

1 VIRGINIA

2 IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

3
4 COMMONWEALTH OF VIRGINIA

5
6 V.

7 ELIZABETH ROXANNE HAYSOM

8 -----
9
10
11 EXERPT OF PROCEEDINGS

12 August 24, 1987

13 -----
14 APPEARANCES:

15 THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

16 For the Commonwelath: James W. Updike, Jr., Esq.
17 Bedford County Courthouse
Bedford, VA 24523

18 For the Defendant: R. Andrew Davis, Esq.
19 West Main Street
Bedford, VA 24523

20 Hugh J. M. Jones, III., Esq.
21 8404 Timberlake Road
Lynchburg, VA 24502

22 Reported by: Jacquelyn Keen

23 -----
24 ASSOCIATED REPORTING SERVICE
25 111 Euphan Avenue
Lynchburg, Virginia 24502
(804) 525-2345

EXCERPT OF PROCEEDINGS

1
2
3 THE COURT

All right, at this time we'll turn back to the case set for today and we will take the arraignment and the plea of the defendant. Let the accused be arraigned and receive her plea on the two charges.

4
5
6
7
8 THE CLERK:

The Grand Jury charges that during the period between the 29th day of March, 1985, and the 31st day of March, 1985, in the County of Bedford, Virginia, Elizabeth Roxanne Haysom did unlawfully and feloniously kill and murder Derrick William Reginald Haysom in violation of the provisions of Section 18.2-32 of the Code of Virginia of 1950, as amended. What say you, are you guilty as charged in the indictment or not guilty?

9
10
11
12
13
14
15
16
17
18
19 THE DEFENDANT:

Guilty as an accessory before the fact.

20
21 THE CLERK:

The Grand Jury charges that during the period between the 29th day of March, 1985, and the 31st day of March, 1985, in the County of Bedford, Virginia, Elizabeth Roxanne Haysom did unlawfully and

1 feloniously kill and murder Nancy Astor
2 Haysom in violation of the provisions of
3 Section 18.2-32 of the Code of Virginia of
4 1950, as amended. What say you, are you
5 guilty as charged in the indictment or not
6 guilty?

7 THE DEFENDANT: Guilty as an accessory before the
8 fact.

9 THE COURT: Ms. Haysom, I'll ask you to speak up
10 now because everything that is being done
11 here is being recorded, and you have a
12 rather soft voice. But if I understood
13 your correctly, on the arraignments you
14 pled guilty as an accessory before the fact
15 to each of these two offenses, is that what
16 you said?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Will the Commonwealth accept those
19 pleas at this time?

20 MR. UPDIKE: Yes, Your Honor, because as we
21 understand, and we know that counsel has
22 explained to the defendant, a plea to that
23 charge as an accessory before the fact is
24 punishable in the same manner and the same
25 fashion as a principal in the first degree.

1 Thank you, sir.

2 THE COURT: So you're saying that it's tantamount
3 to a plea of guilty but it is a different
4 form of plea which carries the same
5 punishment as the original offenses, is
6 that your position?

7 MR. UPDIKE: Yes, sir, Your Honor.

8 THE COURT: Gentlemen, is there any question about
9 that?

10 MR. DAVIS: No, sir.

11 MR. JONES: No, sir.

12 THE COURT: All right. Now I'm going to ask you
13 to remain standing, Ms. Haysom, because
14 there are certain questions that I must ask
15 you pertaining to your plea of guilty as
16 stated by you to these two offenses. And
17 the purposes of these questions is to
18 ensure that your pleas of guilty were
19 freely and voluntarily made. If you have
20 any questions, please ask me and I will be
21 glad to stop and explain my questions to
22 you, or if you desire you may confer with
23 your attorneys at any time before you
24 answer the questions. Do you understand?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Would you state for the record,
2 please, your full name.
3 THE DEFENDANT: Elizabeth Roxanne Haysom.
4 THE COURT: And Ms. Haysom, you are the same
5 person charged in these two indictments in
6 this Court, is that correct?
7 THE DEFENDANT: Yes, Your Honor.
8 THE COURT: And do you know what you are charged
9 with?
10 THE DEFENDANT: Yes, Your Honor.
11 THE COURT: And has it been explained to you as to
12 what the range of punishment under Virginia
13 law is for these two offenses?
14 THE DEFENDANT: Yes, Your Honor.
15 THE COURT: And have you had sufficient time to
16 discuss these cases and any defenses which
17 you might have with your two attorneys?
18 THE DEFENDANT: Yes, Your Honor.
19 THE COURT: After those discussions, did you
20 decide for yourself freely and voluntarily
21 to plead guilty as an accessory before the
22 fact to each of these indictments?
23 THE DEFENDANT: Yes, Your Honor.
24 THE COURT: Are you satisfied with the attorneys
25 who have represented you in this case up

1 to this point?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Do you realize that by pleading guilty
4 as you have, that you waive or give up the
5 right to a jury trial?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Has anyone mistreated you or forced
8 you to make any statements against your
9 will or coerced you in any way pertaining
10 to this case?

11 THE DEFENDANT: No.

12 THE COURT: Your answer is no?

13 THE DEFENDANT: No.

14 THE COURT: Do you understand the elements of
15 these offenses, and by that I mean do you
16 understand what the Commonwealth of
17 Virginia would have to prove in each case in
18 order to secure convictions as charged
19 against you?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Do you understand that a plea of
22 guilty is a self-supplied conviction which
23 for most purposes would deny or cut off a
24 right of appeal?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: And that the only appeal that could be
2 from such a plea and such a finding of
3 guilty would be that this Court lacked
4 jurisdiction in some way to act or
5 sentenced you beyond the range of
6 punishment allowable by Virginia law, do
7 you understand that?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: All right. And finally, has it been
10 explained to you that on a plea of guilty,
11 that I will be the one fixing your
12 punishment?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: And that I am not bound by any
15 recommendations of punishment that might
16 have been made and that if this plea--these
17 pleas of guilty are accepted, that it will
18 be up to me based upon any presentence
19 report and the evidence which I hear today
20 to decide your sentence.

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Without any restrictions, do you fully
23 understand that?

24 THE DEFENDANT: Yes, I do.

25 THE COURT: Do you know of any other matters which

1 might affect any of your constitutional
2 rights which you wish to bring to my
3 attention, Ms. Haysom, at this time, before
4 we proceed further?

