

Thereupon the State of Ohio, further to maintain the issues on its part to be maintained, called as a witness FRED F. DRENKHAN, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

By Mr. Parrino:

Q Would you state your name, please?

A Fred F. Drenkhan.

Q Where do you live?

A 479 Canterbury Road, Bay Village.

Q Are you married?

A Yes.

Q What is your occupation?

A Police officer.

Q By what police department are you employed?

A Bay Village.

Q How long have you worked there as a police officer?

A Approximately five years.

Q What is your rank, please?

A Patrolman.

Q Now, would you tell us, please, how many persons are there as members at the Bay Village Police Department?

A There are seven regular men, that is including the Chief, and there are four part-time men.

Q On and about July the 4th how many regular police officers were there for Bay Village?

A In the morning of July 4th?

Q On and about July 4th, yes.

THE COURT: How many there were
on the force, you mean?

MR. PARRINO: Yes, that's right.

A At that time there were seven, including the Chief, plus four extra men.

Q Now, calling your attention to the night of July the 3rd, were you working on that night, Officer Drenkhan?

A No, I wasn't.

Q On the early morning of July 4th were you working?

A That's right. I was working 12 midnight to 8 in the morning.

Q Now, I presume that the Chief of Police gives you your assignments, is that correct?

A That's correct.

Q And what is the Chief's name out in Bay Village?

A John P. Eaton.

Q Now, I presume that you started your tour of duty that night from the police station, is that correct?

A It is customary in our department that we are picked up

at home, and we are just picked up in the car and start our regular patrol.

Q Now, where is the police station located in Bay Village?

A We have a police station at the City Hall, that is where our jail is at Dover and Wolf Road. We actually operate with radio communications, and all phone calls are answered at another station we have on Cahoon Road.

Q Now, how many services does the Bay Village have in that same building there?

A Fire department, the service department operates out of that building, too, on Cahoon Road, and we operate out of there.

Q Would you give this jury an idea as to approximately how large Bay Village was on and about July 4th, population?

A Our population is approximately 12,000.

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- Q Now, were you picked up at your home that evening to start your tour of duty, sir?
- A I was.
- Q And that, you say, was at or about 12:00?
- A That's correct.
- Q Now, will you tell us of what did your duty consist that night?
- A Our duty consists of just regular patrol within the city limits, the protection of property; just general police work.
- Q I see. Now, were you operating a police car that evening or that morning?
- A We were. There were two men.
- Q And you had a partner, I take it?
- A That's correct.
- Q And what was your partner's name?
- A Patrolman Roger Cavanaugh.
- Q Now, during the course of that night, did you have the occasion to be on West Lake Road at any time?
- A We did.
- Q Will you describe to the jury the circumstances under which you were on Lake Road, what your general duties and functions were that night?
- A Well, our duties on -- Lake Road is our main thoroughfare through the city, it is Route 2 and 6, it is one of the roads

we patrol possibly the most watching for traffic violations and such.

Q And the home of Dr. Sam Sheppard was, of course, located on West Lake Road, isn't that correct?

A That's correct.

Q And you say that that is Route 2 and 6?

A Correct.

Q And as such is one of the routes that you people patrol most carefully, is that correct?

A That is right.

Q Now, how many occasions did you have to go up and down Lake Road that morning between the time you started your tour of duty until, say, 5:30 in the morning?

A That's hard to say.

Q Approximately, to the best of your judgment?

A We don't patrol the full road at any particular time, but to cover the full length of Lake Road, we would be on there at least 5 to 10 times.

Q And during the time that you were on Lake Road that night, did you pass Sam Sheppard's home at any time?

A Yes, we did.

Q And about how many times would you say you did that?

A At least five or six times.

Q And did you observe any unusual activity on Lake Road in and around Sam Sheppard's home that night?

A No, we didn't.

Q Did you observe any hitchhikers along the road that night as you were working?

A No, we didn't.

Q Did you observe any persons whatsoever walking along that road that night between the time you started your duty until about 5:30 in the morning?

A No, we didn't observe any persons on foot on Lake Road that night.

Q Now, Lake Road runs in an easterly and westerly direction, does it not?

A Yes, it does.

Q Sam Sheppard's home is on the northerly side of Lake Road, is it not?

A It is.

Q Are there any sidewalks on that side of the street there, sir?

A There are no sidewalks on the full length of Bay Village on the north side of Lake Road.

Q Are there any sidewalks on the south side of the street?

A There is sidewalk all the way through the length of the village on the south side.

Q Did you have any occasion to observe the weather conditions that night as you were operating your police car?

A Yes, I did.

Q About what time was that that you observed something about the weather conditions?

A It was approximately 2:00 in the morning, I remarked to the officer with me that the wind was very strong and the lake --

MR. GARMONE: Object to any conversations, now, that he had with some fellow officer.

MR. DANACEAU: They are preliminary.

THE COURT: What you observed as to the weather conditions, that is, --

Q Well, you did observe something about the weather conditions, is that correct?

A Yes, I did.

Q As I understand it -- don't tell us what you said to your partner, but you made a remark to your partner, is that correct?

A That's correct.

Q Now, would you tell us what the weather conditions were at or about 2:00 a.m. on the morning of the 4th?

A There was a very strong wind out of the north, the lake was very rough.

Q And did your remark to your partner pertain to that condition?

A Yes, it did.

Q Now, you continued your tour of duty, then, until an early hour of the morning, is that correct?

A That's right.

Q And did something unusual occur in the early hours of that morning? Did you receive a call?

A Yes, sir.

Q Where were you when you received that call?

A We were in at the fire station at Cahoon Road.

MR. CORRIGAN: In where?

THE WITNESS: At the fire station
at Cahoon Road.

MR. PARRINO: At the fire station
at Cahoon Road.

Q And from whom did you receive that call?

A From Mayor Houk.

Q Did you receive it personally?

A Yes. I was at the desk at the time the call came in.

Q Upon receiving the call, what did you do?

A After he informed me what had taken place, I instructed the fireman on duty to bring the ambulance over, and the officer with me and I left.

Q Who of those two people did you issue those instructions to?

A I told the fireman, Richard Sommers, to bring the ambulance over to the Sheppard home, and I directed Patrolman Roger Cavanaugh to take the other police cruiser and follow me

over.

Q And what did you do then, sir?

A And we both left. I led the way.

Q And what kind of a vehicle were you operating?

A A police cruiser.

Q And were you alone in your vehicle?

A I was.

Q Who got to the Sheppard home first?

A I did.

Q Where did you park the police vehicle when you got to the Sheppard home?

A I pulled it into the Sheppards' drive in back of the Mayor's car or station wagon.

Q And the drive leads to the garage, as I remember it, does it?

A That's right.

Q Were the doors on the garage there at the Sheppard home open or closed, as you recall?

A As I recall, they were closed.

Q The Sheppard home is located in Bay Village, Cuyahoga County, Ohio, is it not?

A That's right.

Q Now, as you parked your car there, what did you do, sir?

A I got out of the car and started towards the Lake Road side door, at which time either Mayor Houk or Mrs. Houk met me

at the front door and let me in.

Q I see. Now, you went in then by the Lake Road door, correct?

A Correct.

Q Now, as you enter that Lake Road door, are there some steps that lead to that door, do you recall?

A There is, I believe, a small wooden platform and then -- well, the threshold, you might say, just one or two steps up.

Q You ascended those and went into the vestibule there or the short hallway, is that correct?

A That's right.

Q Now, as you walk through that door into the vestibule in a northerly direction, what is the first door that you see?

A Well, it's an archway as you walk in leading directly into the dining room portion of the house.

Q I see. But before you come to the dining room, you have another door to the left or to the west, do you not?

A There is a door to the -- there is a closet to the left and then a door leading into the kitchen to the left.

Q And opposite or approximately opposite and across from the kitchen to the east off that same hall there, there is another room there, is there not?

A There is a door leading to the study or a den.

Q Now, you say you spoke to someone or you saw someone, at least, as you entered the premises, is that correct?

- A That's right.
- Q Who was that, please?
- A I believe it was Mrs. Houk, and I went on towards the study, at which time I was directed to go upstairs and see what I could do for Marilyn.
- Q Now, do you remember who it was that issued that or made that statement to you?
- A No, I don't. I believe it was Mrs. Houk, because she led me on through the kitchen.
- Q And did you go upstairs?
- A I did.
- Q By what route did you take or what route did you take to get upstairs?
- A I went through the kitchen and on up to the center landing and on up into the upstairs.
- Q Now, before you went upstairs, did you go into the den?
- A No, I didn't. I just looked into the den.
- Q Now, before we get to that, were you acquainted with Sam Sheppard before that time, sir?
- A I was.
- Q And for how long did you know Sam Sheppard?
- A I have known them for about three years, I would say, two or three years.
- Q Including Marilyn Sheppard?
- A I met her sometime after that. Possibly I didn't know her

quite as long as I did Dr. Sam.

Q Did you have the occasion from time to time to attend social functionings in Bay Village together with both Sam Sheppard and Marilyn Sheppard?

A We did.

Q And would you have any idea as to how many occasions that that would occur, approximately?

A About three times, I believe.

Q What would those occasions be?

A Once was a year ago the 4th of July, a picnic.

Q Where was that held?

A That was held at the Houks' residence.

Q Who?

A At the Houks' residence.

Q The Mayor's house?

A The Mayor's house.

Q Yes.

A And one was at my neighbor's house, the Gerhardts, and I believe there was another time at the Mayor's home.

Q I see.

A A picnic affair.

Q Now, did Sam Sheppard do some work for the Bay Village Police Department from time to time?

(A Yes. He answered numerous calls for us on emergency cases, automobile accidents, sudden illnesses in the home.

Q So that you and other members of the Bay Village Police Department knew Sam Sheppard fairly well, is that correct?

A We did.

Q Now, getting back to the point where you started to go upstairs in the Sheppard home, you say you went east -- or west, rather, through the kitchen, and there are some steps there that lead to a landing, is that correct?

A There are three steps.

Q Three steps. Now, as you got to that landing, what did you do?

A I then turned to my right and to the north and went on up the remaining stairs up to a hallway.

Q Now, can you give us an idea as to approximately what time this was that you did these things?

A We received the call at 5:57. It must have been no later than 6:02, 6:01.

Q I see. Now, in the living room there adjacent to the stairs there is an L, is that correct, sir?

A That's correct. It is a combination living and dining room.

Q Now, is there some object of furniture there that is adjacent to those stairs, do you know?

A There is a couch.

Q A couch. Now, as you were going up those stairs, did you observe that couch?

A Yes, I did.

- Q And what, if anything, did you see on that couch?
- A There was a brown corduroy jacket laying on the couch.
- Q Did you have the occasion to see that couch more closely later that morning, sir?
- A Yes, I did, approximately 8:00.
- Q And what is the fact as to whether or not this jacket was still on that couch?
- A The jacket was still on the couch.
- Q And was it still in the same position that it was at the time you first saw it?
- A Yes.
- Q Now, what was the condition of daylight at the time you arrived at the Sheppard home that morning as to whether it was dark or light?
- A It was daylight.
- Q So that it would be light in the house?
- A Yes, it was.
- Q Showing you what is marked for identification as State's Exhibit No. 7, do you recognize this jacket, sir?
- A That appears to be the jacket.
- Q And would you describe -- withdraw that.

Showing you what is marked for identification as State's Exhibit No. 8, will you examine that photograph, please, and tell us if you recognize that scene?

- A This is the --

Q Do you recognize it?

A Yes.

Q And will you tell us what it is, please?

A It is the couch laying by the stairway going upstairs with what appears to be this jacket laying on it.

Q Now, does this picture accurately and fairly represent and portray the appearance of the couch and the jacket on that couch as you saw it on the Sheppard home that morning?

A It does.

Q Now, then, you continued to go up the stairs, is that correct?

A That's correct.

Q Now, as you go up those stairs, immediately to your right at the base of the stairs, at the landing there, would you describe that wall there, please?

A There is a light switch on that wall. There is a hand railing, I believe, going up the stairway.

Q Now, how many steps are there that lead to the second floor?

A There are 11 risers, that would be 11 steps.

Q Then you went up those steps, did you not?

A That's correct.

Q Now, as you go up those steps, will you describe the rooms that are at the top of those stairs?

A Well, immediately at the head of the stairs to your left there is what I imagine is used as a guest room. It contains

a bed. Immediately in front of you is a --

Q Now, this guest room, that is to --

A To the left or to the southwest corner of the house.

Q All right. Then directly to the north of those steps is what?

A Is the bedroom in which we found Marilyn Sheppard.

Q Directly to the east of Marilyn's room is what?

A Is the room of Chip, Jr., or Sam, Jr.

Q Across from Chip's room to the south is what?

A A bathroom.

Q And adjacent to that to the east is what?

A Is a dressing room, I believe, and that leads on into the room that was occupied by Dr. Hoversten.

Q Now, you went into Marilyn Sheppard's room there, did you not?

A That's correct.

Q And will you describe to the Court and jury what you saw in that bedroom as you arrived there?

A Marilyn Sheppard was laying approximately three-quarters of the way down in the bed on her back. Her face was turned slightly toward the door. She was clothed in a checkered blouse that was up about her breast, and the bottom portion of her body was clothed in -- covered with blankets or a sheet. It exposed her midriff. She was severely beaten about the head. Directly --

MR. CORRIGAN: Wait a minute, now.

I ask that be stricken out, that she was severely beaten about the head. That is a conclusion.

MR. DANACEAU: Well, that is an observation.

THE COURT: Just tell what you saw.

A (Continuing) There were lacerations and clotted blood about the head, and the mattress was stained with blood. The bed is a four-poster bed, and her legs protruded underneath a crossbar at the foot of the bed.

Q How much of her body was exposed, Officer?

A The midriff portion, 18 inches or so.

(State's Exhibits 9 and 10, being photographs, were marked for identification.)

Q Now, Officer Drenkhan, showing you what is marked for identification, first as State's Exhibit --

MR. CORRIGAN: I wish you would keep them turned away from the jury until the Court passes upon them.

Q Showing you what is marked for identification as State's Exhibit No. 9, will you look at that photograph, please, and tell us if you recognize it?

A That is the room in which Marilyn was found. Yes, I do.

Q And would you describe what is depicted in that photograph, please?

MR. GARMONE: Object unless he had, first, something to do with the picture, the taking of it, whether he was present when it was taken.

THE COURT: He will have to qualify as to the picture, of course, but so far we are in the preliminaries. The Court doesn't know what they are. First of all, you better have him tell us what he knows about the pictures.

Q Well, did you take this particular picture, Officer?

A No, I didn't.

Q Now, however, does this picture fairly and accurately and truly portray the appearance, condition of Marilyn Sheppard's body and the surrounding circumstances there

at the time that you arrived?

MR. GARMONE: Objection.

THE COURT: He may answer that.

A Yes, it does.

Q Now, will you tell us what this picture represents?

MR. GARMONE: Objection.

THE COURT: Now what?

MR. PARRINO: I say, now, will
you tell us what this picture shows?

THE COURT: Yes, he may answer.

MR. GARMONE: Now, if the Court
please, I think we should be heard on this
subject matter in the absence of the jury.

THE COURT: He may state
generally what the picture is. Then we will
come to something else.

A It is a picture of Marilyn Sheppard's body laying on the
four-postered bed.

Q Showing you what is marked for identification as State's
Exhibit No. 10, will you look at that picture, please, and
tell us if you recognize that scene?

MR. GARMONE: May we have the
record show the same objections without
disturbing Mr. Parrino?

THE COURT: Yes, sir. The same

objection, overruled, and exception.

MR. PARRINO: Read the last question.

(Question read by the reporter.)

A That is the scene --

Q Do you recognize it? Yes or no.

A Yes.

Q Now, does the scene portrayed in that picture fairly, truly and accurately represent the scene at the time of your arrival into the death room of Marilyn Sheppard?

MR. GARMONE: We object to the phraseology of the question "fairly, truly and accurately."

MR. PARRINO: That is the very thing that is in issue here.

THE COURT: Is it a fair representation? That is the real test.

MR. DANACEAU: That's right.

THE COURT: Is it a fair representation of what you saw that morning?

Q Is it, Officer?

A Yes, it is.

Q Now, what does that picture show?

A This shows the picture of the body of Marilyn Sheppard laying on the four-postered bed.

Q Now, referring again to State's Exhibits 9 and 10, are

both of these pictures fair and accurate representations of what you saw there that morning?

MR. GARMONE: Objection.

THE COURT: Well, they don't have to be quite a test of accuracy. Are they fair representations?

Q Are they fair representations, sir?

A Yes, they are.

MR. PARRINO: I wish to offer State's Exhibits 9 and 10 at this time.

MR. GARMONE: We object to the introduction of them, if the Court please.

THE COURT: Let's see them.

(Thereupon a conference was had at the bench between Court and counsel, out of the hearing of the jury, after which the following proceedings were had in the hearing of the jury):

THE COURT: They will be received.
Exception noted.

MR. GARMONE: Exception.

(State's Exhibits 9 and 10 were offered and received in evidence.)

Q Now, will you describe all of the furniture in Marilyn's room, please, sir?

A There were two single beds, they were four-postered beds.

There was a dresser on the northwest corner of her room, of the room.

THE COURT: What was in it?

THE WITNESS: A dresser.

THE COURT: Oh, yes.

A (Continuing) There was a night stand between the two beds with a phone and an alarm clock. I believe there was a Kleenex laying on it. There was a chair, a rocking chair on the northeast corner. It contained some clothing.

Q Would you describe the clothing that that chair contained, please?

A There was a pair of white shorts laying on the seat, a white bra laying over the shorts. On the back portion of the chair there were two sweaters, a lady's belt, a white or beige man's type shirt, and over that there laid a pair of blue shorts, with a red trim.

On the floor there were a pair of pink panties, I believe they were, and there were two pairs of shoes, one was a white moccasin type, and the other was a blue tennis shoe, oxford type.

Q Now, how many beds are there in that bedroom?

A There are two beds.

Q And will you describe the type of beds that these are, please?

A They are dark wooded four-poster beds, single type, with

a solid type head board, and with a bar across the foot board, not a solid bar; an ordinary bed which set off the floor maybe two feet.

Q Would you describe the area between those two beds?

A The area between the two beds is approximately 18, 20 inches, enough for a night stand to sit in. The night stand has wicker on the top of it, it might have been a stool at one time, and there is a phone and an alarm clock setting on that.

Q Now, referring again, Officer, to these two pictures here, State's Exhibits 9 and 10, that have been received into evidence, did you take these pictures, sir?

A No, I didn't.

Q And do you know by whom they were taken?

A By Cleveland Bertillon.

Q When was Cleveland Bertillon on the scene?

A They arrived there shortly before 8 o'clock.

Q And were you present at their arrival?

A I was.

Q And were you present when the photographer was taking these pictures, sir?

A I don't recall whether I was present when these particular pictures were taken.

MR. PARRINO:

Now, may I show these

pictures to the jury at this time?

MR. GARMONE: Objection.

THE COURT: Are these 9 and 10?

Well, they have been received.

MR. PARRINO: Yes.

(Thereupon State's Exhibits 9 and 10 were
passed among the jury.)

MR. PARRINO: I want to offer
State's Exhibit 8.

MR. MAHON: That has been offered.

MR. PARRINO: It hasn't been.

MR. MAHON: Oh, I thought it had.
I'm sorry.

MR. CORRIGAN: Now, if they are
introduced into evidence, give them to the
court reporter.

THE COURT: What did you say?

MR. CORRIGAN: I say if they are
introduced in evidence, I want them left with
the court reporter so that I can examine them.

THE COURT: You can examine them,
certainly.

MR. PARRINO: Yes. I left them
right there, Judge. He can have them as much as

wishes.

At this time I want to offer State's Exhibit No. 8, which the officer said fairly --

THE COURT: No. 8?

MR. PARRINO: State's Exhibit No. 8.

MR. GARMONE: It hasn't been identified.

MR. MAHON: Yes, it has.

MR. PARRINO: That is the picture of the couch with the jacket on it, your Honor.

THE COURT: Oh, yes, that is the picture of the coat that was in the living room.

MR. PARRINO: That's right.

THE COURT: Any objection to it?

MR. CORRIGAN: Yes, I object to it.

THE COURT: It will be received.

MR. CORRIGAN: Except.

MR. PARRINO: May I show this to the jury, please?

(Thereupon State's Exhibit No. 8 was passed among the jury.)

(Thereupon a conference was had between the Court and Mr. Corrigan out of the hearing of the jury.)

MR. PARRINO: Shall I continue, your

Honor?

THE COURT: Mr. Corrigan would like to leave a little early this afternoon, so that when you get to a point where you can eventually stop, will you do so, please?

MR. PARRINO: This is as good as any.

THE COURT: As good as any?

MR. PARRINO: Yes.

THE COURT: Well, I'm sorry to hear you say that.

MR. CORRIGAN: If the Court please, before we leave there will be certain pictures introduced in evidence. These three today. There was two pieces of tooth that I introduced in evidence. I asked the Coroner -- Dr. Adelson to furnish us with photostatic copies. I introduced the original in evidence, and also some kind of a certificate in a book, and it was suggested that we use photostatic copies, which I am willing to do, but I want them in court.

MR. PARRINO: If it please the Court, they did arrive this afternoon. We have

those photostatic copies.

THE COURT: Dr. Adelson told the Court that he would bring them the next day, whatever day that might be.

MR. PARRINO: We will bring them up to Mr. Corrigan.

MR. GARMONE: Give them to the court reporter so they will be available to us, and will you give the other exhibits to the court reporter?

MR. PARRINO: Fine.

THE COURT: The court reporter will have all of them.

MR. CORRIGAN: I would request the Court that at the adjournment of this matter, that we are adjourning for a holiday, and that the jury be requested to refrain from reading newspapers or discussing this matter with anybody, or if there is any approach to the jury by anybody, that it be reported to the Court, either telephone calls or anything of that kind.

THE COURT: Yes.

MR. DANACEAU: Excuse me. That is not any different than what the Court has been

telling the jury every recess.

THE COURT: The law provides that that shall be done, not in exactly that detail, and the Court will do it if the jury will bear with us.

It is important in this case, it is important in any criminal case, in any event, and the law has covered it, ladies and gentlemen of the jury, and I hope you will be patient with us because these things that we now do are required by law, and it is proper to ask for them, and it is proper for the Court to give them when asked, and even when not asked, though are required that they be done.

Over this Veterans' day holiday, tomorrow, will you be kind enough not to discuss this case with anybody, nor permit anyone to discuss it with you? Don't remain anywhere where anyone is discussing it with other people, perfect strangers, even though they have no interest whatever in this case. Do not discuss it among yourselves, either here or elsewhere. Even in your jury room you are not to discuss it.

I would suggest, too, that you do not read



newspapers during the progress of the trial, not listen to comments over the radio or otherwise. We are to confine our deliberations and our considerations here to what is produced in this courtroom. That is what produces a fair trial for the State, a fair trial for the defendant, and I am sure that we all want to produce that result. It is our duty as good American citizens.

Without any formality at all, due to the fact that tomorrow is Veterans' Day, we will now be adjourned until 9:15 on Friday.

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(Thereupon at 4:10 o'clock p.m., an adjournment was taken to 9:15 o'clock a.m. Friday, November 12, 1954, at which time the following proceedings were had):

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Friday Morning Session, November 12, 1954

(9:20 o'clock, a.m.)

Thereupon FRED F. DRENKHAN resumed the stand and testified further as follows:

DIRECT EXAMINATION (CONTINUED)

By Mr. Parrino:

Q Now, Officer Drenkhan, Wednesday you were telling us about how you went into Marilyn Sheppard's room, isn't that correct?

A That's correct.

Q Now, did I ask you whether or not there was a telephone in that room?

A I believe I described the telephone on a night stand between the two beds.

Q I see. Now, will you describe, please, for the jury, the position of Marilyn's legs in relation to the bed as she lay there, please?

A Her position on the bed, as I stated Wednesday, was about three-quarters of the way down. There is a crossbar between -- as a footboard at the foot of the bed. Her legs extended outward underneath this crossbar.

Q Now, how much of the legs were extending over the north end of the bed?

MR. MAHON:

South end.

MR. PARRINO:

North end of the

bed.

A Her legs were bent approximately at the knee, approximately from her knee down extended over the edge of the foot of the bed.

Q Now, will you please describe the east wall of that room?

A The east wall has a closet. Also the door leading into the room opens flat against that wall. That door, the door leading into the room, and the closet door was speckled with blood. There is a picture on the east wall. Beneath this picture there is a rocking chair which contained some clothing.

On the floor there were two pair of shoes. From the bed to the wall it's approximately four feet.

Q Now, you have stated that there is a closet on the east wall, is that correct?

A That's correct.

Q Now, that closet, I take it, has a door?

A It has.

Q And was there any specks of blood on that door, sir?

A On the closet door there were specks of blood.

Q Now, were there any specks of blood at other places on that wall other than the door?

- A It extended a little beyond the door, and then there were no blood spots in the vicinity of the rocking chair, to the rear of the rocking chair.
- Q But there were other specks of blood at points on the wall other than the door, is that correct?
- A That's right.
- Q Now, let us take the south wall. Will you describe that, please, the wall that would be at the head of the bed?
- A The south wall was speckled with blood. There is a radiator on the west side of the south wall, and then the first twin bed, the night stand and the twin bed in which the body was found.
- Q Now, you say there were two beds in that room, please, is that what you stated?
- A There were two, that's right.
- Q And there was a space between these two beds, is that correct?
- A That's correct.
- Q And would you describe the appearance of the second bed?
- A The bed was open, the sheets were folded back. There was a pillow on the top of the bed. There were specks of blood on the white sheets from the bed adjoining.
- Q Will you describe the west wall?
- A On the west wall there is a window, there is a dresser, a dark wood dresser containing a picture, a tray of buttons,

and so forth.

Q Was there any blood on that wall?

A There was blood on that wall.

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Now, as to this adjoining bed, was there any evidence that anyone had slept in that bed? ✓

A No, there wasn't. The bed appeared as if it had been opened in preparation of somebody going to bed. ✓

Q Now, how many windows were there in that room?

A There are three windows, one on the west wall and two on the north wall.

Q You say there are three windows?

A Three windows.

Q One on the west wall?

A One on the west wall.

Q Where would the other two be?

A The two are together on the north wall.

Q Were there curtains there at those windows?

A There are curtains.

Q What is the fact as to whether there was any blood on any of those curtains?

A There was blood on the curtain on the north wall, and there was blood on the curtain on the west wall.

Q Now, what is the fact as to whether or not there were any window shades at any place in that room?

A There are window shades on all three windows.

2 Q And describe the position of the shades when you arrived.

(A The shades were all drawn except for the window on the north

side to the west. That shade was drawn but for three or four inches allowing air to enter. The window was open three or four inches.

Q Now, was that the only window that was open in that room?

A That is right.

Q Are there any screens on any of those windows?

A There is a screen on the window that was open. It is a wood type screen, and it is latched with a screen hook to the rear on the bottom, and two latches on either side of it, pull latches that pull out.

Q Now, I take it by your description that these latches for that window that was open are on the inside, is that correct?

A They are on the inside.

Q And were those latches in place?

A They were.

Q So that the screen was locked in?

A The screen was locked.

Q Now, what was the appearance of the other two windows as to being locked or unlocked?

A The window adjoining the window that was open on the north wall was locked. It has no screen. The window on the west side of the house was locked. It also has an aluminum type screen or metal type screen, a storm window

combined.

Q And how are they locked?

A They have a lock up between the center cross-bar there that you turn and catches underneath the upper window making it hook.

Q Now, referring to this window that was open, did you examine that window sill there?

A That's correct.

Q And what, if anything, did you see?

A There was dust. The window -- it didn't appear that anything was disturbed by that window.

Q Now, did you find any signs of forcible entry any place in that room?

A No, sir.

Q On any of the windows?

A No, sir.

Q Would you please tell this jury the height of that bed that Marilyn was on, the height of the bed from the floor?

A The bed sets two feet off the floor; the top of the mattress to the floor was approximately two feet.

Q And would you tell this jury, please, the distance of Marilyn's bed, the east end of that bed, the distance from that point to the east wall?

A It is approximately four feet.

Q Now, coming back into the hallway and to the steps leading

to the second floor, I think you described yesterday that there is a switch at the base or at the landing on the first floor, is that correct?

A That's correct.

Q And as you put on this switch what lights work off of that switch?

A A light in the stairway well on the ceiling --

Q That would be right directly above the landing, would it?

A No. It is up just before you -- it is up at the head of the stairs, and then also two lights in the hallway upstairs.

Q And those three lights work off that one switch, is that correct?

A That's correct.

Q Now, is that the only switch that is operative for those lights?

A No. I believe upstairs there is a switch that controls them, also, in the hallway.

Q In other words, with this switch downstairs, you can turn them on, and as you go upstairs, if you want to, you can turn them off in the upstairs?

A In the hallway, yes.

Q Is that correct?

(A Yes.

Q These same lights that we speak about?

A That's correct.

Q Now, on this hallway -- withdraw that.

On the steps that lead from the first to the second floor, is there any covering of any kind on those steps?

A No, there isn't.

Q Any carpeting of any kind?

A No. It is bare wood.

Q Now, getting back into this bedroom for a moment, please, where Marilyn was lying, are there any spots in that bedroom which, as you could see, were free of blood so far as the walls are concerned?

A So far as walls were concerned, in the vicinity of the rocking chair, that would be the northeast corner, there were no spots of blood.

Q Now, you have described the hallway there directly in front of Marilyn's room and Chip's room, and a dressing room that leads into the room that was occupied by Mr. Hoversten, isn't that correct?

A That's correct.

Q Now, as you got there that morning did you observe whether or not there were any lights on in any point in that home?

A The light in the dressing room, that is, adjoining Mr. Hoversten's room, there's a light that was on.

Q And what type -- would you describe the type of light that that was? Was it a lamp or otherwise?

A It is a lamp that sits on a dresser. It is brass. It is a three-way light.

Q And what is the power of that three-way light?

A It is a 50, 100 and 150 watt.

Q And where exactly in that room was that lamp located?

A It sets on a dresser on the wall leading into Dr. Hoversten's room, by that door going into his room on the far east wall.

Q Now, getting back into Marilyn's room for one moment, please: As you examined all of the contents in that room, looked it over, did you anywhere in that room, sir, find any evidence of a struggle?

MR. GARMONE: Object to the question. That calls for a conclusion. Let him describe what he saw.

THE COURT: Well, he is a police officer, and I suppose he would be qualified to tell whether there was, in that view, evidence of a struggle. He may answer.

MR. GARMONE: Except.

A No, there wasn't.

Q What's that?

A No, there wasn't.

