

TRANSCRIPT OF INTERVIEW

12/16/81

Sacramento Co. Sheriff's Dept.

GLORIA KILLIAN

SGT. HARRY MACHEN

DET. JOE DEAN

023422

STATEMENT OF GLORIA KILLIAN
December 16, 1981

Transcribed February 2, 1982
B. Slauch

OFFICER: Alright; we'll be with you in just a second.

KILLIAN: Could you leave the door open just a little bit?

OFFICER: Sure.

KILLIAN: I've got a cold and I'm havin' a hard time breathin'.

OFFICER: Okay.

KILLIAN: (To herself) Shit. Thank you very much.

OFFICER: You're welcome.

KILLIAN: I hope you don't mind about the door, but I get kinda claustrophobic...

OFFICER: Yeah, that's okay.

KILLIAN: ...when I've got a cold.

OFFICER: Those cigarettes kinda confine it that much more.

KILLIAN: Yeah, I know. Just what I need is a cigarette.

OFFICER: Right?

KILLIAN: Thank you. Ouch! Goddamn! Whew!

OFFICER: Okay; yeah, let's see...GLORIA, can I have you ah... change seats?

KILLIAN: Oh, sure.

OFFICER: Sit over here? And I'm right-handed. That makes it easier for me to...

KILLIAN: Yeah, I'm left-handed. 'Scuse me.

OFFICER: Sure.

KILLIAN: I'll put my feet on your chair. I got tired of waitin'.

OFFICER: You like some Kleenex or something?

KILLIAN: Yeah, do you have any?

OFFICER: Okay.

362. KILLIAN: Kleenex, cough drops

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OFFICER: I'm goin' through ah...this is the tail end of the thing...or something goin' through Sacramento here.

KILLIAN: Yeah, well I wish it would hurry up.

OFFICER: Okay; I'm JOE DEAN.

KILLIAN: Hi!

OFFICER: This is HARRY MACHEN and we're detectives with the Sheriff's Department here.

KILLIAN: Yeah.

DEAN: And...we are investigating the death of ED DAVIES.

KILLIAN: Uh-huh.

DEAN: And we wanta talk to you in regard to that.

KILLIAN: Yeah; I'm aware of this. See, I talked to VIRGIL last night.

DEAN: Oh; okay.

KILLIAN: In fact, he was so upset I had to go out and stay with him.

DEAN: Is he okay?

KILLIAN: Yeah; ah...he had some kind of a...besides his other condition he has some kinda heart condition that when he gets really upset...I don't know, he goes into like heart spasms.

DEAN: Um.

KILLIAN: I don't like him to be alone like that. He had one last night so I went up and stayed with him.

DEAN: He's okay though?

KILLIAN: Yeah. He's feelin' better. Yeah, he went out to work this morning.

DEAN: Okay.

KILLIAN: He don't look too good but he went.

DEAN: Right.

KILLIAN: No, I...he wasn't takin' his medicine yesterday.
(Inaudible)

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DEAN: Alright; what is your ah...present home address?

KILLIAN: 49-70 Emerson Road.

DEAN: Okay; and how long have you lived there now?

KILLIAN: Hm...'bout six or seven weeks.

DEAN: And your business address?

KILLIAN: Ah...well, I guess you could say the shop. I'm not working. I'm studying for the bar. But I am working down there. I'm doin' the books.

DEAN: What's the address there at the shop?

KILLIAN: 19-25 F Street.

DEAN: F like Frank?

KILLIAN: Uh-huh.

DEAN: And you're what...an accountant? A bookkeeper or... secretary, or...

KILLIAN: Ah...whatever. See, his father used to be in the business with him and the books are just a real joke.

DEAN: Uh-huh.

KILLIAN: The IRS is gonna be rollin' on the floor. And I... I've done that...I've studied tax law quite heavily. I'm just...redone the books and like today's his assistant is sick, so he needed somebody down there just to (inaudible) billing and all that...

DEAN: Okay.

KILLIAN: I'm not gonna get paid very well.

DEAN: Okay; what I'm gonna do at this point is to advise you of your rights on this thing. Ah...so that we're covering all the bases.

KILLIAN: Uh-huh.

DEAN: Alright? And having being studying for the bar, you're aware...

KILLIAN: Am I under arrest?

DEAN: No, not right now.

KILLIAN: Oh, thanks a lot.

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DEAN: You're welcome. Okay. Before we ask you any questions, you must understand your rights. You have the right to remain silent. Anything you say can be used in court. You have the right to talk to a lawyer for advice before we ask you any questions and have a lawyer with you during questioning. If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time 'til you talk to a lawyer. You understand that?

KILLIAN: Yes, I understand that.

DEAN: Is there anything in there that you do not understand?

KILLIAN: No, there is not.

DEAN: Okay. Having these rights in mind, are you willing to talk to us about anything that you may know about ED DAVIES?

KILLIAN: Yes.

DEAN: Okay. Alright.

KILLIAN: However, there's an inference there that I know something.

DEAN: Okay; what can you tell us about ED?

KILLIAN: Nothin'. I saw it on t.v.

DEAN: Uh-huh.

KILLIAN: Vaguely...and I know what VIRGIL told me last night about being questioned.

DEAN: Okay; what did VIRGIL tell you?

KILLIAN: Well, he said that ah...he was brought down here and he was questioned. That ah...apparently the man had come into the coin shop he used to own. And they asked questions about that. And that's really about all. He didn't go into much detail. He wasn't feelin' very good when I got there. He said he'd been down here for a long time. Ah...that my name had come up. They asked him if he lived alone, and he said no. Made a fool outa himself because he couldn't remember my name. And ah...that's about it. That ah... apparently he met him once or twice.

DEAN: That VIRGIL had met ED?

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KILLIAN: He'd come into the shop.

DEAN: Okay.

KILLIAN: I don't know what for. I guess to buy something 'cause he used to own Allied Coins. That's about what he said. That just about covered it.

DEAN: Okay. Had you ever been into the coin shop?

KILLIAN: Uh-huh. In ah...I think twice.

DEAN: And who was...who was in the shop when you went in there?

KILLIAN: Ah...VIRGIL and I gue...I think his name's CHARLIE... the man who was his partner at the time.

DEAN: Uh-huh.

KILLIAN: He was there.

DEAN: Okay; do you remember any conversations that took place?

KILLIAN: Well, I went in there with a girlfriend. That's how I first met him. Ah...no, I don't remember what she went in there for, come to think of it. And I remember lookin' at the...some jewelry and stuff. That was about it; browsin' around.

DEAN: Was ED in the shop then?

KILLIAN: I don't know. I wouldn't know him if I saw him.

DEAN: You've never seen him.

KILLIAN: No; not that I know of. The second time I think there may have been another customer in there. I'm not sure.

