

RONNIE LONG TRANSCRIPT SUMMARY

STATE'S CASE

Mrs. Bost – Direct

- Went to church; then came home that Sunday – April, 25, 1976 (60 – 16, 23)
- Went to post office; then came home to wait for visitors – nephew and niece came around 3 and left around 5 (60-24; 61-3)
- Going to the beach the next day (61-5)
- No one else at the house (61-10)
- Describes lay-out of house – bedroom at the back of the house; bathroom beyond that; den next to bedroom; long hall between and all the way through the house; kitchen on the right side at the back of the house; bedroom on the left side of the house; den adjoins her bedroom (you can go from bedroom to den w/o going into the hall) (61-12 → 63-21)
- Two story house; stairway is at the front of the house
- Came in from hall after nephew left and locked the doors (68-17)
- Tried to get in touch with the women she was going to the beach with around 6:30pm while packing clothes and preparing food for the trip
- Talked to one friend on the phone who was not going to the beach from her bedroom for about 35-45 mins. (68-9)
- Continued to try to contact the two women she was to travel with
- Went to the den to sew; packed some clothes – around 9:30 (pg. 5, ln. 18)
- Went into the kitchen for about 10 mins (6-24)
- Two floor lamps and bridge lamps at game table in den; television also on (6-7/64-19)
- Reading lamp above bed in bedroom that illuminated room (6-7/61-65)
- Desk light/table lamp illuminating hallway about 8-9 feet from staircase (25-14/65-24)
- Light in den sufficient to read tv guide
 - Objection - overruled
- Came out of kitchen, came through hallway, entered den when “something fell on” her; an arm grabbed her (69-8)
- Arm had a black glove (9-1/69-10)
- Perpetrator stuck a knife at her throat; threw her on floor (69-14)
- Told her not to look at his face (69-23)
- He said “I want all your money”
- She said: “You can have ...I don't have much money in the house, but I said you can have all the money that I have, and if that isn't enough, I'll get all that you want.” (70-2)
- No money in her purse (70-10)
- He carried her up the hall; told her he was taking her upstairs to “screw the hell out of” her (70-24)
- They fought; he assaulted her (71-7)
- He said he had buddies waiting for him; only had fifteen minutes to do it (71-16)
- Phone rang; she said she had to answer it b/c her friends would come (71-14)
- He got up and told her to let him out the front door (72-2)

- She let him out the front door; he pushed her back and went out the door; she crawled back to the door and slammed it b/c it had a night latch, so he couldn't get back in (72-8)
- She ran to the back door and unlocked them; ran across the backyard to neighbors (72-16)
- Pounded on the door until the children came to the door; Tony Phennell came to the door; She was naked and told him that a black man had attacked her (72-18)
- She was hurt on the bottom of her stomach when he pushed her into the game table (73-23)
- His face was illuminated by the tv
- He had on a black jacket, black gloves, toboggan of a lighter color; thin mustache; unshaven; spotted beard (75-2)
- Toboggan did not obscure her view of his face (75-10)
- Black man; light complexion (75-74) – “not a real black man”?
- Knife about five or six inches (76-2)
- Fifteen dollars missing from pocketbook in bedroom (76-12)
- He penetrated her with his penis (78-2)
- When attacked she was wearing a housecoat, underpants, and pantyhose (72-12)
- Witness identifies Mr. Long in court as her assailant (81-3)
- Went to hospital; gynecologist examined her; performed pelvic examination (83-21)
- She stayed in the hospital for five days (84-5)
- Talked to police while in hospital (84-9)
- Not sure if police talked to her the night of assault or the next morning at the hospital (84-16)
- Photograph (State's exhibit 1) of den floor entered into evidence (85-9)
- Photograph (State's exhibit 2) of bedroom (85-24)
- Photograph (State's exhibit 3) of clothing left after rape (87-3)
- Photograph (State's exhibit 4) of window
 - Objection – Sustained
- Photograph (State's Exhibit 5) of outside of house (88-19)
 - Best points out upstairs window in photo (89-3)
- Photograph (State's exhibit 6) of front of house (89-12)
- Photograph (State's exhibit 7) of jacket “he had on the night he raped me”
 - Objection – Sustained
- Photograph (State's exhibit 8) of gloves (90-21)
 - Objection – Overruled
 - The gloves are similar if not identical to those worn by assailant
- State's exhibit 9 – toboggan (91-22): toboggan is similar if not identical (92-4)
- Court allows prosecutor to go back and ask her about the jacket/State's 7 (92-7): jacket similar if not identical (92-23)
- Officer Taylor came to her house and asked if she would come to the courthouse and see if she could identify anyone there (93-22)
- Witness came to courthouse disguised w/ red wig and glasses (95-1)
- 35-50 people in court that day (97-1)
- about 10-12 were black (97-5)