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Q Now, returning to the time that you first came into the home that morning, you say that you entered by the door south of the home on Lake Road, isn't that correct?

A That's right.

Q Now, as you came into that home, describe the first thing that came to your attention?

A The first thing that came to my attention was an upturned medical bag.

Q And where was this bag located?

A It set approximately in front of the door to the study, which is to the right of the entrance hall.

(Thereupon, State's Exhibits 11 and 12, being photographs, were marked for identification.)

Q Showing you what is marked for identification as State's Exhibit No. 11, will you look at that picture, please? Tell the Court and jury whether or not you recognize that scene shown in that picture?

A Yes, I do.

Q And what does that represent, please?

A It represents the upset medical bag in the entrance hall in front of the entrance to the study.

Q And does that picture fairly represent the appearance of that hall and that medical bag when you arrived there that morning?

A Yes, it does.

Q Showing you what is marked for identification as State's Exhibit No. 12, will you look at that, please, and tell us if you recognize the scene in that picture?

A Yes.

Q And what does that represent?

A The upturned medical bag in the study. This is a different view.

Q Exhibit No. 11, apparently, is taken from the southerly of the bag and No. 12 from the north of the bag?

MR. GARMONE: Objection unless
he has some knowledge from where the pictures
were taken.

MR. PARRINO: It is apparent
from the picture.

MR. GARMONE: Well, let's not
get -- I made my objection.

THE COURT: Let him tell.

Q All right. From the picture, sir, are you able to say
from what point these photographs were taken?

A This photograph here was taken from the --

THE COURT: You are referring
to No. 12?

MR. PARRINO: No. 12, your honor,
yes.

- A -- was taken from the dining area looking towards the entrance hall and towards the door leading into the study.
- Q And referring to State's Exhibit No. 11, from what point was that taken?
- A This picture is taken from the entrance from Lake Road, the south side of the house, looking in towards the dining area.
- Q And do both of these pictures, State's Exhibits 11 and 12, fairly represent the appearance and scene of that hallway and bag as you arrived there that morning?
- A They do.

MR. PARRINO: I want to offer
State's Exhibits 11 and 12.

THE COURT: Let me ask one
question: Are they both pictures of the same
bag in the same position excepting taken from
different positions?

THE WITNESS: Yes, I believe
they are.

MR. GARMONE: Object. You believe
they are. Do you know for sure?

THE WITNESS: I did not take
those photographs. They appear to be.

THE COURT: Well, looking at
them, would you say it is the same bag in the

same position each time?

THE WITNESS: Yes, sir.

THE COURT: They will be
received.

(State's Exhibits 11 and
12 were received in
evidence.)

Q Now, will you describe, please, the appearance of this bag?

A The center portion of the bag, the contents were spilled
out. The bag set on its end. There are two compartments
on either wing. The bag opens from the center.

Q You mean there is a compartment on one wing of it and there
is another compartment on the other wing of the bag; is
that correct?

A That's right. There is a compartment on either wing and
neither one of those were open or the contents spilled out.
The contents from the center of the bag were spilled.

MR. PARRINO: May I show these to
the jury at this time, your Honor?

THE COURT: Yes.

(Thereupon State's Exhibits 11 and 12 were
submitted to the jury.)

(State's Exhibits 13, 14,
15 and 16, being photo-
graphs, were marked for
identification.)

Q Now, did you that morning examine the living room of that

home?

A Yes, sir.

Q And will you describe the appearance of the living room as you first saw it that morning?

A There is a secretarial-type desk on the north wall adjoining the door, west of the door leading on out to the porch. This door itself was half open. The secretarial-type desk was open. The three lower drawers were pulled out. In front of the desk there were papers, tax stamps, and so forth, strewn about the floor. Otherwise, the room appeared to be normal.

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- Q Showing you what is marked for identification as State's Exhibit No. 13, will you look at that picture, please, and tell us if you recognize that scene?
- A I do.
- Q And what does that scene represent?
- A That is the secretarial type desk on the north wall with the three drawers pulled out and the top of the desk laid open, and the scattered papers on the floor.
- Q Does that picture fairly represent the scene, especially that desk and the articles on the floor, as you saw them there that morning as you arrived at the scene?
- A It does.
- Q Now, how many drawers are there in that desk?
- A Four.
- Q And will you describe the appearance of these drawers as you first saw them?
- A They appeared in order.
- Q And how many of the drawers were pulled out?
- A Three of the drawers were pulled out. The top one remained in. The second one was not pulled out as far as the two bottom drawers.
- Q Now, describe the top of this desk as to how the desk works, please.
- A When closed it lays on an angle and closing inside which

contains some small compartments and a writing surface. When it opens down, it makes a larger writing surface.

Q I think you described that it is a leaf type desk that opens and closes on a hinge, is that correct?

A Yes.

MR. PARRINO: I wish to offer
State's Exhibit No. 13 at this time, your
Honor.

THE COURT: It will be received.
(State's Exhibit 13 was
offered and received
in evidence.)

(Thereupon State's Exhibit No. 13 was
passed among the jury.)

Q Now, Officer Drenkhan, referring again to State's Exhibit No. 13, and these drawers that were open, would you describe the contents of the drawers as to whether the drawers were full or not full?

A They were full, mostly with pictures, letters, papers, at that time.

Q Now, as you examined those drawers, did they seem to be disturbed in any way, the contents?

A No, they didn't.

Q Now, did you go into the den that morning?

(A Yes, I did.

Q What, if anything, did you see there?

A Dr. Sam was laying -- was sitting in a red chair; a desk and the drawers were sitting out on the floor. There was a small statue that sets on a bookcase laying on the floor broken.

Q Where were these drawers laying?

A There were two drawers behind the desk, there were three drawers between the desk and a door that leads to the lavatory in the study, the den.

MR. CORRIGAN: Something was broken.

I didn't get that.

MR. GARMONE: A statue?

MR. PARRINO: A statue.

Q How large is that statue that you refer to that was broken?

A Maybe six inches.

NS Q Now, will you describe the area behind that desk, please?
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K 5 A Behind the desk there is a -- the third drawer on the desk
was in, the next top two drawers were out. They set upon
each other in the corner. There was a green box, fishing
tackle type box. There were some tools, a wrench, pliers,
some motor pins, shear pins they call them, they use them
for outboard motors, and a lady's watch sitting on the
floor before the -- in front of the green box.

Q Now, you stated that these drawers, or some of them, were
seated or placed on top of one another, is that correct?

A The two drawers set on top of one another.

Q And as you first saw those drawers there that morning,
were any of the contents of the drawers on the floor, so
far as you could see?

A No, there wasn't.

Q Now, what, if anything, happened later concerning any one
of those drawers?

A At the time I was to take a picture, the three drawers that
set out between the desk and the door leading to the lava-
tory, one drawer was sitting on top of another drawer and
Dr. Stephen Sheppard, in stepping over it, spilled the
contents of this drawer that set on top.

Q I see. But that was not the original appearance of that
drawer as you first saw it, though, of course?

A No. That drawer, the contents which were spilled out, set

on top of the drawer in the center.

Q And where is the lavatory of that room located?

A It is on the west wall, southwest corner of the room.

Q Is there a telephone in that room?

A A telephone on the desk.

Q Showing you what is marked for identification as State's Exhibit 14, will you look at that picture, please, and tell us if you recognize the scene?

A Yes, I do.

Q And what does that represent, please?

A That's a picture of the study showing the three drawers from the left side of the desk. The contents of the one drawer being spilled out.

Q And these contents that lie on the floor immediately to the west of that desk, are those the contents that you described that were spilled when Dr. Steve accidentally bumped into that drawer?

A Yes, it is. That empty drawer to the rear of the picture set on top of the drawer directly in the center of the picture.

Q Now, does that picture, other than those contents on the floor there, fairly represent the scene as you saw it there that morning?

A It does.

Q And I believe in this picture is also represented the

statue that you referred to?

A Yes.

Q Is that the statue that you referred to as being broken?

A That's correct.

Q Showing you what is marked for identification as State's Exhibit 15, will you look at that, please, and tell us if you recognize that?

A I do.

Q And what does that show?

A This is a large red leather chair on which the defendant was sitting.

Q And this is located in the den, is it?

A It is located in the den in front of the desk.

Q And what objects do you see there behind the red chair? Will you describe those, please?

A There are two BB guns and another gun behind the red chair. There is a --

Q What kind of a gun was that?

A That was an over and under shotgun and 22, I think.

Q Yes. And does what is shown in that picture fairly represent the scene as you saw it that morning in the den?

A Yes.

Q Showing you what is marked for identification as State's Exhibit 16, will you look at that picture, please, and tell us what that is?

A That is a picture of behind the desk.

THE COURT: Of the what?

THE WITNESS: Behind the desk.

Q And what does that show?

A It shows the two drawers pulled out of the desk, the right side of the desk; the green fishing tackle box; tools lying on the floor and a lady's watch.

Q Did you later discover whose lady's watch that was?

A That was found to be Marilyn Sheppard's.

Q And how many drawers did this desk contain?

A Six.

Q And what is the fact as to whether or not all of these drawers were removed from the desk?

A Only five drawers were removed from the desk.

Q And where was the one that was not removed?

A It was in the bottom right-hand corner.

Q And did you examine the contents of these drawers while you were there?

A Yes, we did.

Q And describe what you saw?

A There were miscellaneous articles in the drawer: Medicine samples, letters, papers, personal.

Q And describe their appearance?

A They appeared intact, in order.

Q Now, does this picture fairly and accurately represent the

scene behind that desk as you saw it that morning?

A It does.

MR. PARRINO: I want to offer
State's Exhibits 14, 15 and 16 at this time,
your Honor.

THE COURT: They will be received.
(State's Exhibits 14, 15
and 16 were received in
evidence.)

Q Now, getting back to the door that you entered the home
on the south side there, on Lake Road, will you describe
to the jury as to whether or not there is a night chain
on that door?

A There is a night chain on the inside door. It's about two
feet up from the floor.

Q And what was the appearance of that night chain when you
first saw it that morning?

A The night chain was intact. The chain part of it hangs on
the door and the latch part is on the casing of the door.

Q Was there any evidence of forcible entry at that point
there on that night chain that morning?

A No, there wasn't.

Q It was in order?

A It was in order.

Q Now, what, if anything, happened to that night chain at a
later time?

A That night chain, I believe, was broken that night.

MR. CORRIGAN: Wait a minute, now.

MR. GARMONE: Were you there?

THE WITNESS: No, I wasn't.

MR. GARMONE: Then we object to
any testimony from this witness on that subject.

THE COURT: You may testify as
to just what you saw.

Q But you do say that the night chain was in working order
when you first saw it, is that correct?

A That is true.

Q Now, as you looked around the den there, on the desk and
on the telephone and the drawers, did you see any blood
at any point in that room?

A No, I didn't.

Q On any of the furniture?

A No, I didn't.

Q Directing your attention to the table, this leaf table in
the dining room, did you see any evidence of blood anyplace
on that leaf table, on the drawers, or on top of it, or
anywhere at all?

A No, I didn't.

Q Or anything that gave the appearance of blood?

A No, I didn't.

Q Now, as you got there that morning -- withdraw that.

There is a door on the north side of the living room, is there not?

A There is.

Q And describe that door as you first got there in the morning?

A The door was open, it was half open. Full open would be against the wall, half open -- it was wide open, you might say.

Q And did you examine that door that morning?

A Yes, I did.

Q Did you find any evidence of blood anyplace on that door?

A No, sir.

Q On the door knob?

A No, sir.

Q Or at any point?

A No, sir.

Q So far as you could see?

A No, sir.

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Q

While you were there did you make an examination of all the doors and windows of that home?

A

That's right.

Q

And at any point in that home that you examined, did you find any evidence whatsoever of any forcible entry?

A

No, sir.

Q

That morning did you go into the garage at any time?

A

It was quite a bit later that I --

Q

About what time?

A

Possibly about 11 o'clock.

Q

And what, if anything, did you see in the garage?
Automobiles?

A

There was a Lincoln, a Jaguar and a jeep.

Q

Now, did you go down to the beach at any time that morning, sir?

A

I went down to the beach shortly before 6:30.

Q

And were you alone when you went down there?

A

I was.

Q

Now, there is a stairway leading down to the beach, is there not?

A

That's correct.

Q

And how many steps are there on that stairway leading to the beach?

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A

There are 52 steps going directly down to the beach.

Q And describe these steps.

A The first 10 steps are concrete steps with a concrete landing, and then a wooden landing, and the next set is approximately 11 steps with a landing, they are wooden steps, then four steps and a landing, and another set of 11 steps. They have wooden railings all the way on down.

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You then enter onto a patio or a porch surrounding the beach house. To the east side of the beach house on the patio, you go on down to the beach. There are approximately 11 wooden steps and three concrete steps, and you are then on the sand, the beach itself.

Q And that beach house sits upon a platform, does it not?

A It sits on a platform.

Q Approximately how high is that platform from the beach?

A It is approximately 10 feet.

Q And how many steps are there that lead from the platform to the beach?

A It would be 11 plus about two, three concrete steps.

Q How many rooms are there in that -- or compartments in that bathhouse?

A There are two. There is a large room where water skis and miscellaneous articles are kept, and a small room, shower room.

Q Now, is there any lighting out there of any kind on that beach house?

A There is a light halfway down the steps on a post lighting the steps, and there is a light on the beach house or the boat house down to the beach.

Q And where is the switch that turns those lights on and off, do you know?

A The switch that controls them in the house is in the den or the study.

Q Now, as you got down to that beach at or about 6:30 in the morning, how many feet of beach was there directly in front of the steps there at the boathouse?

A Approximately five feet.

Q And what was the appearance of the lake at that time?

A It was rough, not to a great extent. The waves were rolling in possibly about eight inches tall, high.

Q Was it daylight at that point?

A It was daylight.

Q Now, did you look around there, sir?

A I looked from the platform down upon the beach, yes.

Q About how long did you remain there, approximately?

A Two, three minutes.

Q Now, did you see at any point on that beach, did you see any signs of a struggle on that beach?

MR. GARMONE: Object to the

question. It calls for a conclusion. Let him

describe how the beach was, the condition it was in at the time that he saw it.

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THE COURT: Yes. I think that is true, Mr. Parrino. It is too broad.

Q Now, describe the surface of the beach as you saw it that morning.

A The beach at the foot of the stairs was smooth; underneath the platform it was smooth. There was no indication of anyone having walked on the beach.

MR. GARMONE: Object, and ask that the latter part of the answer be stricken and the jury be instructed to disregard it.

THE COURT: No. He may say that. That is his observation.

Q Now, as you stood there on the platform, for what distance could you see this beach to the east, approximately?

A You can see up that beach almost to the first pier. I believe that is the west pier of Huntington Park.

Q About how many feet would that be, generally?

A It would be about 500 feet.

Q And for what distance could you see the beach in the opposite direction?

A Approximately the same distance.

Q How is that?

A Approximately the same distance.

Q Now, as you surveyed that beach, what was the appearance and condition of the beach in both directions as you observed it?

A The beach itself was smooth. There was a swell rolling in over the beach coming up about three, four feet.

Q Now, I take it then after you -- withdraw that.

Were you the first police officer to go down to the beach there, the boat house?

A To my knowledge, yes.

Q Was there anybody else there before you got there, so far as you could see?

A No.

MR. CORRIGAN: Object to that, now.

MR. PARRINO: Withdraw the form
of the question.

Q When you got down to the boat house did you see anybody there?

A No.

Q What did you next do?

A I then returned up to the house itself.

Q And who was in the house at this time?

A I believe Dr. Richard Sheppard was there, and Dr. Stephen Sheppard was there, Mayor Houk, Chief Eaton and Sergeant Hubach.

MR. PARRINO:

Mark these State's

Exhibits 17 and 18.

(State's Exhibits 17 and 18,
photographs, were marked
for identification.)

- Q Showing you what is marked for identification as State's Exhibit No. 17, will you look at that picture, please, and tell us if you recognize that scene?
- A I do.
- Q What does that show?
- A It is the stairway leading to the beach.
- Q Showing you what is marked for identification State's Exhibit 18, will you look at that picture, please, and tell us if you recognize it?
- A Yes, I do.
- Q And what does that show?
- A It is another view of the stairway leading to the beach.
- Q Do these two photographs, State's Exhibits 17 and 18, fairly represent and show the appearance and condition of that stairway leading to the beach on the morning that you were there?
- A This one does.
- Q And does this, referring to State's Exhibit 17?
- A Some of the brush has been cut out of this picture.
- Q But as to the stairway itself, is that a fair represen-

tation of the stairway?

A Yes, it is.

MR. PARRINO: I want to offer
State's Exhibits 17 and 18.

THE COURT: They will be received.
(State's Exhibits 17 and
18 were offered and
received in evidence.)

MR. CORRIGAN: Which one was the
brush cut out of, 17 or 18?

MR. PARRINO: 17.

Q Now, you mentioned some brush that was cut down in that
area, is that correct?

A That's right.

Q Do you know when that was done and for what reason?

A I believe that was done that morning --

MR. CORRIGAN: Object, unless he
knows, not what he believes.

THE COURT: Do you know?

THE WITNESS: Well, I know it was
cut --

THE COURT: Sir?

THE WITNESS: Yes, I do know.

THE COURT: Well, all right.

MR. GARMONE: Well, let's find out
if he was present.

THE WITNESS:

I was on and about

the premises that morning that it was being cut.

Q You may answer, I take it. Tell us how the brush got cut and by whom.

A It was cut by a group of boys under the direction, I believe, of the Chief.

Q And about what time was that done, approximately?

A It was done in the morning and on into the afternoon.

Q Do you have any idea what time it started, approximately?

A About 11.

Q And what were they doing there?

A They were breaking down and cutting the brush all along the bank there.

Q For what reason?

MR. CORRIGAN:

Object.

THE COURT:

If he knows. Do

you know what they were cutting it for? What

was the reason? Do you know what the reason was?

THE WITNESS:

They were searching

for a weapon.

Q Now, after you returned to the home, I think after you were at the boat house and down at the beach, you say there were a number of people there at the Sheppard home, is that correct?

A That's correct.

Q And those people included who, please?

A Dr. Richard, Dr. Steve, Mayor Houk, Chief Eaton, Sergeant Hubach, I believe the two firemen were still present, the defendant; I believe Mrs. Houk was still there.

Q Now, who was the first person that arrived after you got there?

A Other than police officers?

Q Yes.

A Dr. Richard Sheppard.

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- Q And by what door did he arrive or come into the home?
- A The Lake Road side door.
- Q And where were you when he came in?
- A I was in the hallway when he came in.
- Q And where did he go when he came in?
- A He went immediately to the den or the study.
- Q Then what did he do?
- A At that time I directed him upstairs, to come with me up to Marilyn's room.
- Q Now, where was Sam at the time that Richard first came in?
- A He was in the study.
- Q You say, then, that Richard then went upstairs, is that correct?
- A That's correct.
- Q And what route did he take to get upstairs?
- A Through the kitchen on up the landing and upstairs.
- Q Did he go alone?
- A No. I followed him.
- Q And what happened then?
- A On the way up he turned and asked for some knives, which I handed him, I believe, three knives from the rack over the kitchen sink.
- Q Now, exactly where were these knives located? Describe their position and how they were attached, or wherever they were?

- A They were on a metallic rack. It is a wooden rack with a metallic -- or a magnet bar on it which holds the blades on the rack, right above the sink or the sink top.
- Q And at Dr. Richard's direction was it that you took some of these knives?
- A Yes.
- Q You took three of them, I think you said?
- A Three.
- Q Now, did Richard go up first or did you go up the stairs first?
- A Dr. Richard went up first.
- Q And then you followed him?
- A I followed him.
- Q And tell us what occurred in that room?
- A He went into the room first, walked around the bed in between the two beds and he examined Marilyn, using his stethoscope and felt her pulse, to see if there was anything he could do.
- Q And approximately how long did you two remain in the room there?
- A Not more than two minutes.
- Q Then what did you?
- A At that time he returned downstairs and went on into the study with Dr. -- with the defendant.
- Q I beg your pardon?
- A With the defendant.

Q What is the next thing that occurred, that you recall?

A Shortly after that the conversation with the Mayor relative to calling in the help, the Coroner's office and the Cleveland authorities.

Q And where were you when Dr. Sam left the premises, if you recall?

A I believe I had just returned up from the beach.

Q And did you see him leaving the premises?

A I believe I saw him going out the Lake Road side door with Dr. Stephen Sheppard.

Q Now, prior to Dr. Sam leaving the premises, did Dr. Steve ask you at any time whether or not it was all right for Sam to leave?

A No, he didn't.

Q Did you hear Dr. Steve ask anyone there, anyone among the police officers, whether or not it was permissible to have Sam leave the premises?

A No, I didn't.

Q Was Chief Eaton there that morning?

A Yes, he was.

Q I believe you told us that a call was made to the Coroner?

A That's correct.

Q By whom was that call made?

A I placed that call to Mr. Ray Keefe, who in turn apparently notified Dr. Gerber.

- Q And did Dr. Gerber arrive there that morning?
- A Yes, he did.
- Q Approximately what time?
- A Approximately at 8:00.
- Q Was he alone when he got there?
- A No. He was accompanied by Mr. Ray Keefe.
- Q Now, were there any other police officers there that morning besides the Bay Village police?
- A Approximately 8:00 Detective Mike Grabowski from the Cleveland Bertillon arrived. He was followed by --
- Q What is the Cleveland Bertillon?
- A It is a part of the Department who checks fingerprints, takes pictures, does some of the technical work.
- Q The scientific portion of part of the Cleveland Police Department, is that correct?
- A Yes.
- Q And as you saw him, what was Mike Grabowski doing that morning?
- A He brought in his camera and his dusting equipment and proceeded to take pictures and dust the home for prints, fingerprints.
- Q And he examined various parts of the home, I take it?
- A He did.
- Q Did any other members of the Cleveland Police Department arrive there that morning?

A Detective Schottke and Detective Gareau arrived.

Q And who are they?

A They are Detectives from the Cleveland Homicide Unit.

Q Do you know who called Schottke and Gareau, or did you call them?

A No. I contacted the Cleveland Detective Bureau and talked to a Captain Hauschild there.

Q What time did you call the Cleveland Detective Bureau?

A Initially at 6:30 and then again at 7:30, at which time I talked to the Captain.

Q And approximately what time was it that Schottke and Gareau arrived?

A Approximately quarter after eight, 8:30.

Q Now, you say that that morning a search was made in the brush for the weapon, is that correct?

A That's right.

Q Of your own knowledge, do you know for what period of time, in days, that the search was continued?

A In that area?

Q Yes.

A It was searched that day and I, myself, helped search it, I believe it was Wednesday, again.

Q Yes.

A And it was later on, I can't recall the date, that Deputy Sheriff Rossbach and Yettra again searched it.

Q We are talking about the outside?

A The bank portion.

Q Yes.

A That's right.

Q Was the interior of the home searched, to your knowledge?

A Yes, it was searched, also.

Q And did you personally assist in that search?

A Yes, I did.

Q And on how many occasions did you do that?

A I helped search there a short while Sunday, that was the 4th, some the 5th and the 6th and again Thursday morning, the 7th.

Q Now, of your own knowledge, do you know whether or not any search was made out in the lake immediately in front of the boat house in that area?

A Yes, I saw divers out there searching in front of the boat house in the lake area.

Q Do you know when that was, approximately?

A No, I don't. I can't recall.

Q And that search was for the weapon?

A That's correct.

Q Now, did you at any time receive any information from any source concerning some fishermen that were at Huntington Park that night?

A Yes. Three fishermen -- a fisherman came into our station

and volunteered the information that approximately 1 a.m. on the morning of July 4th three young boys were down on the beach seeking a beach party.

Q And who was that person that you spoke to?

A That was a Mr. Paul Whitmere.

Q And where did you speak to him?

A He came on into the Bay Village Police Station.

MR. GARMONE: What date was that?

I didn't catch it.

MR. PARRINO: I will ask him.

Q Do you remember what date that was, Fred?

A It was approximately the 7th or the 8th.

Q Now, after you spoke to that gentleman, what is the next thing that occurred relative to that same event?

A On July ninth this apparently came out in the newspaper, that there were three men or three juveniles out on the beach, and --

MR. GARMONE: I will ask that be stricken and the jury instructed to disregard it.

THE COURT: Yes. We are not interested in what appeared in the newspapers. We are interested in what you know.

MR. MAHON: It has some connection, your Honor.

THE COURT: Sir?

MR. MAHON: It has some connection.

THE COURT: You say that the appearance in the newspaper --

MR. MAHON: -- newspaper has some connection with what will follow.

THE COURT: All right. We will let him tell what he saw in the newspaper, if it has a connection.

MR. GARMONE: Exception.

THE COURT: Go ahead.

A (Continuing) Well, a young boy came into the station at --

Q Well, just before you get to that, you say there was some comment about this situation in the newspapers, is that correct?

A Yes, there was.

Q Now, after that appeared in the newspapers, what is the next thing that happened?

A A young fellow came in with the newspaper and said he believed they were down on the beach there that morning.

MR. GARMONE: Object to the conversations. Let him describe it.

MR. MAHON: Certainly, we have had the conversation of the fisherman. Now, why can't we get the thing cleared up?

THE COURT: Well, this is part

of their investigation.

MR. GARMONE: How do we know we are talking about the same subject matter?

MR. DANACEAU: If you give him a chance, we will find out.

MR. GARMONE: I have made my objection to the Court. Let the Court rule on it.

THE COURT: Let him answer.

MR. GARMONE: Why direct your remarks to me?

MR. DANACEAU: Because you gave them to us.

MR. GARMONE: Not necessarily.

MR. DANACEAU: I thought you did.

THE COURT: Let him answer.

Q Now, when did this fellow come to the police station?

A Do you mean -- what fellow?

Q This young fellow that you tell us about with the newspaper in his hand?

A On July 9th.

Q And what was that fellow's name?

A Jerry Schumaker.

Q And how old was he?

A I believe he was 18.

Q And did you have some conversation with him concerning this incident?

A Yes. He related that he was on the beach.

Q Tell us what he said?

A That he was on the beach on the morning of July 4th with two other of his companions, and they saw the three fishermen --

MR. CORRIGAN: I think I will object to conversation that this man had with somebody else outside of the presence of Sam Sheppard. If we are going into conversations that everybody has had with these officers, we'll be here till Doomsday, if we open the door to that.

MR. MAHON: If your Honor please, there were questions on cross-examination of another witness in reference to these fishermen seeing someone on the beach.

THE COURT: These three fishermen, yes.'

MR. CORRIGAN: That was early in the morning.

MR. MAHON: This is early in the morning, too.

MR. GARMONE: Well, let's establish

the time and see if we are talking about the same subjectmatter.

MR. PARRINO: We will establish all these things, your Honor, if we are given a chance to establish them.

MR. GARMONE: Well, let's establish the time first, if the Court please, because in Mr. Houk's --

THE COURT: Just one moment. We are presuming now that we are talking about the same fishermen.

MR. GARMONE: -- in Mr. Houk's testimony, when Chief Eaton was present and went over to the pier to talk to these fishermen, the time element was established not too far removed from the hour of day that they were over talking to the fishermen. Now, let's establish the hour of the day.

MR. MAHON: What was the time that was established?

MR. GARMONE: Well, you state to the Court.

MR. MAHON: No, you say it was established. It wasn't established at all.

THE COURT: Let's get his

testimony. He is the witness now. You let him answer. Go ahead, but do establish the time that he has related.

MR. PARRINO: I will, your Honor,
as soon as I get the opportunity.

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Did you ask these fellows at what time or was there any conversation concerning the time that they were at the beach?

A It was approximately 1 a.m.

Q What were they doing down there?

MR. CORRIGAN: Well, now, 1 a.m., your Honor, is away off from the time that is in the record about the fishermen that Mayor Houk and Mr. Eaton talked to. They said they went over there, and those fishermen arrived somewhere around 5:30 a.m., and when they arrived, the fishermen that Mayor Houk and Mr. Eaton talked to -- they told them about when they arrived they saw these people.

MR. GARMONE: Two people.

MR. CORRIGAN: Two people, and they wondered why they were out there so early in the morning.

Now, that is a long way from 1 a.m. in the morning that this boy here is talking about, and my objection, your Honor, goes to the fact that if we go into these various conversations that took place with all these people, that -- I suppose there were hundreds of conversations.

MR. MAHON: Well, of course, that is true, what Mr. Corrigan said, but he went in to them -- or Mr. Garmone went into the conversation with Mr. Houk with the fishermen. They went into it.

MR. CORRIGAN: Well, I will withdraw the objection, and you go as far as you want.

Q Now, did you learn the identity of the other two fellows that were with Jerry Schumaker?

A It was Hearn's, and a boy by the name of Tengila.

Q How old were all these boys?

A About 16, 17, 18.

Q Did you speak to them at any time?

A Yes, I did.

Q Now, did you search the garage at any time, Officer Drenkhan?

A I searched the garage Thursday of that week.

Q What day was that?

A The date?

Q Yes.

A July 8th.

Q How?

A July 8th.

Q And was there anybody else doing the same thing at that time?

A Yes. Mr. Ray Keefe of the Coroner's office and I were

both searching it.

Q What, if anything, was found at that search?

A Pardon me?

Q What, if anything, did you find in the garage at that time?

A In a compartment or a storage area under a stairway leading up to rooms above the garage, we found parts of bodies. One piece was a complete head, human head. It was wrapped in newspaper, some type of oilcloth. There were miscellaneous pieces wrapped in paper in a basket.

MR. CORRIGAN: Can't hear you.

Q Louder.

A There were miscellaneous pieces wrapped in paper in a basket in this storage area, also.

Q And what was this area where these were found?

A What was the --

Q What was the area where this was found?

A This is in a storage space underneath the stairway leading to the garage, the rooms above the garage.

Q Now, what, if anything, was done with these things?

A They were sent down to the Coroner's office.

Q Now, when is the next time that you saw Sam Sheppard?

A From the morning I was called in, or from the day of July 4th?

Q Yes.

A It was Thursday, July 8th.

Q Now, I don't believe that I asked you: On the morning of

the 4th, as you arrived there, did you have any conversation with Sam Sheppard?

A Yes, I did.

Q Where did that conversation take place?

A It took place in the study.

Q And who was present at that time?

THE COURT: Took place where?

THE WITNESS: In the study, or the
den.

THE COURT: In the den. Yes.

THE WITNESS: Yes.

Q Who was present at that time?

A I believe Mayor Houk was possibly sitting at the desk.

Q And what did you say to the defendant, and what did the defendant say to you?

A I asked the defendant what had happened. He said that he heard Marilyn scream, that he remembered fighting on the stairs, that he was in the water, and then that he came upstairs.