DEAN: What did that customer look like?

KILLIAN: I haven't the vaguest idea. I'm not sure that there was one in there but I think so. I'm pretty sure there was somebody coming in the second time 'cause I remember the buzzer goin' off. But I wouldn't...I couldn't tell you for sure.

DEAN: And nobody can get in the shop unless they're buzzed in?

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KILLIAN: Yeah. You gotta be buzzed in and buzzed out. I think somebody came in but I wouldn't even swear to that. (Inaudible) I remember that. It was quite awhile ago. I remember they had a coupla nice pieces of jewelry, and that surprised me.

DEAN: In the coin shop?

KILLIAN: Uh-huh; and I think (inaudible) a bracelet or something in the case. That was about it.

DEAN: Okay. In VIRGIL's discussing the business and what-not at home with you, what do you recall?

KILLIAN: Discussing what business; the coin business?

DEAN: The coins and...and precious metals and what...

KILLIAN: Not very much. About the only thing he's ever had to say about it was that ah...their partnership didn't ah...terminate very politely.

DEAN: Can you expand on that a little bit?

KILLIAN: Well, he asked me a coupla questions that had to do with ah...ah...how they...it was done...how it was set up in the partnership. That type of thing. That, you know...strictly more or less legal type questions. Ah...how you set up a partnership; how you put up a partnership, how you do your accounting when you're dissolving a partnership.

DEAN: Uh-huh.

KILLIAN: So that like if you ah...I guess I'll have to give you a hypothetical is the best way I can describe it. If you each contribute so many assets to the partnership, then when you break up your partnership how do you account for the assets that were already put in and not wind up paying for certain things twice.

DEAN: Okay.

KILLIAN: Things like that.

DEAN: That was the situation that VIRGIL was in?

KILLIAN: Those are the only questions that he asked...we didn't discuss it very much but he mentioned that once or twice...that he wasn't real pleased with the way that it had (inaudible) to put it mildly and that he thought that he got burned a little bit there.

3760 DEAN: In talking with VIRGIL yesterday, he said that he did discuss things with you is why I'm asking.

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KILLIAN: Oh, yeah; but they were mostly of a legal nature.

DEAN: Could you expand?

KILLIAN: Again, it was that type of thing. He was talking about the partnership and the fact that he thought he got burned on a few things; that things were ah...they... the things...they didn't have an accounting which is how you usually dissolve a partnership in something like that. I guess they just sat down and said "Well, here's one for you and one for me...and two for me and nothin' for you" or something. And he was talking about how you do an accounting on a partnership. That's about it. And he ah...told me a little bit about silver dollars 'cause when I was in Alaska I used to work for a man that collected silver dollars. I was kinda curious about those. That's about it.

DEAN: Uh-huh. Okay. Do you recall VIRGIL talking about ED?

KILLIAN: No.

DEAN: Not at all?

KILLIAN: No, not 'til last night. I never heard the name before that I recall.

DEAN: You remember seeing the account on television?

KILLIAN: Vaguely; see...VIRGIL won't let me watch the news and he won't take a newspaper. If there's anything depressing on, or like violence or anything to do with war, he gets up and turns it off. And he's also got a bad habit of talkin' when I'm tryin' to watch t.v. I'm not there very much, but I heard it...I think I saw it flash on t.v. at home. Okay? But I heard about it the next day. I was watchin' t.v. ah...somewhere else; the shop. Now, I don't know what day it was. There was another killing. The DUTRA family? That woman? Okay. That caught my attention because I believe I know the family. I think I went to school with one of the sons. And whatever channel I was watching, they said that they thought...they either thought there might be a link or they thought there might not be a link. That's how much attention I was paying 'cause it was down't the shop and the phone was ringin'...people running in and out.

DEAN: Uh-huh.

KILLIAN: And that's about how much attention I paid to it. That's when it kinda clicked that there had been one the day before, and I vaguely remembered it.

DEAN: Uh-huh.

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'Cause I thought...I thought I saw them carrying someone on a stretcher...something...a body or...

DEAN: On the newsreel?

KILLIAN: Yes, but I don't know what channel it was or anything else. I try to catch the news but it's almost impossible. (Inaudible)

DEAN: So to your knowledge, then you're saying that you don't know ED; don't remember meeting him?

KILLIAN: No. I don't know where I would've met him.

DEAN: What about Mrs. DAVIES?

KILLIAN: No. I have no idea where I could have met her.

DEAN: Have you ever been to any houses over on Rosemont? Excuse me, Rosewood.

KILLIAN: Rosewood? No.

DEAN: Never been there?

KILLIAN: No. I've been in Rosemont maybe twenty years ago? My stepfather's half brother...I never sure what that was...but, he had a house over in Rosemont, and I've been there a coupla times. I don't know what street it was on. I don't remember.

DEAN: 'Kay.

KILLIAN: My stepfather and my mother-in-law were divorced. I don't even know if he's alive. I have no idea if CLINT's alive.

DEAN: And CLINT is who?

KILLIAN: My stepfather's half brother or whatever he was.

DEAN: Okay; whatever.

KILLIAN: Yeah.

DEAN: The last time that you would have been in ah...Rosemont development then would've been when?

KILLIAN: Years ago as far as I know.

DEAN: 'Kay.

KILLIAN: Where is Rosemont? Is that...that thing off of Folsom?

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DEAN: South of Folsom Blvd.

KILLIAN: Does it have a sign with a rocking horse on it or something?

DEAN: There's a sign; I don't recall the horse.

KILLIAN: Oh. Well...

DEAN: It's south of Folsom Blvd., east of Watt. There's a McDonald's there at the corner of Manlove and Folsom. That's...that begins the housing (inaudible).

KILLIAN: (Interrupting) Okay, well...let me back up here because ah...I worked as an investigator for about two years, a year and a half, two years. It's possible that I was there then. I couldn't say for sure. I did a lotta process serving, a lotta skip chasing.

DEAN: What outfit were you employed by?

KILLIAN: I worked for John's Investigative Services. I also worked for a couple attorneys.

DEAN: Johnson Investigative Services is where?

KILLIAN: He's defunct. He finally passed the bar, and it is no more.

DEAN: Okay. What was his first name?

KILLIAN: GARY.

DEAN: GARY JOHNSON?

KILLIAN: Yeah.

DEAN: Do you recall what the business address was when it was functioning?

KILLIAN: Yeah, it was out on Fair Oaks Blvd. (Inaudible) Fair Oaks Blvd.

DEAN: And that would have been how long ago that ^{you} worked for him?

KILLIAN: Well, the last time I saw him was the day that ah...my attorney sold his car at public auction and that was about 8 months ago. Ah...there was a judgment against him.