5 THE DEFENDANT: No, Your Honor.

6 THE COURT: All right, this Court makes the
7 finding of fact for the record that the
8 accused's pleas to these two charges were
9 freely and voluntarily made after
10 consultation with competent counsel. You
11 may have your seat.

12 At this time the Court will allow the
13 Commonwealth and request that the
14 Commonwealth put on such evidence as is
15 necessary to support the plea, the pleas in
16 this case. Mr. Updike, you may proceed.

17
18 END OF TRANSCRIBED PROCEEDINGS
19
20
21
22
23
24
25

1 STATE OF VIRGINIA

2 AT LARGE, to-wit:

3 I, Jacquelyn Keen, Notary Public in and for
4 the State of Virginia at Large, do hereby certify that the
5 testimony contained herein was and transcribed by me, and
6 that the foregoing Pages 1 through 9 represent a true and
7 accurate transcript of said proceedings to the best of my
8 Stenographic ability.

9 My commission expires November 18, 1989.

10 Witness my hand this 21st day of March, 1989.

11

12

13

14

15

16

17

18

19

20

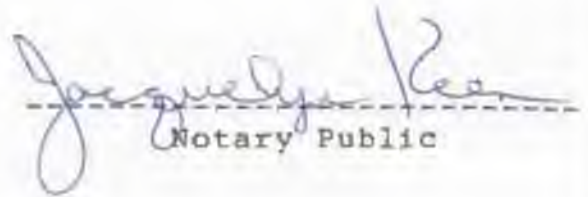
21

22

23

24

25


Notary Public

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

VIRGINIA:

IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

COMMONWEALTH OF VIRGINIA

V.

ELIZABETH ROXANNE HAYSOM

TRANSCRIPT OF PROCEEDINGS

Guilty Plea and Opening Argument of Counsel

August 24, 1987

APPEARANCES:

THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

For the Commonwealth: James W. Updike, Jr., Esq.
Bedford County Courthouse
Bedford, VA 24523

For the Defendant: R. Andrew Davis, Esq.
307 West Main Street
Bedford, VA 24523

Hugh J.M. Jones, III., Esq.
8800 Timberlake Road
Lynchburg, VA 24502

Reported by: Jacquelyn Keen

ASSOCIATED REPORTING SERVICE
111 Euphan Avenue
Lynchburg, Virginia 24502
(804) 525-2345

1 AUGUST 24, 1987 P R O C E E D I N G S 9:30 A.M.

2

3 THE COURT: All right, will the Clerk call the
4 case set for today, please.

5 THE CLERK: Commonwealth of Virginia versus
6 Elizabeth Roxanne Haysom.

7 THE COURT: Is the Commonwealth ready,
8 Mr. Updike?

9 MR. UPDIKE: The Commonwealth's ready, Your Honor.

10 THE COURT: Is the defense ready, Mr. Davis,
11 Mr. Jones?

12 MR. DAVIS: Yes, sir, Your Honor.

13 THE COURT: All right. Now we have some
14 administrative matters dealing with the
15 jury at this time, and I'll ask the Clerk
16 to call the jurors please and instruct them
17 as to what to do when their name is called.

18 THE CLERK: Will you please just remain seated and
19 answer as I call your name.

20 (Whereupon the jurors were called and
21 all but Mark Clemmons and Gloria
Jennings were present.)

22 THE CLERK: Do I have any other juror whose name
23 has not been called this morning?

24 (No response.)

25 THE CLERK: Will all jurors please stand and raise

1 your right hand.

2 (Whereupon the oath was administered
3 to the jurors.)

4 THE COURT:

5 All right, now if you will remain
6 standing for just a few minutes members of
7 the jury, at this time I'm going to ask you
8 certain questions pertaining to your
9 general qualifications to serve on the
10 trial jury. If you cannot hear me, please
11 raise your hand and I'll try to speak up.
12 Yes? Cannot hear me?

13 JUROR:

14 I can hear your voice but I can't hear
15 the words. I have a hearing aid.

16 THE COURT:

17 All right, sir. The law of the
18 Commonwealth of Virginia states that in
19 order to serve on a trial or petit jury,
20 that you must be at least eighteen years of
21 age, that you must be a citizen of the
22 United States, that you must have been a
23 resident of the Commonwealth of Virginia
24 for at least one year next preceding your
25 being summonsed for jury service, and that
you must have been a resident of the
Commonwealth of Virginia for at least six
months next preceding your being summonsed

1 for jury service.

2 It also provides that if you have any
3 hearing or seeing difficulties or any other
4 physical impairments that would prevent you
5 from properly performing all your duties as
6 a juror, that you are not required to
7 serve.

8 It provides that if you have served on
9 a jury in this Court within the last two
10 years, you're not required to be on the
11 jury again, and it provides that if any of
12 you have any lawsuit in your own names
13 which case is expected to be tried in this
14 court within the next month, then you are
15 not to be a member of this panel.

16 Now having asked those questions, are
17 there any of you who feel that you are
18 disqualified from jury service just on the
19 basis of the questions I have asked. And
20 I'm not asking for excuses from jury duty,
21 I'm talking about a response to the
22 questions which I just asked. If so,
23 please raise your hand and I will inquire
24 individually. Yes, start here in the
25 front, yes. Yes, ma'am.

1 MS. FOWLER: I have a letter for you.

2 THE COURT: All right, Sheriff, could you let me
3 see the letter please? All right, now as
4 you raise your hand please--what was your
5 name for the record, please?

6 MS. FOWLER: Carrie Fowler.

7 THE COURT: All right, I'll read that and respond
8 to that later. Anybody else? Yes, sir.
9 You said you had a hearing problem, sir?

10 MR. DOUGLAS: Yes, sir.

11 THE COURT: Do you think that you would be able
12 to--if you sat on the jury here, do you
13 think that you would be able to hear the
14 witnesses in the witness stand or is your
15 hearing problem severe?

16 MR. DOUGLAS: I'm afraid I wouldn't, Your Honor.
17 I'd do my best, but if there's any other
18 noise at all, I hear the voices but I can't
19 pick up the words.

20 THE COURT: All right, sir, your name, please.

21 MR. DOUGLAS: Clayton Douglas, William Clayton
22 Douglas.

23 THE COURT: All right, thank you, Mr. Douglas.
24 I'll make a decision on that a little bit
25 later on. Is there anyone else who feels

1 that he or she is affected by any of the
2 questions which I have just asked? If so,
3 please raise your hands.