Q Yes.

A That was all. That was the conversation.

Q Did you have any further conversation with him at any time that morning?

(A No, I didn't.

- Q What was his appearance when you first saw him?
- A He appeared dazed and was sitting in a red chair in the den.
- Q What clothing did he have on? Will you describe that?
- A He had a pair of trousers on, and he was bare from the waist up.
- Q And in what position was he when you first saw him?
- A He was in a half-sitting, half-laying position.
- Q Was that the only conversation you had with him that morning?
- A Yes, sir.

MR. PARRINO: Mark this State's
Exhibit 19.

(State's Exhibit 19,
being a watch, was marked
for identification.)

THE COURT: Mr. Parrino, before
you go into that new subject, perhaps we ought
to break here and have a recess.

Ladies and gentlemen of the jury, we will
have a short recess at this point.

Please do not discuss this case.

(Thereupon a recess was taken at 10:45 a.m.)

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(After recess, 11:02 a.m.)

- Q Now, Officer Drenkhan, showing you what is marked for identification as State's Exhibit No. 19, will you look at this watch, please, and tell us if you recognize it?
- A I do.
- Q And where did you first see this watch?
- A That's the watch behind the desk in the den.
- Q Lying on the floor?
- A Lying on the floor.
- Q And is this the same watch that is shown in the photograph represented in State's Exhibit No. 16?
- A Yes, that's right.
- Q Did you examine this watch at any time there?
- A Yes, I did.
- Q And would you describe what you saw?
- A It appeared to have -- it had a red substance on the face and around the band.

MR. CORRIGAN: Well, I object to that, now, "it appeared to have." Let's have something definite about this matter.

THE COURT: He is telling what he saw on the watch.

MR. CORRIGAN: Well, "it appeared" --

THE COURT: He said it had a red substance on it.

MR. GARMONE: He said, "it appeared to have," he didn't say it did have. He said it appeared to have.

MR. PARRINO: That's a play on words, your Honor.

THE COURT: Did it have a red substance on it?

THE WITNESS: I thought I corrected that.

MR. GARMONE: I'm sorry. Go ahead.

THE WITNESS: It had a red substance on it.'

MR. GARMONE: Tom, will you establish the time, please?

MR. CORRIGAN: What number did you give that?

MR. PARRINO: 19.

Q At what time did you first notice that watch, Officer Drenkhan?

A It was when the picture was taken. It was about 8:00.

Q And was the watch in working order at that time, was it going?

A I don't know. The first time I examined the watch was that afternoon, approximately about 5:00.

Q Was it still working at that time or not?

A Yes, it was.

Q Did it have the correct time at the time you examined it, do you recall?

A I believe it did. I'm not -- I don't recall.

MR. CORRIGAN: "I believe," I object to that and ask that we have something definite about what he saw.

THE WITNESS: I don't recall.

MR. PARRINO: All right.

MR. CORRIGAN: What?

THE WITNESS: I don't recall.

MR. GARMONE: He doesn't recall.

Q Now, you told us that in looking through the garage, that you saw^a jeep in the garage, is that correct?

A That's right.

Q Would you describe this jeep and tell us who it belonged to, if you know?

A It was a jeep that contained some miscellaneous equipment, jacks, blankets.

Q Yes.

A I believe there was a medical bag in it.

MR. CORRIGAN: I object to that, that he believes, again.

THE COURT: You say you believe.

Now, you must testify only to what you actually

know.

THE WITNESS: To the best of my recollection, there was a medical bag on the floor on the passenger's side of the jeep.

Q For what was this jeep used?

A That jeep is the jeep that was made up for a rescue service.

Q For Civilian Defense?

A I don't know if it was given to -- donated or used by Civilian Defense. It was used or to be used by the hospital, their personnel.

Q And who owned that jeep, do you know?

A No, I don't know who actually owned it.

Q Was it the property of Bay Village, do you know?

A I don't believe it was.

MR. CORRIGAN: "I don't believe" again.

MR. DANACEAU: Well, that is his mannerism. We object to counsel -- if he has an objection to make, let him make it to the Court.

MR. CORRIGAN: I object.

MR. DANACEAU: All right.

Q Now, Officer Drenkhan, you told us that you talked to Jerry Schumaker, the 18 year old boy, concerning being down at the pier; is that correct?

A I did.

Q Now, did you talk to any other fishermen other than those that you have already described?

A Yes. The morning of July 4th.

Q And what time was that that you talked to these other fishermen?

A About 7:15 that morning.

Q And where did you talk to them?

A I talked with them down on the west pier at Metropolitan Park, Huntington Park.

Q And who were they?

A One party was a John Crosley -- he lives on Normandy Road in our city -- with his son and a friend visiting from Michigan, an Arthur Dara.

Q And what did these men say to you and what did you say to them?

A I asked them if they had seen any activity around the area since they had been down and how long they had been down on the beach or on the pier.

They said they had arrived about 6:00, a little bit before 6:00 in the morning, that on their -- when they came there, there were two young boys playing on the pier, and that these boys left shortly after they got down on to the pier.

Q And did they say how old these boys were?

A About 15 or 16.

Q You described for us the night chain on the south door there, the Lake Road door. You examined that chain shortly after your arrival there that morning, is that correct?

A That's correct.

Q And I think you stated that the chain was in good working order, not damaged in any way at that point; is that correct?

A That's correct.

Q Now, when is the next time that you observed that chain again?

A The next time was the following day. It was called to my attention that it was broken.

Q And describe the appearance of that chain the next day or the 5th of July?

A The portion where the chain itself hooks on to the frame of the door had been pulled out. The four screws had been pulled out.

MR. PARRINO: I don't believe I offered some of these exhibits, your Honor. Where did I stop on the exhibits, please?

THE COURT: Your last exhibit is 19.

MR. PARRINO: And which is the last I offered?

THE COURT: 18 is the last one.

MR. PARRINO: Well, in the event that I haven't offered any of these, I wish to re-offer State's Exhibits 13, 14, 15, 16, 17, 18 and 19 at this time.

THE COURT: They have all been received with the exception of 19. It will be received.

(State's Exhibit 19 was received in evidence.)

MR. PARRINO: I would like to show the balance of these photographs to the jury at this time, including State's Exhibits 17, 18, 16, 15 and 14, at this time, please.

(The above-mentioned exhibits were passed to the jury.)

MR. PARRINO: I believe that is all. You may inquire.

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CROSS-EXAMINATION OF FRED F. DRENKHAM
(11:15 a.m.)

By Mr. Corrigan:

Q Mr. Drenkhan, how long were you a member of the police department, or have been a member of the police department?

A Since 1950, approximately four or five years.

Q And during that time you became very well acquainted with Dr. Sheppard, didn't you?

A I did.

Q And with Marilyn Sheppard?

A Yes.

Q You became acquainted with them, not only officially, but socially?

A Yes, I did.

Q You had been at their house?

A Not socially.

Q But you had been there on other occasions other than July the 4th?

A Yes.

Q What were the occasions that you went there prior to July the 4th of this year?

A I was there in the house with Dr. Sam, I believe it was in the spring of this year, the early spring, at which time I was soliciting his help in obtaining a physical evidence kit. There were a few things that I felt we needed.

Q What kind of a kit?

A In the police department, a physical evidence kit.

Q Now, then, did you secure that kit?

A Dr. Sam -- the defendant provided me with miscellaneous articles to help supply the kit.

Q And that was a sort of a first-aid proposition?

A No. That is a kit that contains miscellaneous bottles for the collection and preservation of evidence, and charts, or anything, fingerprinting equipment. It is a kit that combines everything which we can take to the scene of the crime and have everything handy at the time.

Q Well, he was assisting you in setting up a kit whereby, in the event you come across a crime, you could preserve the evidence, is that right?

A That's right.

Q How much time did you spend with him on that particular issue?

A That evening I believe I was with him possibly a half-hour or so.

Q It was in the evening?

A Yes, I believe it was.

Q And did he make up this sort of a scientific kit for you and supply it to you?

A No. He provided^{me} with, as I recall, two or three wax or paraffin containers, some small pill bottles, and some --

it is a tweezer that you use to extract -- an eye dropper; also some tweezers that are used around and about a hospital, I believe.

Q Tweezers you could pick up small material with?

A No. These were larger ones. They use them for towels, or something of that type.

Q For what?

A For handling hot towels, I believe. They are larger.

Q Well, now, did you visit him any other times in regard to the activities of the police department in assisting you in the activities as a policeman?

A I don't recall any.

Q Did you go in the yard sometime during the daytime when you passed there?

A Yes. Occasionally I pulled into the yard when I would see the defendant out in the yard working about his car, or something.

Q And during that time did you talk police business with him?

A We might have.

Q Those were the two things that you had in common, you and Dr. Sheppard, was the activity of the police department of the city? You had that in common, didn't you?

A Yes. We possibly talked about cars, too.

Q About automobiles?

A Yes, relative to the police car.

Q Now, Dr. Sheppard, you know, was in charge of the Emergency Ward at the Bay View Hospital?

A Yes, he was.

Q And can you state where the Bay View Hospital is located?

A It is located in the east section of town, approximately 600 feet from the city limits, within our city on the north side of Lake Road.

Q And can you state for the jury how far it is from Dr. Sheppard's home?

A To the hospital?

Q Yes.

A I believe it would be about two miles.

Q Well, have you ever measured it in the number of times that you have coursed back and forth along that road?

A No. I just estimate that figure by the length of our city.

Q I see. How long is your city? How long does it extend along West Lake Road?

A Five miles and a few tenths.

Q Five miles and two-tenths?

A Two or three-tenths.

3 Q Now, you knew his wife quite well?

A Yes.

Q You had met her at some social functions, hadn't you?

(A Yes.

Q Where had you met her?

A I met her at Mayor Houk's home, at my neighbor's home, where we had attended parties together.

Q What was the neighbor's home?

A Gerhardt. They are a -- that is a brother-in-law of the Mayor's.

Q Mrs. Houk, her name was Gerhardt, is that correct?

A Yes, that's right.

Q This is her brother?

A Yes, that's right.

Q Did you meet them also at any dinners that took place out there?

A Yes. I believe they were present at a police clambake last fall, a year ago fall.

Q That would be fall a year ago?

A Yes.

Q And there is quite a high accident rate along that road, isn't there, quite a number of accidents that occur upon that road?

A Yes -- pardon me?

Q It is classified as a high accident area?

A It might be.

Q Now, do you recall that when you were at Mayor Houk's party, that was July the 4th a year ago, that there was a sudden emergency call that you responded to?

A I believe we were leaving the party.

Q But you do remember that incident?

A Yes, that's right.

Q That there was an accident up the road at night?

A That's right.

Q What?

A That's correct.

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- Q And did Dr. Sheppard respond to that with you?
- A He did.
- Q There were no lights at the point where the accident happened, were there?
- A I don't recall. I don't believe there were.
- Q Well, do you remember that it was a -- that the man who was driving the automobile run off into a clump of trees, ran off the road into a clump of trees, and that there were two women and three babies and a man, the driver, in the accident?
- A That's right. They ran into a large tree.
- Q And the people were very seriously injured, that is, the woman, the two women?
- A I believe so.
- Q And they were colored people, weren't they?
- A Yes, they were.
- Q And did Dr. Sheppard work in the dark on them?
- A Yes, he was there.
- Q And they were taken down to Bay View Hospital after that?
- A They were.
- Q Now, do you remember another incident where a boy was bleeding to death at night in an accident that Dr. Sheppard came there?
- A Can you be more specific?
- Q Well, I can't be, because I don't know much about it, but

it was an incident where a boy was bleeding to death.

It was at the corner of Cahoon Road and -- well, I'll pass it for the moment.

The fact of the matter is that when there was an accident in that city where the police needed any medical help, Dr. Sheppard was the man that was called upon, is that correct?

A That's correct.

Q And he always responded?

A That's correct.

Q Now, in your acquaintance with him, in your association with him, did you come to a conclusion as to what kind of a man Dr. Sheppard was, up to July 4, 1954?

A I felt he was a very capable doctor and handled himself very well in an emergency.

Q Did you come to an opinion as to what his temperament was?

A I felt he was very cool.

Q Did you come to an opinion that he was a calm and collected and even-tempered man?

A Yes, sir.

Q Did you ever see him lose his head?

A No, sir.

Q Did you ever see him fly -- become angry?

A No, sir.

Q All right. And did you notice when Mr. Sheppard and

Mrs. Sheppard were together, or Dr. Sheppard and Mrs. Sheppard were together, did you know their conduct, one towards the other, did you notice it?

A Yes, I noticed it.

Q And will you tell the jury what you noticed?

A It seemed average. There seemed nothing -- I mean, normal relationship between man and wife.

Q About the same as your own between you and your wife?

A Yes.

Q Now, on the night of the 4th of July -- or the 3rd of July, you went to work at 12:00?

A Yes, sir.

Q And was there anybody associated with you in that work?
Did you have a partner?

A Patrolman Roger Cavanaugh was my partner that evening.

Q And he remained with you all evening?

A Yes, he did.

Q Was your automobile the only cruiser that was cruising the city?

A Yes, it is.

Q That was on duty after 12:00 at night?

A Yes.

Q So that you had the entire city to take care of?

A Yes.

Q That included quite a number of streets?

A Yes, it does.

Q What?

A Yes, it does.

Q And it also includes checking for fires and checking the shopping -- do you have a shopping district?

A We do.

Q And your duties require you -- do you have more than one shopping district?

A No, just the one central area.

Q Your duties require you to periodically check that shopping district, don't they?

A Yes, we check it.

Q Can you tell between 12:00 and the time that you received this call to go to the Sheppard's home how many times you returned to the police station?

A Would you repeat that?

Q Can you tell between 12:00, the time you started your tour of duty, until you received the call from the Sheppard house in the morning how many times you had gone to the police station? How many times you had turned in there or checked into the police station?

A At least twice.

Q At least twice. Now, then, the traffic on Lake Road along about 12:00, between 12:00 and I'll say 2:00 in the morning was quite heavy, wasn't it?

- A It is customarily heavy on a Saturday night in the summer.
- Q It is customarily heavy, also, when there is a night ballgame?
- A That's correct.
- Q And this night, do you recall that the ballgame was over about 12:30 or 25 minutes to 1:00?
- A No, I don't recall.
- Q You don't remember that. You didn't happen to be listening to the ballgame as you were driving your automobile that night or tuning in on it?
- A No. Our radio is only a police radio.
- Q Now, what was the hour, what was the last hour that you were on the Lake Road, West Lake Road, prior to going to the Sheppard house?
- A Sometime possibly between 3:30 and 4:00 a.m.
- Q Do you keep a record, a log of any kind, in your car to designate where you have been at a specific hour?
- A No. Other than our house checks, we have no check kept.
- Q Now, because you didn't see anybody on Lake Road, you do not want the jury to assume that there was no one on Lake Road, do you, that night?

MR. PARRINO: I object to that,
your Honor.

THE COURT: Well --

MR. CORRIGAN: Well, all right.

THE COURT:

It is his interpre-

tation, that's all.

Q There is a park, which is a public park, that is to the west of -- or to the east of the Sheppard home on the same side of the street?

A That's correct.

Q That is called Huntington Park?

A Yes. It's Metropolitan.

Q Metropolitan Park. There is a bathing beach there?

A There is.

Q Picnic grounds?

A There is.

Q Parking lot?

A There is.

Q And a number of entrances off Lake Road into that park?

A Yes, two on the north side.

Q There are two on the north side?

A Yes.

Q Well, they are foot entrances, you can go in by foot at any time, can't you?

A Yes, anyplace.

Q Now, that was quite well patronized on the evening of July 3rd, do you know?

A I don't know that for a fact.

Q At the times that you drove along from midnight until the

last time you were on the road, did you at any time check into Huntington Park?

A Not on the north side.

Q That is what I mean, on the north side.

A No. The park is barricaded at 11:00 p.m.

Q Well, the barricade is just a chain that is put over the entrance?

A For no vehicles to enter.

Q But pedestrians can enter?

A That's correct.

Q And there is another way to go into the park besides the place where the barricade is put up, where the chain is put up, isn't there, into the north side?

A Well, there is an underpass on the south side, but that also is barricaded.

Q Is what?

A Is barricaded to vehicle traffic.

Q But was it barricaded that night of July 3rd?

A Yes, it was.

Q What?

A Yes, it was.

Q Did you ever discover that after midnight on July 3rd, that there were a number of cars that were in that Huntington Park?

A I observed through the night that there were two or three

cars parked on the south side of Lake Road in Huntington Park.

Q No. I mean on the north side?

A No, I did not know that.

Q Did you ever know that?

A No, I didn't.

Q Did you ever know a man named Lenny Schneider?

A The name sounds familiar.

Q What?

A The name sounds familiar.

Q Well, to identify him, he was the beach guard. He is the beach guard at Huntington -- or, he was the beach guard at Huntington Park.

A No, I don't believe I know that particular person.

Q Well, did you know who was the beach guard at Huntington Park?

A No, I didn't.

Q What?

A No, I didn't.

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Q Did you ever check with the beach guard at Huntington Park?

A No, I didn't.

Q I see. All right. You can go in by automobile -- and I will show that later. There is this fact, though, that you can walk in there at night?

A That's correct.

Q Am I correct in saying, Mr. Drenkhan, that that night you did not check Huntington Park?

A The park is out of our jurisdiction.

Q Well, --

A We did not check it.

Q It is in the limits of Bay View City?

A Bay Village, yes, it is.

Q That is a city, isn't it?

A Yes, it is.

Q Except they call the peculiar name of the City of Bay Village? They have the Bay Village on there, too?

A Yes.

Q But it is a city, and you are a metropolitan police force?

A We are.

2 Q Now, then, along Huntington Park, from the bathing beach and picnic grounds, but on the north side of the street, there have been complaints, have there not, about people wandering out back of their property, fishing and so forth?

A Occasionally we have had complaints of that nature.

Q Occasionally the people had complained about people coming up Huntington Park and going along their property?

A That's right.

Q Has there been any occasions when you have gone down and ordered people off the private property of the residents of Bay View?

A Yes, I believe there has.

Q Now, when you received the call that this murder had been committed at the home of Dr. Sheppard, you were in the police station?

A The police and fire station combined, yes, sir.

Q You received the information from Mayor Houk at that time that Marilyn Sheppard had been murdered?

A He said "I think it's murder."

Q It was quite a shock to you?

A Yes, it was.

Q Now, then, you immediately got ahold of the men who were in charge of the ambulance?

A The fireman was sitting there. I instructed him to bring the ambulance over.

Q The fire department and the police department are located in the same building?

A Well, we operate our radio and telephones are answered at the fire station, which is designated as a fire station.

Q That is, it would be proper to say that the police department is located in the same building as the fire department?

A To that extent of our radio and our telephone service.

Q As far as your radio and telephone service?

A Yes.

Q Now, then, is that on the first floor of the City Hall?

A No. This is at Cahoon Road in the basement of the community house.

Q Well, I was out there, and I was in the police station, and that is right opposite the shopping center, isn't it?

A That is our police station to the extent where a jail is, and our records are kept, and our offices are.

Q Well, the two firemen were there at the time?

A No. They were at the fire station on Cahoon Road.

Q Well, is the fire station very far from the police station?

A No, not very far.

Q How far would you say? Across the road, or something like that?

A No. I would say possibly less than a quarter of a mile, much less.

Q Now, then, when you were in the fire station, and you got this call, did you immediately notify the -- withdraw that.

Who operates the ambulance?

A The firemen.

Q Did you immediately notify the firemen that were there to get busy and get over to the Sheppard home?

A I told the fireman that was there beside me.

Q What was his name?

A That was Richard Sommer.

Q And then you went where?

2 A Then I went on outside and got in the police cruiser.

Q Was Mr. Cavanaugh there?

A I directed Mr. Cavanaugh to take the other police cruiser.

Q So that you drove down in one cruiser and Mr. Cavanaugh drove down in the other?

A That's correct.

Q Is that correct?

A Yes.

Q Followed immediately by the ambulance?

A That's correct.

Q Did you note who occupied -- who was in the ambulance besides Mr. Sommer?

A Mr. Ronald Callahan.

Q And he was another fireman?

A He was a volunteer fireman.

Q Now, when you arrived at the house, you went in the Lake door?

(A The Lake Road side door.

Q West Lake side door?

A The Lake Road -- West Lake Road.

Q What we have been calling the back door here?

A I assume so. The back door.

Q The door that is next to the kitchen?

A (Witness nods affirmatively.)

Q And when you got into the door, who did you see?

A Mrs. Houk was there.

Q Where was Mr. Cavanaugh, had he arrived?

A No. He was following me.

Q Did he follow you into the house?

A I don't recall if he was right behind me or not, but he did come on into the house.

Q And Mr. Callahan and Mr. Sommer, they were also behind you?

A They weren't directly behind me. When I returned downstairs to summon the doctor, they were taking a stretcher out of the ambulance.

Q When you got into the house, Mr. Cavanaugh arrived moments behind you, the other patrolman?

A Yes. He was somewhere right behind me.

Q And you were met by Mrs. Houk. You at that time knew that Marilyn had been murdered, that there had been a murder committed in that house, or had you known that up at the police station?

A Well, yes. That was what I was informed.

Q Had you ever been in the upstairs before?

A No, I hadn't.

Q Did you know -- you did not know where Marilyn slept?

A No, I didn't.

Q Were you given a direction by Mrs. Houk as to where to go?

3 A Yes, I was.

Q And where was she when she gave that direction?

A I believe she was in the hall.

Q In the hall? Well, didn't she precede you through the kitchen?

A I believe so.

Q And didn't she go up the steps to the platform, that you are now familiar with, that leads upstairs, and point to the room?

A I don't recall. She was there in the kitchen. I thought I had passed her that time.

Q I know, but Mr. Drenkhan, you are not familiar with the house? You didn't know where to go when you came in the house?

A That's right.

Q That's right. So that in order to go immediately to the room, which would be your natural action, you would have to be directed to that room, wouldn't you?

A I would.

Q Now, I want you to refresh your recollection and tell me if it isn't a fact that you were directed to that room by

Mrs. Houk?

A That's right.

Q And weren't you directed to that room by her going to the stairway and pointing to the bedroom?

A That's -- I don't know.

Q You don't know?

A I don't recall exactly just what she did there.

Q Well, will you please think that over during the noon hour and see if that isn't a correct statement?

Now, of course, you identified this coat as lying on the couch?

A Yes.

Q You don't mean to infer to the jury that as you were directed to this murder scene, that you looked over the railing and looked at that coat on the couch, do you?

A No.

Q In fact, this picture that has been introduced as Exhibit No. 8, which shows the couch and the coat lying on there, that was taken by the Cleveland Police Department, wasn't it?

A That was.

Q And can you tell me about what time that was taken by the Cleveland Police Department?

A Sometime between 8 and 9 that morning.

Q And as you hurried up that stairway to the point where you later discovered Mrs. Marilyn Sheppard lay murdered in her

bed, you didn't stop nor hesitate to look over a rail to see if there was a coat on a couch, did you?

A No, I didn't.

Q All right. Now, when you got up into the room -- these pictures, State's Exhibit 10 and State's Exhibit 9, that show Marilyn Sheppard on the bed in her room, do not portray at all the horribleness of the scene that greeted your eyes, do they? The scene was horrible, wasn't it?

A That's right.

MR. DANACEAU: The pictures are horrible, too, aren't they, Mr. Corrigan?

MR. CORRIGAN: I am not asking for any comments, sir, from you in my cross-examination.

MR. DANACEAU: We object to the form of the question. He indicated some difference, then he changed the question.

THE COURT: He said it was, and I guess there is no doubt about that.

MR. DANACEAU: No question about it.

Q When you got into the room where was Mr. Cavanaugh?

A He was somewhere behind me.

Q Well, he had come up into the room, also?

A I believe he did after I turned around and went downstairs.

Q Mr. Drenkhan, you use the term "I believe" all the time, and I wonder if that is a mannerism, or whether you are saying,

when you say "I believe he did," that that means that he was there?

THE COURT: When you say --

let's clear that up. When you say "I believe so and so," is it because you do not know definitely in your own mind, or is it just a mannerism of your own?

That is what Mr. Corrigan wants to find out.

THE WITNESS: I can't answer that.

Q Now, the pictures that have been shown here to the jury, I notice that all of them have stamped on the back --

Mr. Drenkhan, handing you Exhibits 8 to 18, inclusive, the pictures that you have identified and which have been shown to the jury, who took those pictures?

A The majority of them were taken by the Detective Grabowski of the Cleveland Police Department.

Q Will you look and see if any of them bear any other notation except "This is a Cleveland Police Department photograph"?

A What's that?

Q Will you look at them and see if any of them bear any other notation except the fact that each one of them is a Cleveland Police Department photograph?

(A They have this name Sheppard, and State's Exhibit 8 --

Q No. I mean looking at this here, what I wanted to do is identify them as Cleveland Police Department photographs. Are they?

A They are stamped with a stamp indicating they are Cleveland Police photographs.

Q All of them?

A All but one.

Q And which one does not bear the stamp of the Cleveland Police Department photograph?

A State's Exhibit No. 16.

Q State's Exhibit No. 16, which is a photograph of the southerly end of the desk showing the doctor's chair, and the -- is this the watch on the floor?

A That's right.

Q And the watch on the floor that has been identified as Exhibit 19, is that right?

A That's right.

Q Who took that photograph?

A I did.

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Q Now, did you see the photographs, State's Exhibit 8 to 18, exclusive of Exhibit 16, before today or before you came here to Court?

A Yes, I did.

Q Where were they shown to you?

A They were shown to me in the Prosecutor's office.

Q And when was that?

A In the past few days.

Q Since you have come here as a witness?

A That's right.

Q Now, this, you say, Exhibit 16, is your own photograph?

A That's right.

Q A photograph taken by you?

A That's right.

Q Did you take some photographs there that morning?

A Yes, I did.

Q Do you have them?

A No, I don't.

Q Where are they?

A They are in our file.

Q Will you bring them when we adjourn, after the noon hour, will you bring them all to Court?

A All right.

Q You can send somebody out and get them, I suppose.

MR. DANACEAU:

We won't, personally,

have time unless we have a longer recess.

It takes a long time to get out there.

Q Well, are they available to some other member of the Department so that he can bring them in here?

A Yes.

Q You can arrange that, can't you?

A Yes.

MR. CORRIGAN: Can we adjourn for the noon hour now, your Honor? It's 12:00.

THE COURT: Well, by that clock; it isn't 12:00, but yes, surely. I think we will have to have a clock man around here.

Ladies and gentlemen of the jury, we will adjourn for the noon hour and return at 1:15 correct time this afternoon. Please do not discuss this case in the meantime.

(Thereupon an adjournment was taken at 12:00 o'clock, to 1:15 o'clock, p.m., at which time the following proceedings were had:)

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Friday Afternoon Session, November 12, 1954.

(1:20 p.m.)

Thereupon, FRED F. DRENKHAN resumed the stand and testified further as follows:

CROSS-EXAMINATION (CONTINUED)

By Mr. Corrigan:

Q Did you bring your pictures?

A Yes. Which pictures?

Q The pictures you took in the house that morning.

Did you take some other pictures at some other time?

MR. PARRINO: We can't hear you,

Bill.

A Yes, I did.

MR. CORRIGAN: Will you mark those
for me, please?

(Defendant's Exhibits D
through K were marked
for identification.)

Q Handing you, Mr. Drenkhan, your photographs which have been marked D to K, do you identify them as pictures which you took on the morning of the murder of Marilyn Sheppard sometime after your arrival?

A Yes, sir.

Q Now, did you take some other pictures at another time?

A Yes, sir.

Q Will you let me see those?

(Photographs submitted by the witness to Mr. Corrigan.)

MR. DANACEAU: May we hear what the conversation going on is?

THE COURT: Let's hear what is being said. Counsel want to know.

THE WITNESS: These are blow-ups of particular pictures in the original file.

Q They are blow-ups?

A This picture I didn't take, though.

MR. GARMONE: All right.

MR. CORRIGAN: Will you mark those, please?

(Defendant's Exhibits L through R, being photographs were marked for identification.)

Q Handing you your pictures marked L to R, those are pictures you took sometime during your investigation during the day?

A No. All these pictures weren't taken that day.

Q Well, which were taken that day? Just refer to the number that is on the back.

A L was taken that day.

THE COURT: That is the 4th of July?

MR. GARMONE: L.

THE COURT: L, yes. That is
the 4th of July, when you say "that day"?

THE WITNESS: Yes.

THE COURT: All right.

THE WITNESS: The remainder of
these were taken July 11th.

Q July 11th?

A Yes.

Q That is, Exhibits M, N, O, P, Q, R?

A That's correct.

Q Taken July 11th?

A That's right.

Q After you had gone upstairs, and I am talking about the
first time now, did you remain any length of time upstairs?

A No, sir.

Q The first time?

A No, sir.

Q Did you make any examination of any of the rooms at that
particular time? I am talking about the first time only.

A No, sir.

Q You determined that Marilyn was dead?

A Yes, sir.

Q And then what did you do?

A I -- I shouldn't say I determined definitely she was dead,

because I returned --

Q You were pretty sure of it?

A Yes, I was.

I returned downstairs to summon the doctor.

Q Yes. Now, before you went upstairs, did you go into the den, the first time that you came into the house?

A No, I didn't. I only looked into the den.

Q You didn't hesitate?

A No, just a glance in at the defendant.

Q You glanced in, and did you see Dr. Sheppard?

A Yes, I did.

Q And what did you notice about him as you glanced in?

A He was sitting in a half-laying, half-sitting position in the red leather chair. He appeared dazed.

Q He appeared dazed. Can you be a little more definite, for the jury, as to the position he was sitting in the chair?

A He was half-sitting, half-laying in a position where his head rested on the back of the chair.

Q Could you illustrate it yourself so that they can see about what you saw about his position?

A There's not quite enough leg room, but he was back in a position like this. The chair was higher towards the back of his head. (Indicating).

Q Did you see where his hands were at that time?

A I believe they were resting on the arm of the chair.

- Q Then after you went upstairs, as you described to us, and came down immediately, almost, where did you go to summon the doctor?
- A I went outside to the police cruiser to use the police radio.
- Q And did you summon a doctor on the radio?
- A While I was on the air, I was informed by either Mrs. Houk or Mayor Houk that they had summoned the doctor. I then told the man on the desk, "Never mind," but to contact the other officials.
- Q Do you remember them coming out to you?
- A I think they hollered, said something to me out of the door, that the doctor had been summoned.
- Q You at that time -- your automobile was up close to the back door?
- A Yes, the Lake Road door.
- Q By the time that you had made this trip to the automobile to summon a doctor, had the ambulance arrived?
- A Yes, the ambulance was behind the police cruiser at the time.
- Q Do you know where Mr. Cavanaugh was while you were doing this?
- A No, I don't.
- Q You do not. When the ambulance arrived and you had completed your summoning or your telephoning on the radio car, did you

again enter the house?