DEAN: Hm.

KILLIAN: So ah...(inaudible) for quite some time. About a year ago.

DEAN: A year ago.

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KILLIAN: Yeah.

DEAN: Does that put it into the middle of ah...1980?

KILLIAN: Yeah.

DEAN: And then you worked for some attorneys?

KILLIAN: Yeah. A lotta...I did a lotta that for HOWARD HOFFMAN. He's also my attorney.

DEAN: Who?

KILLIAN: HOWARD HOFFMAN.

DEAN: HOFFMAN?

KILLIAN: Uh-huh.

DEAN: 'Kay. Where's he located?

KILLIAN: Ah..he's on 720 Howe Avenue.

DEAN: Okay, so while working as a process server then...

KILLIAN: I done process serving, investigations, skip tracing; the whole nine yards.

DEAN: Then it seems...

KILLIAN: It's possible.

DEAN: Do you remember specifically?

KILLIAN: No, I really don't.

DEAN: 'Cause it's kind of a...almost a pocket area that's separate from...from any of the other parts of Sacramento.

KILLIAN: Yeah, but it...there was an awful lot comin' off La Riviera...down't the far end. I remember that.

DEAN: Uh-huh.

KILLIAN: Because it's...when I was married that's where I lived, so...right off of Riviera. But no, I wouldn't swear to it. I've been all over. Well, it seemed like I was always in Rio Linda.

DEAN: Alright.

KILLIAN: That's where I usually wound up.

DEAN: If, during your process serving time, you would've been in there that would have been at least 8 months ago.

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KILLIAN: Yeah.

DEAN: Do you know where Rosewood Drive is?

KILLIAN: Not offhand. I'm sure I could find it if I had a map.

DEAN: Hm. Specifically, do you remember ever being on Rosewood Drive?

KILLIAN: It doesn't ring a bell. But that doesn't mean anything. I think I've been on every street in Sacramento, at one time or another; either going there and getting lost.

DEAN: Hm.

KILLIAN: (Inaudible) No. It doesn't ring a bell, no.

DEAN: And you could sum up your total knowledge of this particular case by saying you know what about it?

KILLIAN: Well, I would say zero but that's a little bit incorrect because VIRGIL did tell me that ah...he was questioned about it and that the man had been in the shop once or twice.

DEAN: Okay; but about his death...

KILLIAN: I don't know nothin'.

DEAN: And where he would live?

KILLIAN: Who?

DEAN: ED DAVIES.

KILLIAN: No. I don't remember him.

DEAN: Okay; I think GLORIA, that you're not being honest with me.

KILLIAN: Why?

DEAN: This incident came to our attention Thursday of last week and we have been talking to a lotta people.

KILLIAN: Uh-huh.

DEAN: ...since Thursday of last week.

KILLIAN: Uh-huh.

DEAN: Alright. Your name has come up...

KILLIAN: In what...what regard?

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DEAN: Well, that's what I want you to tell me. I believe that you have more knowledge about this than you're letting on right now.

KILLIAN: You mean about his death?

DEAN: Uh-huh.

KILLIAN: But I don't. I don't know anything about the man.

DEAN: How many times have you been to his house?

KILLIAN: To whose house?

DEAN: To ED DAVIES house.

KILLIAN: I've never been there.

DEAN: Never, huh?

KILLIAN: No.

DEAN: You talk to his wife?

KILLIAN: I've never been to his house.

DEAN: Have you ever talked to his wife?

KILLIAN: Not on the...I don't even know what she looks like. If I had met her somewhere...it's possible but I can't think of where I would met her.

DEAN: How 'bout at her front door?

KILLIAN: At her front door? I told you I've never been to his house. I don't know where it is.

DEAN: Tell me what you know then about a scheme to obtain some of his money...some of his metals.

KILLIAN: A scheme to obtain his what? His metals? What do you mean by that?

DEAN: Precious metals; gold, silver, coins...

KILLIAN: I don't know anything about it.

DEAN: ...cash. Nothing.

KILLIAN: Well, I know that obviously someone robbed him.

DEAN: And how do you know that?

3706 KILLIAN: Because it said so in the paper.

DEAN: Okay; what do you recall the paper saying?

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KILLIAN: Ah...there was a headline. The reason I noticed it is my ex worked for the Sacramento Union and it said Gold Bandits Commit Murder?...or Kill Local Man? I'm not sure which one it was.

DEAN: Okay; and what else did the article say?

KILLIAN: I didn't read the article. I started to and then I got interrupted and I never did see the paper. I don't even know what happened to it but it was...it was ah... a 3 point type headline.

DEAN: Three point type?

KILLIAN: Uh-huh; that's what caught my attention.

DEAN: Which is...what?

KILLIAN: That is the largest type that they use. There's only one larger which is 4 point and they only use that for assassinations or...

DEAN: You're saying big headline type.

KILLIAN: Uh-huh. (Inaudible)

DEAN: I think you can be a lot more honest with me than you're being, GLORIA.

KILLIAN: I don't know what to tell you because I don't know anything about it. If you ask me specific questions, I'll give you specific answers.

DEAN: We've talked to a lotta people.

KILLIAN: You've already said that.

DEAN: Yes.

KILLIAN: Uh-huh.

DEAN: And your name comes up as an organizer.

KILLIAN: An organizer? Of what?

DEAN: Of a robbery.

KILLIAN: You're kidding. You're not are you? In the first place, it...

DEAN: In the first place what?

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3707 KILLIAN: That's hardly the sort of thing that is recommended if you're gonna try to take the bar exam. In the second place, I don't do robberies. It's that simple. I've never done anything. I've never committed any crime. Oh, I got a parking ticket. But, no...and you're

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saying that you've talked to a lotta people. You hafta tell me what you're referring to and I can give you an answer.

DEAN: Okay; well, I'm tellin' you what I'm referring to. That's the robbery of the DAVIES family.

KILLIAN: Uh-huh. I had nothing to do with it. I didn't organize it. I didn't know anything about it.

DEAN: Why do you think somebody would tell us that you were...

KILLIAN: (Inaudible interruption)

DEAN: Well, you're identified by name.

KILLIAN: Well, there's a lotta people named GLORIA. Well, not a lot but it's not that uncommon a name.

DEAN: The information that they give us in naming you as "GLORIA" leads us to you.

KILLIAN: Oh, okay.

DEAN: Alright, so...

KILLIAN: (Inaudible)

DEAN: ...we know we're talking to the right GLORIA. Now.

KILLIAN: Possibly. I don't think you are.

MACHEN: Alright. First of all, let's put it out. There's only one GLORIA livin' with VIRGIL, right?

KILLIAN: Uh-huh.

MACHEN: Alright, that's you; right?

KILLIAN: Uh-huh.