4 (No response.)

5 THE COURT: All right, thank you very much. You
6 may have your seat.

7 All right, at this time the Sheriff's
8 Department will pass out to you a list of
9 the trial dates that we have scheduled for
10 this term. If you will look at those,
11 please, before I next address you.

12 THE COURT: All right, if you all have one of
13 these lists, these are the days scheduled
14 for jury duty for the balance of your term.
15 Any days not shown on here would be free
16 days for you.

17 THE CLERK: The following names will be excused
18 after today. Laura Shubert, William Clayton
19 Douglas and Mrs. Fowler are excused after
20 today.

21 THE COURT: All right, at this time we'll turn
22 back to the case set for today and we will
23 take the arraignment and the plea of the
24 defendant. Let the accused be arraigned
25 and receive her plea on the two charges.

1 THE CLERK:

2 The Grand Jury charges that during the
3 period between the 29th day of March, 1985,
4 and the 31st day of March, 1985, in the
5 County of Bedford, Virginia, Elizabeth
6 Roxanne Haysom did unlawfully and
7 feloniously kill and murder Derrick William
8 Reginald Haysom in violation of the
9 provisions of Section 18.2-32 of the Code
10 of Virginia of 1950, as amended. What say
11 you, are you guilty as charged in the
indictment or not guilty?

12 THE DEFENDANT: Guilty as an accessory before the
13 fact.

14 THE CLERK: The Grand Jury charges that during the
15 period between the 29th day of March, 1985,
16 and the 31st day of March, 1985, in the
17 County of Bedford, Virginia, Elizabeth
18 Roxanne Haysom did unlawfully and
19 feloniously kill and murder Nancy Astor
20 Haysom in violation of the provisions of
21 Section 18.2-32 of the Code of Virginia of
22 1950, as amended. What say you, are you
23 guilty as charged in the indictment or not
24 guilty?

25 THE DEFENDANT: Guilty as an accessory before the

fact.

1
2 THE COURT: Ms. Haysom, I'll ask you to speak up
3 now because everything that is being done
4 here is being recorded, and you have a
5 rather soft voice. But if I understood
6 your correctly, on the arraignments you
7 pled guilty as an accessory before the fact
8 to each of these two offenses, is that what
9 you said?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Will the Commonwealth accept those
12 pleas at this time?

13 MR. UPDIKE: Yes, Your Honor, because as we
14 understand, and we know that counsel has
15 explained to the defendant, a plea to that
16 charge as an accessory before the fact is
17 punishable in the same manner and the same
18 fashion as a principal in the first degree.
19 Thank you, sir.

20 THE COURT: So you're saying that it's tantamount
21 to a plea of guilty but it is a different
22 form of plea which carries the same
23 punishment as the original offenses, is
24 that your position?

25 MR. UPDIKE: Yes, sir, Your Honor.

1 THE COURT: Gentlemen, is there any question about
2 that?
3 MR. DAVIS: No, sir.
4 MR. JONES: No, sir.
5 THE COURT: All right. Now I'm going to ask you
6 to remain standing, Ms. Haysom, because
7 there are certain questions that I must ask
8 you pertaining to your plea of guilty as
9 stated by you to these two offenses. And
10 the purposes of these questions is to
11 ensure that your pleas of guilty were
12 freely and voluntarily made. If you have
13 any questions, please ask me and I will be
14 glad to stop and explain my questions to
15 you, or if you desire you may confer with
16 your attorneys at any time before you
17 answer the questions. Do you understand?
18 THE DEFENDANT: Yes, sir.
19 THE COURT: Would you state for the record,
20 please, your full name.
21 THE DEFENDANT: Elizabeth Roxanne Haysom.
22 THE COURT: And Ms. Haysom, you are the same
23 person charged in these two indictments in
24 this Court, is that correct?
25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: And do you know what you are charged
2 with?
3 THE DEFENDANT: Yes, Your Honor.
4 THE COURT: And has it been explained to you as to
5 what the range of punishment under Virginia
6 law is for these two offenses?
7 THE DEFENDANT: Yes, Your Honor.
8 THE COURT: And have you had sufficient time to
9 discuss these cases and any defenses which
10 you might have with your two attorneys?
11 THE DEFENDANT: Yes, Your Honor.
12 THE COURT: After those discussions, did you
13 decide for yourself freely and voluntarily
14 to plead guilty as an accessory before the
15 fact to each of these indictments?
16 THE DEFENDANT: Yes, Your Honor.
17 THE COURT: Are you satisfied with the attorneys
18 who have represented you in this case up
19 to this point?
20 THE DEFENDANT: Yes, Your Honor.
21 THE COURT: Do you realize that by pleading guilty
22 as you have, that you waive or give up the
23 right to a jury trial?
24 THE DEFENDANT: Yes, Your Honor.
25 THE COURT: Has anyone mistreated you or forced

1 you to make any statements against your
2 will or coerced you in any way pertaining
3 to this case?

4 THE DEFENDANT: No.

5 THE COURT: Your answer is no?

6 THE DEFENDANT: No.

7 THE COURT: Do you understand the elements of
8 these offenses, and by that I mean do you
9 understand what the Commonwealth of
10 Virginia would have to prove in each case in
11 order to secure convictions as charged
12 against you?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you understand that a plea of
15 guilty is a self-supplied conviction which
16 for most purposes would deny or cut off a
17 right of appeal?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: And that the only appeal that could be
20 from such a plea and such a finding of
21 guilty would be that this Court lacked
22 jurisdiction in some way to act or
23 sentenced you beyond the range of
24 punishment allowable by Virginia law, do
25 you understand that?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: All right. And finally, has it been
3 explained to you that on a plea of guilty,
4 that I will be the one fixing your
5 punishment?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: And that I am not bound by any
8 recommendations of punishment that might
9 have been made and that if this plea--these
10 pleas of guilty are accepted, that it will
11 be up to me based upon any presentence
12 report and the evidence which I hear today
13 to decide your sentence.

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Without any restrictions, do you fully
16 understand that?

17 THE DEFENDANT: Yes, I do.

18 THE COURT: Do you know of any other matters which
19 might affect any of your constitutional
20 rights which you wish to bring to my
21 attention, Ms. Haysom, at this time, before
22 we proceed further?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: All right, this Court makes the
25 finding of fact for the record that the

1 accused's pleas to these two charges were
2 freely and voluntarily made after
3 consultation with competent counsel. You
4 may have your seat.