A

I did.

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- Q And when you entered the house, where did you go?
- A I went into the den.
- Q And did you see Dr. Sheppard there in the den?
- A Yes. He was sitting on the red leather chair.
- Q Had his position changed any?
- A No.
- Q Did you have any conversation with him?
- A I asked him what had happened.
- Q Yes. And he began to tell you?
- A Yes, he did.
- Q Did anything happen during the conversation?
- A Such as --
- Q Such as what? Anything. Did anything happen during the conversation you were having?
- A No. I just asked him what had happened and he began to tell me, and that was all. When he finished I got up and left the --
- Q Did anything interrupt the conversation?
- A No. I believe Dr. Richard came and that is why I left. I don't believe he interrupted the conversation, no.
- Q Well, isn't it a fact that during the conversation this man grabbed the back of his neck?
- A That was how he ended the conversation.
- Q During the conversation -- how was the conversation ended?
- A His last words were that he went upstairs, at which time

he grasped the back of his neck with both hands and turned his head (indicating).

Q And did you notice his face?

A Yes, sir, I did.

Q What is your recollection of what his appearance was in regard to his facial expression?

A He appeared dazed. There was -- well, there was some redness about the right side of his face.

Q Did he have any appearance of pain that you noticed?

A Yes.

Q Now, you did learn that he had had a conversation with Mayor Houk before you talked to him? You learned that?

2 A Yes. Just recently I have.

Q Well, hadn't you learned at that point?

A No, I hadn't.

Q Well, wasn't that the reason you went down to the lake?

A No. From my conversation with the defendant is why I went down to the lake.

Q Well, didn't you as a police officer -- the Mayor is in charge of the -- he is Director of Public Safety, isn't he?

A That's right.

Q Under the City Charter there. Well, during that morning didn't the Mayor communicate to you the facts that he had obtained from Sam Sheppard in regard to the attack that had been made upon him?

- A Not directly.
- Q Well, was it indirectly?
- A Yes. I believe I learned more of the facts throughout the day as to what transpired.
- Q Well, then, now, after you had this very short conversation with Sam Sheppard and he grabbed his neck, what did you do then?
- A That is when Dr. Richard Sheppard arrived, and I directed him upstairs to Marilyn's room.
- Q Well, didn't you go upstairs before Dr. Sheppard arrived?
- A Yes, I was.
- Q You are talking about the first time, but I mean wasn't there a second time that you went upstairs before Dr. Sheppard arrived?
- A Yes, I believe there was. It was at a time that I went up to inform the ambulance men to remove the stretcher from the room as there was a doctor on his way, and the ambulance stretcher --
- Q Well, now, let me ask you about that. When you went out in the yard, the ambulance men, Mr. Callahan and Mr. Sommer, were preparing to take the stretcher out of the ambulance, isn't that so?
- 3 A It was out of the ambulance.
- (Q It was out and they were carrying it in?
- A Yes.

Q They were bringing it into the house?

A They were preparing to.

Q Did you precede them in, or did they follow you with the stretcher?

A I was busy on the radio then. I don't recall whether they followed me or preceded me.

Q And when you came in you went into Dr. Sheppard's den and had this short conversation, and then didn't you not go upstairs?

A I believe that is right. I went upstairs. At that time I instructed the ambulance men to remove the --

Q Wait a minute, now. I will come to that.

When you got upstairs did you find Mr. Sommer and Mr. Callahan upstairs?

A Yes, they were.

Q And they had the stretcher with them?

A Yes, they did.

Q And the stretcher was in the room?

A It was.

Q Now, these steps are bare, they had no carpet on them?

A That's right.

Q And I suppose you did not leisurely go up the stairs, you went up in a hurry?

A Yes. In all probability I did.

Q And when you got into the room and you discussed the matter

of the use of the stretcher with those two firemen, did you not?

A I instructed them to remove it from the room and place it in the hall.

Q And where did they take it?

A They placed it in the hall up by Chip's room.

Q By Chip's room?

A That's correct.

Q And the ends or the carrying-part of that stretcher were made of wood, wooden handles, or iron handles or metal handles?

A There is no wood on the cot at all. It is all steel.

Q It is steel. So the handle parts of it are steel?

A Yes. You can either grip it on either side or from the ends.

Q And they stood that up in the hallway?

A It is a cot that is on wheels.

Q What?

A It is a cot that is on wheels.

Q Oh, it is a cot that is on wheels. Well, was it rolled along the hallway?

A Yes, I believe it was.

Q Now, then, you refer to Chip's room. That was the room that was right next to Mrs. Sheppard's room, wasn't it?

A Yes.

Q On the north side of the house?

A Yes.

Q Was the door open or closed?

A The door was partly opened, maybe six inches or so.

Q Did you go in to see who was in there?

A At one time I did, and I observed that everything seemed in order there, and we --

Q And was the little boy asleep?

A I believe Mrs. Houk was able to see that better than I.

Q No. I asked you if you went into that room and observed the little boy?

A Actually see the little boy, no.

Q You did not. Now, then, did one of the men close the door to Chip's room?

A Someone did.

Q What?

A Someone did.

Q Someone did?

A I don't know who.

Q And was that the time that you were up there on the second occasion that that door was closed?

A Yes, I believe it was.

Q Do you know who closed it?

A No, I don't.

Q Did you ever learn who closed that door, which one of you

three men closed that door?

MR. MAHON: I object. He didn't say either one of the three. He said somebody.

MR. CORRIGAN: I will withdraw it and put it another way.

Q There were three men up there when this car was brought up and rolled along the hall. Now, did anyone of you three men close that door to Chip's room, that you noticed? Just tell me what you saw. If you don't remember --

A No, I didn't see.

Q You didn't see it?

A No.

Q All right. Now, then, how long did you stand -- of course, you were talking among yourselves, weren't you?

A Yes.

Q How long did you stay up there talking before you came downstairs the second time?

A It would be a matter of a minute.

Q You made no particular examination of the room on either one of those two occasions other than to notice it generally, is that correct?

A The room in which --

Q In which Mrs. Sheppard was lying murdered.

A That's right.

- Q Now, then, you came downstairs, and where did you go when you came downstairs the second time?
- A That is when Dr. Richard arrived.
- Q Did you see him arrive?
- A I believe I was in the kitchen or the hall by the entrance.
- Q Well, which door did he come in?
- A The back door or the Lake Road side door.
- Q Now, before he arrived, and after you had gone downstairs the second time, had you gone into the den a second time?
- A I believe the only time I was in the den actually was when I talked to the defendant.
- Q Well, are you sure about that?
- A Until approximately 6:30, at which time I went in to -- or about 6:45 -- to obtain a telephone book and try to summon the Coroner's office in Cleveland.
- Q Was Dr. Sheppard still in the den at that time?
- A Yes, he was.
- Q Now, then, when Dr. Sheppard arrived -- that is, the brother of Dr. Sam -- you were in the kitchen, you say, and did you notice what did Dr. Richard did first on his arrival?
- A He went to the door of the study or the den.
- Q He went towards the den. Did you have any conversation with him then?
- A No, other than to direct him upstairs.

- Q Well, did he go into the den?
- A No, I don't believe he did.
- Q He did not?
- A No.
- Q Well, did you say something that "Marilyn is upstairs", or something like that?
- A That's probably it.
- Q What?
- A Something to that effect.
- Q Yes. And then did he turn and start upstairs?
- A Yes, he did.
- Q And he was in a hurry, also, wasn't he?
- A Yes, he was.
- Q And you followed him upstairs?
- A I did.
- Q And then you told about the incident where he turned halfway up and asked for a knife, and you got the knife out of the kitchen and handed it to him, brought it up to him?
- A I did.
- Q Where was he on the stairs at the time you brought the knife to him?
- A He was approximately at the landing, or up the first two or three steps. He leaned back.

Q You got that very quickly?

A Yes.

Q And then the two of you went up the stairs very quickly?

A That's correct.

Q And went to Marilyn's room?

A That's correct.

Q Did anybody else come with you on that occasion, that would be the third time you were up?

A I believe again Mrs. Houk was in and about and Patrolman Cavanaugh was behind me --

Q Patrolman Cavanaugh came up, also?

A I believe the firemen might have been behind us.

NS Q Well, there was a group of you, then, went upstairs?
TAG A That's right.
X 16 Q Doctor Richard Sheppard, yourself, Cavanaugh, the two
firemen and maybe Mr. Houk?
A Maybe who?
Q Mr. Houk.
A No, I didn't see Mr. Houk.
Q Or Mrs. Houk?
A Mrs. Houk.
Q Mrs. Houk. That would make six in the room?
A No, they did not enter the room.
Q But they stood in the hallway?
A That's right.
Q And they were all adjacent to Chip's door?
A No. They were stretching on down the stairway, stairwell.
Q And all talking, having something to say? Conversation
was going on?
A Not that I recall. I believe it was very quiet because --
Q Now, then --
MR. DANACEAU: Wait a minute.
Let him answer.
MR. CORRIGAN: He said it was
very quiet.
MR. DANACEAU: Let him finish.
Q Had you finished, Mr. Drenkhan? I don't want to interrupt

you.

THE COURT: Did you have something more to say?

THE WITNESS: Just other than we were waiting for what Dr. Richard would say.

Q Well, you went into the room with Dr. Richard?

A I stood there on the opposite side of the bed.

Q And then he pronounced her dead after he made some examination of her?

A That's correct.

Q Now, did you all come downstairs, then?

A I don't believe we all did. Possibly the firemen remained to remove the stretcher.

Q What is that?

A I say, possibly the firemen remained to remove the cot.

Q The firemen removed the cot downstairs?

A I believe so. I can't be sure of it.

Q Now, then, did you come downstairs?

A Yes.

Q And where did you go then?

A I went on into the living room or the dining room.

Q And where in the dining room or the living room did you go?

A I just stepped on into the living room or the dining room.

I believe at this time I requested Patrolman Cavanaugh to get a camera from our station.

Q To go to the police station and get a camera?

A At our police station.

Q With which these pictures were taken that you brought here today?

A That's right.

Q Now, after you had given the instructions to Mr. Cavanaugh to go to the police station for the camera, what is the next thing that you remember that you did?

A To the best of my knowledge, I went down on the beach.

Q Well, let me go back a moment. You stated that you went into the den for the telephone book in order to make some calls. Was that before or after you went to the beach?

A I believe that was after I went to the beach.

Q You went down to the beach and you stood on the platform?

A Yes, sir.

Q And you looked at the beach and you saw nothing?

A Yes, sir.

Q Well, didn't you see the tracks of -- any human tracks on the beach at that time?

A No, I didn't.

Q You did not. Did you know that Mayor Houk and Mr. Eaton had been on the beach before you went down and looked at it?

A I don't believe they were. I didn't see the Chief there before that time.

Q You didn't see the Chief before that?

A No.

Q Well, how about Mr. Sommer and Mr. Callihan?

A They went down sometime after that at the instructions of Sergeant Hubach.

Q After you went down?

A After.

Q Now, when you went to the beach, you looked there, you did not go down on to the beach yourself, did you?

A No, I didn't.

Q You stood on the platform, that is, there at the boat house?

A I did.

Q Which part of the platform did you stand on?

A The center portion, right in front of the boat house, right at the rail.

Q The center portion?

A Yes.

Q Well, the platform is a sort of an L-shape, it runs along the north and the west side of the boat house?

A More or less a U.

Q What?

A A U-shape.

Q Well, a U, all right. Part of it runs along the north side and part of it runs along the west side?

A And the east side.

- Q What?
- A And the east side.
- Q Is there one on the east side?
- A Yes.
- Q I looked at it and I thought the steps went off the platform at the end of the north side, at the east end of the north side.
- A No. There is a walk that you walk back along that side of the boat house, the east side of the boat house.
- Q Well, where were you standing?
- A I was standing in the middle of this platform.
- Q In the middle of the platform. Well, would that be on the north side of the boat house?
- A That is on the north side.
- Q All right. Now, you stood there how long?
- A A matter of a minute.
- Q A matter of a minute. And then you went back upstairs?
- A Yes.
- Q And when you arrived back in the house, will you tell me who was in the house at that time?
- A I believe the Mayor was there, the Chief, Sergeant Hubach was about, Dr. Richard, Dr. Steve, Mrs. Houk apparently was there. That's all I can recall now. The defendant.
- Q I see. At that time, did you notice that people had begun to gather around the place, neighbors and so forth?

- A No, not at that time.
- Q Well, when you went back in the house, where did you go?
- A I believe that was the time I had the conversation with the Mayor relative to calling Cleveland, the Coroner's office.
- Q Now, you did not see Dr. Steve arrive, did you?
- A No.
- Q Now, you mentioned the name of Hubach. Who is he?
- A He is the Sergeant of Police in our department.
- Q He is your superior officer?
- A He is.
- Q Now, do you have any other officers besides the Chief and a Sergeant?
- A We have a Lieutenant of Police.
- Q Who is the Lieutenant?
- A Clifford Mercer.
- Q Was he there that day?
- A No, he wasn't. He might have been later.
- Q But that morning the Lieutenant was not there?
- A No, he wasn't.
- Q That is the time that you think you talked to the Mayor about calling the Coroner and the Homicide Department of Cleveland?
- A It was either then with the Mayor or my verification to go ahead by the Chief.
- Q When you came back from the lake, where did you walk, to

what part of the house?

A On into the dining room portion.

Q The dining room portion, that is the east side of that large room that stretches across the front of the house?

A It is.

Q And after the conversation, if that was the time that you had the conversation, where did you go then and what did you do?

A I went in and made the phone call to the Coroner's office and to Cleveland.

Q Now, when you went into the den, was Sam still there?

A When I actually made those calls, no. He was in there when I got the telephone book the first time to look up the numbers.

Q Well, let me see, now. I don't get that straight. When you came down the third time, you told me that you went down to the lake?

A That was --

Q Now, where does getting the telephone book come into the picture in regard to your third descent from the upstairs room?

A It was after I had the conversation with the Mayor relative to calling Cleveland, I went back on into the den, at which time Dr. Sam, the defendant, was there.

Q Well, that's what I'm trying to fix, just the time that you

went back to the den. That would be the second time you went into the den, wouldn't it?

A Yes, it would be, sir.

Q What?

A Yes, it would.

Q And when was the second time you went into the den in relation to the first, second or third time you came downstairs?

A I believe that was after the third time.

Q After the third time that you came downstairs you went into the den to get the telephone book?

A Yes, I did.

Q Was Sam in there then?

A Yes, he was.

Q And was he in the same position?

A No. At that time he was laying on the floor.

Q He was lying on the floor. And did you notice anything about him as he was lying on the floor?

A No. He was lying very still.

Q Well, you got the telephone book and you came out and you looked up the number?

A I believe I attempted to. I didn't feel I should call Cleveland until I had verification from the Chief, at which time I don't believe the Chief was there.

Q So in the meantime, then, you went down to the lake?

- A That's right.
- Q And came back, and when you came back, was the Chief there?
- A I believe that was when I talked to him.
- Q Do you remember where you talked to him?
- A It must have been -- it was in the dining room.
- Q In the dining room, the same place we pointed out before as being the east side of the L-shaped room?
- A That's right.
- Q Now, then, after you had talked to the Chief of Police and got authorization, did you call the Cleveland Homicide Department and the Coroner's office?
- A I did.
- Q Was Sam in the room then?
- A No, he wasn't.
- Q He had gone?
- A Yes.
- Q Did you see him go out?
- A Yes. He was going out, I believe, when I come up from the beach then.
- Q He was going out?
- A Yes.
- Q And how was he going out?
- A He was going out with Dr. Steve.
- Q Anybody else?
- A I believe Dr. Richard was there at his side.

- Q Well, do you know Dr. Carver?
- A Yes, I do.
- Q Do you know Dr. Dozier?
- A I can't place Dr. Dozier.
- Q Did you see a man in the dining room when you come up from the beach that you didn't recognize?
- A At that time, I don't recall.
- Q You don't recall?
- A No.
- Q Did you see a man that you didn't recognize after Dr. Sheppard, Dr. Sam Sheppard, went out?
- A There was a man who was limping, and I believe he was a doctor. I believe I seen him at the hospital, but I don't know who he was.
- Q Did you ever see that man again or talk to him?
- A We might have passed a few words, I don't know.
- Q Well, do you recognize now that you did see a man from the hospital in the room when you come up from the lake, before you did your telephoning?
- A No, I can't say it was right then. I saw that man in the house sometime that morning.
- Q All right. Now, then, as Dr. Sheppard went out the door, did you make any note of that, of him going out the door?

THE COURT: Which Dr. Sheppard
are you referring to now?

MR. CORRIGAN:

Sam.

A What type of note?

Q What did you say?

A What type of note?

THE COURT:

What type of note?

Q A mental note?

A Yes. I recall seeing his back, the coat over his shoulders.

Q And who was with him as he went out?

A Dr. Steve, and I believe there was Dr. Richard about the area, right there at the door.

Q Did you see Dr. Carver?

A I'm trying to place what Dr. Carver looks like. I can't attach the name to the person.

Q Let's put it this way --

A I believe -- I think I did. He is a short fellow?

Q Yes, he is rather short.

A He was about.

Q What?

A He was about right there. I don't know just exactly where.

Q Did you see him doing anything to assist Dr. Sam out of that house?

A Not that I recall. He might have been helping him. I can't place it.

Q You can't remember that?

A No.

Q Now, do you know Dr. Steve Sheppard's wife?

A Yes, I do.

Q Betty Sheppard?

A Yes, I do.

Q Did you see her in the house that morning?

A Yes. She assisted in getting Chip out of the home.

Q She assisted getting Chip out?

A Yes.

Q Are you sure of that?

A Positive. It was either Betty or Dr. Steve's wife or Dr. Richard's wife.

Q What?

A Because Dr. Richard's wife was back later. I can't separate the two. I believe it was Dr. Steve's wife.

Q Was assisting Chip out of the house?

A Along with Mrs. Houk.

Q What?

A Along with Mrs. Houk.

Q Well, to refresh your recollection, wasn't that Dr. Richard Sheppard that was assisting Chip out of the house with Mrs. Houk?

A Yes, that could be.

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Q I see. Now, then, after you had telephoned to the Coroner and the other people that you wanted to telephone, did you remain in the house?

A I don't recall offhand. I had a conversation then with the Sergeant relative to the people on the pier down at the Huntington Park.

Q And after you had that conversation what did you do?

A I believe it was approximately 7 o'clock when I left the home to go over to Huntington Park to check the fishermen on the pier myself.

Q And did you go over there?

A Yes, I did.

Q And did you check those fishermen?

A I talked to them and they stated they had already been talked to by other people.

Q Did you return then to the house?

A I believe I went over to the police station at that time.

2 Q Then you went to the police station. Now, then, you said that in answer to a question, that there was sidewalks only on the north side -- or the south side of Lake Road, West Lake Road. Do you remember that?

A Yes, sir.

Q Well, did you ever see any sidewalks on the north side of West Lake Road?

A Yes, there are.

Q What?

A There is a section on the wide pavement by Huntington Park. There is also a small section from Lake to Fordham. There is also some sidewalk by the end of Lake Park, and I believe also some at the end of Kenilworth.

Q So there are sidewalks on the north side of Lake Road, aren't there?

A At those sections, yes.

Q And if you weren't asked that question by me, the answer that you originally gave would indicate to the jury that there were no sidewalks on the north side of Lake Road, West Lake Road, would it?

A I can't recall the question, whether I was asked --

Q Well, you were asked about sidewalks, and you said there were only sidewalks on the south side. Do you remember that?

A That's right.

Q Now, after you had gone to the police station, did you return to the house?

A Yes, I did.

Q And what time would that be, Mr. Drenkhan?

A Possibly about 7:20.

Q Had you secured your camera?

A The camera was there at the scene.

Q And did you then begin to take your pictures?

3 A At that time I again called Cleveland and spoke to Captain Hauschild.

Q And after you talked to him what was your activity?

A I prepared to take pictures, and took some pictures up until the time that Detective Grabowski arrived.

Q So your pictures were taken prior to the arrival of the Cleveland police, weren't they?

A Three of the pictures were.

Q What?

A Three of the -- four of the pictures were.

Q Four of the pictures were taken before they arrived?

A That's right.

Q And which four were taken? I will just refer to numbers so we keep track of what we are doing. Just pick out the four pictures you took, giving me the exhibit number on there.

A D, E, F, G.

Q D, E, F, G. All right.

THE COURT: Those were taken
before the Cleveland police arrived?

THE WITNESS: Yes, they were.

Q The first man that arrived on the scene, as I remember your testimony, was Detective Grabowski?

A Grabowski, that's correct.

Q And he had a camera with him?

A He did.

Q And some equipment to take the fingerprints?

A Yes.

Q And then he proceeded to take some pictures?

A Yes.

Q And was his taking of pictures independent of your operation? Did you accompany him, or anything of that kind?

A On occasion I did. A few of the pictures I was with him.

Q Did you make an observation, or do you know where there is a fireplace in that house?

A Yes, there --

Q Or, let me put it this way: Do you know whether there is a fireplace in that house?

A Yes, there is.

Q And where is it located?

A It is on the southwest corner.

Q When did you first observe that fireplace?

A When we made a tour about the house with Detective Grabowski.

Q That would be about 8 o'clock in the morning?

A That's correct.

Q That was the first time that you noticed the fireplace?

A That's correct.

Q Did you note the things around the fireplace?

A Yes.

Q Did you take a picture of it?

A No, I didn't.

Q Do you remember now what was around the fireplace?

4 A Yes.

Q What?

A There is a basket of fire wood; there were fireplace tools; there was a plant setting on top of the fireplace.

Q A what? There was a what?

A Pardon me?

THE COURT: A what, he says.

He is asking you to repeat the last --

THE WITNESS: There was a plant

on top of the fireplace. I believe there were

two other knickknacks on the mantle of the fireplace.

Q Well, there was a number of fireplace tools there, wasn't there?

A Yes.

Q Now, that was about 8:30 in the morning when you observed that?

A About 8, 8:15.

Q Now, that was the time the picture was taken of the coat lying on the couch, wasn't it?

A I believe it was.

Q And that was the first time that morning that you were back in that part of the room, wasn't it?

A Yes.

- Q Now, you gave a list of things that you observed in Marilyn's room, such as clothes lying on the rocker, and the location of the windows, and so forth, and so on. When did you make those observations?
- A The observations of the shoes, the clothes and the rocker, the general condition of the room, was the first time I was upstairs.
- Q Well, you told me the first time you were upstairs you were only there for a moment and came right down.
- A That's correct.
- Q Now, you hardly could itemize all these things in a moment, could you?
- A You'd see all those things as you glance about the room.
- Q Well, there was a time, wasn't there, that you went up into the room with a notebook and wrote down what you saw in the room?
- A That was when I made the note of what actually was on the rocking chair.
- Q When was that? What time of the day?
- A That would have possibly been after 9 o'clock.
- Q By that time the reporters and newspaper photographers had arrived, hadn't they?
- A There were reporters outside.
- Q They were inside also, weren't they?
- A No, they weren't.

Q What?

A Not at that time there was nobody in.

Q When was Marilyn's body removed?

A Approximately quarter to 10, I believe, 10 o'clock.

Q Was her body removed prior to the time that you made your pencil notations of what was in the room?

A I don't believe it was. I believe it was shortly after the body was removed that we made -- when we were examining the bed, and --

Q It was after that?

A Yes. That would be after 10.

Q Then you made your pencil notations of what you observed in the room?

A Of what was on the rocking chair.

Q What about the blood spots, and things of that kind, the location of the dresser, the condition of the bed next door?

A That was when I started a complete list. That was possibly sometime after 11.

Q Now, you observed that the bed -- the other twin bed in the room had not been slept in?

A That's correct.

Q And you observed that the blind was partially up at one of the windows?

A That's correct.

- Q Did you make any observation of the blinds in Chip's room?
- A They were down, to the best of my recollection.
- Q Are you sure?
- A I can't be sure.
- Q Now, I want to go outside the house for a moment, and ask you some questions, and see if you observed that there are two windows in Marilyn's bedroom facing north?
- A That's correct.
- Q And there are two windows -- or one window in the little boy's bedroom that faces north?
- A Two windows.
- Q Two windows. They are in the north side of the house?
- A That's correct.
- Q And they look out onto a porch, a porch roof?
- A A porch roof.
- Q And that porch roof extends out about 10 or 12 feet from the house?
- A That's correct.
- Q It is almost a flat roof, isn't it?
- A Yes.
- Q Just a slight slope to it?
- A Just a slight slope.
- Q And the part of the roof that connects with the house is almost flush with these windows?
- A Yes.

Q Did you observe an apple tree in the back yard?

A Yes.

Q And that apple tree is very easy to climb?

A Yes.

Q You can almost step up into it?

A Yes.

Q And from the position of the apple tree you can look into the house, the upstairs windows?

A Yes, you can.

Q Now, let's get to the time when you made these factual observations of what you saw in Marilyn's room, other than the fact that her murdered body was there. You say that was about 11 o'clock that you took your notebook out and began to mark down --

A That's correct.

Q And were the reporters and photographers from the newspapers in the house at that time?

A No.

Q Well, your picture was taken standing alongside of the bed, wasn't it, with a notebook in your hand?

A Yes. I believe it was when I was completing my --

Q Who took that picture?

A I don't know.

Q Well, I saw it in the paper, that is how I know. You saw it too, didn't you?

A Yes, but I don't know who the man was that took it.

Q Well, now, you are standing on the south side of the bed with your notebook in your hand. Do you remember that?

A By the door?

Q No. You are standing on the south side of the bed with your notebook in your hand?

A The side of the bed is up against the south wall.

Q What?

A The beds are against the south wall.

Q Yes. I get mixed up. You would be standing on the west side of the bed with your notebook in your hand. I can get the picture and show it to you.

A I guess. I was in the room there when the picture was taken. I can't place myself --

Q Yes, but who took the picture in the room? -- is what I want to know.

A I don't know.

Q Well, then, there were strangers in the room that you were not acquainted with at that time?

A Yes, sir.

Q As a matter of fact, there was quite a number of reporters and photographers that come into that house on that morning, wasn't there?

A At approximately that time there were.

Q Now, various pictures were taken of various officials inside the house which appeared in the newspapers of the city of Cleveland, and you saw them?

A I can't recall all of them now.

Q But there were quite a number of them, weren't there?

A There were a number of pictures taken.

Q Inside the house by newspapers?

A And outside, I believe, also.

Q Well, if you can't recall them, see if I can refresh your recollection.

You saw a picture of Chief Eaton in the hall? There was a picture of him taken in the hall. You saw that picture, didn't you?

MR. PARRINO: May we have the date, please?

MR. CORRIGAN: I am talking about July 4th.

MR. PARRINO: I see. Thank you.

A A picture of him in the hall?

Q Yes.

A No, I don't recollect the picture exactly.

Q There was several pictures of Dr. Gerber taken in the house. You saw them?

A I recall one picture.

Q What picture do you recall?

A I think he had something in his hand.

Q Yes. Do you recall the picture taken that morning of Dr. Gerber with a stick in his hand demonstrating how the murder was committed?

MR. PARRINO: I object to that question.

THE COURT: Yes. Objection will be sustained.

Q What was the picture you saw of Dr. Gerber with something in his hand?

A To the best of my recollection, that was it.

Q What I said?

MR. MAHON: What was it?

MR. CORRIGAN: What I just said.

THE WITNESS: It was a picture of Dr. Gerber, I believe holding something in his hand. Where it was taken actually, I don't recall.

Q And he was leaning over with the thing in his hand, wasn't he, in this position (demonstrating)?

A I believe he was.

Q Now, when you were making these notations on that morning about 11 o'clock, did you make this notation: That the bedroom door was open, Mrs. Marilyn Sheppard's bedroom

was open?

A Yes, I did.

Q And the door to Mrs. Sheppard's room opened from the hallway?

A It opened into the room.

Q It opened into the room?

THE COURT: It opened from the hallway.

THE WITNESS: From the hallway.

Q From the hallway into the room. And it folded back against the east wall of the room?

A That's correct.

Q Now, did you note that behind that doorway there was a closet?

A That door overlaps that closet slightly.

Q Overlapped that closet, so as you close the door to the east wall, it was in front of that closet door?

A Yes.

Q Now, you made some observations about blood spots, as you told Mr. Parrino. Were there blood spots on that door?
I am talking about the door of the bedroom.

A Yes, there were.

Q There were. Did you take a photograph of those?

A A separate photograph?

Q Yes.

A I believe --

Q Of that door.

A Yes, I did, from the stairway.

Q From the stairway?

A In a closed position.

MR. CORRIGAN: Do we have the
photograph here?

Q Handing you what has been marked as Defendant's Exhibit K,
Mr. Drenkhan, is that the photograph you made of the door?

A Yes, it is.

Q And where was your camera at the time that that photograph
was taken of the door?

A On the steps.

Q Do you know what step?

A No, I don't.

Q In other words, before you took that photograph, you had
pulled this door to, you had closed the door?

A That's correct.

Q And I will turn this so the jury can see what I am
talking about.

MR. DANACEAU: Well, now, just a
minute. Have you introduced those in evidence
yet?

MR. CORRIGAN: Will you allow me to

proceed with my examination?

MR. DANACEAU: I am merely asking whether you have introduced those in evidence yet.

MR. GARMONE: No, he hasn't.

MR. DANACEAU: Well, then, if they haven't been introduced --

THE COURT: They haven't.

MR. DANACEAU: Then the jury should not see them. We are perfectly willing to have the jury see it, if he will introduce it in evidence. We have no objection to your introducing it in evidence, but they should first be introduced before you show it to the jury.

MR. CORRIGAN: Well, I will turn it from the jury so they won't see.

MR. PARRINO: We have no objection to all of those pictures being introduced in evidence.

MR. GARMONE: Let Mr. Corrigan conduct his own examination.

THE COURT: Never mind, gentlemen.

Mr. Corrigan will take care of himself.

Q

According to the black mark -- what will I call that? -- the light of the picture, the light top of the picture,

can you explain to me what that black mark is?

A No, I can't.

Q You can't. Was there anything of that kind coming out of the wall upstairs?

A You mean --

Q I am talking about this. See.

A That whole thing?

Q Yes.

A That whole thing, that is the railing.

Q That is the railing, that is part of the railing, the top of the railing. And this black space that goes along the left of the picture, that is the hallway, is that right?

A That's right.