MACHEN: Alright; we got the right GLORIA. Okay, let's go on. That's not an issue. Alright; let's go on. Why would somebody say that.

KILLIAN: I don't know. I have no idea.

DEAN: You have some enemies?

KILLIAN: Well, I don't know.

DEAN: Well, that's the kinda thing you know.

KILLIAN: Yeah. I do.

DEAN: Who are your enemies?

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KILLIAN: Well, I don't want to particularly get into that but ah...I've had some trouble with one person. That's why I'm living with VIRGIL. I've been robbed twice. My car was smashed three times; an ex-roommate of mine.

DEAN: Who's that?

KILLIAN: Her name's MARGE GREENWOOD.

MACHEN: Who?

KILLIAN: MARGE GREENWOOD. I can't ah...prove that she did it, but apparently she bragged about it.

DEAN: She bragged about what?

KILLIAN: What had happened to me.

DEAN: Which specifically is?

KILLIAN: Well, ah...they've broken in my house twice. They took ah...everything. They took my television, my stereo, my tapedeck, my tape recorders, all my jewelry, some of my clothes, some of my antiques...

DEAN: Okay; what we're talkin' about now though is not you bein' the victim.

KILLIAN: No, but...you were asking me if I had any enemies.

DEAN: Who is gonna tell us that you're organizing this kind of a thing?

KILLIAN: I haven't the faintest idea, whomever told you. I don't know who told you that.

DEAN: Well, that's why I'm tryin' to establish if somebody is an enemy of yours or a cohort or a friend...that's why I'm asking you who are these enemies?

KILLIAN: I don't...I don't have cohorts.

DEAN: Okay.

KILLIAN: She's the only person I know that has anything...

DEAN: She's the only person who would bear any ill feelings toward you.

KILLIAN: Well, she apparently bears a great deal of ill feelings towards me. Why, I don't know. That was something I never quite understood. Other than that, I couldn't really say. I'm sure there's some people somewhere that don't like me but ah...this seems a little extreme to put it mildly.

DEAN: Yes.

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DEAN: Told that you went up to the DAVIES' house.

KILLIAN: I went up there? And did what?

DEAN: Do you recall going up to DAVIES' house?

KILLIAN: No. I did not go to DAVIES' house. I'm not 100% sure where it is to begin with.

DEAN: On Rosewood Drive. I believe that you know where it is. I think it's kinda silly for us to be playing games with me tellin' you where Rosewood Drive is.

KILLIAN: When you say it's in Rosemont (inaudible). I probably could find it if I had a map (inaudible). I did not go to the house.

DEAN: And if someone told us that you did go there and that you talk to Mrs. DAVIES and went in the house and used the phone, and they're able to identify you specifically...

End of Side 1, Tape 1

DEAN: ...being proved correct which leads me to believe...

KILLIAN: What'd I do? (Inaudible)

DEAN: Just enough locating you, alright?

KILLIAN: Yeah.

DEAN: Alright. It probably would be...

KILLIAN: Well, you mean people I never heard of.

DEAN: It probably would be beneficial to you and to us to save your time, and us time, for you to be honest.

KILLIAN: Unfortunately, whether you believe it or not, I am being honest. There's nothing else I can tell you.

DEAN: Tell me about GARY MASSE.

KILLIAN: GARY who? GARY MASSE?

DEAN: Yeah.

KILLIAN: I don't believe I know him.

DEAN: I believe you know him.

KILLIAN: MASSE...would you spell it?

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DEAN: M-A-S-S-E. Pick a spelling.

KILLIAN: I don't think I know him. I know a coupla people named GARY but the last name doesn't ring a bell.

DEAN: When was the last time that you talked to GARY?

KILLIAN: I don't know which one you're referring to. I don't think I know him.

DEAN: How many GARYS do you know?

KILLIAN: Ah...let's see.

DEAN: Or just which GARYS do you know? We'll do it that way.

KILLIAN: Well, GARY JOHNSON. His last name I couldn't forget.

DEAN: Uh-huh.

KILLIAN: And a GARY PFENNING.

MACHEN: GARY PHINNEY?

KILLIAN: PFENNING.

MACHEN: Spell it for me will you?

KILLIAN: P-F-E-N-N-I-N-G.

MACHEN: P-F-E-?

KILLIAN: Uh-huh.

MACHEN: N-N-I-N-G.

KILLIAN: Uh-huh. I met him when I was...some friends (inaudible) His name was GARY.

DEAN: Friend of who?

KILLIAN: Friend of RICK's. (Inaudible) and there's one other guy named GARY but I don't know all of their last names, not that I recall now. I can't think of 'em offhand either...the last names. And I can name two more.

DEAN: There's two more?

KILLIAN: Named GARY that I can think of offhand; yeah.

DEAN: One's a friend of RICK's?

KILLIAN: Oh, he's been in the shop; yeah.

MACHEN: Let me understand; you have GARY JOHNSON, GARY

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PFENNING...

KILLIAN: Uh-huh.

MACHEN: And GARY who's a friend of RICK and one other GARY you can't remember his last name?

KILLIAN: Uh-huh.

MACHEN: Alright.

KILLIAN: Or, I'm not sure I know it. I know I was introduced to him.

DEAN: Something recent?

KILLIAN: Um...about 3 months. I'm not sure I even knew his last name.

DEAN: Where were you introduced to him?

KILLIAN: Ah...over at SHIRLEY's.

DEAN: And was the nature of that meeting?

KILLIAN: I don't know; think it was in the kitchen feeding my face, as usual, and ah...SHIRLEY and I were just talkin' I think and they just came in and she introduced me to him and there was someone else...what the hell's his name. Ah...I started to say LARRY but that's stupid. It couldn't be GARY and LARRY. Ah...MIKE. That's the only one I can recall.

DEAN: And you met them at SHIRLEY's house?

KILLIAN: Uh-huh.

DEAN: How long ago?

KILLIAN: Around two or three months. What's the date today? The 15th?

DEAN: 16th.

KILLIAN: 16th? Couldn't have been...mm...month and a half? Sounds about right.

DEAN: 'Kay.

KILLIAN: I'm not very good at dates.

DEAN: And they are friends of SHIRLEY's?

3712 KILLIAN: I assume so.

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DEAN: Well, you and SHIRLEY are in the house talking and they come into the house?

KILLIAN: Uh-huh.

DEAN: Nobody let 'em in; they just came in.

KILLIAN: Well, there's a button on the door that you can come in.

DEAN: Okay; but since they weren't friends of yours then we can assume they're friends of SHIRLEY's...since they came over and she introduced you?

KILLIAN: Well, see she lives in the back house over at NEVA's... so they could have come in to see NEVA. I don't know. I wasn't paying any attention; I was in the kitchen... eating as a matter of fact.