5 At this time the Court will allow the
6 Commonwealth and request that the
7 Commonwealth put on such evidence as is
8 necessary to support the plea, the pleas in
9 this case. Mr. Updike, you may proceed.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 MR. UPDIKE:

2 Thank you, Your Honor. And Your
3 Honor, we appreciate the Court allowing us
4 the opportunity to present our evidence,
5 because we do feel that under the nature
6 of--the circumstances I should say, of this
7 case and the nature of the offenses, that it
8 is a situation where there needs to be a
9 thorough presentation of the evidence,
10 we're quite prepared to do that here today.

11 We would also like to emphasize that
12 this is a plea in which there are no plea
13 agreements, there have been no negotiations
14 on the part of me or my office with the
15 defendant or her counsel. So at the
16 appropriate time the Court of course will
17 have the obligation and responsibility of
18 fixing punishment in this matter without
19 any agreements, and for that reason we feel
20 that a thorough presentation of the
21 evidence would be necessary to hopefully
22 assist the Court in making that decision.

23 THE COURT:

24 That will be permitted. Now
25 Mr. Updike, if I may interrupt you for one
other administrative matter, it appears
that we will not be needing the jury in

1 view of the pleas which were made this
2 morning. Now that means that any members
3 of the jury who care to leave will be given
4 an opportunity in just a moment to leave.
5 If you care to stay, you may, or if you
6 care to leave, you will be given an
7 opportunity in just a moment.

8 Now as you leave, if you would go into
9 this room over here where the sheriff or
10 one of his deputies will be, they will give
11 you a juror parking card so that you may
12 have that as you come back on subsequent
13 days for jury duty.

14 Now one other statement. From this
15 point on, since we are now getting into the
16 evidentiary stage of the trial and to
17 prevent unnecessary distraction, this Court
18 will not allow people to come in and out of
19 the courtroom. Once the jurors who wish to
20 leave have left, then everyone who is now
21 in the courtroom will have to remain here
22 until the next break which I estimate will
23 be somewhere between thirty and forty-five
24 minutes from now. Now if that creates a
25 problem with your schedule, then I suggest

1 that you leave the courtroom because we
2 cannot have people coming in and out of the
3 courtroom during the progress of the trial.

4 All right at this time all jurors who
5 desire to leave may leave and may go
6 through this door where the sheriff is.

7 All right, we're ready to proceed.
8 Excuse me for interrupting, Mr. Updike.
9 You may now present your evidence or any
10 statement you wish to make at this time.

11 MR. UPDIKE:

12 And Your Honor, the Commonwealth
13 actually would like to present a
14 combination of the two, if we might. We
15 have a number of witnesses subpoenaed, some
16 of those witnesses as far as their
17 testimony is concerned, I would like to
18 summarize. We have certain other witnesses
19 present that we feel that it is important
20 that they actually testify. But if I
21 could, Your Honor, first summarize some of
22 the preliminary evidence and the initial
23 evidence before we actually get into some
24 of the testimony.

25 Your Honor, if I could state also to
clarify in response to the plea that was

1 entered by the defendant, I might state
2 that I was a little surprised by the
3 specification as to the charge of accessory
4 before the fact, it's the first time really
5 that I've heard that, but I think that it's
6 a good idea.

7 We just want to clarify from the
8 Commonwealth's standpoint that we are not
9 making any modifications of the charge as
10 the Court well knows, and of course counsel
11 knows, but under the circumstances if I
12 could clarify that under the law here in the
13 Commonwealth of Virginia, an individual may
14 be indicted, tried, convicted and sentenced
15 as an accessory before the fact, a
16 principal in the second degree, just as a
17 principal in the first degree which we know
18 to be the perpetrator.

19 It has been our intention throughout,
20 from the time that I first drew the
21 indictments last June and presented them to
22 the Grand Jury, that our evidence would be
23 based upon the theory in this matter
24 against Elizabeth Roxanne Haysom that she
25 was indeed an accessory before the fact.

1 And we just want to make that clarification
2 and we think it was wise that they stated
3 that in the plea itself.

4 Your Honor, our evidence, as we get
5 into it, would begin and the point at
6 which I would like to begin would be on the
7 3rd day of April, 1985, that being the
8 date when all of this originally came to
9 our attention. At that time, or prior to
10 this time, Derrick William Reginald Haysom
11 and his wife Nancy Astor Haysom had lived
12 here in Bedford County in the Boonsboro
13 area of the county. Their address was
14 Route 4, Box 257, Lynchburg, the residence
15 being, as I understand it, on Holcomb Rock
16 Road down there in that portion of the
17 county.

18 On that particular date, Your Honor,
19 we have, and I understand that she's here
20 today, a lady, Mrs. M. C. Gunn, who with
21 two other ladies had made a commitment, an
22 appointment, arrangements, to play bridge
23 with Mr. Haysom at the Haysom residence at
24 approximately 1:30 that afternoon. They
25 had played the previous week at one of the

1 others' residence, and on this occasion the
2 three ladies went to the Haysom residence
3 expecting to play bridge, as I indicated,
4 at that time.

5 However, upon their arrival at the
6 Haysom residence, they discovered that the
7 curtains on the windows were drawn, both of
8 the Haysom vehicles were in the driveway.
9 One of the ladies approached the house,
10 knocked on the doors, they got no response.
11 They immediately became concerned because
12 of this and because of their knowledge of
13 Mr. Haysom, his punctuality, and things of
14 that nature. They thought that unless
15 something was wrong he would be there as he
16 had indicated that he would be there.

17 After they were unable to get any
18 response there at the home, the ladies
19 proceeded back to Mitchell's Store to get
20 to a telephone. At that point they began
21 making telephone calls, they called a
22 friend of the Haysom family, this being
23 Mrs. Annie Massie, to inquire as to whether
24 or not she knew anything about the Haysoms'
25 whereabouts.

1 Mrs. Massie at that point or during
2 the course of this day of April the 3rd,
3 had received a phone call from the
4 defendant, Elizabeth Haysom, which I'd like
5 to get into in just a minute. But upon the
6 phone call of Ms. Gunn, Mrs. Massie became
7 concerned, she had a couple of things to
8 take care of, but she told Ms. Gunn that
9 she would meet her there at Mitchell's
10 Store and that they would proceed back to
11 the Haysom residence.