- Witness identifies Mr. Long as her rapist (98-25) in courtroom while Δ was appearing in another matter on May 5th
- Witness identifies Mr. Long's voice as that of her assailant while hearing him speak in court (100-1)
- Photograph of Long (mugshot) admitted for the limited purpose of explaining Long's physical appearance on the night of the attack (103-1)
- Court instructs juror to turn in notes and prohibits further note taking (104-9)
- Photograph (State's exhibit 10) of Mr. Long – depicts his facial hair on the night in question (105-18)
- Photograph (State's exhibit 11) of Mr. Long – (105-2)
- Witness is a widow (107-1) and 54 years old (107-3)
- Witness approximates Δ's age at 20 (107-9)
- Witness didn't go upstairs
- No windows open (108-10)

Mrs. Bost – Cross

- Witness employed at Cannon Mills while married (110-10)
- Not presently employed, nor at the time of the assault (110-16)
- Lamp in hallway had shade (111-16)
- Grabbed with left arm and knife put to her throat with right (113-8)
- Witness didn't see the man actually take the money from her pocketbook (118-7)
- Witness says she scratched the assailant's coat, but doesn't think she ever touched his skin (119-7)
- Person was in her house for 10-12 minutes (119-18)
- Described rapist to police as black male, approximately five feet, nine inches tall, plain spoken, used correct English, and at times spoke very softly, had no speech defect, accent or noticeable brogue (121-1)
- Witness identified assailant as "light skinned" or "yellow" black man to police (122-3)
- Witness identified the jacket and gloves without picking them up (125-6)
- Witness sat in court on May 10th for about 1-1.5 hrs. before identifying Ronnie Long (127-17)
- Witness didn't see Mr. Long while he was seated in the courtroom, only after he stood before the court (129-6)
- Long was wearing a leather coat when identified in courtroom by witness on May 10th (130-7)
- Witness doesn't have much contact with black people (132-7)
- Defendant's exhibit 1 – paper w/ description of suspect (135-20)
- Witness reads description (137-19)

Mrs. Bost – Re-direct

- Witness talked to police at the home of the Pfennells and at the hospital; not sure when she gave description (139-15)

Mrs. Bost – Re-cross

- Statement read was possibly before she left the Pfennell home (140-25)

Tony Pfennell – Direct

- On April 25th, she was home with her husband and children (142-14)
- Mrs. Bost arrived at her house nude; she took her into the bathroom; husband called police and ambulance (142-18)
- Made ice pack for Mrs. Bost's legs (143-9)
- Mrs. Bost identified her assailant as a black man (144-10)
- Mrs. Bost was at the Pfennell home for approximately 10-15 minutes (144-18)
- Witness recalls Mrs. Bost identifying Mr. Long in the courtroom (146-13)

Tony Pfennell – Cross

- Mr. Long was dressed in a vinyl or leather-like jacket, light colored pants on the day in court that Mrs. Bost identified him (150-13)
- Mr. Long didn't do much talking in court that day (151-18)

Jack Parnell – Direct

- Sergeant with Concord Police Department (152-1)
- Responded to call of assault at approximately 9:57 on April 25th (152-10)
- It took him 15-20 seconds to get to Mrs. Bost's home (152-22)
- He and two other officers entered the residence after no response (153-12)
- Searched the house
- Didn't touch anything (153-25)
- All lights on in the house (154-11)
- Broken plate on floor (154-19)
- Pocketbook on bed (154-25)
- Housecoat, panties, and pantyhose at foot of staircase (155-4)
- Window open upstairs (155-17)
- Went to Pfennells'; saw Mrs. Bost (157-7)
- Mrs. Bost said she had been attacked and raped by a black man (157-24)
- Description – black jacket, toboggan and gloves (158-1)

Jack Parnell – Cross

- Only one light on from the bed (164-16)
- Defendant's Exhibit 2- Statement of Sgt. Jack Parnell (165-24) – report not in evidence
- Parnell didn't tell the person who made the report about a mustache or beard b/c Mrs. Bost had not said anything about a mustache or beard (157-13)

Lance Truman Monroe – Direct

- Specialist in gynecology (168-8)
- Saw Mrs. Bost on April 25th at about 10:30 (168-19)
- Scratches, bruises and cuts to face (169-7)
- Fingernails nearly bent backwards (169-12)
- Bruise on lower left side of abdomen extending to inner vaginal region (169-13)
- Bruising and skin abrasions on legs (169-18)
- Vaginal / pelvic examinations performed (170-4)
- Bruising on outside of vagina (170-14)

- Took fluids – active sperm (170-22)
- Mrs. Bost had been penetrated (171-8)
- Opinion – traumatic intercourse (173-1)

