learned in 1952, if you can recall it, and take only the law that Judge Talty gives to you?

A I can.

Q You would forget any ideas you might have as to what the law is, or what it might have been, and apply only the law that Judge Talty gives to you?

A In fact, I don't quite remember --

Q Pardon me?

A In fact, I don't quite recall at that time what was said.

Q You see, in this day and age of radio and television, we have all been exposed to principles of law, and if all the jurors applied their own principles of law, we would have twelve different ideas as to what the law is, and you understand then that you are to forget about any ideas you might have as to what the law is, and take the law that only Judge Talty gives to you, you understand that?

A I understand that.

THE COURT: Counselor, it is apparent there will be further questions of Mr. Freireich?

MR. SPELLACY: Yes.

THE COURT: May I see Mr. Reed for a moment, please, before recessing?

Ladies and gentlemen of the prospective panel, we are going to have our morning recess at this time, and while you are away on your morning recess, you shall bear in mind the instructions given you on each occasion when you leave the room; one, you shall not discuss this case even amongst yourselves or what little you know of it or heard of it, and you shall not permit anyone