12 One of the primary purposes of
13 Mrs. Massie going back there was that
14 because of her close relationship with the
15 Haysom family, she had a key to the Haysom
16 residence. So after meeting there, the
17 ladies went back to the Haysom residence.

18 Mrs. Massie would testify that with
19 the key that she had there she opened the
20 front door to the residence and upon doing
21 that she immediately saw the body of
22 Derrick Haysom lying in the doorway between
23 the dining room and the living room. And
24 his appearance as we will show the Court
25 very quickly here in some of the

1 photographs, made it immediately obvious
2 that he was dead.

3 Mrs. Massie will testify that she
4 could not enter the residence, did not
5 cross the threshold, but rather closed the
6 door, they went back to Mitchell's Store
7 again to get to a telephone, alerted the
8 Bedford County Sheriff's Department. They
9 waited for the deputy to arrive which was
10 Deputy J. B. Stanley. Together they
11 returned to the Haysom residence once
12 again.

13 At that point Deputy Stanley entered
14 the home, saw Mr. Haysom's body, alerted
15 another deputy who was in the area, Deputy
16 G. W. Thomas who arrived very quickly just
17 moments later. Deputy Stanley at that
18 point advised Deputy Thomas that he had not
19 as yet found Mrs. Haysom's body and that
20 they should quickly proceed to locate her.

21 At that point Mr. Thomas, Deputy
22 Thomas I should say, went through the
23 dining room into the kitchen, and there was
24 Mrs. Haysom's body lying on the kitchen
25 floor, again as we will show in the

1 photographs.

2 The deputies secured the scene, kept
3 everyone out and maintained that situation
4 until the investigators arrived to begin
5 collecting evidence and commenced the
6 investigation.

7 As far as the condition of the house,
8 Your Honor, we have photographs here
9 showing the location of Mr. Haysom's body
10 as it was found, and we'd like to introduce
11 these photographs in different groups if we
12 might. Perhaps I'll present them to
13 counsel first.

14 This, Your Honor, would be a group of
15 photographs showing the living room and the
16 location of Mr. Haysom's body, also being
17 photographs taken at the office of the
18 deputy chief medical examiner which show in
19 more detail the injuries which had been
20 sustained by Mr. Haysom.

21 And Your Honor, if I might state as I
22 go through the evidence that as you come
23 through the front of the house into the
24 living room, which would be where those
25 photographs indicate, if you proceed

1 through the doorway immediately to your
2 left you would go into the dining room,
3 proceed through the dining room, continuing
4 to your left, you would go into the
5 kitchen. If you returned to the living room
6 and went to the right side of the house, you
7 would proceed into the bedroom and off to
8 the side of the bedroom was a bathroom, and
9 we have photographs of all of that.

10 But continuing in the sequence that I
11 just stated, and this would be the
12 direction in which Deputy Thomas went, you
13 go to your left from the location of the
14 body, you would proceed into the dining
15 room, and Your Honor, that would be a set
16 of photographs showing the condition of the
17 dining room at that time. And we would
18 like to introduce those as well.

19 THE COURT: All right, do you want these exhibits
20 numbered individually?

21 MR. UPDIKE: Your Honor, it would be fine with us
22 if we could just enter them as exhibits as
23 a group, for example the living room was
24 one group.

25 THE COURT: All right, the first group being the

1 first exhibit.

2 (PHOTOGRAPHS MARKED COMMONWEALTH
3 EXHIBIT NO. 1.)

4 THE COURT: And on what date were these
5 photographs made, Mr. Updike?

6 MR. UPDIKE: Your Honor, these photographs would
7 have been made later that night on April
8 the 3rd, 1985.

9 THE COURT: Were the photographs made before the
10 bodies were disturbed?

11 MR. UPDIKE: Yes, sir, Your Honor.

12 THE COURT: (Pause for perusal.) This will be
13 Commonwealth Exhibit No. 2 as a group.

14 (PHOTOGRAPHS MARKED COMMONWEALTH
15 EXHIBIT NO. 2.)

16 MR. UPDIKE: And Your Honor, proceeding through the
17 dining room into the kitchen, we have a
18 group of photographs showing the kitchen and
19 the body of Mrs. Haysom which we would like
20 to introduce as well.

21 THE COURT: Commonwealth No. 3 as a group.

22 (PHOTOGRAPHS MARKED COMMONWEALTH
23 EXHIBIT NO. 3.)

24 MR. UPDIKE: And Your Honor, this would be a group
25 of photographs going to the right of the

1 entrance into the bedroom, and in that
2 group there are some photographs of that
3 small bathroom around to the side.

4 THE COURT: All pictures taken on the same
5 occasion?

6 MR. UPDIKE: Yes, sir, Your Honor.

7 THE COURT: Commonwealth No. 4 as a group
8 (PHOTOGRAPHS MARKED COMMONWEALTH
9 EXHIBIT NO. 4.)

10 MR. UPDIKE: Concerning the bodies themselves, Your
11 Honor, the stated age of Derrick William
12 Reginald Haysom is approximately seventy-
13 two years of age, I meant to check that to
14 be more precise, and Mrs. Haysom as stated
15 here on the autopsy is fifty-four years of
16 age.

17 The autopsy performed by Dr. Oxley,
18 and we have certified copies here which we
19 would like to introduce, this being first
20 of all a certified copy of the autopsy
21 performed upon Derrick Reginald Haysom, and
22 we also have the certified copy of the
23 report pertaining to the autopsy on the
24 body of Nancy Haysom. We would like to
25 introduce those, and if I might point out

1 from those reports certain injuries that
2 were sustained by each victim.

3 Concerning Nancy Haysom, as
4 Dr. Oxley has pointed out, there were six
5 injuries to the body, this including the
6 massive slash to the throat, that being of
7 course a fatal injury as Dr. Oxley has
8 described it. The head, I think it's fair
9 to say, was virtually decapitated, the
10 jugulars were cut, the carotid, nearly
11 everything except the spinal column here at
12 the cervical spine.

13 In addition to that fatal injury,
14 Dr. Oxley has described two more which were
15 potentially fatal. There was a stab wound
16 to the left chest penetrating upward,
17 backward and toward the mid line, this
18 penetrated the heart. There was a third
19 potentially fatal injury, this being a stab
20 wound to the left flank penetrating the
21 peritoneal cavity.