Q And then you pulled this door closed to Marilyn Sheppard's room, got down on the steps, and shot up at the door?

A That's correct.

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- Q And these marks, these spots that are shown on the door, can you tell me or explain what those spots are? Did you examine them?
- A They are blood spots.
- Q Now, you didn't get the whole door in the picture, did you?
- A No, I didn't.
- Q You got about two-thirds up from the -- about a third down from the top of the door?
- A That's correct.
- Q And at the top of this picture there is another spot?
- A That's correct.
- Q What is that?
- A That would be blood, too.
- Q That would be blood. Were there any blood spots above that part of the door that is not shown on the picture?
- A I imagine there were.
- Q All right. Now, there are some spots over here to the right of the picture towards the top, at the top of the third panel. Are those blood spots, also?
- A I believe they are.
- Q I see. Now, then, that was one picture you took of blood spots. Did you take any other pictures of blood spots in that room?
- A No. The one picture of Marilyn on the bed shows that door along with the closet door.

Q That picture that is introduced -- let me see this picture of the defense.

MR. PARRINO: The one that you've got.

MR. CORRIGAN: Listen, brother, I'm trying my case the way I want.

Q I'll take this picture which is marked Exhibit 10.

MR. DANACEAU: Just a moment. We are using two sets of pictures. That's a State's Exhibit, not the defendant's exhibit.

MR. GARMONE: That's right.

MR. DANACEAU: Well, we want that clarified so there is no confusion about these pictures.

THE COURT: Well, they are numbered separately, in any event. This is State's Exhibit No. 10.

MR. DANACEAU: Right. The previous picture is not a State's Exhibit.

MR. GARMONE: He didn't say it was.

MR. DANACEAU: Well, we don't want any confusion on that score.

MR. CORRIGAN: Well, I don't think anybody will be confused. Our exhibits are marked

according to the letters of the alphabet.

THE COURT: The letters, yes.

MR. CORRIGAN: I believe we are
up to -- what is our last exhibit?

MR. PARRINO: R.

MR. CORRIGAN: We are up to the
letter R, and the State's Exhibits are numbered,
are numerals, so I don't think anybody will be
confused, Mr. Danaceau.

MR. DANACEAU: They might be unless
it is pointed out from time to time.

MR. CORRIGAN: Well, I grant the
jury has some intelligence.

MR. DANACEAU: I think they do.

THE COURT: All right, we are
discussing State's Exhibit No. 10, gentlemen.

Let's go ahead.

Q State's Exhibit No. 10 shows the door -- this was taken
by the Cleveland Police Department, wasn't it?

A That's right.

Q But the door shown here that we have been talking about,
the door in the hall, in this instance is closed -- opened,
rather, opened back against the east wall?

A That's correct.

Q And does not show the detail of blood spots on that door

that is shown in your picture, does it? Will you look at them both, Mr. Drenkhan?

A It's possibly a little more clearer here, it's a little clearer.

Q They are definite on your picture and not definite on the Cleveland Police picture; isn't that a correct statement?

A Well, they are both visible.

Q Well, take, for instance, the spots that I pointed out on your picture, Exhibit K, that appear just at the top of the third panel of the door are very definite there, aren't they?

A Yes, they are.

Q Do you see them on the Cleveland Police picture?

A (Witness indicates.)

MR. DANACEAU: Will you speak up,
please?

MR. MAHON: Speak up. Do you
see them or not?

A Yes, I see them.

Q They are very faint, they are fainter than yours, in other words?

MR. PARRINO: If the Court please,
I wish to object to this examination under these
circumstances. I believe that in order for this
jury to fully understand the extent, the import

of this examination, that they should have the benefit of seeing both of these pictures and evaluate for themselves at this time exactly what the story is.

THE COURT: You can clear that up later, Mr. Parrino.

MR. CORRIGAN: Don't worry, when I get around to showing the jury the pictures, they will be shown them.

MR. PARRINO: I'm not worrying, Mr. Corrigan. I just don't like the way you do some things.

THE WITNESS: The one Cleveland picture is a little bit darker than this picture that I had taken.

Q Yours is a more distinct picture?

A Yes.

Q All right. Now, then, did you take any other pictures of blood spots on the wall?

A I can't recall at this time whether the other picture in the bedroom brings out any blood spots or not.

MR. CORRIGAN: Will you take them up, Mr. Garmone, and let Mr. Drenkhan look at them?

MR. GARMONE: Yes.

THE WITNESS: That picture, I

don't believe shows any.

Q What?

A That picture I was referring to does not show any blood spots.

Q All right. So the only picture that we have that you took that shows the blood spots is the picture of the door that you took shooting up at the door from down on the stairway?

A And the picture of Marilyn in bed, towards that door.

Q Marilyn in bed?

A Towards the east wall.

Q Yes. Now, how far was the door when it was opened, the surface of the door when it was opened against the east wall, from Marilyn's bed?

A Approximately four feet.

Q And you say that you found blood spots on the west wall?

A Yes, sir.

Q And how far is the west wall from Marilyn's bed? Did you measure it?

A I have a measurement of the room. I can't recall it offhand.

Q Where have you got the measurements of the room?

A In my files.

Q Have you got your file with you?

A They are in the building, yes.

Q What?

A It is in the building, yes.

Q Will you get it, please, because I want to ask you some questions about measurements?

MR. CORRIGAN: Can the bailiff
go down and get it?

THE COURT: Is it available
here now?

MR. GARMONE: Yes. It is in the
building, he said.

THE COURT: Oh, sure.

Q It is downstairs in the Prosecutor's office?

A Yes.

MR. CORRIGAN: We would like it
brought up.

THE COURT: Can you go ahead
now and come back to that later, and then we
will get it in the recess?

MR. CORRIGAN: Yes.

Q You did measure from Marilyn's bed over to the west wall of
the room?

A No. I did not measure that. I measured the dimensions of
the room.

Q The dimensions of the room. And from that you could tell
the distance from the bed to the west wall, couldn't you?

A We could estimate it.

Q Now, then, there were blood spots on the south wall above

Marilyn's bed, wasn't there?

A That's right.

Q How high up did they go?

A Not to the ceiling. I don't know just exactly how high.

Q Did you measure them?

A No, I didn't.

Q Did you take a picture of them?

A No, I didn't.

Q There were blood spots on the north wall of the room, or on the window shades that are on the north wall?

A Yes, there is.

Q Did you measure those?

A No, I didn't.

Q Did you take a photograph of them?

A No, I didn't.

Q Now, then, you made the notation at 11:00 o'clock, at that time, 11:00 o'clock of these various articles you saw in the room, such as the clothes that you described?

A Yes, sir.

Q That were lying on the chair, and where the furniture was?

A Yes, sir.

Q And was that reduced to writing and made a part of this case?

A Yes, I believe it was.

Q Now, in the course of time, and before that hour that you

made those notations, two men from the Cleveland Police Department arrived, do you remember that?

A Are you referring to earlier in the morning?

Q Yes. Mr. Schottke and Mr. Gareau.

A That's correct.

Q And the Coroner arrived?

A That's correct.

Q Now, do you know what time the Coroner arrived?

A To the best of my knowledge, it was right about 8:00 o'clock.

Q Were you in the house at the time?

A Yes, I believe I was.

Q Was he accompanied by anybody?

A By Mr. Ray Keefe.

Q Anybody else?

A Not that I recall.

Q When he arrived, who else was in the house?

A I believe the Chief, the Sergeant, the Mayor, possibly Cavanaugh, Dr. Richard and Dr. Steve, I believe. I believe that's all.

Q Before he arrived, did you see the Mayor's son, Larry Houk?

A No, I didn't.

Q Did you see him at all in the house that morning?

A Yes. I saw him in the house sometime in the morning.

Q Do you know whether it was before the arrival of the Coroner or after the arrival?

A I believe it was after the arrival of the Coroner.

Q I see. Now, when the Coroner arrived, did you accompany him upstairs?

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

Q Do you recall any time that you were upstairs with the Coroner?

A I was upstairs with the Coroner when the body was removed.

Q Were you upstairs with the Coroner at any time when Mr. -- withdraw that.

Were you upstairs at any time with Mr. Schottke and Mr. Gareau before the body was removed?

A I was.

Q What?

A I was.

Q Was the Coroner there then?

A Yes, I believe he was.

Q Isn't it a fact that the four of you were in the room together?

A Yes, I believe we were at one time.

Q When was the statement made, and by whom, that Mrs. Sheppard was murdered because she was pregnant, her husband must have gone haywire; when was that statement made?

A I don't recall that statement.

Q You don't recall it, never heard it?

A Can't say that I did.

Q What?

A No, I don't believe. I can't recall that statement.

Q You never heard that statement?

A No, I haven't.

Q Are you sure about that?

MR. DANACEAU: I object to this continuation. The witness has repeated the answer --

THE COURT: He says he does not recall it.

MR. CORRIGAN: I am cross-examining the witness.

MR. DANACEAU: We realize that, Mr. Corrigan.

THE COURT: He has said he does not recall it.

Q Just think, Mr. Drenkhan.

A No, I don't recall that being said.

Q You don't recall that. Now, then, were you there when the body was removed?

A Yes, I was.

Q Who removed it?

A The funeral home. It was Pease Funeral Home.

Q They were called by the Coroner?

A I believe our Department summoned them.

- Q What?
- A I believe our Department called them.
- Q Do you know who from your Department called them?
- A No, I don't. Possibly the Chief, I don't know.
- Q Did you see the remains of Mrs. Sheppard removed from the house?
- A I saw her placed in the body bag and removed.
- Q What else was taken at the time that she was taken out?
- A With reference to what?
- Q Anything.
- A I believe the sheets were taken off the bed.
- Q Was there any examination made of that room, that you know of, by anybody, that involved the use of a magnifying glass?
- A That morning?
- Q Yes.
- A No.
- Q What?
- A No.
- Q These men from the undertaking parlor came, and did they wrap the sheets around her or did they take the sheets separately from the bed?
- A To the best of my recollection, they were taken separately.
- Q And those were taken by the funeral home?
- A I don't know whether they were taken right then by the funeral home or later.

Q And at the time that this was done, Mr. Schottke and Gareau were in the house?

A Yes, they were.

Q And the Coroner was there?

A Yes, he was.

Q Now, then, did you during the course of the day stay there after you had come back the second time after going to the police station, or did you depart from the scene?

A I was there about the scene most of the day.

Q And the transportation of Marilyn Sheppard's body from the house, that was made the subject of photographs by the photographers and reporters around there, wasn't it?

A I believe I saw a picture of it.

Q Now, then, did you see during that morning other people in the house that you didn't recognize?

A No, other than these reporters.

Q Other than the reporters. Well, would you say that there wasn't any other people in there other than the reporters than the people that you have mentioned?

A The people that I mentioned were in.

Q And were there others in addition?

A The reporters were in there approximately 11:30, 12:00, I believe.

Q And were there a number of people in the yard?

A Yes, there were.

Q In fact, that was the 4th of July and the traffic was quite heavy on West Lake Road that morning?

A It was.

Q And isn't it a fact that there was a traffic jam in front of that house on that morning?

A Yes, I believe there was.

Q And a lot of people stopped their cars and came into the Sheppard property?

A I can't be sure of that.

Q Well, isn't that your recollection, visualizing the scene back there on the 4th of July morning?

A There were a lot of people about.

Q Yes, a lot of people about. Now, there was no guard placed around the place during the morning, during the early part after the discovery of this murder, was there?

A I believe there was a guard placed at the door.

Q You believe?

A I believe there was.

Q Who was he?

A To the best of my recollection, it possibly could have been Patrolman Cavanaugh, Patrolman Drenkhan.

Q Well, that's you, Drenkhan is you, isn't it?

A No. That's Patrolman Fred C. Drenkhan. I'm Patrolman Fred F. Drenkhan.

Q Oh, there's two by the same name?

A That's right.

Q Now, the young fellows, the teenagers converged on that place, didn't they, 15, 16, 17 and 18 year old boys of the neighborhood?

A I believe they were asked to help search the bank.

Q Well, they were all over the place, were they not?

MR. PARRINO: I object to the form of the question.

MR. CORRIGAN: What did you say?

MR. PARRINO: I am objecting to the form of the question.

Q Well, they were in the house, they were in the garage?

MR. PARRINO: Let him tell us if the boys were in the house or not. I am objecting to the form of the question, your Honor.

THE COURT: Well, the place is too general, of course. Let him tell where they were.

MR. PARRINO: What place are you talking about?

MR. GARMONE: 28914 Lake Road.

MR. PARRINO: Outside or inside?
Do you mind if I object?

THE COURT: All right. Let's have a question to the officer.

MR. CORRIGAN: I will withdraw
all those questions now so that everybody is
straight on it.

Q Were there boys or young fellows in and around the property
that day, that morning?

A There were boys late that morning, searching the bank.

Q No. That doesn't answer my question.

MR. MAHON: Oh, yes, it does
answer the question.

THE COURT: No, he didn't answer
the question. Just a minute. The question
Mr. Corrigan put was: Were there young boys
in and around the house that morning?

MR. DANACEAU: He didn't say "house."

MR. CORRIGAN: That isn't quite the
question.

THE COURT: No, that isn't quite
the question. Will you give us the question from
the record, please?

(Question read by reporter, as follows:
"Were there boys or young fellows in and around
the property that day, that morning?")

MR. MAHON: Let's have the answer.

(Answer read by the reporter, as follows:

"There were boys late that morning searching

the bank.")

Q Were they anyplace else besides searching the bank?

A Not to my recollection.

Q Well, were there boys in the garage?

A I didn't see any.

Q Have you any recollection or any knowledge of a boy going in the garage and getting a rag with some red substance on it?

A No, I have no knowledge of it.

Q What?

A I have no knowledge of that.

Q Well, where were these boys and who recruited them, where were they recruited?

A I believe Patrolman Lipaj got them together for the Chief of Police.

Q Well, did he get them together at the request of the Chief of Police?

A Yes.

Q What?

A I imagine so.

MR. MAHON: Well, now, let's not
imagine. Do you know or not? If you dont know,
say so.

THE WITNESS: No, I don't know.

MR. CORRIGAN: I object to counsel

interrupting.

MR. MAHON: Well, I object to --

THE COURT: No. Mr. Drenkhan,
when you don't know, say so. Don't imagine
anything. We want your knowledge only.

All right.

Q Well, while these boys were around, the Cleveland Homicide
Detectives, Schottke and Gareau, were there, weren't they?

A Yes, they were, in and out.

Q Now, just tell me what you observed as to how many there
were of these young fellows around that property that day?

A I might have saw possibly 10 or 12.

Q And was there an expedition formed where those young fellows
put on their bathing suits and went out in the lake and
searched the lake?

A I didn't see that.

Q You didn't see that. Were you there when this bag was
found on the bank of the Sheppard property?

A I was in the house.

Q And where did you first see it?

A In the house.

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And in whose possession was it at the time?

A Detective Gareau's.

Q What room in the house?

A In the dining room.

Q In the dining room. Do you know how it came into the possession of Detective Gareau?

MR. MAHON: You mean from personal knowledge, or from what he was told?

THE COURT: Do you know how it came into the possession of Detective Gareau?

THE WITNESS: I didn't see it go in his possession.

THE COURT: Do you know?

THE WITNESS: Yes, I know.

THE COURT: But do you know from what somebody told you or do you know from your own knowledge?

THE WITNESS: Would my own knowledge mean I witnessed the actual transaction?

THE COURT: Yes.

THE WITNESS: No. I don't know.

Q The first time you saw it it was in the dining room in the possession of Detective Gareau?

A That's right.

Q What did it look like?

A It was a green bag about six inches long.

Q Did you ever see that bag before?

A No, I hadn't.

Q Did you ever see one similar to it?

A No, I haven't.

Q Was it opened in your presence?

A Yes, it was.

Q And what was in it?

A There was a man's wrist watch, and a key chain.

Q A man's wrist watch and a key chain?

A That's right.

Q Were there any keys on the key chain?

A I don't recall any keys.

Q Did you make a note of what was in the bag at that time,
a written note?

A I believe I did.

Q Do you have a record of it?

A Yes, I think I do.

Q What was done with that bag and the contents after you
found out what was in it?

A I don't know.

Q You don't know. Who was there besides you and Detective
Gareau?

A Detective Schottke, the Chief of Police.

Q That is Chief Eaton?

A Chief Eaton.

Q Anyone else?

2 A I don't recall if Dr. Gerber was there or not.

Q You say you haven't seen the bag or its contents from that day to this?

A Yes. I did see them out at the Coroner's office.

Q When was that?

A Late in July, I believe.

Q Was that the day when there was a meeting of all the officials at the Coroner's office?

A Yes. It was a Saturday.

Q July 16th?

A I can't be sure of the date.

Q About the middle of July, though?

A I believe it was.

Q And that was the next time you saw that?

A That's right.

Q The bag and the contents.

Now, did you go to the hospital on that day, to the Bay View Hospital?

A Yes, I did.

Q What time did you go there?

A It was approximately 2:30.

Q And did you go in and see Dr. Sheppard, Sam Sheppard?

A I did.

- Q And did you have some conversation with him?
- A No, I didn't, other than just possibly hello.
- Q What?
- A Other than possibly hello.
- Q What was your purpose in going there if you had no conversation?
- A To obtain a photograph of his face.
- Q Did you take a photograph?
- A I did.
- Q Now, then, as you went into Bay View Hospital sometime in the afternoon, did anybody interfere with you, your entrance into his room?
- A No.
- Q You were welcomed by who?
- A I believe that Dr. Steve and Dr. Richard were there.
- Q And you told them that you wanted to go to his room?
- A Yes.
- Q Did they tell you where the room was, or did they bring you to his room?
- A To the best of my recollection, the room was at the end of the hall. They were standing in front of it.
- Q They were standing in front of the door?
- A Yes.
- Q Was there anybody else in front of the door?

A I don't recall.

Q Was there a policeman there, a police officer, rather?

A I don't recall.

Q Were you at the room the next day?

A That's Monday?

Q That would be -- well, the 4th was Sunday. That would be Monday, the 5th.

A I was at the hospital at his room.

Q The next day?

THE COURT: On Monday?

THE WITNESS: On Monday, yes.

Q Was there a police officer stationed in front of his door at that time?

A Yes. I was.

Q You were. And did you relieve somebody when you were stationed there Monday in front of his door?

A I relieved Patrolman Cowles.

Q Was there a 24-hour watch over that room starting sometime on the 4th of July and continuing for a number of days?

A I believe there was.

Q Now, then, when you went into the room, did anybody accompany you into the room?

A Sergeant Hubach. On the 4th?

Q On the 4th when you went in, you say you went down in the afternoon. Did anybody accompany you into the room?

A Sergeant Hubach.

Q You two police officers?

A And possibly one of his brothers was along. I don't recall.

Q You don't recall. But, anyway, you went freely into that room, you and Sergeant Hubach, didn't you?

A Yes.

Q Without any interference by anybody.

Now, then, did you take a photograph?

A I did.

Q At the timethat you took it, did you make any notation, any mental notation of what you observed about Sam Sheppard on that afternoon?

A Yes.

Q Will you tell the jury what you observed?

A About his physical --

Q About his physical looks, yes. That is what I am interested in.

A His face appeared swollen; he kept his eyes closed; his lips appeared swollen. That's about all.

Q And you set up and took a photograph. Were there any other photographs taken of him that day, do you know, in bed?

A I don't know.

Q There was a photograph taken -- we know now that somebody circulated a photograph to this jury. They all received it.

I guess that's --

MR. DANACEAU: We object.

MR. MAHON: We object to this statement, if your Honor please.

MR. CORRIGAN: Well, isn't it in evidence? What's wrong about it?

MR. MAHON: What's in the evidence?

MR. PARRINO: Which one are you talking about?

MR. CORRIGAN: They all got a photograph.

MR. DANACEAU: Who got a photograph?

MR. MAHON: You are telling about something being circulated.

MR. CORRIGAN: Wasn't it circulated? Wasn't it here in evidence and each one of these ladies and gentlemen got it?

THE COURT: "Circulation" may not be the correct expression.

Let's have a few minutes' recess and we will come to that subject, and let's pin it down to what it is.

Ladies and gentlemen, we will have a few

minutes' recess at this point.

Please do not discuss this case.

(Thereupon at 2:55 p.m. a recess was taken to 3:10 p.m., at which time the following proceedings were had):

Q Mr. Drenkhan, I want to hand you Exhibit L, and ask you to examine it.

THE COURT: Exhibit what?

Q Defendant's Exhibit L, and ask you to look at it and say if that is a photograph that you took on the afternoon of July 4th of Dr. Sheppard when he was in the Bay View Hospital?

A That is.

Q It is?

A It is.

MR. CORRIGAN: I would like now to pass it to the jury.

MR. MAHON: Are you offering it in evidence?

MR. DANACEAU: Are you offering it in evidence?

MR. CORRIGAN: Yes, I offer it in evidence.

MR. DANACEAU: It hasn't been done, sir. If you offer it, we have no objection to it.

Is it understood it has been offered and received in evidence?

MR. CORRIGAN: I will now offer into evidence Defendant's Exhibit No. 1.

THE COURT: It will be received.

(Defendant's Exhibit L was offered and received in evidence.)

(Thereupon Defendant's Exhibit L was passed among the jury.)

Q You were on guard on Dr. Sheppard's door how long on Monday?

A I was assigned to uniform duty that morning. I don't know. It might possibly have been an hour, two hours. It was separate times.

Q Well, now, do I understand you that you would come and serve a certain length of time, and then you would be relieved by somebody else, and then you would come back and do several hours, and then be relieved? Is that the way it was conducted?

A That's right.

Q And each time that you come on you relieved some police officer, and each time you were relieved you were relieved by some police officer?

A That's correct.

Q And who established that system of watching at Dr. Sheppard's door? How was it established, do you know?

Who gave you the orders, in other words?

A The Chief gave me the orders.

Q Chief Eaton?

A Yes, that's right.

Q Did you serve in that capacity on any other day except Monday?

A Tuesday morning I did that also.

Q Now, then, there was some testimony given by you about a lock that was on the front door, a chain lock. Do you recall that? Do you recall testifying about a chain lock on the front door?

THE COURT:

The house, this is?

Q At the house, yes. Not on the front door, but on the Lake Road door?

A Yes, on the Lake Road door.

Q Now, when during the day did you examine that chain lock at the Lake Road door?

A That was along with Detective Grabowski of Cleveland.

Q That must have been, then, in the morning?

A Yes.

Q And you took a photograph of it?

A I can't recall -- no, I did not take a photograph of the lock, but my picture -- no, I have no photograph of it.

Q Well, let me hand you Defendant's Exhibit P. Do you recognize what that is a photograph of?

- A This is a photograph of the chain lock on the Lake side, the front door.
- Q That is on the front door?
- A That's correct.
- Q Well, do you have a photograph of the chain that was on the back door?
- A No, I don't.
- Q But you do know that you observed that chain on the back door. You did observe that chain on the back door on the morning of July the 4th?
- A That's correct.
- Q And it is located, as I understand your testimony, just a short distance from the floor?
- A That's right.
- Q So you would have to bend down to put it in place?
- A That's correct.

THE COURT: I think he mentioned
two feet before.

MR. CORRIGAN: Two feet.

- Q Now, did you at a later time -- withdraw that.

In that examination you made, that chain was intact and in order?

- A That's correct.

- Q Now, did you at a later time examine that same chain?

- A It was called to my attention later that it was broken, and I observed that it was broken.
- Q What day was that?
- A That was the next day.
- Q Of course, how it was broken, you do not know?
- A No.
- Q Now, did you go back into the house, either that day or the next day, or any day that week, and make a search of the house?
- A Yes, sir.
- Q What was the next time that you went back and searched the house?
- A Everyone of those days I helped looked through the house, different portions.
- Q That would be Monday?
- A Tuesday.
- Q Tuesday, Wednesday, Thursday, Friday and Saturday?
- A Not Saturday, not Friday.
- Q But Monday, Tuesday and Wednesday?
- A Correct.
- Q That's correct, isn't it?
- A And part of Thursday.

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- Q Now, the keys of that house were taken and the house was locked up, wasn't it?
- A It was.
- Q And who took the keys and who locked the house?
- A I don't know.
- Q When you went back into the house on Monday, how did you get into the house?
- A The house was open.
- Q The house was open. Well, was there any police car there?
- A That day, Monday, Patrolman Nichol was on guard.
- Q Let me see. Do you remember, going back to Sunday, the 4th of July, did you see a little boy running around that house along about 10:30 a.m.?
- A Along about when?
- Q 10:30 in the morning?
- A No, I didn't.
- Q You did not. On Monday -- or on Sunday, were any statements taken by you from Dr. Richard Sheppard and Dr. Stephen Sheppard?
- A You say on Monday?
- Q On Sunday?
- A On Sunday?
- Q Yes.
- A Any written statements taken by me?
- Q Yes.

- A No, sir.
- Q Did you take any written statements on Sunday from anybody?
- A No, sir.
- Q Now, what time did you depart from the house?
- A Sunday?
- Q On Sunday, yes.
- A Approximately 5:30.
- Q And who was there when you left?
- A Chief of Police Eaton, Sergeant Hubach. I don't recall who else.
- Q Was there a policeman stationed there Sunday night?
- THE COURT: This is the 4th
of July?
- MR. CORRIGAN: The 4th of July, yes.
- A Patrolman Lipaj was stationed there, yes.
- Q And what time did you arrive at the house on Monday, July 5th?
- A It must have been about 10:30 in the morning.
- Q And who was with you?
- A I believe I was alone.
- Q How did you secure entrance?
- A Patrolman Nichol was on guard. I believe Dr. Gerber was there, I believe the Chief of Police was there. There were numerous personnel there.
- Q Was there any reporters there that morning?
- A I don't recall.

- Q What was taken out of the house on July 4th?
- A Other than the people?
- Q I want to know if you know of any things other than Marilyn and the bed clothes, were there any other things taken out of that house on the 4th of July?
- A I don't recall.
- Q Do you recall at any time of seeing any articles taken out of that house?
- A Yes, sir.
- Q And when was the first time that you saw anything taken out of the house?
- A I believe some money was taken out Monday that I found in a cup in the study.
- Q What was that? I didn't get that, Mr. Drenkhan.
- A I said, I believe some money that I had found in the cup in the study was taken out. I had given it to the Chief.
- Q Anything else?
- A Not that I recall.
- Q You know that in the study there were three guns standing up against the wall someplace; do you remember that?
- A Yes, there were.
- Q And were they there Monday when you came back?
- A I don't recall.
- Q Did you ever see them over at the Bay Village headquarters?
- A Quite a bit later.

Q How many days later?

A Well, at least a week to two weeks.

Q Handing you State's Exhibit No. 15, there is exhibited in this picture the ends of three guns?

A That's correct.

Q Leaning against the east side of the den?

A That's correct.

Q And you saw those there that morning?

A Yes, sir.

Q When is the next time you saw them and where were they?

A I believe they remained there.

Q They remained there. Do you have any knowledge of them being taken out of there?

A This small shotgun and 22 combined I had in my possession a short time about two weeks later.

Q Did you take them?

A No. I secured that from Dr. Richard Sheppard.

Q Oh, you secured the shotgun from Dr. Richard Sheppard. Where did you secure that, at his house?

A At his home.

Q And what did you do with it when you secured it?

A I turned it over to Dr. Gerber.

Q You turned it over to Dr. Gerber, the Coroner?

A The Coroner.

Q And what was the other weapon that you secured?

A At that time?

Q Yes.

A That was all.

Q Well, you said something about an up and over gun of some kind.

A Well, that's what I mean.

Q That is the shotgun?

A It's a shotgun and 22 rifle combined.

Q I see. Now, about the other two guns that were there, do you know anything about them, whether they remained in the house or whether they weretaken?

A I believe they remained there.

Q I see. Now, on the top of the radiator there is some kind of an instrument here. I am referring, so the jury can tell what I am talking about, I am referring to this on the top of the radiator (indicating).

Do you know what that is?

A That is a wooden cane.

Q A wooden cane?

A Made out of wood, natural wood.

Q When you got the shotgun from Dr. Richard Sheppard, you turned it over to Dr. Gerber where?

A I would like to rephrase that.

Q All right. Go ahead.

A I had returned it to our police station and I believe

Patrolman Deutschlander had that gun.

Q The last time you saw it, then, was at the police station?

A Yes.

Q And where it went from there you do not know of your own knowledge, is that correct?

A Of my own personal knowledge, no.

Q Now, on Monday when you went to the house and these various officials were there, Mr. Eaton, Dr. Gerber -- and who else?

A There were numerous police officers there. I don't recall all of them.

Q Were there at that time any police officers from the City of Cleveland there?

A To my recollection, Patrolman Schottke -- Detective Schottke and Detective Gareau came in for a short time.

Q Were there any officers there from the County Sheriff's office?

A At approximately 11:00 o'clock Deputy Sheriff Rossbach and Yettra came into the building, the home.

Q Now, there was four different law enforcing agencies represented there that day, wasn't there: Bay Village, the County Sheriff's office, the Cleveland Police and the Coroner's office?

A That's correct.

Q And who was leading the investigation, who had charge of it?

- A It appeared that Dr. Gerber did.
- Q Dr. Gerber? And what did you do then, what did you officers do?
- A Dr. Gerber directed Deputy Sheriff Rossbach and his partner, Yettra, and I, to begin to obtain statements.
- Q Yes.
- A From those connected with this.
- Q At that time and on that day it had been stated to you that Sam had committed the murder, hadn't it?
- A Yes, I believe that was told me.
- Q Who made that statement, that Sam was the man that had murdered Marilyn?
- A I don't know if that was the direct wording.
- Q Well, who was it?
- A Either Detective Schottke or Detective Gareau.
- Q Either one of those two detectives?
- A That's right.
- Q And from that time on down to the present day the authorities have done nothing except try to connect Sam with this murder?
- MR. MAHON: Objection to that.
- Wait a minute. Objection to that.
- THE COURT: Objection sustained.
- MR. CORRIGAN: Except.
- Q Now, did you make a search of the house on that day?

- A A very quick search, as I was directed then to take these statements.
- Q During the time and up to the present time, do you know of any incidents where Dr. Sheppard was permitted to go into that house and search his house by himself?
- A By himself, no.
- Q I see. Now, then, the next day did you go to the house? That would be Tuesday.
- A Yes, I did.
- Q And who was there when you arrived that time?
- A Pardon me?
- Q Who was there when you arrived on Tuesday?
- A To the best of my knowledge, the same --
- Q The same group?
- A Same group.
- Q And under the command of Dr. Gerber again?
- A Yes, sir.
- Q I see. What did you do on that day, on Tuesday?
- A I believe we did search some that day about the house and the premises and continued to obtain statements.
- Q And continued to obtain statements. Who did you obtain statements from?
- A At that particular day?
- Q On Monday and Tuesday, who did you get statements from?
- A Mr. and Mrs. Houk, Mr. and Mrs. Ahern, some of the Schueles,

that is a neighbor, the Bruscinos, that's a neighbor.

