

(4)

Nancy Smathers

1228HRS., CALLED DR. PARK'S OFFICE AND ADVISED THEM OF ABOVE. THEY ADVISED THEY WOULD CALL US WHEN THE NEW REPORTS WERE RECEIVED AND WE WOULD COME OVER AND PICK THEM UP.

1905HRS., SPOKE TO LT. BEAL REF. THE SCENE, AND THE GREEN GARBAGE BAG. HE VERIFIED HE WAS THE FIRST OFFICER AT THE SCENE OF 1712B ON THE NIGHT OF THE SHOOTING. HE WAS ASKED ABOUT THE GREEN GARBAGE BAG IN FRONT OF THE APARTMENT DOOR THAT SHOWED UP ON THE PHOTOS OF THE SCENE. ADVISED THAT IT WAS THERE, EMPTY WHEN HE ARRIVED, AND WAS DARK GREEN IN COLOR.

05/03/94

CAPT. M. L. CORWIN

MET WITH PROSECUTOR WISEMAN REF. TRIAL PREPARATION. HE ADVISED THAT ATTORNEY BANKS HAD REQUESTED A COPY OF THE BMV PRINTOUT WE REFERRED TO IN OUR REPORT FROM THE OSP. HE WAS PROVIDED WITH A COPY OF SAME, A COPY OF THE CRIME SCENE SKETCHES, AND A COPY OF THE OVERHEAD PHOTOGRAPH TAKEN OF THE SCENE THE NEXT DAY, WHICH HE WILL PROVIDE TO BANKS.

AT 1500HRS. I MET WITH WITNESS NANCY SMATHERS IN WISEMAN'S OFFICE. SHE HAD RECEIVED HER SUBPEONA EARLIER AND CALLED LT. BEAL AT THE STATION MAKING HIM AWARE THAT SHE WAS AFRAID FOR HER SAFETY AND WOULD NOT TESTIFY. PROSECUTOR WISEMAN HAD ARRANGED TO MEET WITH HER. THE SERIOUSNESS OF THE CASE AND HER TESTIMONY WAS DISCUSSED WITH HER AND SHE CRIED FOR A SHORT TIME AND THEN AGREED SHE WOULD TESTIFY. SHE WAS GIVEN A COPY OF HER PREVIOUS STATEMENT TO REVIEW AND THEN WENT OVER SAME.

Nancy Smathers

NANCY THEN REVEALED INFORMATION SHE HAD, BUT WAS AFRAID AND HAD NOT TOLD US BEFORE. SHE ADVISED ON THE NIGHT OF THE SHOOTING SHE HAD BEEN IN HER APARTMENT AND HEARD THE GUN SHOTS OUTSIDE. SHE STEPPED TO DOOR TO SEE WHAT WAS HAPPENING AND THE SUSPECT CAME AROUND THE 1712 BUILDING AND GOT INTO THE VEHICLE, WHICH WAS BACKED INTO ABOUT THE 3RD SPACE FROM THE END OF THE LOT (N. END). SHE ADVISED THE HEADLIGHTS CAME ON IMMEDIATELY AND HE SPED OUT, MAKING HER BELIEVE THE ENGINE HAD BEEN RUNNING AND THE SUBJECT DIDN'T HAVE TIME TO START IT. WHERE HE PLOWED INTO THE SNOWBANK AND GOT STUCK THERE IS A STREET LIGHT DIRECTLY ABOVE, WHICH ILLUMINATED THE AREA AND SHE PLAINLY SAW THE SUBJECT AS HE ROCKED THE CAR TO GET IT UNSTUCK.

SHE THEN REVEALED THAT SHE SAW THE SUBJECT BACK AT THE SCENE A SHORT TIME AFTER THE SHOOTING AND HE WAS WEARING A DIFFERENT COAT THAN WHEN HE GOT IN THE CAR AND FLED. HE WAS STANDING BESIDE KARIE WALKER, WHILE WALKER USED THE PAY PHONE. SHE THEN SAW HIM IN THE AREA WATCHING AS OFFICERS TOOK THE PLASTER CAST OF THE TIRE PRINTS IN THE SNOW. SHE ADVISED THIS SUBJECT WAS SAME ONE SHE SAW ON TV AND IN PAPERS AS THE ONE WE ARRESTED, KEVIN KEITH, AND SHE IS POSITIVE OF HER IDENTIFICATION OF HIM.

SHE ADVISED SHE KNOWS IT WASN'T KARIE WALKER AS KARIE WAS WITH HIM AND SHE KNEW KARIE FROM SEEING HIM AROUND THE PREVIOUS COUPLE OF DAYS AS SONJA HAD PICKED HIM UP TWO OR THREE DAYS PRIOR TO THE SHOOTING AND WALKER WAS STAYING WITH SONJA.

SMATHERS ADVISED WALKER HAD BEEN BACK OUT HANGING AROUND THE APT. COMPLEX AND WAS MAKING EVERYONE NERVOUS ABOUT TESTIFYING. WE ADVISED HER WE WOULD ARRANGE AN EXTRA WATCH IN THE AREA.