22 In addition to those potentially fatal
23 injuries, there were other stab wounds such
24 as the one to the left mandible, another
25 one to the left breast, and there was a

1 sixth injury which Dr. Oxley has described
2 as a defensive injury, this being one to
3 the--well it's drawn on this photograph and
4 appearing in the area of the left elbow, an
5 incision which would have appeared to have
6 been consistent with the victim raising her
7 arm to her face or in this area at least,
8 to ward off an attack with a knife.

9 Concerning that particular autopsy, we
10 have photographs, Your Honor, which we do
11 think it is important to introduce. These
12 photographs show in more detail the extent
13 of the injuries. Because of the need to
14 establish the seriousness of this offense,
15 both offenses I should say, first of all
16 we'd like to introduce these photographs
17 taken by Dr. Oxley during the course of the
18 autopsy upon the body of Nancy Astor
19 Haysom.

20 THE COURT: Has the defense seen them?

21 MR. DAVIS: Yes, Your Honor.

22 MR. UPDIKE: And excuse me, these will be the ones
23 with Mr. Haysom if you all would like to
24 see them as we go through them. But Your
25 Honor, we have made the effort to show all

1 of this information to counsel and they've
2 been very cooperative with us in that
3 regard.

4 Pertaining to the autopsy which
5 Dr. Oxley did on the body of Derrick
6 William Reginald Haysom, we would like to
7 point out from the autopsy report which has
8 been introduced, Dr. Oxley determined that
9 there were fourteen stab wounds to the
10 back, eleven stab wounds to the chest, an
11 incised slash/gash to the right cheek, two
12 slashes of that nature to the left cheek
13 coming across the left ear and across the
14 left chin, jaw bone.

15 We would like to point out that
16 Dr. Oxley described what he perceived to be
17 as numerous defense injuries. He observed
18 one as a large defense cut which
19 transverses the right palm; we have some
20 photographs of that and Dr. Oxley has drawn
21 it in the report, which would be consistent
22 with the man grabbing a knife during an
23 attack. There was a defense cut on the
24 dorsum of the right thumb, this again being
25 consistent with those circumstances. A

1 defense cut on the lateral aspect of the
2 dorsum of the right wrist, another defense
3 cut on the inner aspect of the right arm,
4 another defense cut in the web between the
5 left thumb and forefinger.

6 Dr. Oxley during our interview with
7 him just recently that Investigator Gardner
8 and I did said that based upon these
9 injuries that it was quite apparent that
10 Mr. Haysom put up one "hell of a fight".
11 And we think that he autopsy report
12 establishes that and the photographs taken
13 during the autopsy establish that as well.
14 We'd like to introduce those please.

15 In addition to the bodies of course,
16 Your Honor, being taken from the scene for
17 the purpose of the autopsies, there was
18 numerous items of evidence, were numerous
19 items of evidence seized from the home. We
20 have those and are prepared to produce
21 them.

22 We have introduced--or I should say we
23 have filed previously the numerous lab
24 reports which are the result of the
25 analysis on this evidence, and they are

1 part of the record and we might refer to
2 them at different times during this
3 presentation, but we would like to just
4 emphasize at this point that there were
5 items of blood samples taken from the
6 scene. As some of the photographs show that
7 are in the group from the living room, that
8 the Court I'm sure noticed, there were
9 foot impressions, some appearing to have
10 been made by a tennis shoe, others
11 appearing to have been made by a person in
12 stocking feet without shoes on.

13 There is in the one photograph, and
14 there has been much made of this, and I do
15 not wish to sensationalize, on the other
16 hand I do not wish to ignore it based on
17 evidence that we will get into later, the
18 one photograph near the body, there was a V
19 of some sort there which--with a figure
20 drawn in it.

21 The autopsy report reflects that there
22 was an incision on the chin which was of a
23 nature that could be categorized as a V.
24 There was mouse trap, a rather commonplace
25 kind of mouse trap, but it was rather odd

1 at the time, that that again had the V on
2 it. We will at a later point in this
3 hearing present evidence at which point and
4 correspondence from the defendant to Jens
5 Soering, the co-defendant in this matter,
6 there was a question of voodoo as a
7 possibility, a drawing on her part, which
8 we will be introducing, which though I'm no
9 art critic certainly, we think can be
10 categorized in bizarre fashions if not
11 demonic, and the V motif is throughout
12 that.

13 Again, we're not arguing specifically
14 the exact bearing upon this on the murders
15 themselves or state whether or not that was
16 just something left there for the purpose of
17 leading police, leading them on, confusing
18 them, things of that nature. Again, as I
19 stated, it should not be sensationalized or
20 exaggerated or taken out of context, but
21 based upon evidence we will be getting into
22 that a little bit later today, it should not
23 be forgotten as well I feel.

24 In addition to that evidence, Your
25 Honor, we would emphasize at the scene, as

1 the photographs show, that there was blood
2 tracked throughout the house, that there was
3 obviously an attempt to come back and clear
4 up the blood around the body of Mrs.
5 Haysom. There is the markings, obviously
6 wiping markings, surrounding the blood.

7 We found blood throughout the house
8 that we think will perhaps be more
9 pertinent in the later trial of the co-
10 defendant, but we can establish the blood
11 types of the victims of course and we feel
12 can establish a scenario of him going
13 through the house and things of that nature
14 by virtue of the blood types of each victim
15 there.

16 There was an alien blood type found
17 at the scene as well not consistent with
18 either victim.

19 Concerning the evidence which
20 developed after the initial investigation
21 there at the scene, we would like to
22 proceed to the memorial service which was
23 conducted of course for Mr. and Mrs.
24 Haysom. There were some perhaps unusual
25 things that occurred thereafter. We would

1 like to point out that there was one
2 gentleman at the memorial service by the
3 name of Mr. Don Harrington who observed
4 Jens Soering, the co-defendant, at the
5 memorial service. He had come down from
6 Charlottesville with Elizabeth Haysom and
7 another friend. He did observe that there
8 was an injury to Soering's left cheek.
9 Mr. Harrington would testify that he had
10 done some boxing himself, this being
11 Mr. Harrington in his earlier days, and his
12 immediate response or thought to himself
13 was someone caught this man with a right
14 cross.

15 We would like to emphasize by
16 referring back to the autopsy report that
17 the right hand of Mr. Haysom did have an
18 abrasion on the right knuckle.