DEAN: But SHIRLEY introduced you to GARY and MIKE.

KILLIAN: Uh-huh.

DEAN: So we can assume that she knows...since she introduced you?

KILLIAN: Uh-huh.

DEAN: And the other GARY that's a friend of RICK's...

KILLIAN: I think he's a friend. I don't know, he was customer or something and ah...

DEAN: And when did you meet him?

KILLIAN: (Inaudible) I don't remember.

DEAN: Week ago, month ago, year ago?

KILLIAN: It hasn't been that long.

DEAN: Okay.

KILLIAN: It's been within the past few months. I haven't been down there that much until recently.

DEAN: And these are definitely separate GARYS?

KILLIAN: Yeah. (Inaudible)

DEAN: Okay; how 'bout somebody named DI SANTOS?

KILLIAN: Who? DI SANTOS? (Inaudible) RON SANTOS, but I don't think (inaudible).

DEAN: We can forget RON.

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KILLIAN: Uh-huh. Well, like...probably.

MACHEN: RON DI SANTOS?

KILLIAN: No-no-no; his name is RON SANTOS.

MACHEN: SANTOS.

KILLIAN: Uh-huh.

MACHEN: ...T-O-S, huh?

KILLIAN: Yeah.

DEAN: 'Kay; what about STEVE?

KILLIAN: STEVE who?

DEAN: STEVE anybody?

KILLIAN: STEVE. No, not offhand. I can't think of anybody right now named STEVE.

DEAN: 'Kay; why don't we stop wasting time. Let's make our time worthwhile. Alright?

KILLIAN: Uh-huh.

DEAN: You aren't bein' honest.

KILLIAN: I can't think of anybody named STEVE. That was the question; you say I'm not being honest. (Inaudible) I cannot think of anyone named STEVE that I know. No.

DEAN: The thing to which I'm referring is our entire conversation, and your knowledge of the situation regarding ED DAVIES.

KILLIAN: The entire conversation seems to be (inaudible).

DEAN: Seems to be what?

KILLIAN: Circular. Ah...you ask me a question, I give you an answer and then you say I'm not being honest. I can't tell you what I don't know.

DEAN: I'll buy that. The converse would be true; you can tell me what you do know.

KILLIAN: Right.

DEAN: Alright.

KILLIAN: And I am.

DEAN: To a point.

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KILLIAN: Why don't you tell me what you're thinkin' that I can help?

DEAN: Well, that's not the way it works.

KILLIAN: (Interrupting inaudibly)

DEAN: We don't bring people in here so that we can tell them everything that we know.

KILLIAN: Yeah; I'm sure that was a inane remark. I withdraw it.

DEAN: Okay; the converse is true. Tell me what you know about the planned robbery or ED DAVIES.

KILLIAN: Nothin'. I am about to lose this eye contact contest also. (Inaudible)

DEAN: How long have you and RICK been goin' together?

KILLIAN: Beg your pardon?

DEAN: How long have you and RICK been goin' together?

KILLIAN: Five and a half months, approximately. I've forgotten the exact date.

DEAN: 'Kay.

MACHEN: How would you describe your relationship with VIRGIL?

DEAN: I beg your pardon?

MACHEN: How would you describe your relationship with VIRGIL?

KILLIAN: It's a good friendship.

DEAN: 'Kay.

MACHEN: Anything else?

KILLIAN: No.

DEAN: How long have you known VIRGIL?

KILLIAN: Well, I've actually known him for ah...see, I met him in the (inaudible). I have to guess. I'd say about (inaudible).

DEAN: And you met him through...

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KILLIAN: I first met him when MARGE and I went into the shop, that's when I was first introduced to him. But, oddly as it turns out, he and RICK had been the best of friends for about three or four years. So I met him in

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the shop a coupla times and I met him again so to speak.

DEAN: Okay; how does it come to pass that you're staying at his place?

KILLIAN: Well, a coupla things. Like I said, for one...for one thing he's not in the best of health. Ah...he's lonely. He likes company.

DEAN: Uh-huh.

KILLIAN: I had to move after being robbed and burned like that. I mean I was scared to death to go anywhere or do anything and ah...just more or less the three of us suggested it.

DEAN: The three of you?

KILLIAN: Uh-huh; yeah.

DEAN: Being you and VIRGIL and who?

KILLIAN: RICK.

DEAN: RICK?

KILLIAN: Uh-huh. I see him the nights when RICK isn't ah... babysitting the shop, then we both stay out there. Usually I just stay with RICK. (Inaudible) VIRGIL and the company and, you know, he gets the house cleaned and meals cooked. I keep him on a diet...keep, you know, keep him company a little bit. And that's about it.

DEAN: And so RICK lives at VIRGIL's also?

KILLIAN: No; he lives at the shop.

DEAN: Okay.

KILLIAN: See, they've been broken into several times and it has something to do with the fact that they can't put in the proper kind of burglar alarm. But ah...he can't get insurance on his tools and on anything that belongs to him. Only insurance on ah...what's in the building and the cars there.

DEAN: Only on what?

KILLIAN: On the building itself and like the cars that are in there at night.

DEAN: Oh, okay.

KILLIAN: And that's all...the insurance will cover. And someone

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has to stay there 'cause they've been robbed. So, sometimes his dad goes down and stays...and then he comes and we all stay out at VIRGIL's. And if he stays at the shop, I just stay with him.

DEAN: So when you stay at VIRGIL's and RICK is staying at VIRGIL's, those times also.

KILLIAN: Not always; usually.

DEAN: Usually?

KILLIAN: Uh-huh. I stay home a coupla nights a coupla weeks ago 'cause I was sick but that's about it. Usually I stay with him.

DEAN: Tell me about any conversations that you specifically recall having with VIRGIL.

KILLIAN: About anything?

DEAN: Uh-huh; when you guys are at home, what do you talk about?

KILLIAN: Books, which happens to be my end of it; cleaning the house which is never right. Ah...music, records, yard-work. Ah...we don't talk a whole bunch. Ah...he talks a lot about his ah...his ex-girlfriend and about his divorce and about his kids, things like that. Ah...his gun collection, fishing, eating, the cat.

MACHEN: Eating the cat?

KILLIAN: No; eating ah...the cat. My cat is quite a showman; showperson, I'm sorry. She's been very attached to him. Nothing really that heavy...ah...we occasionally talk about the NRA which leads to long silences on both our parts.

DEAN: Why is that?

KILLIAN: Because we're violent...I'm violently against the NRA. Politically...well, we have some common grounds. We talk about religion once. But...we don't have deep, philosophical discussions. We've talked about ah...land quite a bit. He has ah...in some areas, more knowledge of ah...law regarding land than I do. I remember specifically he wrote a...he sold a house on a contract of sale that I sat down and read and I was just amazed. I don't think I could've done it that well.