David J. Taylor – Direct

- Detective Sergeant with Concord Police Department (173-25)
- Arrived approximately 10:30pm (174-11)
- Entered Bost home with track dogs (174-14)
- Saw Mrs. Bost at the hospital at about 12:05am (175-15)
- Description – 5’5” – 5’9”, was not real dark, light colored, black male, slender hips, toboggan, gloves, blue jeans; said she would recognize the voice (179-11)
- Showed Mrs. Bost a photo array
 - Didn’t identify anyone – Long not in the array
- 60-65 adults in court on May 10th; 12 adult black males of age group as suspect (184-25)
- asked Mrs. Bost if she had any doubt – she did not (187-20)
- Went to Mr. Long’s house and told him to come to the police department (191-21)
- Long wearing black leather coat, shoes w/ ridged bottoms, dress pants & shirt when he came to the police station (191-24)
- Long gave consent to search his car (192-22)
- Jury out → Officer reads published Miranda Warning of Concord Police Dept. that he read to Mr. Long concerning the search of his vehicle (194-3)
- Long not under arrest at the time (195-11)

David J. Taylor – Cross

- Asked Mr. Long to come to police department on May 10th for no reason? (199-2)
- Long asked if he could drive his own vehicle to the police department and Taylor said it would be fine (201-7)
- Taylor knew Long was a suspect at the time he went to his house (201-14)
- Taylor advised Long he was a suspect after arriving at the police department (201-20)
- Told him he was a suspect after advising him of his rights (204-13)
- Q: Did you have Long empty his pockets onto the table? Answer: No (205-6)
- Told Long they were looking for “instrumentalities of the crime” (205-18)
- No search warrant (205-22)
- Two items found in car; marked in court (206-2)

Taylor – Re-direct

- Found toboggan and gloves in the car (207-8)
 - State’s exhibits eight and nine

Taylor – Re-cross

- Not departmental procedure to get written consent to a search warrant (207-21)
- Found one pair of gloves and one toboggan (208-8)
- Also took matches from the car to compare to some from crime scene (209-3)
- No match between matches (209-9)

Taylor- Re-re-direct

- Matches at the crime scene burned almost completely out (210-8)
- Mr. Long's father was at the police department
- Father didn't want to speak with Ronnie (212-8)
- Taylor talked to Long's father about a trespass matter
- Told father to keep Ronnie out of the City park (213-1)

Taylor – Re-re-cross

- Trespass complaint filed/warrant signed by close friend of Officer Taylor (214-3)
- Taylor denies having his friend take out warrant in order to get Long into court on the day Mrs. Bost identified him (214-5)
- The trespass case was dismissed (214-10)

Taylor – Re-re-re-direct

- Long had a prior trespass charge (214-20)
- Long was to stay out of the park as an obligation of the prior trespass conviction (214-22)

DEFENSE CASE

Ronnie Long – Direct

- Officer Taylor came to his house; asked him to come to station to straighten out trespass warrant; said he'd rather drive himself (215-20)
- Father asked officer if Ronnie needed an attorney; officer told him "no" (216-3)
- Arrived at station; police read him his rights; Lt. Volger asked him to empty his pockets onto the table (216-16)
 - He had a lighter, \$30, car keys
- Taylor took keys off table and went downstairs w/o giving reason (217-9)
- Officers did not request permission to search his car (217-17)
- Signed paper indicating items he owned from his car, including the gloves (218-9)
- The toboggan isn't his (218-22)

Ronnie Long – Cross

- Long confirms his signature on waiver (219-9)

James Long – Direct

- Officer Taylor and another officer had come to their house two or three times (220-16)
- The gloves could have been Ronnie's, but he had never seen the toboggan (223-22)

{Fuller moves to suppress items found in car. Jury out.}

Marshall Lee – Direct

- Detective w/ Concord PD (226-18)
- Went to home of Ronnie Long w/ Taylor and detective Ludwig (227-3)
- Ronnie Long never asked for an attorney (229-22)
- Didn't hear Long give permission to search the car (230-7)

George Vogler – Direct

- Lieutenant w/ Concord P.D. (230-17)
- Long gave *him* consent to search his car; Long gave him the keys (231-9)

George Vogler – Cross

- No consent to search form (232-21)

{The court finds that Long gave permission and the evidence is properly admitted. Jury in.}

David Taylor – Direct

- Green toboggan found under the driver's side front seat; matches found in floor board; black gloves found over sun visor of passenger side (237-12)
- Long wearing black leather coat and "earth shoes with ridged bottoms" at police department (239-23)

David Taylor – Cross

- Officer Taylor went through Bost home with tack dogs (240-24)
- Original description of suspect doesn't have include mustache or beard (246-2)
- Taylor was not initial officer taking first notes of first description
- Long gave consent to search vehicle (251-8)