19 We would also have Mr. Harrington
20 testify that he observed one, possibly two
21 fingers on Jens Soering, this being the
22 left hand, and that Soering was wearing at
23 the memorial service, this being April 7th
24 of '85, a band-aid or some type of dressing
25 of that nature.

1 As the memorial service came about,
2 Your Honor, I should really have gotten
3 into the fact that on April the 3rd after
4 the bodies were found, Mrs. Massie, some
5 investigators, went to Charlottesville
6 where the defendant was a student at that
7 time. She was of course advised, that was
8 the purpose of going there, to tell her
9 what had happened to her parents. Her
10 response was one of being very quiet. We
11 do not think that she displayed any tears
12 or outward displays of emotion. She and
13 Soering rode back to Lynchburg in the car,
14 remaining rather quiet the entire time.

15 Thereafter, after the memorial
16 service, she was interviewed on April the
17 8th by Investigator R. W. Gardner of our
18 sheriff's department and another
19 investigator. This, Your Honor, is a tape
20 that I think is perhaps three hours long.
21 We would like to play just a portion of
22 that tape. We have the entire transcript
23 that we would like to introduce, but the
24 purpose of the playing of a portion of the
25 tape would be that we think that it is

1 probative, her tone of voice, the manner in
2 which she can describe in detail various
3 background items, a little laughter
4 occasionally, this of course being the day
5 after she had attended a memorial service
6 for her parents.

7 We also found it odd and would have
8 testimony from her brother, Dr. Haysom, and
9 others who would establish that later,
10 after the burial and things of that nature
11 had been attended to, it was of course
12 necessary to clean up the house after the
13 investigation had been completed there.
14 Dr. Haysom will testify that he and other
15 members of the family were of the opinion
16 that of course they should send in
17 professional cleaners to clean up the blood
18 and things of that nature.

19 Elizabeth Haysom it seems thought that
20 that was an unusual and unnecessary
21 expense, volunteered to go in and clean up
22 her parents blood herself.

23 Dr. Haysom is a doctor of course, a
24 medical doctor, and would testify that
25 despite his experience with blood and

1 injuries, that he had no stomach at all for
2 going in there, but if that had to be done,
3 if the others wanted it, he could certainly
4 carry his end of it.

5 The other members of the family felt
6 that that was indeed unnecessary as far as
7 cleaning it up themselves, professional
8 cleaners were hired, they did come in.
9 Subsequent to that, however, Miss Haysom
10 went in with other people and did some
11 cleaning of her own. We have a witness
12 from Lynchburg who is subpoenaed who would
13 testify that she was cleaning in the area of
14 the fireplace, which the photographs show,
15 where Mr. Haysom's body was found, made
16 some statement to the effect of here are
17 pop's brains or something of that nature
18 while she was wiping.

19 She also saw one of the footprints
20 that I have described there on the floor
21 and upon removing her shoe, placed her foot
22 in that impression to perform some type of
23 comparison I suppose. Dr. Haysom would say
24 that he considered that unusual and told
25 her to stop it.

1 So our evidence, Your Honor, would be
2 that concerning her reaction there
3 immediately after, we feel that we could
4 establish if the case were tried, certainly
5 this was conduct not what you would
6 expect from a daughter who had just been
7 informed and become aware that her parents
8 had been brutally murdered. Remorse was
9 not there at least outwardly, though we
10 understand and think we would have
11 testimony from family members that she is
12 indeed quite theatric and something of an
13 actor.

14 We would also like to proceed with
15 other evidence. I'm getting a little bit
16 out of context because I will be calling
17 some of the officers, but I would like to
18 get some of this evidence in before they
19 actually testify.

20 After the April 8th interview, 1985
21 that is, the Bedford County Sheriff's
22 Department learned that there had been an
23 automobile rented by Elizabeth Haysom on
24 the weekend of March the 29th, it was
25 returned to Charlottesville--rented at

1 Pantops Texaco there in Charlottesville, on
2 March the 29th around 2:30 and was returned
3 on Sunday, March the 31st, the time of the
4 return being 3:18.

5 We have interviewed and subpoenaed the
6 two individuals who were working there and
7 who rented the car and who were there when
8 the car was returned. Douglas Crenshaw
9 would be the individual who rented the car.
10 We have the form here which we would like
11 to introduce. He can relate--this is his
12 handwriting, he can relate that he took the
13 driver's license from E. R. Haysom, took
14 down the necessary information, compared
15 the driver's license to the individual
16 renting the car, student identification was
17 used from the University of Virginia, he
18 took down all that information, the rental
19 form of course has the signature at the
20 bottom of E. R. Haysom.

21 The return of the rental car was
22 handled by Mr. Clarence Meadows, he would
23 testify as to his handwriting.

24 However, what struck the sheriff's
25 department immediately as being unusual was

1 that we were learning of some trip or
2 obviously we'd known at that point of a
3 trip from Charlottesville to Washington,
4 D.C., and the approximate mileage there, if
5 we say 115 miles, which is somewhat
6 conservative. But at any rate, if you go
7 one way and return you have 230 miles, and
8 if you do some reasonable driving
9 thereafter, which you would not expect a
10 whole lot if you're paying mileage on it,
11 but at any rate, when the car was returned
12 it had been driven 669 miles, virtually
13 three times the mileage one might expect
14 under these circumstances. And we would
15 like to introduce and have shown to counsel
16 and provided copies of this document.

17 We would state, Your Honor, and the
18 Court can of course take judicial notice,
19 but if you drove from Charlottesville to
20 Washington, D. C., 110, 115 miles,
21 whatever, went from Washington back to
22 Charlottesville, Charlottesville to the
23 Haysom residence, and if you approximate
24 that distance from Charlottesville to the
25 Haysom residence of being something of the

1 nature of seventy-five miles for additional
2 adding purposes if nothing else, and we
3 think again that's a conservative estimate,
4 returning back to Charlottesville, giving
5 you 150 miles there, and then having a trip
6 from Charlottesville to Washington and from
7 Washington back to Charlottesville, we know
8 that sounds a little complicated, but we
9 think that the evidence will establish that
10 is what happened as far as the operation of
11 this motor vehicle, then we would have
12 mileage there in excess of 600 miles. And
13 if you allow for a little driving around
14 Washington and Maryland and places of that
15 nature, you've got your 669 miles or
16 thereabouts.