I don't recall if it was Tuesday night we obtained statements from Dr. Richard, Dr. Steve and Dr. R. A. Sheppard.

It might have been the next day.

Q Now, on Tuesday night, do you recall that Dr. Richard Sheppard and Dr. Stephen Sheppard and Sam's father, Dr. R. A. Sheppard, came to the police station, police headquarters and made written statements?

A If it was Tuesday night, yes.

Q Well, do you remember the day of the funeral, when Marilyn was buried?

A I believe that was Wednesday.

Q That was on Wednesday. Were these statements obtained on Tuesday, the night before the funeral?

A Yes, I believe they were.

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Q Now, then, on Wednesday -- you know this to be a fact,
-- Marilyn Sheppard was buried?

A Yes.

Q Had the Coroner of this County furnished your police
department any information in regard to the wounds that
had been inflicted upon Marilyn Sheppard, a written report
to you?

A Not to my knowledge.

Q Now, then, on Wednesday, the day of the funeral -- the
funeral was in the afternoon, do you recall that?

A Yes, I believe it was.

Q Did you attend the funeral?

A No, I didn't.

Q Did anyone from your department go with Sheppard as a
guard when he went to the funeral?

A Sergeant Hubach.

Q Sergeant Hubach?

A Went with Dr. Sheppard.

Q Now, then, while the funeral was in progress, did anybody
go to the Sheppard home? Did you?

A I believe so.

Q Wednesday?

A Wednesday.

Q What time did you go to the Sheppard home on Wednesday?

A I don't recall. I believe, to the best of my recollection, we searched that morning.

Q No, I wanted to know who went.

A Who went?

Q Yes. Who was there?

A On Wednesday, Dr. Gerber, Mr. Ray Keefe, Mr. Mahon.

Q Mr. who?

A Mahon.

Q What Mr. Mahon?

A Judge Mahon.

Q Yes.

A Dr. Elkins.

Q Dr. who?

A A Dr. Elkins.

Q Was he at the house, Dr. Elkins?

A Yes. Deputy Sheriff Rossbach, Deputy Sheriff Yettra. That's all I can recall right now.

Q Mr. Parrino, was he there?

A I think so.

Q And at the same time, in addition to those, there were newspaper photographers and reporters, weren't there?

A They were about.

Q They were in the house?

A I think so.

Q Yes. Don't you remember that Mr. Mahon and Mr. Parrino had their picture taken in the house looking at the couch with Dr. Gerber leaning over the railing?

A I guess you are right. There were photographers, reporters.

Q But up to that time, Sam Sheppard had not been admitted to his house, had he?

A No, he hadn't.

Q There were no members of his family?

A Admitted to his home?

Q Yes.

A To get some clothes.

Q Well, they went in under police guard?

A Yes.

Q And they got some of Sam's clothes for his funeral -- or his wife's funeral?

A That's correct.

2 Q Now, there was never a check made with any of the members of the family, or with Sam, or with his little boy, to find out if there was anything missing from the little boy's room, was there?

A Not to my knowledge.

Q On Thursday of that week -- by the way, during the time that you were on guard, or any of the officers who are connected with Bay View that relieved you, or who you relieved, there was nobody prevented them from talking

to Sam Sheppard, was there?

A Not to my personal knowledge.

Q Nobody said to you you can't talk to him, you, Mr. Drenkhan?

A To I, no, sir.

Q On Thursday afternoon, that would be the day after the funeral, did you go to Bay View Hospital?

A Yes, I did.

Q And what time did you arrive at Bay View Hospital?

A 1 o'clock.

Q And who did you meet there?

A Deputy Sheriff Rossbach and his partner, Yettra.

Q Where did you meet them?

A In the hallway.

Q And after you met them in the hallway did you go anywhere?

A We went into the room of the defendant.

Q Of Sam Sheppard?

A That's correct.

Q Did you have any conversation with him at that time?

A Yes, we did.

Q And was there anybody in there that represented Sam Sheppard, a lawyer or brothers, during this conversation that you had with Sam Sheppard?

A Continually, no.

Q What?

A Continually, no.

Q No.

MR. MAHON: "Continually, no."

MR. DANACEAU: "Continually, no."

MR. PARRINO: "Continually, no."

MR. CORRIGAN: Yes.

MR. PARRINO: Yes.

Q Was there anybody interfered in any way with your conversation with Dr. Sheppard?

A No.

Q And how long was he questioned?

A Approximately three and a half hours.

Q And who did the questioning?

A I led it off, and Deputy Sheriff Rossbach finished it.

Q And you questioned him for three and a half hours, is that so?

A That's approximately right.

Q Did he object to you questioning him in any way?

A No, he didn't.

Q Was he willing to answer all your questions?

A Yes.

Q Did he make any objections to your questioning?

A No.

Q Now, then, did you reduce that to writing, what was said to you on that Thursday afternoon to you three officers?

A Yes.

Q And when did you reduce it to writing?

A That was three or four days later.

Q Do you have what you reduced to writing of that conversation that day?

A No.

Q Where is it?

A It is in my file.

Q Well, your file is here?

A Yes.

Q Well, I believe I asked you for your file, Mr. Drenkhan.

A No. You asked me for the --

MR. PARRINO: Pictures.

Q I thought you would bring your whole file up here. Where is your file?

A It is down in the prosecutor's office.

Q Can you authorize somebody to go and get it for you?

MR. PARRINO: I will get it if

he tells me where it is.

Q Now, while we are waiting for that, I want to go back to Wednesday when Mr. Mahon and Mr. Parrino and the rest of those people were there, and the reporters and the photographers. Was anything taken out of the house on that day?

A Wednesday?

Q Wednesday, yes.

A Not to my knowledge.

Q Well, you say that when you examined the doors of the desk that stood at the northerly wall of the living room, it was filled full of pictures and letters, is that right?

A Yes.

Q Weere those pictures taken?

A At that time?

Q Yes.

A Not to my knowledge.

Q Were they taken before that?

A Not to my knowledge.

Q Who took the pictures out of the house that appeared in the newspapers?

A Of Marilyn?

Q Of Marilyn, Chip, of them skiing, and so forth?

A I believe those were taken there at the home.

Q What?

A I don't know.

Q You don't know, but you do know they were taken out of there, don't you?

A I witnessed a photographer taking a picture of, I believe it was Marilyn and the defendant, by holding it against the wall and taking it in the house there. I have no knowledge of any picture taking --

Q Who was that photographer that was in the house taking

that picture?

A I don't know.

Q What newspaper was he connected with?

A I don't know.

Q Have you seen him around here since you have been here?

A I might have, but I don't remember.

Q At least, he was not connected with the police department, was he?

A No, I don't think he was.

Q Now, you saw letters printed in the Cleveland Press, did you not, that were taken out of that house?

A I saw letters printed in the Cleveland Press.

Q That were written back in 1950, 1951, 1952, and 1953?

A I don't recall the dates.

Q Do you know how those letters got out of the house?

A No, I don't.

Q Now, on the Thursday you say that you had this long conversation with Dr. Sheppard, with Mr. Rossbach and Mr. Yettba, was Coroner Gerber still in command of the situation?

A I don't know. I was working along with Deputy Sheriff Rossbach.

Q At that time. Now, after you had completed that examination of Dr. Sheppard, who had been accused of this murder by police officers as early as Sunday, did you receive any

information whereby you could make an arrest of Dr. Sheppard?

MR. DANACEAU: We object to that.

THE COURT: Yes. Objection will be sustained.

Q Well, your statement was reduced to writing, is that right?

A Whose statement?

Q Dr. Sheppard's statement.

THE COURT: Dr. Sam Sheppard, I take it.

A Not every word he said.

Q But your recollection of it?

A My recollection of it.

Q And you were informed, were you not, that he had fallen to sleep on the couch in his home?

A Yes.

Q That is, he informed you?

A Yes.

Q That he had fallen asleep on the couch in his home?

A Yes.

Q And that sometime he heard his wife make a noise or cry out, is that right?

A Yes.

Q And that he thought that it was a convulsion that she had suffered from sometime previous?

A Yes.

Q And that he jumped from the couch and ran upstairs?

A Yes.

Q And when he got into the room, he got struck over the back of the head by somebody and knocked unconscious?

A Is this --

Q That is what he's telling you. I say, didn't he tell you that on Thursday afternoon?

A Exactly?

Q Well, I don't say it is exact.

MR. MAHON: Well, let him put it in his words, then.

MR. DANACEAU: Why not ask him what was said, instead of you testifying?

THE COURT: You say what was said.

Q What did he say about being struck over the back of the head?

THE COURT: If anything.

A Nothing about being struck over the back of the head. The only correction was that as he reached the top of the stairs, he saw a white form to the rear of the bed going down toward the --

Q Didn't he say he was knocked out?

A Yes, he did.

Q Yes. All right. And that when he came to he got into a

sitting position, and by the glimmer of a lamp that was -- the light that was in the dressing room of the room occupied by Dr. Hoversten, he saw the outline of his badge or the reflection of his badge on the floor?

A The light was in the guest room.

Q What?

A The light was in the guest room.

Q The light was in the guest room. By the way, during the course of this investigation, did you ever go up there at night into that room?

A Yes.

Q Did you ever turn on the light in the same situation that it existed as you saw it on the 4th of July?

A Yes.

Q Did you see anything in that room?

A Yes.

Q What could you see?

A I could make out the upper portion of the bed; the hall was lit.

Q You could make out the upper portion of the bed?

A Correct.

Q Did you have a man stand in there and did you go and stand somewhere outside and see what you could see of the man's form?

A Yes, we did.

Q And what could you see?

A From halfway up the stairs -- or from the bottom of the stairs you could see a man in a white shirt standing down toward the end of the bed, but you couldn't see a man in a dark shirt.

Q You couldn't --

A I mean an outline, a form.

Q That is, if you were coming up the stairs, you could only see a white shirt --

A A form.

Q That is, if you were looking for it?

A That's correct.

Q But if that person had a coat on, or something of that kind, you couldn't see him?

MR. MAHON:

Objection to that,

now.

Q A covering over the white shirt, you couldn't see it?

A No.

Q Now, then, did he tell you that after he came to consciousness, that he examined his wife and found she was dead?

A Yes, he did.

Q And that he was overcome with horror over the situation?

A Yes.

Q That he was dazed?

A Yes.

Q And that while he was in that dazed condition, and in that condition of horror over the death of his wife, he heard a noise downstairs?

A No. He said he went and checked his son, Chip.

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Q He went in to Chip, and did he say that sometime then he heard a noise downstairs?

A That's right.

Q And he went downstairs?

A That's correct.

Q And that he went through the L of the living room, through the L and came to the living room, the part of the living room that is across the north side of the house?

A Yes.

Q And he saw a form, a dark form going out the front door, or somewhere between the front door and the screen door?

A Yes.

Q And that he followed that form, and that when he got down to the beach, he encountered that form?

A On the beach, yes.

Q Yes. And again he was knocked unconscious?

A Yes.

Q And when he came to, that he was rolling with the waves?

A Yes. He was lolling.

Q Lolling with the waves. And he still was in a dazed and unoriented condition?

MR. MAHON:

Well, now, I object

without he used those words. Did he use those words?

Q Did he use the word dazed?

MR. MAHON: Did he use the word oriented?

MR. CORRIGAN: Well, I will take out the word oriented because I don't know what it means, myself.

THE COURT: You may say what he said.

A He used the word dazed.

Q And that he made his way back up into his wife's room?

A Yes, sir.

Q And again looked over his wife and discovered she was dead?

A Yes, sir.

Q And that he wandered for a little while around the house wondering what to do?

A Yes, sir.

Q And finally the number of Spence Houk came into his mind and he called Spence Houk?

A Yes, sir.

Q That was the substance of what he told you in that conversation you had with him on Thursday afternoon?

A Yes, sir.

Q And you, in turn, you gentlemen of the police, questioned him closely about all these details, didn't you?

A Yes, sir.

Q Now, then, he was, was he not, asked whether he would go

to the house with the police officers and re-enact all he could remember about the occurrences that 4th of July morning?

A Yes.

Q And he made the statement, and made it several times to you and you officers, that he wanted to help you as much as he possibly could because he was more interested in the apprehension of the murderer than anybody else in the world, or words to that effect?

A Yes.

Q Now, then, on Thursday afternoon, that would be the 8th or 9th of July --

MR. DANACEAU: The 8th.

MR. CORRIGAN: Wait a minute. I've got it here.

Q (Continuing) That would be the 8th of July. What time did -- who was he to go with, by the way, who did he want to go with to the house?

A When we went Friday?

Q When you went Friday. The conversation I have just gone over was on Thursday.

A That's right.

Q Now, on Friday, who was he to go with? What arrangements were made as to who he should go with?

A With Deputy Sheriff Rossbach and Yettra, myself and I

believe -- you were along?

Q I was along.

A And Mr. Petersilge.

Q Now, what time did he arrive at the house?

A It was in the afternoon, I believe, sometime.

Q It was about 1 o'clock, wasn't it?

A I think so.

Q And when he arrived, was the Coroner there?

A Yes.

Q And was he accompanied by the usual retinue of reporters and photographers on that Thursday afternoon?

MR. MAHON: Well, I object to
the "usual".

MR. CORRIGAN: I will take out
the "usual".

THE COURT: Objection sustained.

Q Was there a great crowd of photographers and newspapermen there?

A About the area, yes.

Q Did you go into the house with Dr. Sheppard?

A Yes.

Q And did you accompany Dr. Sheppard through the house?

A Yes.

Q Who else went with you?

A Deputy Sheriff Rossbach, Yettra and Mr. Petersilge, I think.

Q No, then, how long did that survey and questioning of Dr. Sheppard last?

A I can't be --

THE COURT: Do you mean at the house or making the statement prior?

MR. CORRIGAN: At the house, at the house.

THE COURT: All right.

A I venture to say about two hours, two and a half hours.

Q Well, didn't it take a whole afternoon?

A Yes, a whole afternoon.

Q Yes. And during that time he went with you and showed you willingly everything that he could about the occurrences on the 4th of July that was connected with the murder of his wife?

A Yes, sir.

Q And answered all your questions, all questions addressed to him?

A As I recall.

Q Yes. Then at the conclusion of that interrogation and survey, did you have a conversation with him, or some of you men have a conversation with him whereby you desired that he make a written statement to the authorities of everything he knew about -- or, everything he remembered about the murder of his wife?

A Yes, I believe he was requested to come downtown.

Q They requested that he come downtown to make this statement to the Sheriff's office?

A That's correct.

Q What?

A That's right.

Q And when was he to come downtown to the Sheriff's office?

A The next day, I believe.

Q That would be Saturday. Now, did you come downtown with him on Saturday?

A No.

Q Did you attend that meeting on Saturday?

A No, I didn't.

Q You did not. Now, that would be the 10th of July, Saturday. Now, between the 10th of July and the 16th of July, did you make contact with Dr. Sheppard, or any of the officers of Bay View?

A Yes, I believe we did.

Q Where did you talk to him?

A I think I talked to him on the phone and I talked to him at his father's home.

Q Did you talk to him at his father's home during the week -- I will withdraw that.

He was released, he got out of the hospital on Thursday, did he not?

A Of that week, the 8th?

Q That would be the 9th.

THE COURT: The 8th.

MR. MAHON: The 8th was Thursday.

MR. GARMONE: The 8th.

MR. CORRIGAN: Yes, that would be
the 8th.

THE COURT: The Thursday of the
week of the 4th, in any event.

A I don't know.

Q What?

A I don't know if that was when he was released from the
hospital.

Q Well, after he was released from the hospital did you go
to him and discuss and question him about this murder case?

A Yes, we did.

Q And do you recall when the next time was that you went
and discussed his knowledge of the death of his -- the
murder of his wife after this survey of the house on Friday?

A No, I can't state definitely when it was.

Q Did you go and talk to him more than once after the survey
that you made on Friday with him at his own home?

A Until when?

Q Until the day he was arrested.

A Yes, I talked to him more than once.

Q And can you tell the jury how many times you talked to him?

A I can actually remember three times.

Q And were you accompanied by anybody?

A At the last time I talked to him, yes.

Q Who was with you?

A Sergeant Hubach.

Q And was there any attempt to evade you or evade your questioning?

A No.

Q Now, then, on the 16th of July, were you present in the Coroner's office at a meeting of officials?

A Yes, I was.

Q And there were reporters and photographers at that meeting, weren't there?

A At the first part, yes.

Q There was none of the Sheppard family there?

A I don't recall any.

Q Yes. At that meeting at the Coroner's office on Adelbert Road, there were shown colored pictures, were there not?

A Yes, there were.

Q And the Coroner had possession of various articles that were connected with this murder, didn't he?

A Yes, he did.

Q Now, in your search of the house, during one of your searches of the house, did you pick up something in the bedroom that

resembled a piece of paint or a piece of leather or some small article?

A Right after the body was removed, yes.

Q Yes. Right after the body was removed on the 4th of July, what did you pick up?

A I couldn't identify it.

Q What did it look like?

A It was a small piece of unidentified material, I couldn't say, about an eighth of an inch.

Q On the 4th of July, when you noticed this blood splattered all over the room, the walls, as you described, did you make any observation of the floor?

A No, other than to look at it, no.

Q And was there blood on the floor?

A That carpet is maroon. It's --

Q Well, was there any examination made, that you know of, to determine whether there was blood on that floor, on that carpet?

A That I actually know of, no.

Q You know of none. Now, then, did you or did Schottke or Gareau or anybody else get down on their knees and examine that carpet?

MR. DANACEAU: We object to what
the others did unless it was done in his presence.

MR. CORRIGAN: In his presence, yes.

THE COURT: You may ask him
if he knows whether they did.

MR. CORRIGAN: They were in the
room.

A Not in my presence.

Q I see. All right. Now, then, there was also found on
the beach during that day a pair of glasses and a white
handkerchief, was there not?

A I don't recall the white handkerchief. I vaguely remember
some glasses, but I didn't see them being found or know
where they were found.

Q Well, did you see them that day and do you know who found
them?

A No, I don't.

Q I will have to repeat the question. Did you see them that
day?

A I can't recall.

Q Did you see them at any other time?

A I believe so, I did.

Q What is that, Mr. Drenkhan?

A I believe I did.

Q Can you recall when it was?

A No, I can't.

Q Do you know where it was?

A No, I don't know where it was.

Q Do you recall anything about a handkerchief that was found that morning?

A No, I don't.

Q Now, the assembly at the Coroner's office was attended by you and Mr. Hubach and Chief Eaton?

A And Mayor Houk.

Q Was Chief Eaton there?

A Yes, he was.

Q And Deputy Rossbach and Yettra?

A Yes, they were.

Q And Detective -- or Sheriff Sweeney and Sheriff Weitzel?

A Yes.

Q Chief Deputy Weitzel. And Chief Story and Inspector McArthur?

A Yes.

Q Dr. Adelson and Dr. Gerber?

A Yes.

Q Prosecutor Cullitan, John Mahon and Mr. Parrino?

A Yes.

Q Newspaper reporters and photographers?

A At the first half.

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Q And did you see on that occasion exhibited a T-shirt?

A I don't recall.

Q Did you see exhibited on that occasion this piece of material that you had picked up in the bedroom on the 4th of July?

A No, I didn't.

Q Did you see exhibited on that occasion two pieces of material that were found under the fingernails of Marilyn Sheppard?

A No, I didn't.

Q Did you see the glasses that I referred to, or the handkerchief that I referred to?

A I can't recall.

Q But you saw the pictures?

A Yes.

Q Now, then, after the meeting of July the 16th -- let me see -- Jack Furr, he is connected with the City of Bay Village, isn't he?

A Yes. He is a Service Department employee.

Q And then you mentioned another gentleman by the name of Lipchak?

A Lipha.

Q How do you spell that?

A L-i-p-h-a.

Q Now, on the 17th, that would be Sunday, the day after the

meeting at the Coroner's office, were you at the Sheppard home?

A I probably was.

Q Did you see Coroner Gerber there on the 17th?

A I don't recall.

Q Well, to refresh your recollection, do you know Howard Beaufait of The Cleveland News?

A No, I don't.

Q Well, did you see Coroner Gerber and a reporter making a tour of the premises on Sunday?

A No. I don't recall the date at all.

Q You don't. Now, do you recall that along about the 20th of July Sam Sheppard called at the City Hall?

A Not specifically I don't recall.

Q Well, now, let's see if you can fix this, Mr. Drenkhan. We fixed the meeting at the Sheriff's office, which you remember as being Saturday, July the 16th --

MR. MAHON: Coroner's office.

Q At the Coroner's office on Adelbert Road, Saturday, July the 16th. The following week after that did you see Dr. Sheppard at the Bay City Hall?

A Not that I can recall. Not that I can recall.

Q Well, take the day of the inquest. Between the day of the inquest and the meeting in the Coroner's office, do you

recall Dr. Sheppard being at the City Hall?

A He was there. Now, it might be about then. I can't recall, but I do remember that at one time he was there. Now, what the date was, I don't know.

Q And did you talk to him on that occasion?

A No, I don't think we did.

Q Now, you had learned at that time, and you learned at the time that you were in the Sheriff's office, what the cause of death -- what caused Marilyn's death, didn't you?

A Yes.

Q That was known by everybody that was connected with these law-enforcing agencies, wasn't it?

A Yes.

Q What it was claimed that the Coroner found that caused her death? That's right, isn't it?

A Yes.

Q Now, then, on the 21st day of July, did you see an editorial in The Cleveland Press calling upon Coroner Gerber to have an inquest?

A I don't recall the date.

Q But you do remember that --

A I remember vaguely something in that respect.

Q And was there a meeting that night in the City Hall after that editorial appeared in the Press?

A Not to my knowledge.

Q Well, were you given subpoenas to serve on people?

A No, I wasn't.

Q Were there subpoenas served on you on that Wednesday night?

A There was a subpoena served on me. I don't recall if it was that specific night, or --

Q Well, you did go to the inquest, didn't you?

A Yes, I did.

Q Was it the night before that you got the subpoena?

A I believe it was.

Q Who served it on you?

A I think Patrolman Deutschlander.

Q One of your own associates served it on you?

A Yes.

Q And you went to the inquest?

A Yes, we did.

Q And where was it conducted?

A In the Normandy School. It is an elementary school in our city.

Q In Bay Village?

A Correct.

Q And who conducted the inquest?

A Dr. Gerber.

Q And Mr. Danaceau was with you?

A Yes, he was.

Q And the inquest was attended by some five hundred people, wasn't it?

A I don't know how many people were there.

Q Well, the place was filled?

A There were a number of people there.

Q And during the course of that inquest, the reporters were there, like they are here today, were they not?

A Yes, they were.

Q And photographers?

A Yes, they were.

Q And did you see or hear Sam, Dr. Sam Sheppard testify?

A I listened to a small portion of his testimony.

Q But you know that he did testify at that inquest, don't you?

A Yes, he did.

Q Who examined him? Who asked him the questions?

A Dr. Gerber.

Q Do you recall that he testified on one day for several hours, and the meeting was adjourned until the next day, and he returned and testified for a number of hours on the next day?

A I don't recall specifically.

Q You were there all the time, weren't you?

A No, I was in and out.

Q In and out?

A After I testified I left.

Q But you do know that this man testified?

A Yes.

Q And you were put under oath, and it was in public?

A Yes.

Q Now, after that inquest, and after that meeting out there
2 in Bay Village in Normandy School, did you see Sam Sheppard?

A Well, you will have to refresh my memory on the date of the inquest.

Q Well, now, the date of the inquest was July 22nd, the 23rd, that was Thursday and Friday, it was adjourned the 24th and the 25th and reconvened on the 26th, that was on Monday.

Now, did you see Sam Sheppard between the 26th and the date of his arrest?

A I don't recall that I did.

Q Did you arrest him?

A Yes, I did.

Q What day did you arrest him?

A July 30th.

Q And what time did you arrest him?

A Approximately 10 o'clock in the evening.

Q 10 o'clock at night. He had been around from the 4th of July? He had never left the village or the city, as far as you know?

A Oh, he went into Rocky River, I imagine, but he was about.

Q But he was always about his home or in the near vicinity of his home?

A That's right.

Q So he was arrested at 10 o'clock at night.

Now, then, did you read just prior to his arrest the demand by the Cleveland Press that he be arrested?

A I can't recall it specifically.

Q Didn't you read that?

A I apparently did, but I don't recall just what was said.

Q And you were at a meeting, were you not, on the 30th of July, on the night of the 30th of July, which was attended by the head of the Council, Mr. Barber?

A The 30th of July?

Q The 30th of July, the day that you arrested him, the evening of the night that you arrested Sam Sheppard.

THE COURT:

The same night of

the arrest.

A The same night after the arrest was made?

Q Before.

A No, I wasn't.

Q Where were you when you received the order to arrest Sam Sheppard?

A I had come -- I had came into the police station.

Q Who gave you the order?

A The Chief and the Lieutenant.

Q And did you have a warrant?

A I did.

Q And who was it sworn to by?

A The Chief of -- would you repeat that?

Q Who was the warrant sworn to by? Who swore to the warrant?

A The Chief of Police and Mr. Barber.

Q And the statement was made, was it not, and you heard it, that all you had to do was throw Sam Sheppard into jail, keep him away from his brothers and his lawyers, and he'd confess?

A I vaguely recall some statement made like that.

Q And you further can vaguely recall that the statement was made that he was a dope fiend, and all they had to do was hold him incommunicado and his cry for the dope would force him to confess?

A I think that was in a letter we received, or something.

Q It was in a letter you received?

MR. MAHON: Did you hear anything there that night?

THE WITNESS: No.

Q And he was arrested, then, at 10:30 at night, and when he was brought to the City Hall he asked for his counsel, didn't he, for his lawyer? ✓

A Yes, he did.

Q And he was hustled away to the County Jail; you brought him to the County Jail, didn't you, Mr. Drenkhan? ✓

A Yes, I did.

Q What?

A I brought him to the County Jail.

Q And you got down here at about 11 o'clock at night?

A It must have been maybe later than that.

Q And there was no lawyer that was on the scene, was there?

A At the City Hall?

Q Yes.

A Only the City Solicitor.

Q Did you make a stop between Bay Village City Hall and the County Jail on that night?

A Not that I recall. Yes, we did.

Q Where did you stop?

A I believe we got gasoline.

Q Well, that was the only stop you made, the gasoline?

A Yes, that's on Lake Road.

Q Did you stop at the Central Police Station?

A No, we didn't.

Q Now, did you --

THE COURT: If we are going into another subject, perhaps we better suspend now.

MR. CORRIGAN: I am.

THE COURT: Ladies and gentlemen of the jury, we will now be adjourned until 9:15

on Monday morning.

Will you be good enough over the week-end to observe carefully in every detail the caution which the Court has heretofore expressed to you?

Do not discuss this case with anyone, nor permit anyone to discuss it with you. Do not even discuss it among yourselves. Just keep aloof from any discussion whatever.

Without any formality at all, we will be adjourned to 9:15 on Monday morning.

- - -

(Thereupon at 4:30 o'clock p.m., an adjournment was taken to 9:15 o'clock a.m., Monday, November 15, 1954, at which time the following proceedings were had):

Monday Morning Session, November 15, 1954.

Thereupon FRED F. DRENKHAN resumed the stand and was examined and testified further, as follows:

CROSS-EXAMINATION (CONTINUED)

By Mr. Corrigan:

Q May we have those photographs, Officer Drenkhan?

A Yes.

MR. CORRIGAN: You have seen all these, haven't you, gentlemen?

MR. MAHON: Are these the ones that were marked?

MR. CORRIGAN: Yes.

Q Handing you, Mr. Drenkhan, Defendant's Exhibit K, that is the photograph of the door of Mrs. Sheppard's room that was made by placing the camera down the stairs and shooting up the stairs at the door as it was closed?

A Yes, that's right.

MR. CORRIGAN: I wish to introduce that in evidence, and ask the jury to look at it.

MR. PARRINO: No objection.

THE COURT: It will be received.

MR. CORRIGAN: If you will hold those, I want to introduce some others, and I will give them all to you at the same time.

Q Now, handing you Defendant's Exhibit M, will you tell us what that is, Mr. Drenkhan?

A This is a picture of the riser on the stairs leading from the kitchen up to the landing. It shows in the approximate center of the picture a suspected blood clot or dripping.

Q Now, when was this picture, M, taken?

A It was July 11th.

Q And who took the picture? You?

A I did.

Q And this is the riser of which step?

A It is the top step.

Q That is the top step coming down?

A The top riser, yes, sir.

Q Now, there is a spot in the middle of the step?

A That's correct.

Q That the picture was taken of?

A That's right.

THE COURT: Do you offer that in evidence?

MR. CORRIGAN: I am going to offer it, yes.

THE COURT: It will be received.

MR. MAHON:

No objection.

Q Now, Defendant's Exhibit N, do you recognize what that is?

A This is a picture of the first step leading from the living room up to the first landing.

Q The living room to the first landing?

A That's right.

Q On the stairway?

A That's correct.

Q Let me see if I get this right: This step, then, would be the first livingroom step?

A That's right.

Q And when was that picture taken?

A July 11th.

Q And handing you Exhibit O, will you identify that?

A That is a picture of a riser on the steps leading from the kitchen to the landing.

MR. CORRIGAN:

From the kitchen

to the landing?

A That's correct.

MR. CORRIGAN:

I introduce that.

Q And here is Defendant's Exhibit Q, what is that a picture of? Which is the top and which is the bottom?

A To the best of my knowledge, there is nothing on the picture to describe the top other than a narrow portion of the

fabric material to the left of the picture.

Q What is it a picture of, Mr. Drenkhan?

A It is a picture of a door jamb on the west door in the living room.

Q The door jamb on the west door in the living room?

A That's right, the left side of the door.

Q This is what?

A That is the door.

Q Which door is that?

A That is the door leading outside on the south -- west side of the house, west side of the living room-dining room combination.

Q The door in the west wall?

A That's right.

Q And what is this along here?

A That is the frame surrounding the door, the door frame.

Q I have difficulty in visualizing it. I will find out.

And handing you Exhibit R, what is this a picture of?

A That is a picture of the floor between -- going out the north door from the living room. It is a picture of the floor on the porch from the threshold, showing a small portion of the threshold going on out to the porch.

Q Where is it in relation to the screen door?

A It is north of the screen -- what screen? The screen out -- the exterior screen door?