3717 DEAN: What would you say VIRGIL's area of expertise was?

KILLIAN: His area of expertise? Contractor.

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DEAN: As a contractor?

KILLIAN: He's a contractor; yes.

DEAN: And what about his coin business and all of that?
Kind of a sideline or what?

KILLIAN: Yeah; it's just like a bar he used to have. Seems like he always has something. Some houses...but like I said, as far as his area of expertise it's building and contracting, 'cause that cabin he built supposedly couldn't be built or something. Mind if I smoke?

DEAN: No; go ahead.

MACHEN: Well, let's get down to some specifics then okay?

KILLIAN: Uh-huh.

MACHEN: We're not talkin' about somethin' in terms of...if you take relative importance where there's theft, or burglary or robbery...we're talkin' about murder. Okay?

KILLIAN: Uh-huh.

MACHEN: What we're talkin' about right now is you are a principal in a murder. You're a principal in the planning of a robbery that turned sour and people were killed. One person was killed and one very seriously wounded. That puts you on the spot. You know enough law that if you sit down and plan somethin' and some other people go out and do it and somethin' goes haywire, where do you stand?

KILLIAN: It's felony murder.

MACHEN: You got it and that's where you're at. 'Kay? Did you participate in planning the robbery of the DAVIES house?

KILLIAN: No I did not.

MACHEN: Did you participate in the burglary of the DAVIES house?

KILLIAN: No, I did not.

MACHEN: In the planning?

KILLIAN: No I did not.

MACHEN: Do you know GARY MASSE?

KILLIAN: No I do not.

MACHEN: Do you know JOANN MASSE?

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KILLIAN: No I do not.

MACHEN: Do you know anybody that drives a green Riviera?

KILLIAN: A green Riviera?

MACHEN: Yes.

KILLIAN: I don't think so. I don't know.

MACHEN: Do you know anybody that drives a green car?

KILLIAN: A green car? Yeah, RICK.

MACHEN: What kinda green car does he drive?

KILLIAN: It's a Toyota.

MACHEN: 'Kay; not a big car. You know what a Riviera looks like; the older Rivas, tudors?

KILLIAN: I'm not sure. Could you...I'm not real good on cars. Is it a big car?

MACHEN: Yeah, it's^a/relatively big car. Do you know STEVE DI SANTOS?

KILLIAN: No.

MACHEN: Do you know just a "STEVE"?

KILLIAN: Not that I can recall.

MACHEN: Do you ever have any...

KILLIAN: I've got a vague idea that I must know somebody named STEVE...it's a common name, but I can't think of any-one.

MACHEN: Had you ever talked with anybody on several occasions about ripping somebody off for their coins, gold and silver?

KILLIAN: No.

MACHEN: Okay. Have you recently ever received any kind of cash money, or gold, silver, jewelry or anything like this, in the last two weeks?

KILLIAN: No.

MACHEN: 'Kay; are you pissed off because you ripped off?

KILLIAN: I was given this as a present.

MACHEN: Yeah.

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KILLIAN: What d'ya mean am I pissed off 'cause I got ripped off?

MACHEN: You didn't get your share of the loot.

KILLIAN: Because my house was ripped off?

MACHEN: Over the DAVIES' thing.

KILLIAN: I cannot be pissed off about it because I don't know anything about it.

MACHEN: Do you know anything about the theft of some telephone trucks?

KILLIAN: Telephone trucks?

MACHEN: Yeah; pickup trucks.

KILLIAN: No.

MACHEN: Did RICK participate in this DAVIES' thing?

KILLIAN: No. He did not; neither did I.

MACHEN: Did he have anything to do with it whatsoever?

KILLIAN: I don't know. I didn't have anything to do with it; how could he?

MACHEN: Do you know...

KILLIAN: How could he have had anything to do with it?

MACHEN: To your knowledge...any knowledge...do you have any knowledge or feelings or anything that RICK may have been involved with it?

KILLIAN: Hell no.

MACHEN: Isn't it important for you to think of one thing; okay?

KILLIAN: Yes.

MACHEN: You are in trouble.

KILLIAN: Apparently.

MACHEN: And the only person that's going to help you is you. You understand that? I mean the person that...the reason that you're surviving today is because of you. Right? I mean you take care of yourself and that's, you know...there isn't some fairy godmother that takes after you. You know what I mean?

KILLIAN: Yeah.

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MACHEN: Alright; and let's say that you all were involved in planning of this thing and it went sour and some people got double-crossed. You know, it's time that maybe you scramble to take care of yourself. Think of that.

KILLIAN: Uh-huh.

MACHEN: I'm gonna tell you somethin' right now that we're going to do.

KILLIAN: Uh-huh.

MACHEN: Do you have any problems of us takin' a picture of you?

KILLIAN: No.

MACHEN: The way you are right now?

KILLIAN: No.

MACHEN: Okay, and showin' that picture to a few people?

KILLIAN: No.

MACHEN: 'Kay; 'cause you were seen.

KILLIAN: You let me comb my hair?

MACHEN: Oh, sure.

KILLIAN: Well?

MACHEN: Need not work(?)

KILLIAN: Thanks! I was seen where?

MACHEN: Well, the lady that survived saw you come in and use the phone before this thing. I dare say you're gonna show up elsewhere. Keep one thing in mind; you, and you alone, you know what I mean? You can sit here and burn and rot and when we get everybody else in there dumpin' all over you already...so it's time you take care of yourself. I mean dumpin'...a big shovel-ful.

KILLIAN: Sleepy...I was up late.

DEAN: VIRGIL hafta get in touch with a doctor or anything, or just...mildly.

KILLIAN: I'm not even sure what it is and he's never given me the satisfactory explanation of it. It's ah...but it's a strange thing because you can tell by lookin' at him

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It's almost like he goes into shock. He turns white, you know?

DEAN: Like he's anemic? That kinda white?

KILLIAN: No, like shock. You know how people get when they go into shock?

DEAN: Uh-huh.

KILLIAN: Something like that. Is he going to get a camera?

DEAN: I believe so.

KILLIAN: At least comb my hair.

DEAN: Sure.

KILLIAN: Death warmed over myself. Oh, shit.

DEAN: Like another cup?

KILLIAN: Are we going to be here awhile longer?

DEAN: I don't know. Would you like another cup?

KILLIAN: Yeah; I think I would like to go to the bathroom.

DEAN: Okay.

KILLIAN: But I'll wait till he comes back with his camera.

DEAN: Well, if you want we can go out to the bathroom now and ah...

KILLIAN: Together?

DEAN: Well, I'm not gonna go in with ya; no.