David Taylor – Re-direct

- Matches at Bost home found at open window upstairs (253-24)

Van Isenhour – Direct

- Identification officer w/ Concord P.D. (255-6)

{Jury out. Defense motion to suppress show impression evidence. The court finds that the footprint evidence is relevant; the footprint was left by whoever broke into the house-motion denied}

Van Isenhour Re-direct

- Found latent footprint impression on flat top surface of banister column (277-10)
- State's exhibit 5 shows portion of house where footprint impression found (278-1)
- Isenhour describes procedure for lifting impression (280-1)
- Took ink impression of Long's shoe at police department (283-5)
- State's exhibit 14: pair of shoes taken from Ronnie Long (286-5)

Van Isenhour – Re-cross

- Print could have been made a month prior (291-22)

Dennis Mooney – Direct

- SBI (293-17)
- The ink impression of State's 15A or 15B could have been made by State's 13 (297-24)

Paulette Steele - Direct

- Known Ronnie Long for fourteen years (311-12)
- Saw Long at class reunion meeting at her home on April 25th, 1976 from 5:00 until around 6:30 when he left with other men to get beer, then returned to her home; left around 8 o'clock (311-22)

Walter Steele – Direct

- Ronnie Long came to his house with Mae Mitchell at about 3 o'clock on April 25th, 1976; went to Paulette's house around 4:30pm (316-8)
- Left to get beer between sex and six-thirty; went back to Paulette's house; stayed until about 8 o'clock; left and rode around until about 8:25; then dropped Ronnie off at home (317-4)

Terrance Stocks - Direct

- Also saw Ronnie at the class reunion
- Ronnie wearing tan pants (323-15)
- Saw Ronnie at his home in Charlotte between eleven and twelve that night (325-2)
- Doris Nesbit was also there in Charlotte (325-11)
- Ronnie left with Doris Nesbit some time after one o'clock (320-12)

Terrance Stocks – Cross

- Did not recall what Paulette Steele or Walter Steele were wearing (327-15)

Terrance Stocks – Re-direct

- It takes about twenty-five to thirty minutes to drive from Concord to Charlotte (327-24)

Kenneth Byers – Direct

- Known Ronnie for 14-15 years (329-1)
- Saw Ronnie at the class meeting (329-4)
- Also saw Ronnie at the party in Charlotte between 11 and 12 that night (330-5)
- Didn't see any scratches or bruises on Ronnie's face (330-23)
- Ronnie was wearing beige/khaki pants in the afternoon and later that night at the party (332-23)

Janice Spears - Direct

- Known Ronnie for six years (338-18)
- Boyfriend/father of child (338-22)

- Ronnie called her at 9:00
- Carlos (Ronnie & Janice's son) spoke to Ronnie's mother during the conversation (342-7)
- They were on the phone about 45 mins. (342-22)
- Finished phone conversation with Ronnie approximately 9:45-10:00 (343-10)

Janice Spears – Cross

- Clocks could have been one hour off b/c of daylight savings time (347-3)

Elizabeth Long – Direct

- Ronnie's mother (347-15)
- Ronnie was dropped off at home around 8:30 (348-18)
- Talked to Carlos a little after nine (350-1)
- Ronnie didn't leave the house until around 10:30pm

Elizabeth Long – Re-re-direct

- Ronnie played basketball in the shoes in evidence (359-22)

Charles Hardy – Direct

- Wrote a story for the Charlotte Observer (360-14)
- Mrs. Long was quoted as saying that she remembered the rainy night and knew her son was at home because he was waiting for his father to return home so he could use the car (360-11)
- Mrs. Long did not tell Hardy that Ronnie left the house after or around midnight (361-7)

Doris Nesbit – Direct

- Known Ronnie for about 2.5 years (362-13)
- Ronnie arrived at her house in Charlotte around 11 (362-19)
- Left her house around 11:30 and arrived at Can and Top's house around 11:45 (362-23)

James Long – Direct

- Ronnie's father (364-13)
- Remembers the day; baseball managers' meeting for hardball league
- Ronnie had worked with him in Virginia before his arrest

Ruthene Stokes – Direct

- Saw Ronnie at the class reunion (377-4)
- Saw Ronnie in front of Barber Scotia College at about 10:25, 10:30 later that night (377-17)
- Ronnie was wearing a black leather hat, light colored, print shirt (378-22)

Ruthene Stokes – Cross

- Ruthene sat outside waiting for her boyfriend for two hours when Ronnie showed up to take them to the party in Charlotte (380-19)

- Saw the detectives and dogs about twenty-five or thirty minutes before seeing Ronnie (381-17)
- Talked about the rape in Ronnie's presence (387-10)

Sheryl Mitchell – Direct

- Ruthene talked to her in the car about the rape in Ronnie's presence (394-17)