Q Yes. The exterior screen door on the north side of the house.

A It is on the porch -- in the porch itself.

Q But is it a picture of the porch, a part of the porch as you go from the living room door to the screen door?

A Yes, it is.

MR. CORRIGAN: I will introduce these all into evidence, and ask the jury to look at them at this time.

THE COURT: Exhibits K, M, N, O, Q and R will be received.

(Defendant's Exhibits K, M, N, O, Q and R were offered and received in evidence.)

(Thereupon the above-named exhibits were passed among the jury.)

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- Q Now, Mr. Drenkhan, this picture, K, that was taken what date?
- A That was taken July 4th.
- Q M was taken what date?
- A July 11th.
- Q I guess it shows on the back, doesn't it, the date that the pictures were taken?
- A Yes, it does.
- Q And N was July 11th, O was July 11th, Q was July 11th and R was July 11th?
- A That's correct.
- Q Now, I will hand you Exhibit No. P, Defendant's Exhibit P. Do you recognize that?
- A Yes, I do.
- Q And that is a picture of what? Will you just turn it towards the jury and show them what it is?
- A That is a picture of the --
- Q Hold it up so they can all see it.
- A -- of the night chain on the door leading from the living room to the porch on the north side of the home.
- Q And that picture was taken what date?
- A July 11th.
- Q Now, handing you Exhibits D, E, F, G and H, will you state whether you took those pictures?
- A Yes, I did.

Q And those pictures were taken what date?

A July 4th.

Q What time?

THE COURT: Will you give me
those numbers?

MR. CORRIGAN: The numbers are
D, E, F, G and H.

THE COURT: Are you offering those
now?

MR. CORRIGAN: I am offering these
in evidence, and I also offer P.

THE COURT: They will be received.

(Defendant's Exhibits D,
E, F, G, H and P, being
photographs, were offered
and received in evidence.)

Q Referring to the Defendant's Exhibit D, you know what it
is now, and I will hold it that way so the jury can see
what we are talking about. That is a picture of the doctor's
bag that you related that was upended in the hall?

A That is correct.

Q That was in the hall between the kitchen door and the living
room entrance, the hall between the kitchen door and the
entrance into the living room?

A Well --

Q Do you understand me?

A The kitchen door is to the left. The living room entrance is directly in front of it.

Q Yes. Well, there is a hall from the kitchen door to the -- not the kitchen door.

MR. MAHON: The Lake Road door.

MR. GARMONE: The den door.

Q The back door.

A The Lake Road door, yes.

Q (Continuing) The Lake Road door to the entrance into the living room, that is where that was?

A That's right.

Q Handing you Exhibit E, it is a picture of the interior of the studio or of the den?

A That's right.

Q Showing the chair at the south side of the desk?

A That's right.

Q And on the floor are a number of tools and the watch that you referred to, the lady's watch?

A That's right.

Q Did you pick up the lady's watch?

A No, I didn't.

Q Who picked it up?

A The lady's watch was called to my attention by Sergeant Hubach at approximately five in the afternoon.

Q Oh, at five in the afternoon?

A That's correct.

Q Well, this picture was taken in the morning, wasn't it?

A That's correct.

Q And when you took the picture, did you see the watch on the floor?

A Yes, sir.

Q And you left it there?

A Yes, sir.

Q Now, there was also tools on the floor?

A Yes, sir.

Q Did you take those tools?

A No, sir.

Q What became of them?

A I do not know.

Q I see. When the watch taken, or when your attention was called to the watch at, you say, five o'clock in the afternoon, where was that, where was the watch then?

A Sergeant Hubach had it in his hands and handed it to me.

Q And was that in the house?

A It was in the vicinity of the desk, the study.

Q Was there a photograph taken of the watch?

A At that time, no.

Q Was there later?

A Not by me.

Q Was there by anybody, that you know of?

A Not to my knowledge.

Q Did you ever see a picture of the watch?

A I might have. I can't recall specifically.

Q You can't remember?

A No, I can't remember.

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- Q All right. Handing you Exhibit No. F, that is a picture of the southwest corner of the den, is that correct?
- A No. The southwest.
- Q The southwest corner of the den. There is a number of -- do you know what was in this drawer that was on the floor here?
- A Not specifically.
- Q Now, handing you G, you see what it is?
- A That's right.
- Q That is a picture that shows a portion of the armchair, the red armchair?
- A That's right.
- Q And the north corner on the north side of the desk?
- A That's right.
- Q Now, handing you Exhibit H, this is a picture of the north side of the living room?
- A That's right.
- Q Showing the television and the desk that has been the subject of testimony?
- A That's right.
- Q And the northwest corner of the living room with the lamp and the radio?
- A That's right.
- Q As you went through that morning, outside of the disorder

that you found around the desk and in the hall leading from the back door -- we are talking about downstairs now -- and the den, things were neat and clean, were they not?

A They were in order.

Q There were no ash trays around full of cigarette butts?

A I don't recall that specifically.

Q You don't.

MR. CORRIGAN: I would like the jury to look at these pictures now. I should have handed them to the Judge.

Do you want to see them, Judge?

THE COURT: No, I don't.

(Thereupon the above-mentioned exhibits were passed among the jury.)

Q Mr. Drenkhan, calling your attention to Defendant's Exhibit F, which is a picture of the southwest corner of the den, isn't it?

A That's right.

Q At this part of the picture, what is that?

A That is a small statue.

Q A small statue. And of what did it consist? Of a base and two figures on top of it?

A It was two separate statues. A base with the brass-gold type figure on top, and the --

Q Now, let me see. There are two things -- you can see?

I am pointing to it so the jury can see what I am pointing at.

A Yes.

Q There is a little white spot there. Is that a base?

A That is a plastic base.

Q And right next to it is a black sort of a cylinder-shaped affair. Is that also a base?

A That is a plastic base.

Q And then just below those two bases are some figures which are rather indistinct. Do you know what they were?

A Not specifically. They were trophies of some type.

Q Were they figures of men running, or something of that kind?

A That's right.

Q And they were trophies, and the figures are broken from the base?

A That's right.

Q Now, handing you Defendant's Exhibit S, which I shall have marked.

(Defendant's Exhibit S, being a photograph, was marked for identification.)

Q Handing you Defendant's Exhibit S, do you recognize that picture?

A Yes, I do.

Q And who took that picture?

A I believe I did.

Q When did you take it?

A The afternoon of July 4th.

MR. CORRIGAN: I wish to introduce
this in evidence.

MR. MAHON: No objection.

THE COURT: Defendant's Exhibit S
is received.

(Defendant's Exhibit S was
offered and received in
evidence.)

MR. DANACEAU: Is that the same that
you showed the other day?

MR. CORRIGAN: No. It is different.

(Thereupon Defendant's Exhibit S was
passed among the jury.)

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- Q Now, Mr. Drenkhan, referring to the right side of the mouth of Dr. Sheppard, there is darkness there. Can you state what caused that darkness on the right side of the mouth in your picture?
- A No, I can't.
- Q Well, to refresh your recollection, wasn't it blood?
- A It might possibly have been.
- Q Now, you stated on direct examination that you made a search for blood stains on the 4th of July around the house.
- A That was in the room itself.
- Q In the room. Did you make any study of the stains left by blood due to the velocity with which they strike a wall, what kind of a mark is made?
- A Would you repeat that?
- Q Did you make any study of what happens, what kind of a mark is made on a wall when blood is thrown on it?
- A I observed that, yes.
- Q You observed it. Now, other than the search that you made in the bedroom for blood stains, you made no search anywhere else on that day, is that correct?
- A Yes, sir.
- Q Now, there is a closet that is on the east wall of Mrs. Sheppard's bedroom, is that correct?
- A That's correct.
- Q And that closet door is almost adjacent to the hall?

A That's correct.

Q And as you open the bedroom door, the bedroom door folds back against that closet door, doesn't it?

A That's right.

Q Did you make a search in that closet?

A That day, no.

Q Did anybody, as far as you know, take a vacuum cleaner and vacuum the floor in Marilyn Sheppard's bedroom or upstairs in that house?

A Not to my knowledge.

Q Did you search the various closets in the house and did you vacuum the various closets in the house?

A That morning?

Q Any morning, any day?

A I searched the various closets in the house.

Q They weren't vacuumed?

A Not to my knowledge.

Q Now, in examining the bathroom, did you go into the bathroom and examine the bathroom that morning?

A No, sir.

Q Who made the examination of the bathroom that morning, if anybody?

A I don't know who. I don't have any knowledge of who examined it.

Q I see. You don't know who went in there. Well, I know

there was a cigarette butt found in the bathroom. Do you?

A In the oommode, yes, I believe there was.

Q Who found that cigarette butt?

A I don't know who found that.

Q Did you see it?

A I have a recollection of seeing it.

Q You don't know what kind of a cigarette it was and you don't know who found it?

A No, I don't.

Q I see. All right. Now, you stated to the jury on Friday that there was no sign of struggle, do you remember that, when Mr. Mahon asked you a question -- or Mr. Parrino asked you a question?

A In the --

Q You answered that there was no sign of a struggle in the room?

A In the deceased's bedroom?

Q What?

A In Marilyn's bedroom?

Q Well, where were the bed clothes?

A The bed clothes?

Q Yes.

A On which bed?

Q On her bed.

A They were down towards the bottom of the bed.

- Q They were down towards the bottom of the bed?
- A That's right.
- Q And what did the bed clothes consist of that were down towards the bottom of the bed?
- A I believe a sheet, a blanket and a quilt or a bedspread.
- Q Well, they were in disarray, weren't they?
- A Yes, they were.
- Q Referring to the State's Exhibit No. 9, do you recall what the bed clothes consisted of?
- A The upper part, what covered her?
- Q Yes, the cover.
- A A sheet, a blanket and a bedspread.
- Q And those were all down at the bottom of the bed and in disarray?
- A Yes, they were.
- Q And when you saw Mrs. Sheppard the first time, a sheet had been pulled up covering her body up to the center part of her body, isn't that correct?
- A Her body was covered from the waist down.
- Q From the waist down?
- A From the lower part of her waist.
- Q That is, her womanly parts were covered?
- A That's correct.
- Q Now, then, you learned, did you not, that that sheet had been placed on her by her husband? You learned that from

him, didn't you?

A Yes, I did.

Q And the other garments or the other bedclothes were in this disarrayed situation at the bottom of the bed?

A That's right.

Q And Mrs. Sheppard's, the lower part of her legs were sticking under this bar that was at the end of the bed?

A That's right.

Q And her head was in the middle of the bed?

A Not as far down as the middle.

Q Well, a space down from the pillow?

A Yes.

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Q Now, you also saw the condition of her husband that morning, didn't you?

A Yes.

Q That he was -- he had these noticeable injuries on his face and he was in a dazed condition; you noticed that, didn't you?

A Yes, sir.

Q Now, then, when you had the meeting on the 16th of July in the Coroner's office when all you gentlemen were present, law-enforcing agencies, and a discussion was had about this case, was the autopsy that was performed in this case explained to you?

A You mean what they did on the autopsy?

Q What injuries that Mrs. Sheppard had received, was that explained to you?

A We were shown pictures.

Q Those were colored pictures, were they not?

A That's correct.

Q And who gave the lecture to the colored pictures?

A To the best of my knowledge, Dr. Adelson.

Q Did he call your attention to the fact that there was a wound on the inside of the lower lip?

A Not that I recall.

Q Did he call your attention to the fact that one of the front teeth, a part of it had broken off, about two-thirds of it,

and that the biting surface of the tooth next to it was broken off?

A There was discussion about teeth, but I can't recall just what it was now.

Q Was your attention called to the fact that there was no wound on the mouth?

A No, it wasn't.

Q Was your attention called to the fact that her nose was broken in some place, but that there was no injury on the nose except a small abrasion on the bridge of the nose one-fourth by one-eighth of an inch?

A Yes, I recall talking about that.

Q Was it called to your attention that the nose itself on the outside, other than this abrasion, showed no signs of injury?

A No.

Q How many wounds in the head was it stated Mrs. Sheppard received?

A At that time I believe it was said 35.

Q 35, and that was your understanding that she had been hit 35 times?

A Yes, I believe it was.

Q Did they explain to you that certain injuries on her hands, one on the right first finger was a small abrasion, one on the third finger -- I guess it is the fourth -- the fourth

finger was a small abrasion, and on the little finger there was a small abrasion, and on the back of the wrist there were two small abrasions; was that explained to you that those were abrasions?

A I don't recall what specific fingers they were, but it was brought out that they were.

Q Well, other than the fact that you saw these pictures, and these pictures were demonstrated to you, there was no particular detail given to you about the wounds, was there?

A Other than the -- we were given detail as to the length, the depth, various other information. I can't specifically --

Q Was it explained to you that wound No. 1 to wound No. 6 on the forehead were just one inch apart?

A There were no numbers used on the wounds. I don't know what numbers you are referring to.

Q Now, you further stated that you found no entry into the place, that you examined to find out if you could find marks of burglar tools, or something of that kind, to find out if any windows were pried open, and so forth, and you didn't find any?

A No, sir.

Q And that the bedroom window upstairs had a screen on it and the screen was locked on the inside?

A That's right.

Q Now, of course, the condition of the curtains before Mrs.

Sheppard went to bed, you don't know anything about that, do you?

A No, I don't.

Q And the curtain on the window, Mrs. Sheppard's bedroom window to the west, was up a certain little ways so that you could look into the room from the outside?

MR. DANACEAU: Just a minute.

At what time?

MR. PARRINO: Do you mean the curtain or the shade?

MR. CORRIGAN: The shade, I mean.

Q One of the shades was up a certain portion, wasn't it?

A The shade by the open window.

Q And you could look in from the porch roof into that room, couldn't you?

A Yes, you could.

Q And if the shades were up before Mrs. Sheppard went to bed and before they were placed in that position, you could stand in the apple tree and look into the room, couldn't you?

A Yes, you could.

Q Now, then, there are four doors on the downstairs, four doors of entry and exit, aren't there?

A That enter onto the first floor itself.

Q On the first floor of the house. There is the door in

the den that goes out in the yard?

A That's correct.

Q Did you examine that door?

A Yes, sir.

Q When did you examine it?

A Sometime between 8 and 9 that morning.

Q During your investigation, did you talk to Dr. Hoversten?

A A very few moments.

Q When did you talk to him?

A I believe it was Tuesday.

Q Now, you knew and have heard that Dr. Hoversten had occupied a room in that house for several days?

A Yes, we did.

Q And that he was occupying the room, the farthest room to the east in the upstairs?

A That's right.

Q The room in which first you enter a dressing room and then you enter a bedroom?

A That's right.

Q Did you go into Dr. Hoversten's room on the morning -- or the room that was occupied by him on the morning of July the 4th?

A Yes, sir.

Q And when did you go in there?

A Sometime after 8 o'clock.

Q From whom did you learn that that was the room of Dr. Hoversten?

A I don't recall specifically.

Q You do not recall. Well, do you recall this:

That in your conversation with Dr. Hoversten, you learned that Dr. Hoversten had walked into that house on both Thursday night and Friday night?

A I was aware of that later, but I never learned that through conversation with Dr. Hoversten.

Q That was something you learned from somebody else?

A That's correct.

Q Well, then, I won't ask you about it.

Now, when Grabowski arrived on the scene what did he have with him besides a camera and a fingerprint outfit?

A That's all.

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Q That is all. All right. When you examined Marilyn's watch, the watch that was found in the study, did you make an examination of it to see if there were any marks on it?

A I observed no marks on the watch.

Q No. I say, did you make an examination of it to see if there were any marks on it? Did you put a microscope on it?

A No microscope.

Q Or a magnifying glass?

A No magnifying glass.

Q I see. Now, you said that as you drove along the highway that night and did your tour of duty that you didn't see anyone on the highway?

A That's right.

Q You have since learned, have you not, that there was somebody on the highway right in Dr. Sheppard's driveway?

MR. PARRINO: Object to that,
your Honor.

THE COURT: You object?

MR. PARRINO: Yes.

MR. DANACEAU: Yes.

THE COURT: Well, I think the question is objectionable in its proper form -- in its present form. The objection will be sustained.

Q Did you have any conversation with any person who was along

the highway that night --

MR. DANACEAU: Objection.

Q -- between two and four a.m.?

MR. DANACEAU: We object to it.

THE COURT: Oh, he may answer
that.

MR. DANACEAU: Just a minute.

All he knows is that someone may have told
him he was along the highway. The question
assumes that a person was along the highway,
which is an issue in this case.

THE COURT: The question now
is whether or not he spoke to anyone on the
highway. Do I understand that correctly?

MR. GARMONE: That's right.

MR. CORRIGAN: Yes.

MR. DANACEAU: While he was on the
highway?

THE COURT: No. The question
is whether he spoke during that morning between
the hours of two and four or five to anyone on
Lake Road.

MR. DANACEAU: That isn't the
question. If that is the question, I have no
objection to it.

THE COURT: Let's have the question.

MR. CORRIGAN: No, that isn't my question, your Honor.

THE COURT: Pardon me. I misunderstood the question, then.

Q You stated to the jury --

MR. DANACEAU: Just a minute. Do you abandon the question?

MR. CORRIGAN: I abandon that question, yes.

THE COURT: All right. Let's forget about it, and put your question anew, Mr. Corrigan.

Q You stated to the jury that you drove along the highway four or five times that night between twelve and five o'clock in the morning?

A Yes, sir.

Q Did you want to give to the jury the inference that because you drove along the highway four or five times that night, that there was nobody on that highway that night?

MR. DANACEAU: Objection.

MR. MAHON: Objection, now, if your Honor please.

THE COURT: Objection sustained.

MR. CORRIGAN:

All right.

Q

Now, were you present at a meeting that was held in the Cleveland City Hall on July 20th?

A

I was never present in a meeting in the Cleveland City Hall.

Q

You were not. Now, that morning it was asserted, was it not --

MR. MAHON:

What morning, now?

You are talking about the 20th of July and now you say "that morning."

THE COURT:

He said he was not at any meeting on July 20th.

MR. CORRIGAN:

All right.

Q

On July 4th, the morning of July 4th, it was stated, was it not, and you heard it --

MR. MAHON:

Stated by whom?

THE COURT:

Let's hear the question.

MR. CORRIGAN:

I will find out who it was stated by.

THE COURT:

Let's hear the question.

Q

(Continuing) -- that Dr. Sheppard killed his wife because she was pregnant? You heard that statement, didn't you, on the morning of July 4th?

A

I can't place that specifically.

- Q Well, did you hear it?
- A I can't say.
- Q You never heard that?
- A I don't recall hearing anyone say that.
- Q You don't recall hearing anyone say that. Wasn't it stated at the County Morgue at the meeting of July 16th?
- A I don't recall any statement like that at all.
- Q Did you hear the statement made --
- A I never heard the statement made.
- Q -- by Dr. Gerber that Sam Sheppard was sterile?
- A I heard that, but I don't know if I had heard it from Dr. Gerber.
- Q Well, who did you hear it from and when?
- A That was a rumor that was out. We received letters --
- Q What?
- A I believe we even received letters to that effect.
- Q And who did you hear it from out there that was in charge of this case?

MR. DANACEAU: Objection. He hasn't said that he heard it from anybody.

THE COURT: He says he never heard it.

MR. CORRIGAN: He says he did hear it.

MR. DANACEAU: No, sir.

MR. MAHON: He heard rumors,
he said.

THE COURT: He said rumors.

MR. CORRIGAN: Well, all right.

I will come to it in another way at another time.

Q Did you hear the statement made out in the Morgue at that meeting that the first child, Chip, was an illegitimate child?

A No, I don't recall that.

Q You don't recall that. All right.

Now, you did hear this, however, that all that had to be done to get this matter cleaned up was to get a confession out of Sheppard, get him in jail?

A I don't recall specifically that, where I heard it or who I heard it from.

Q But you did hear it?

A It seems; I don't know whether it was a rumor or a statement by any particular individual, or a letter.

Q Did you hear the Mayor of the -- or, the President of the Council make the statement, Mr. Barber?

A What statement?

Q That the case could be cleaned up by getting Sam Sheppard in jail?

A No, I didn't.

Q What?

A No, I didn't.

Q Were you at the meeting when it was decided to jail him?

A I was in no meeting where they decided to jail him.

Q Well, you were the man that arrested him?

A That's right.

Q And after you arrested him, you still continued looking for the murderer of Marilyn Sheppard, didn't you?

A We still conducted an investigation.

Q And you are still looking for him today, aren't you?

A We still conduct an investigation.

MR. CORRIGAN: I think that is all.

MR. PARRINO: Mark these as

State's Exhibits.

(State's Exhibits 20 and 21, being photographs, also marked Defendant's Exhibits I and J, were marked for identification.)

(State's Exhibit 22, being a photograph, was marked for identification.)

REDIRECT EXAMINATION OF FRED F. DRENKHAN

By Mr. Parrino:

Q Now, Officer Drenkhan, referring here to Defendant's Exhibit L, do you recall by whom this picture was taken?

A It was taken by myself.

Q And on what day was that, please?

A It was in the afternoon of July 4th.

Q And where was that taken?

A At the Bay View Hospital.

Q Referring to Defendant's Exhibit S, do you recognize that picture?

A The picture itself?

Q Yes.

A Or my knowledge of where it was taken?

Q Do you recognize the picture itself?

A Yes.

Q Did you take this picture?

A I believe I did.

Q On what day was that, please?

A July 4th.

Q And when, in relation to taking the first picture, did you take the second picture that I have in my hand?

A Immediately following -- at the same time.

Q Referring to what has been marked for identification as

Defendant's Exhibit I and State's Exhibit No. 21, will you look at that picture, please, and tell us if you recognize that?

A I do.

Q And that is a picture of Marilyn Sheppard, is that correct?

A That's right.

Q And did you take that picture?

A Yes, I did.

Q When did you take that picture?

A On the morning of July 4th.

Q And this is a part of the pictures that Mr. Corrigan asked you to bring into court last week?

2 A Yes, they are.

Q And does that picture fairly represent the scene there at the home at the time of your arrival?

A Yes, it does.

Q Referring to State's Exhibit No. 20 and Defendant's Exhibit J, will you look at that picture, please, and tell us if you recognize that?

A Yes, I do.

Q What does that represent, please?

A A picture of Marilyn Sheppard on the bed.

Q And is this picture a part of the pictures that Mr. Corrigan asked you to bring in last week?

A Yes, it is.

Q And does that picture fairly represent the position of Marilyn's body at the time of your arrival in that room?

A It does.

MR. PARRINO: At this time, your Honor, I want to offer State's Exhibits 20 and 21.

MR. CORRIGAN: They are offered, aren't they?

MR. PARRINO: You didn't offer these, sir.

MR. CORRIGAN: But I say you say you want to offer State's Exhibits 20 and 21. They already have been offered, haven't they?

MR. MAHON: They are just being offered now.

MR. PARRINO: These are pictures that you asked to be brought in that you have not offered, that we are offering.

MR. CORRIGAN: Didn't you say you want to offer State's Exhibits 20 and 21? Was that your statement?

MR. PARRINO: Yes.

MR. CORRIGAN: Well, haven't you already offered those?

THE COURT: We have never seen

these before.

MR. MAHON: They are being offered now.

THE COURT: These are new.

MR. CORRIGAN: State's Exhibits 20 and 21 are two pictures of Marilyn Sheppard that have been shown to the jury. You are now referring to Defendant's Exhibits I and J?

MR. MAHON: No.

MR. CORRIGAN: This is Defendant's Exhibit I and Defendant's Exhibit J, isn't it?

MR. PARRINO: That's right.

MR. MAHON: Yes, but we have had it marked, too. You didn't offer them.

MR. CORRIGAN: No, I didn't offer them.

MR. PARRINO: Well, we are offering them now, your Honor.

MR. CORRIGAN: I object to them.

THE COURT: They will be received.

(State's Exhibits 20 and 21 were offered and received in evidence.)

Q Now, Officer Drenkhan, on the morning in question, July the 4th, after you arrived at the Sheppard home, you spoke to someone, then you started upstairs, is that correct?

A That's correct.

Q And Mr. Corrigan asked you, as you started upstairs from the kitchen there going up to the second floor, he asked you whether or not you hesitated on the stairs, is that correct?

A That's correct.

Q And did you hesitate on the stairs, sir?

A No, I didn't.

Q Would you explain to the jury as to how you were traveling at that time?

MR. CORRIGAN: Well, I object.

That is not rebuttal.

MR. DANACEAU: We are not on rebuttal. This is redirect.

THE COURT: This is redirect.

MR. CORRIGAN: It isn't redirect.

THE COURT: Let him answer.

Q Explain, please.

A I was moving rapidly. I was not running.

Q And did I understand you to say that it was daylight at that time, sir?

A Yes, it was.

Q Now, would you describe that staircase leading to the second floor, the west end of the staircase?

MR. CORRIGAN: Object. It has already been explained.

MR. PARRINO: No, it has not.

THE COURT: I don't think the staircase has.

Q The west end of it, as to whether it is open or closed.

A The west end is open. There is a railing going up, all but the top two steps or three steps are exposed. It is an archway of a type. It is a wooden railing with a post on the bottom.

Q Now, will you describe the couch -- the position of the couch there in the L of the living room as it is related to the staircase?

A The couch sits directly beneath the staircase, or on the wall where it goes upstairs.

Q And as you were going up those stairs, Officer, did you notice -- withdraw that.

The first time that morning that you were going up those stairs, did you notice the corduroy jacket lying on the couch?

MR. CORRIGAN: I object.

MR. GARMONE: Objection.

THE COURT: Objection will be sustained.

Q

Did you notice anything on that couch?

MR. GARMONE: Objection.

MR. CORRIGAN: Object.

MR. GARMONE: He has testified that he didn't see the corduroy jacket.

MR. MAHON: Just a minute.

He didn't testify anything of the kind.

MR. GARMONE: Yes, he did. It is in the record.

MR. DANACEAU: Let the witness testify, not you.

MR. GARMONE: He did not see it, not at that time.

MR. PARRINO: That is not a fact.

THE COURT: No. He has testified that when he first went in in the morning he saw the jacket folded on the couch.

MR. PARRINO: And if Mr. Garmone is confused on that point, I will be most happy to go back and search the record.

MR. GARMONE: I am not confused. Go ahead with your questions.

THE COURT: He has already testified to it. That is in the testimony.

MR. CORRIGAN: If the Court please,
I object to this examination, because he testified
as to his view of the couch going up that morning.
I took him on cross-examination on that particular
point and it is in the record.

Now, this is not redirect examination.

THE COURT: Well, objection has
already been sustained, Mr. Corrigan.

MR. CORRIGAN: Yes, all right.

Q Now, calling your attention to the time that you went into
the den of that home that morning, you stated to Mr.
Corrigan that there was some money that was found in the
den somewhere, is that correct?

A That's correct.

Q Now, did you state -- withdraw that.

Where was the money found?

A It was found on a bookcase on the west wall in a cup.

Q And how much money was found in that cup?

A \$32.

Q Do you recall the denomination of the bills?

A It was a twenty, a ten and two ones.

Q And where on that shelf was this cup located?

A It was in one of the center portions of the shelves.

There were four or five shelves on that wall.

Q And was that shelf enclosed in any way, or was it open?

A It is open.

Q Now, you further stated to us here, to Mr. Corrigan, that there was some photographers in the Sheppard home on the morning of the 4th, is that right?

A There were.

Q And you further stated that a Mr. Mike -- a Detective Mike Grabowski of the Cleveland Police Department was there that morning?

A Yes, he was.

Q And he is a member of the Bertillon Squad?

A Yes, he is.

Q And I think you told Mr. Corrigan this morning that Grabowski was there with a camera and fingerprint equipment, is that correct?

A Yes, he was.

Q Now, at what time approximately was it that the newspaper photographers were permitted to come into that home?

A It must have been after 11, 11:30 or thereafter.

Q Now, at that time had you taken the photographs that you wanted to take that morning?

A Yes, I had.

Q Of what parts of the home had you photographed that morning before the arrival of the newspaper photographers?

A I had taken photographs of the den, the living room, the

dining area, the hall, the upstairs bedroom, and that's all.

Q Now, had Mike Grabowski taken the photographs that he wanted there that morning?

MR. GARMONE: Object to the question. How would he know whether he had taken the photographs that he wanted to take?

THE COURT: Yes. We don't know what he wanted to take. You may state whether he had taken --

MR. PARRINO: Withdraw the question.

Q Did you see Mike Grabowski taking pictures there that morning?

A Yes, sir.

Q Now, when the newspaper photographers came to the scene, was Mike Grabowski still there, or had he gone?

A He had gone.

Q Did you see Mike Grabowski using his fingerprint equipment at the homethere that morning?

A Yes, I did.

Q And when the newspaper photographers were admitted into the home, had Mike Grabowski completed his work there insofar as fingerprints are concerned?

A To my knowledge, yes.

Q Now, before the time that the newspaper photographers were

permitted into the home, what is the fact as to whether you and other members of the Bay Village Police Department had been through any part of that home looking for anything at all?

A Yes. The entire home had been gone through by them.

Q Now, before the arrival of the photographers into that home, you say, of course, that you were in Marilyn Sheppard's bedroom, is that correct?

A Yes, I was.

Q And had you made any kind of search of the floor there that morning?

A Yes. I observed the floor.

Q Will you describe how you observed the floor?

A I observed the floor from a standing position. There was nothing that I could see from a standing position.

Q And how much of the floor there in Marilyn's bedroom did you observe?

A The entire floor other than underneath the beds.

Q Now, were you on your hands and knees in that bedroom there as you were searching?

A No, I wasn't.

Q Did you see anyone else in that bedroom there that morning among police officers, that is?

A Detective Schottke was in the bedroom.

Q Now, will you describe the manner -- withdraw that.

Will you describe what Detective Schottke was doing in the bedroom there that morning as you saw him?

MR. GARMONE: Objection. The best evidence is Detective Schottke.

THE COURT: Well, he is asking him what he saw Detective Schottke do. He may answer that.

Q Would you tell us what you saw Schottke doing?

A He was making an examination of the room.

Q What was his position when he was making that examination?

A When he examined the floor he was down on his hands and knees.

Q Now, at what time did you observe that, approximately?

A Sometime after 9 o'clock.

Q Did you see Schottke down on his hands and knees in Marilyn's bedroom before the arrival of the photographers, the newspaper photographers?

A Yes. That was before they were in.

Q Now, you told Mr. Corrigan, further, Officer Drenkhan, that at one time you found some substance in that room that you could not identify, is that correct?

A That's correct.

Q When was that?

A That was when the body was removed.

Q What time approximately was that, that you found that

substance?

A Approximately 10 that morning.

Q About 10 o'clock in the morning on July the 4th?