KILLIAN: I just thought I'd ask, you know.

DEAN: Certainly escort you to it so that you can find it.

KILLIAN: I might as well wait for him. He'll think I ran off or something.

DEAN: Oh, he's not gonna think you ran off.

KILLIAN: Oh; that's right. I'm with you, right?

DEAN: That's right.

MACHEN: Go ahead...stand up here so he can get...

3722 KILLIAN: Stand up against the wall?

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MACHEN: Yeah; just...we use...this wall is fine. That's a good one.

KILLIAN: Oh, goodie...one of your better shots, huh?

MACHEN: Huh?

KILLIAN: Should I smile or not?

MACHEN: Whatever you wanta do. We'll take one more to make sure we got it. The next one isn't quite so bad.

KILLIAN: Thanks; I needed that. You promise to burn these after it's over?

MACHEN: Uh-huh. That's no problem.

KILLIAN: Terrible.

DEAN: Okay, now you wanta go hit the head?

KILLIAN: You're gonna hafta lead me. I think I went blind for a minute.

OFFICER: Is she coppin' out?

MACHEN: Nope. She ain't coppin' to shit.

End of Side 2, tape 1

MACHEN: Never seen either one of 'em before? Where have you seen this guy before?

KILLIAN: Never seen him. No.

MACHEN: This guy?

KILLIAN: Never seen him.

MACHEN: Never seen either one of 'em before?

KILLIAN: No.

MACHEN: You sure?

KILLIAN: Sure don't think so.

MACHEN: When they tell us they've seen you, what d'ya...what are you gonna say?

KILLIAN: Never seen 'em; they don't look like anybody I'd wanta see.

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MACHEN: That's not what I said.

KILLIAN: I heard what you said.

MACHEN: They're gonna tell us you...

KILLIAN: I've never seen 'em.

MACHEN: I'm gonna tell you right now, this guy right here... whoops, I put him in the other stack...I'm gonna tell you right now that this guy right here is gonna tell us about several meetings with you. You never seen him?

KILLIAN: No, I don't think so.

MACHEN: What d'ya mean "you don't think so"? Have you or haven't you?

KILLIAN: It doesn't look like anybody I've ever seen.

MACHEN: Alright; so that means you would never have had a meeting with him.

KILLIAN: No. I'm sure I'd know if I met him or talked to him.

MACHEN: Kinda puts you in a bind then doesn't it, when he says that?

KILLIAN: Maybe it puts him in a bind.

MACHEN: No. It puts you in a bind 'cause we have somebody to corroborate what he says. That makes two. Talking to - them independently they tell us about dates.

KILLIAN: What kinda dates?

MACHEN: That they talked to you.

KILLIAN: Go out with them?

MACHEN: No. Not dates where you're out there dancing, having a good time. Planning, meeting. Havin' a meet, in a car, and he tells us about the car you're in and they tell us where it was at, the whole hivaree(sic), so... we're not...I say we're not...

KILLIAN: (Inaudible)

MACHEN: Hey! We're givin' you an opportunity...okay, we're givin' you an opportunity right now to scramble for your own hide. Alright; the opportunity is drawing to a close and then you just take your chances.

372; KILLIAN: Uh-huh.

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MA CHEN: Because I'll guaranty you one thing; once we hit the courtroom, there ain't no wheelin' and dealin'. Alright? This is not over in the misdemeanor section. This is handled by a group of five attorneys and they don't mess around. There is not gonna be no deals and we're not playin' games with you. Okay?

KILLIAN: I understand. You've made it perfectly clear.

MA CHEN: You've got your chances now and that's it. After that, ain't no chances 'cause we don't need chances with this case. That's why we went out and talked to you. That's why we didn't get an arrest warrant. We didn't need it. You know what I mean?

KILLIAN: Uh-huh; exactly.

MA CHEN: Okay; so, wha...like I say...we, you know, we're very willing to talk to you and everything else and we're not gettin' all worked up 'cause we don't need to, but you've got to take care of your own tail because no one else's going to. Let me ask you something. Where you used to live, where you got broken into?

KILLIAN: Uh-huh.

MA CHEN: What was that address?

KILLIAN: Ah...2407 V Street, number (inaudible).

MA CHEN: And your car was busted up at the same spot?

KILLIAN: Once there and once where it was broken down off some... what was the name of the stupid street? It's off Stockton Blvd.

MA CHEN: You made police reports on this?

KILLIAN: Yeah; the neighbors called.

MA CHEN: I mean is there a police report on this. I mean did you actually...are you a victim?

KILLIAN: Yeah.

MA CHEN: You know, and filled out...had ah...a policeman fill out a report and all that stuff.

KILLIAN: Uh-huh.

MA CHEN: Okay.

KILLIAN: I never followed up on it...the burglary. There wasn't any point in it.

MA CHEN: Yeah, but I mean they came out and took a report.

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KILLIAN: Oh, yeah; in fact, I wasn't even home. I walked in after all the shoutin' was all over.

MACHEN: Now, these GARYS you have; it's not the case that you don't...that...that they don't have a girlfriend or a wife. It's a case that you don't know.

KILLIAN: I haven't any idea.

MACHEN: Okay. What kinda car do you drive?

KILLIAN: What kinda car do I drive? I don't have one right now. I do. Ah...I was usin' VIRGIL's Chrysler and the transmission blew down at the shop.

MACHEN: You drive any other car?

KILLIAN: Yeah, I drive the Frog sometimes.

MACHEN: The what?

KILLIAN: The Frog.

MACHEN: What kinda car is that?

KILLIAN: That's the Toyota, the truck.

MACHEN: The Toyota or the truck?

KILLIAN: It is a Toyota truck.

MACHEN: Oh, okay.

KILLIAN: Called the Frog.

MACHEN: Okay.

KILLIAN: If you ever saw it, you'd know why.

MACHEN: Anybody ever drive you around?

KILLIAN: Yeah, occasionally I get picked up and dropped off.

MACHEN: Who does that usually?

KILLIAN: Well, like SHIRLEY and I wanted to go shopping yesterday.

MACHEN: 'Kay.

KILLIAN: She screwed up by about three hours.

MACHEN: Oh yeah?

KILLIAN: Uh-huh.

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MACHEN: How come?

KILLIAN: I don't know. She misunderstood what I said.

MACHEN: Must have with a three hour gap.

KILLIAN: You think so?

MACHEN: What'd you tell her?

KILLIAN: Well, she was just goin' to go...she was gonna come down and pick me up before...after she dropped BRIAN off, at school. She said that...

MACHEN: Come down and pick you up where?

KILLIAN: Huh? Downtown.

MACHEN: Oh, I see; okay.

KILLIAN: She said that what she meant was that she was going to come down and pick me up after she picked him up from school.

MACHEN: Hm.

KILLIAN: Which is about three hours later.

MACHEN: Have you talked with SHIRLEY since?

KILLIAN: Yeah, I talked to her on the phone this morning.

MACHEN: And she told you that we talked to her.

KILLIAN: Uh-huh.

MACHEN: How come she went to VIRGIL's house then?

KILLIAN: I don't know; 'cause she...well...we call her squirrely SHIRLEY.

MACHEN: Is that because she's a speeder?

KILLIAN: She's a what?

MACHEN: Is that because she uses speed?

KILLIAN: Speed? No. She just...

MACHEN: She does.

KILLIAN: She's squirrely.

MACHEN: Yeah; well, pumpin' that crap in her arm doesn't help.

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KILLIAN: I don't believe that.

MACHEN: It's true.

KILLIAN: It is?

MACHEN: And you know it's true.

KILLIAN: No I do not know it's true.

MACHEN: Hard to believe. Anyway, let's go on. So, SHIRLEY'll drive you around a little bit or you use the Toyota.

KILLIAN: So, if we go somewhere.

MACHEN: What kinda car does SHIRLEY have?

KILLIAN: Ah...she...she drives a Cadillac.

MACHEN: Well, that's not her car.

KILLIAN: No.

MACHEN: Do you know the owners of that car?

KILLIAN: Uh-huh.

MACHEN: Who are they?

KILLIAN: NEVA (inaudible).

MACHEN: You know her?

KILLIAN: Yes.

MACHEN: How well do you know NEVA?

KILLIAN: I've known her for about a year.

MACHEN: She's a speeder too; you know?

KILLIAN: No. I don't believe it.

MACHEN: If you've known her for a year, the cops are over there a lot.

KILLIAN: I know about what went down a coupla months ago, yeah.

MACHEN: Hm.

KILLIAN: That was not...that was planted.

MACHEN: Well, if you gonna...what kinda lie...oh, that's wha... that's one I was curious about that. What kinda l are you goin' into?

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KILLIAN: Property.

MACHEN: Property?

KILLIAN: Uh-huh.

MACHEN: Where'd you graduate from?

KILLIAN: What?

MACHEN: Where'd you graduate from?

KILLIAN: McGeorge.

MACHEN: McGeorge; and when did you do that?

KILLIAN: I didn't graduate. There's some disagreement about... they want me to repeat a class which'll cost me another \$3,000.

MACHEN: One class?

KILLIAN: So...yeah; uh-huh, 'cause it's a year class. So... I'm just gonna go ahead and take the bar. See, under California Bar Rules you don't even have to go to law school.

MACHEN: Uh-huh.

KILLIAN: You can just go ahead and take it.

MACHEN: So, you just had the one class; other than that, you got everything fulfilled.

KILLIAN: Yeah. Uh-huh; I should have a little bit more 'cause I started in the middle.

MACHEN: Okay.

KILLIAN: I was a special student.

MACHEN: When did you...where were you going to McGeorge?

KILLIAN: When?

MACHEN: Yeah.

KILLIAN: You mean when did I start?

MACHEN: Yeah. I mean you been goin' there for quite awhile I take it.

KILLIAN: Yeah. Yeah, 'cause they made me start in the middle of the year, 'cause I was a special student. So it was strung out for a long time.

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MACHEN: When was the last time you attended over there?

KILLIAN: Just a year.

MACHEN: Huh?

KILLIAN: A year.

MACHEN: A year ago?

KILLIAN: Uh-huh.

MACHEN: In 1980 you was...you finished up?

KILLIAN: Uh-huh.

MACHEN: Have you taken the bar before?

KILLIAN: No. I couldn't afford it.

MACHEN: What does it cost?

KILLIAN: To take the Bar? Okay, well, your...your first fee is \$350 and then you have to take the Bar review course which is about \$1,100. You've got the fee for professional responsibility; that's another \$200 plus ah...you can't work before you take the review course. So, it's somewhere in a coupla grand. Expensive. Then if you flunk it, you get to pay them all over again.

MACHEN: Must be a nice racket.

KILLIAN: That thought's crossed my mind; yeah.

MACHEN: Okay. You know what we've talked to you about.

KILLIAN: Uh-huh.

MACHEN: And right now you know that we know. We recover...

KILLIAN: I know what you told me.

MACHEN: We've recovered a lotta evidence.

KILLIAN: Uh-huh.

MACHEN: And you're gonna be booked. 'Kay?

KILLIAN: Now?

MACHEN: Right now, and there's gonna be no bail, but you're gonna be booked for murder. Right? Ah...I'm gonna go get some forms and I'll be back to take care of that and then we'll be on our way to the jail and has

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anybody looked in your purse?

KILLIAN: You did didn't you?

MACHEN: Did you guys already...you guys already checked...

DEAN: I just checked it for weapons.

MACHEN: We don't want, you know, any dynamite or machine guns in there. You'd be surprised what comes in here. Like I said, we're serious and 'cause we're not jackin' you around and as you're well aware, we have not been scammin' you with all we've been tellin' you. And askin' you...you said..."you ask me specific questions, I'll give you an answer". Well, you asked a specific question, you gave a specific answer. You want us to believe that all the evidence doesn't indicate and we're gonna take you to court with it. You got, you know, now you're gonna take your chances. 'Kay; we offered you an opportunity. Now it's time for you to take your chances which aren't good. I'll tell you that right now.

DEAN: GLORIA, is your contention right now that everything that you're tellin' us here is the truth?

KILLIAN: Yeah.

DEAN: Bar none. You're tellin' us the truth.

KILLIAN: Uh-huh.

MACHEN: 'Kay; you've not lied to us about anything at all? Okay.

DEAN: You'd be willing to take a polygraph examination to prove that what you've talked about right here, today, in the last hour or so, has been the truth?

KILLIAN: If you're gonna book me I wanta talk to my lawyer.

MACHEN: Well, that's not that question we asked you. You don't wanta take the polygraph. Is that what you're sayin'?

KILLIAN: I'm sayin' if I'm bein' arrested...

MACHEN: No. We asked you to give us a specific answer. You don't wanta take the polygraph...

KILLIAN: I know! But I don't wanta answer any more questions if I'm being arrested. That's what I'm sayin'; period.

MACHEN: Alright.

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KILLIAN: And you said I was being arrested.

MACHEN: Well, you're going to be arrested here and now.

KILLIAN: I don't suppose there's anyway to get cigarettes, then, is there?

DEAN: No, ma'am.

MACHEN: No.

KILLIAN: Huh?

MACHEN: No.

KILLIAN: Shit. Wouldn't you know.

DEAN: Perfect timing?

KILLIAN: Yep.

End of Side 1, tape 2

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