A That's correct.

Q And what did you do with that substance?

A I gave it to Dr. Gerber. He was standing next to me.

Q And did you discover what it was at that time?

A Dr. Gerber stated it was a --

MR. GARMONE: Objection to any
conversation about what Dr. Gerber stated to
this man what it was.

THE COURT: Yes, I think it is
objectionable.

MR. PARRINO: All right, your
Honor.

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Q Now, a few moments ago I showed you a picture of the Defendant that you took as he was lying in bed. I think it was Defendant's Exhibit S and Defendant's Exhibit L, as I recall.

MR. GARMONE: That's right.

A Yes.

Q Now, you say that you took those pictures at the hospital, at the Bay View Hospital, on the morning of July 4th, is that correct?

A On the afternoon of July 4th.

Q All right. About what time was that?

A Approximately two in the afternoon, p.m.

Q And at that time, did you question Sam Sheppard at all concerning the death of Marilyn Sheppard?

A No, I didn't.

Q Did you speak to anyone before you went into that room to take the pictures?

A I spoke to Dr. Steve Sheppard and Dr. Richard Sheppard.

Q And was there anything said to those two men by you as to why you were going into that room?

MR. GARMONE: Object to any conversation at that particular point.

MR. PARRINO: I didn't ask him what the conversation was. I just asked him if anything was said.

THE COURT: All right, let him answer.

MR. GARMONE: All right. I will withdraw the objection, if that is the purpose of the question.

Q Was something said?

A Yes.

Q Now, did you interrogate Sam Sheppard in any degree in that bedroom when you took those pictures?

MR. GARMONE: Objection. He has already answered no.

THE COURT: He has already said he did not.

MR. PARRINO: All right.

Q Now, you had some conversation with Sam Sheppard at the Sheppard home on the early morning of July 4th, is that correct?

A Yes, sir.

Q Did you make any attempt whatsoever to interrogate Sam Sheppard relative to Marilyn's death at any other time on July 4th?

A No, sir.

Q The next day, Monday, July 5th, did you make any attempt whatsoever to question Sam Sheppard on that day?

MR. CORRIGAN: I object.

THE COURT: He may say whether
he did or didn't.

MR. CORRIGAN: What does it prove?

MR. DANACEAU: Well, we object to
this comment of counsel.

THE COURT: Yes. Let him answer.
The question is: Did you make any attempt to
question Sam Sheppard about the death of Marilyn
on July 5th?

MR. PARRINO: The purpose of the
question is --

MR. GARMONE: Well, let him answer.

MR. MAHON: Let him answer.

A No.

Q On Tuesday, July 6th, did you make any attempt to question
the Defendant, Sam Sheppard?

MR. CORRIGAN: Object.

THE COURT: He may answer.

A No.

Q On Wednesday, July 7th, did you make an attempt to question
Sam Sheppard?

MR. CORRIGAN: Object.

THE COURT: He may answer.

A Yes.

Q Where did you go?

A To Bay View Hospital.

Q Were you alone?

A I was with the Deputy Sheriff Rossbach and Deputy Sheriff Yettra.

Q Were you able to question him on that day?

THE COURT: He said at the
hospital.

MR. PARRINO: Yes.

A No, we weren't.

Q At what time were you at the hospital?

A It was in the afternoon, approximately three o'clock,
three p.m.

Q On Thursday, July 8th, did you question Sam Sheppard?

A Yes, I did.

Q Were you alone?

A I was accompanied by Deputy Sheriff Rossbach and Deputy
Sheriff Yettra.

Q At what time was that questioning?

A At one p.m.

Q And how long did it take, approximately?

A Three and a half hours, approximately.

Q Now, here Friday, do you recall that Mr. Corrigan asked
you many direct questions as to what was specifically said
at that meeting; you recall that, do you?

A Yes, sir.

Q Now, will you relate to this jury, please, everything that Sam Sheppard said concerning the events of the night and the early morning of July 4th of this year?

A The Defendant stated that he was asleep on the couch and he was awoken by his wife calling. At the time it seemed to him, it entered his mind that she was having a convulsion. He got out of -- off the bed and went rapidly upstairs. As he got up the stairs, he saw a white form approximately at the foot of the bed or at the side of the bed.

He stated he could hear a gurgling sound, and as he entered into the room he felt he was struck.

The next thing he knew he was in a sitting position and he could see his badge reflecting light. He picked up his wallet, in which the badge was, and put it in his pocket and stood up and looked at his wife, at which time he took her pulse at her throat. He was very dazed, he stated, and then went in and looked at Chip, although he did not know -- actually see Chip, he was aware that he was there and all right.

He then heard a noise downstairs, at which time he went rapidly downstairs and around by the living room side of the house, that is, the west side; entering into the living room or the dining area at that time he could see a dark form at approximately the door leading out onto the porch.

He stated, said that he pursued this form out and down onto the beach down the steps, whereupon at the beach this dark form appeared to hesitate.

He went on to say that he thought he would take this form -- that he was really going to let him have it, at which time he vaguely remembers grappling with the man, and then the next thing he remembered he was laying in the water with his feet towards the water wallowing in the water.

He then returned upstairs, and went on upstairs to the bedroom where he again looked at his wife and covered her with a sheet or covered a portion of her with a sheet.

He then returned downstairs, at which time he did not know what to do, and the first number, telephone number that came to his mind was that of Mayor Houk's, and that he called, and he doesn't know from which phone.

Q Now, did you ask him specific questions relating to that event in that interrogation?

A Yes, we did.

Q Would you state what specific questions you asked him and what answers you got from him?

A We asked him specifically if there were one or two men. He did not know.

We asked him particularly closely if he could identify the person in the bedroom. He said all he could recall

was a white form.

We asked him why, if his wallet was out of his pocket, there was no money taken. That he did not -- he could not answer.

We asked him when he was in the water why he did not drown. He said he felt his head was towards the beach.

We asked him what had happened to his T-shirt if he had had it on. That he could not recall, he did not know what happened to it.

We asked him questions relative to what had happened to his key chain, and the watch, why they were found where they were. That he did not know.

We asked him if he could identify any particular individual. He said no.

We asked him if the man that he chased and grappled with on the beach was the same man that was in the bedroom, that he saw in the bedroom. He did not know.

That's all that I can recall right at this point.

Q Did you ask him if he struggled with this man or this form in the bedroom?

MR. CORRIGAN:

I object.

MR. GARMONE:

The question is leading.

THE COURT:

He may answer whether

he asked him.

MR. CORRIGAN: The man was asked
to tell what he remembered about the conversation.

MR. MAHON: He says that is all
he remembers.

MR. PARRINO: He says that is
all he remembers.

Q To refresh your recollection, was he asked anything about
a struggle in the bedroom?

A Yes, he was.

Q And what did he say?

A That he didn't know whether he struggled in the bedroom.

Q Did you ask him to give you a description of this form that
he saw in the bedroom?

A Yes, we did.

Q And what did he say?

A He couldn't. The only thing he could recall, that it was
white on the upper portion.

Q Do you recall any further questions that you asked him
there as to what happened in the bedroom?

A No, sir, other than in questioning him as to his grappling
with the white form, he stated he felt he was struck from
behind. I believe I mentioned that.

Q Did you ask him whether or not he had been struck with any
kind of an instrument?

MR. CORRIGAN: Object; leading.

THE COURT: Well, it is somewhat leading, yes, but we will save time, perhaps. Let him answer.

A Yes, we did.

Q What did he say?

A He said he felt it was more of a Judo punch.

Q Did he say where he was struck?

A As I say, he felt it was from behind. He did not know.

Q Now, did you ask him to describe this form that he was struggling with down on the beach?

A Yes, we did.

Q And what did he say?

A All that he could recall was that he appeared larger than he was with bushy hair and in dark clothing.

Q Did you ask him about the light switch in the hall there, question him at all about that?

A I don't recall specifically.

THE COURT: Mr. Parrino, could you stop right here without difficulty?

MR. PARRINO: Yes.

THE COURT: Ladies and gentlemen of the jury, we will have a few minutes recess at this point. Please do not discuss this case.

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(After recess, 11:15 o'clock a.m.)

Q Now, as you further questioned him there, the defendant stated to you that he was knocked out in Marilyn's bedroom, isn't that correct?

A That's correct.

Q Did you ask him how long he lied there knocked out on the floor?

A Yes, we did.

Q What did he say?

A He had no idea how long he was unconscious.

Q The defendant further stated to you that he struggled with someone on the beach later there that morning, is that correct?

A That's correct.

Q Did you ask him as to what the condition was of day or night at the time of that struggle there on the beach?

A Yes, we did.

Q And what did the defendant say?

A He could not recall if it was daylight or dark, but he felt it was dark, that there was some light from somewhere, he didn't know where.

Q Did you ask him as to the struggle he had on the beach whether or not this form had any weapons in his hands of any kind?

MR. GARMONE:

I will object to the

question as to its form, if the Court please.

THE COURT: Yes. Objection
sustained.

Q Well, the defendant did state to you that he was knocked
out on the beach, also, is that correct?

MR. CORRIGAN: Object. That's
been repeated.

THE COURT: Let him answer.

A Yes, sir.

Q Now, did you ask him as to how long he lay there unconscious
on the beach?

MR. GARMONE: Objection. He has
already answered.

MR. PARRINO: Not as to the beach.

MR. GARMONE: He answered that, too.

THE COURT: Well, let him answer
that.

MR. GARMONE: All right. I will
withdraw it.

A Yes, sir.

Q And what did he say?

A He did not know.

Q Now, at the Sheppard home there that morning, did you go into
the room occupied by Dr. Hoversten?

A Sometime during the morning.

Q And does that room have windows in it, sir?

A Yes, it does.

Q And did you examine the windows in that room that morning?

A Yes, sir.

Q And was there -- what was their condition as to being locked or unlocked?

MR. GARMONE: Objection unless we determine the time of day that he went in there.

THE COURT: Well, he said it was that morning.

MR. GARMONE: Well, let's determine the time in relation to when he got there.

A It was after 8:30 that morning.

Q Was it before the newspaper photographers got there?

A Yes, sir.

THE COURT: Now you put your question.

Q Now, what is the condition of the windows as to being locked or unlocked as you saw them?

MR. GARMONE: Objection. The question is leading. Let him describe what he saw in the room and what he found in there.

THE COURT: He may ask him what the fact is as to them.

Q Tell us.

A Well, the three windows were locked; the window on the south side of the house, the front window was not locked. It could not be pushed down to be locked. It could not be raised.

Q Why not?

A It was jammed or stuck somehow.

Q Did you go into Chip's room that morning?

A Yes, I did.

Q And approximately what time was it that you went into Chip's room?

A It would be sometime after 8:30.

Q About how long after that, if you know, if you recall?

A I can't recall specifically.

Q Did you go into that room before the newspaper photographers arrived?

A Yes, sir.

Q And are there windows in that room?

A Yes, sir.

Q And describe the condition and appearance of those windows.

A There are three windows. They were shut, locked.

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Q Now, showing you what is marked for identification as State's Exhibit -- withdraw that.

Showing you what is marked for identification as Defense Exhibit K, what is that again, please?

A That is the door leading into the deceased's bedroom.

Q And does that show the whole door?

A No. It shows only the lower two-thirds.

Q And this is one of your pictures, is it, sir?

A Yes, that's right.

Q Showing you what is marked for identification as State's Exhibit 10, this is a picture of Marilyn's body, of course?

A That's correct.

Q And does this picture also show the door there in Marilyn's bedroom?

A Yes, it does.

Q Does it show the whole door?

A No, it doesn't.

Q Now, as you look at this picture, State's Exhibit No. 10, from your knowledge of photography, would you say that this picture is focused on the door or on the body of Marilyn Sheppard?

MR. GARMONE: Objection.

THE COURT: If he knows. You took the picture, didn't you?

THE WITNESS: No, I didn't take

this picture.

MR. GARMONE: He didn't take this picture.

MR. PARRINO: He did not take State's Exhibit 10, your Honor.

THE COURT: If he knows.

A The picture would be focused on the body itself.

Q Now, as to Defense Exhibit K, you took this picture, did you?

A Yes, I did.

Q And on what was that picture focused, sir?

A It was focused on the door itself.

Q And Mr. Corrigan asked you as to two little blood marks here on that door in the upper right-hand side of that door, referring to State's Exhibit 10. Do you also see the two same blood marks or spots on Defense Exhibit K, sir?

A Yes, sir.

Q Showing you what is marked for identification as State's Exhibit No. 22, will you look at that picture, please, and tell us if you recognize that scene?

A Yes, I do.

Q And what does that picture represent and show?

A It shows the open door leading into the deceased's room and a closet door on the east wall of the room.

Q And does this photograph show the entire door?

A A very small portion on the bottom isn't shown.

Q And this is the door leading into the room and the closet in Marilyn's bedroom, is that correct?

A That's correct.

Q And does this picture fairly show and represent the appearance of that door as you saw it on the morning of July 4, 1954?

A Yes, it does.

MR. PARRINO: I offer State's
Exhibit No. 22 at this time.

THE COURT: It will be received.

(State's Exhibit 22 was
received in evidence.)

Q Now, Patrolman Drenkhan, you further stated to Mr. Corrigan that on July 30th you arrested the Defendant, Sam Sheppard; is that correct?

A Yes.

Q Or you were one of the arresting officers?

A Yes.

Q And where was he arrested?

A At his father's home in Bay Village.

Q After his arrest, where did you take him?

A I took him to the City Hall, the Bay Village City Hall.

Q And how did you get from the father's home to the City Hall?

A By automobile.

Q And did you question him during that interval about the death of Marilyn Sheppard?

A No, I didn't.

Q When he was taken to the City Hall, was he questioned about the death of Marilyn Sheppard at the City Hall by you?

A No, he wasn't.

Q Or anyone in your presence?

A No, he wasn't.

Q From the City Hall, from the Bay Village City Hall, where was he taken?

A He was taken to the County Jail.

Q By whom?

A By Lieutenant Mercer, Patrolman Deutschlander and myself.

Q From the Bay Village City Hall down to the County Jail, that's in this building here, is that correct?

A That's correct.

Q Was he questioned at that time about the death of Marilyn Sheppard?

A No, he wasn't.

Q When he was placed into the County Jail, did you or anyone in your presence question Sam Sheppard about the death of Marilyn Sheppard?

A No, sir.

Q Did you at any time question him in the County Jail?

A No, sir.

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Q

Now, Mr. Corrigan asked you some questions about this experiment that you conducted on the stairway at the Sheppard home. Do you recall that?

A

Yes, sir.

Q

When did you conduct that experiment, the date?

A

It was Saturday, July 10th -- it would be the morning -- it would be July 11, Sunday morning, early Sunday morning.

Q

At what time was that that you conducted that experiment?

A

It was approximately 12:30, 1 o'clock.

Q

A.M.?

A

A.M.

Q

And who was present at that time?

A

Sergeant Hubach, Patrolman Drenkhan, and myself.

Q

You say Patrolman Drenkhan. You mean your father?

A

That's correct.

Q

Now, you stated that a lamp in one of the rooms was on while you conducted this experiment, is that correct?

A

Yes. We turned the lamp on in the dressing room.

Q

On what power did you turn that lamp on?

A

On the middle power. That would be the 100.

Q

Now, where in that room was the lamp when you turned it on?

A

It sets on the -- on the east wall by the door leading into the actual bedroom, setting on a dresser.

Q

And were there any other lights on upstairs?

A

No, there weren't.

Q Were there any lights on downstairs?

A No, sir.

Q And the shades in Marilyn's room, what was their position?

A They were down, pulled, closed.

Q Now, as this light was on this dressing room, would you describe to the jury where the beam of light from that lamp would reflect?

A The light carries on into the hallway and on into the bedroom covering the upper portion -- it illuminates the upper portion of the bed of the deceased on into the room.

Q And how much of Marilyn's bed would that light illuminate, approximately?

2 A Approximately the upper third.

Q That would be on the south side?

A On the south side. The end of the bed.

Q Now, Mr. Corrigan asked you as to what you could see as you were standing in the center of that stairway leading to the second floor, isn't that correct?

A That's correct.

Q But he did not ask you if you could see anything further as you proceeded up those stairs, did he?

A No, he didn't.

Q Did you proceed up the stairs further in that experiment?

A Yes, we did. We went on upstairs and entered on into the room.

- Q Now, how was Sergeant Hubach dressed that night?
- A He had on a pair of trousers -- I don't recall exactly what they were -- and a white shirt.
- Q Now, as you proceeded the rest of the way up the stairs and across the hallway and into Marilyn Sheppard's bedroom there, could you see anything more than you were able to see halfway up the steps?
- A Yes, you could.
- Q Will you describe what additionally you could see as you got up the stairs and into the room? Describe that whole experiment.
- A With the subject standing not quite to the halfway point of the bed, when you entered into the room you could distinguish general dress, sex, and that would be all.
- Q Could you distinguish size?
- A Well, yes, size. Very general description.

MR. PARRINO: You may inquire.

RECROSS-EXAMINATION OF FRED F. DRENKHAN

By Mr. Corrigan:

- Q Mr. Drenkhan, what power was the light on in the dressing room on the morning of July the 4th?
- A I don't know, sir.
- Q Now, as I understand it, Marilyn's room is right opposite the stairway, that's correct, isn't it?

A Yes, sir.

Q And then comes Chip's room, the next one to the east, that's correct, isn't it?

A Yes, sir.

Q And then opposite Chip's room is the bathroom?

A Not directly opposite. Generally opposite.

Q Generally opposite, and you proceed down the hall, then you come to this dressing room, is that correct?

A That's correct.

Q And inside the dressing room on the south wall of that dressing room was a bureau, something on which the lamp stood?

A On the east wall.

Q On the east wall. And the power that was given off by that light, you don't know what it was that night, do you?

A The night --

Q That morning.

A The morning of July 4th?

Q Of the murder.

A No, I don't.

Q And any light that came from that room would strike the wall of the hall, wouldn't it?

A Yes, it would.

Q And all you'd get into the room of Marilyn up the hall was some reflected light of the light that had struck the

hallway walls?

A That's right.

Q And when you tried this experiment and went up that night up the stairs, you knew that Sergeant Hubach was in the room, didn't you?

A Yes, sir.

Q And when you come up the stairs you were looking for Sergeant Hubach, weren't you?

A Yes, sir.

Q So that you were entirely in a different situation as far as knowledge of the person in the room than Dr. Sheppard was?

MR. MAHON:

Object to that.

THE COURT:

Yes. Objection will

be sustained.

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- Q Now, then, as you come up the stairs -- you have been in rooms under similar circumstances at night, haven't you, you walk into your bedroom that you are familiar with?
- A Yes.
- Q When you have a light up in the hall?
- A Yes, sir.
- Q And you don't recognize things until you are in there a little while, do you, and nobody else?
- A When you are coming from the light --
- Q When you are coming from one room into another at night in your own home, even though the electric light is shining in from the street, or something of that kind, you have difficulty in recognizing or would have difficulty in recognizing anybody in the room, wouldn't you?
- A Depending on how much light was in the room.
- Q Yes. And when you come up the stairs, all you could see, although you were looking and your attention was directed to that room and you had knowledge that Hubach was in that room, all you could see was the white shirt?
- A Halfway down the steps, yes.
- Q Halfway down the steps. All right. Now, then, when did Mr. Grabowski appear on the scene, what time?
- A It was right about eight o'clock.
- Q And how long did he stay?
- A It was possibly a quarter to eleven.

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- Q And did Mr. Schottke arrive before Mr. Gerber? Or after Dr. Gerber?
- A To my knowledge, Schottke and Gareau arrived after Dr. Gerber.
- Q After Dr. Gerber. And they come up to the room, and you were in the room with Dr. Gerber when they arrived, weren't you?
- A No, I wasn't..
- Q But you went up with them?
- A With --
- Q Schottke and Gareau, the two Cleveland detectives?
- A Yes, I was up there.
- Q Were you there when -- you were there when the body was removed, weren't you?
- A Yes, sir.
- Q And were you there when the teeth, the pieces of teeth, were found?
- A Yes, sir.
- Q Who found those?
- A I believe it was Detective Schottke.
- Q And where were they?
- A They were on the bed underneath her body.
- Q Do you know what part of her body they were underneath?
- A I couldn't say specifically.
- Q All right. Now, then, when you searched around you found some money, \$32.00, I think you said, in a jar in the den?

- A Yes, sir.
- Q What did you do with it?
- A I gave it to the Chief.
- Q Has he still got it?
- A I believe it has been turned over to the Prosecutor's office, property room.
- Q I see. Has everything that you took out or that was taken out of the house by the Bay Village Police been turned over to the Prosecutor?
- A To the best of my knowledge, it has. I can't say for sure.
- Q Now, that 4th of July morning you say the photographers were in the house and the reporters were in the house. Who let them in?
- A I don't know exactly. I was upstairs.
- Q Well, that wasn't the only day they were in the house, they were in there a number of days, weren't they?
- A Yes, they were.
- Q What?
- A Yes, they were.
- Q They accompanied Mr. Mahon and Mr. Parrino when they visited the house on Wednesday, didn't they?
- A Yes, I recall that.
- Q And they got their pictures taken in the house; you recall that, don't you?
- A I recall seeing the picture. I don't know when the picture

was taken.

Q Now, then, on the Thursday -- you related this conversation with Dr. Sheppard at the hospital with Mr. Rossbach and Mr. Yettra, who are Deputy Sheriffs?

A Yes, sir.

Q And when you talked to Dr. Sheppard on that occasion, he told you of this struggle on the beach?

A Yes.

Q Well, you had known that before, had you not?

A Yes, sir.

Q You knew that the very morning of the affair when you got there, didn't you?

A He related that he was fighting on the stairs. It wasn't until later on that day that I returned the complete details of what had actually taken place.

Q Well, isn't it a fact that on the very morning, within a short time after your arrival there, that you went down to the beach?

A Yes, sir.

Q What?

A Yes, sir.

Q And wasn't that the result of the conversation you had had with Mayor Houk, who related to you what Sam Sheppard had told him?

A No. That was the result of the Defendant telling me that

he remembered fighting on the stairs.

Q And that after he fought on the stairs, he went down to the beach?

A And that he woke up in the water.

Q And he woke up in the water. And that there was a struggle on the beach?

A When I went down to the beach, I wasn't aware that they had fought on the beach.

Q Well, hadn't you learned from Mayor Houk, who was there, the first one on the scene, that Sam Sheppard had told Mayor Houk the first thing in the morning, when he first talked to him, that there was a struggle on the beach?

A No, sir.

Q You didn't learn that?

A I don't remember that.

Q But, anyway, you went down to the beach and you stood about a minute on the platform?

A Yes, sir.

Q You did notice, did you not, or did you make a note of the fact that there were wet steps coming up that stairs, up the stairs from the beach, and also that went up the stairs to Marilyn's room?

A I observed wet marks on the three concrete steps at the head of the stairs, on the outer stairs I observed water on the steps going upstairs.

- Q And you observed that that very morning along about 6:00 or 6:10 in the morning of July the 4th?
- A Yes, sir.
- Q Now, when you discussed the matter with him on Thursday, when you had the three hour and a half conversation, he was very willing to talk to you, wasn't he?
- A Yes. He answered our questions.
- Q And he expressed to you a desire to help you in every way that he could, did he not?
- A Yes, he did.
- Q And on that very day he offered a \$10,000 reward, didn't he, for the apprehension of the person that murdered his wife?
- A I saw something in the paper to that effect.
- Q Yes. Now, then, when you were talking with him on that morning, or that afternoon of Thursday, is it a fact that he broke down two or three times during the conversation and was overcome by emotion?
- A Yes, he was.
- Q Now, then, you questioned him about the money that was in the house. Did he tell you that there was money in his purse, in his billfold?
- A Yes, he did.
- Q And did he tell you that that money was gone?
- A He said that some -- I believe there was a secret compartment in the wallet.

Q And he told you --

MR. PARRINO: Just a minute.

MR. MAHON: Let him answer.

MR. PARRINO: Will you finish
your answer, please?

MR. GARMONE: Let him finish
his answer.

Q Did I interrupt you?

A Well, he said there was a secret compartment in the wallet that contained money. I had not seen the wallet until later in that day. The morning of July 4th I had no knowledge of what was in it when it was found other than a quick glance at it. I was shown a check and some one dollar bills.

Q Well, isn't it a fact that he told you -- you saw the wallet on July 4th, didn't you?

A That's correct.

Q And where did you see it?

A At the police station.

Q And when you examined the wallet on July 4th there was a secret compartment in the wallet in which there was some money?

A I don't know that. It was only a quick glance while it passed through my hands.

Q I see. Well, then, when you were talking to him on

Thursday, isn't it a fact that he said that there was a certain amount of money in that wallet in a compartment that could be readily opened and where the money could be readily seen?

A I recall him talking about the money. I don't recall the secret compartment being able to be readily opened or seen.

Q No. I am talking about this: Wasn't there a compartment in the purse where you could readily see money if it was there?

A There is a compartment, yes.

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And didn't he tell you that money had been taken from that compartment, about \$31, or something like that?

A It seems to me it was a smaller sum than that. I just can't recall specifically.

Q Well, it was a sum of money, but the amount isn't important, but he did tell you that there was money taken from that particular purse, didn't he?

A Yes, I believe he did.

Q Now, then, when you examined him or questioned him on the Thursday afternoon, isn't it a fact that he stated to you that when he got up off the floor he was in a dazed, confused condition, and that he didn't know what had happened to him?

A He stated he was dazed.

Q And he looked at his wife, and that he stated to you that he didn't know whether he was in a dream, or he said to himself, "What is this, a dream? What has happened?" or words to that effect?

A Words to that effect, yes.

Q And that he was trying to realize the horror of the situation, when he heard this noise downstairs?

A Actually he heard the noise when he went in to see Chip.

Q And that when he came back from this struggle on the beach and went upstairs and went to his wife's body, that he

still was in a dazed condition?

A That's right.

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Q And that he wandered around her room and wandered around the hall wondering or trying to see if this was true, or whether he was in some kind of a dream world?

A When he came upstairs he covered her.

Q And he covered her, did he not say to you, "because she was uncovered and Marilyn was a modest woman?"

A Yes, he did.

Q Now, going back just to a question on the cover. When you uncovered her and looked at her body, you discovered that her pajamas, the right leg was out of the pajama and the left leg was in the pajama, is that right?

A It was her right leg that was in the pajama.

Q The right leg was in the pajama and the left leg was out, is that right?

A That's right.

Q And the pajama was pulled down?

A It was.

Q And the other pajama, the other part of the pajama, the upper part was rolled up over her breasts?

A It was pulled up.

Q Now, then, it was after he had wandered around in this dazed condition that he began to think of "What I can do," didn't he say that to you? "What shall I do?" or some

words to that effect?

A Words to that effect.

Q And the number of Mayor Houk, the telephone number of Mayor Houk was the first thing that occurred to him and he called Mayor Houk?

A Yes, sir.

Q Now, after that you talked to him many times, didn't you?

A I don't know exactly how many times I talked to him; on occasions, yes.

Q You talked to him at his home -- not at his home -- but you talked to him at his father's home where he was living?

A That's right.

Q And you talked to him at the hospital, I mean after he got up and was around?

A I don't recall that.

3 Q But you talked to him at the City Hall?

A No, I didn't.

Q You didn't?

A No, sir.

Q Well, to refresh your recollection, do you remember -- well, did you talk to him in the firemen's quarters or the fire station?

A No, sir.

Q Do you remember July the 20th when Steve and he came to the -- do you remember a long conversation you had with them

- along about in July with Steve, his brother Steve, and Sam?
- A Yes. I believe that was July the 20th.
- Q July the 20th, and where was that conversation?
- A That was at the Fairview Park Police Station.
- Q Who was there besides Steve and Sam?
- A Sergeant Hubach and myself.
- Q And the Fairview Park Police Station, that is the next village or the next city to the City of Bay View Village?
- A No, it isn't. Fairview is on Route 10, Lorain Road.
- Q Well, it is out there in that general direction, anyway?
- A It is a western suburb, yes.
- Q And what time did you go to Fairview Park Police Station to have this conversation of July the 20th?
- A It was approximately 7 or 7:30 in the evening.
- Q And what time was the conversation over?
- A Approximately 10 o'clock, 9:30.
- Q 9:30 or 10 o'clock? Wasn't it closer to midnight?
- A No, I don't believe so.
- Q Well, it was at least two to two and a half hours that you spent with him?
- A Yes, it was.
- Q And was that at their request that you came to that particular place to talk with them about the Marilyn Sheppard murder?
- A No, that was at our request.

Q And how did you happen to go to Fairview Park instead of to your own police station?

A At the time we were besieged with reporters.

Q You were what?

A We had a number of reporters around.

Q That is, you were besieged with reporters, you couldn't do anything in the whole case without a lot of reporters being around, could you?

A There were reporters about.

Q And photographers also?

A Yes, sir, photographers.

Q And so you selected this place to talk to him, so that you would be able to talk to him with some degree of privacy, is that right, Mr. Drenkhan? This place was selected as a place where you would have this conversation about the murder of Marilyn Sheppard so that you would be able to do it privately?

A Yes, sir.

Q And you called him to meet you there and he met you there?

A That's correct.

MR. CORRIGAN: I think that is all we want to ask you, Mr. Drenkhan. Oh, there was just one other thing.

Q Do you remember that along in, maybe it was in August, that

the Cleveland Police Department sent some men out there to make drawings of the house?

A I don't recall the specific date they were out there to make drawings.

Q But you do recall there were drawings made of the house of all the rooms?

A Yes, I recall that.

Q And do you know who made them?

A No, I don't.

Q Do you know where they are?

A No, I don't.

Q There were drawings made of every room of the entire interior of the house?

MR. DANACEAU: Are you testifying,
Mr. Corrigan?

MR. CORRIGAN: I am asking him.

MR. DANACEAU: You are asking him
to testify about something he doesn't know.

MR. CORRIGAN: How do you know he
doesn't know?

MR. DANACEAU: He says he doesn't.

THE COURT: Let's ask him. Do
you know whether such drawings were made?

THE WITNESS: Yes, they were made,

but I don't know where they are.

Q

You don't know where they are?

A

No.

MR. CORRIGAN:

I think that is

all, Mr. Drenkhan. Thank you.

MR. PARRINO:

That is all.

(Witness excused.)

- - -

THE COURT:

Ladies and gentlemen

of the jury, we will now adjourn for the noon
hour and reconvene at 1:15 this afternoon.

In the meantime, please, do not discuss
this case, not even among yourselves.

- - -

(Thereupon at 12 o'clock noon an adjournment
was taken to 1:15 o'clock p.m., Monday, November
15, 1954, at which time the following proceedings
were had):