17 We would also like to establish in
18 that regard, and we will be presenting
19 evidence from the tapes, that Elizabeth
20 Roxanne Haysom and Jens Soering checked
21 into the Washington Marriott Hotel on March
22 the 29th. Our evidence will establish that
23 the purpose of them going there was that
24 they had previously planned the murder of
25 Derrick Haysom and Nancy Haysom, that

1 Miss Haysom was indeed an accessory before
2 the fact in her planning, encouraging and
3 entreating of Jens Soering to murder her
4 parents, that thereafter she assisted and
5 abetted by providing an alibi, by remaining
6 in Charlottesville--excuse me, in
7 Washington, attending movies, purchasing
8 room service, on Saturday, March the 30th
9 ordering two meals instead of one, Jens
10 Soering was down here in Bedford at that
11 time, and checking out the next day, this
12 being Sunday, March the 30th.

13 The reservations for this stay in
14 Washington were made in advance, they were
15 made in the name of Miss Haysom, her
16 address is listed there. The initial
17 arrangements for payment for the hotel room
18 were made with a credit card displaying the
19 name of Claus Soering, this being Jens
20 Soering's father, as I understand it some
21 sort of German diplomat in Detroit. We'd
22 like to introduce this as well.

23 We would also like to introduce
24 certified copies of the wills of Mr. and
25 Mrs. Haysom. They're filed downstairs and

1 these are certified copies. But at any
2 rate Your Honor, I won't go into the
3 details of those wills, we think that they
4 speak for themselves, but a quick reading
5 of them would be that Miss Haysom and the
6 other members of the family of course would
7 inherit from the death of the parents,
8 there being--I don't know exactly how to
9 categorize their exact wealth because I
10 don't know that, but there was quite a bit
11 of money there.

12 And the provisions here in both wills
13 would be that if there were the simultaneous
14 death, the standard there occurring as to
15 the thirty days provision, that there would
16 be a trust established, that Miss Haysom's
17 education would be provided for. One will
18 provides that upon the completion of the
19 arrangements for her education and things
20 of that nature, or her becoming twenty-
21 seven years of age, the will of one parent
22 is what I'm getting at, would provide--the
23 principal at that point would be
24 distributed, the will of the other parent
25 providing that the income would continue to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

each of the children, but the principal would be retained for distribution to the grandchildren.

But we would like to introduce this, these two documents as--and we also have the inventory which was filed downstairs, these again being certified copies.

Your Honor, our evidence would continue, and I very quickly would like to conclude this portion of our presentation and make arrangements to play some tapes for the Court, we have the transcript as I have indicated, as taken with Investigator Gardner, but to give something of an overview of the evidence that we will be presenting, Your Honor, we will be establishing that after the initial interviews in April of 1985, the sheriff's department continued their investigation and based upon the evidence found there at the scene, obtained blood samples, fingerprints, things of that nature from different individuals, attempts were being made to obtain anatomical footprints and blood samples from Jens Soering in October

1 1985. He initially indicated to
2 Investigator Ried and Investigator Gardner
3 that he would provide these samples to
4 them, this call as I recall was made on a
5 Wednesday, October the 9th, 1985, he'd
6 indicated, and this is verified in the
7 diaries that we'll be getting into in just
8 a little while, that he would provide the
9 samples on October the 16th and
10 arrangements were being made to do this,
11 this being from Wednesday to Wednesday.

12 However in the intervening weekend, he
13 departed the Commonwealth of Virginia, got
14 on a plane in Washington, D. C., his
15 automobile was found there as I recall at
16 the National Airport up there, departed the
17 country as a matter of fact, leaving behind
18 a very prestigious scholarship, actually
19 two prestigious forms of status there at
20 the University of Virginia where he was a
21 student. He was an Echols Scholar, as was
22 this defendant. I understand this to be a
23 selection of the very highest members of an
24 entering class, the most capable, it's very
25 selective, very prestigious, affords very--

1 well different privileges at the University
2 of Virginia as far as course selection,
3 living arrangements, things of that nature
4 would be concerned.

5 The defendant Elizabeth Haysom and
6 Jens Soering had completed their first year
7 at the University of Virginia at the
8 conclusion of 1985. In the fall of 1985,
9 at the time that I'm presently describing,
10 they were entering and beginning their
11 second year. Jens Soering did abandon that
12 particular status as an Echols Scholar.
13 That form of scholarship, however, did not
14 carry any money with it. But in addition
15 to that, he was also a Jefferson Scholar
16 which carries with it a full four-year
17 tuition.

18 We have subpoenaed and interviewed
19 Mr. Vandersee, who would testify that he
20 had spoken with both of these
21 defendants, he was their dean of course,
22 had discussed with them their studies and
23 things of that nature, was definitely
24 surprised upon their departure, thought
25 that they would return, but testified that

1 neither Elizabeth Haysom or Jens Soering
2 when they left Charlottesville or when they
3 departed the country made no arrangements
4 at the University whatsoever as far as
5 their scholarships were concerned, made no
6 arrangements to withdraw from their classes
7 or to make arrangements for incompletes.
8 As a result, at the end of that semester
9 they received failing grades and have been
10 suspended.

11 The evidence will show as we get into
12 it later that Jens Soering left on that
13 intervening Saturday between the two
14 Wednesdays, this being October the 12th,
15 1985, and the diary which we will get to a
16 little later will show that Miss Haysom
17 left for Washington the next day, Sunday,
18 October the 13th.

19 We have also subpoenaed and
20 interviewed friends that they had at the
21 University of Virginia. One would state
22 that Miss Haysom had indicated that she was
23 going to join Jens Soering in Washington,
24 D. C. on that Sunday. All friends, the
25 dean, everyone that we could find there at

1 the University of Virginia would state that
2 upon their departure, they never saw them
3 again, heard of them again or anything of
4 that nature until their arrest in London.

5 Your Honor, if I could ask, because we
6 would like to get into the playing of some
7 of the tapes, if I could respectfully
8 request just a short recess for the FBI to
9 set up the recording equipment.

10 THE COURT:

11 It's a good time for a recess. It's
12 approximately forty-five minutes from when
13 I said. At this time we're going to take a
14 recess of approximately ten minutes. If
15 there is anyone who needs to leave the
16 courtroom, they may do so because again,
17 when we start back, no one will be allowed
18 in or out.

19 (Whereupon a recess was taken.)
20
21
22
23
24
25

1 STATE OF VIRGINIA

2 AT LARGE, to-wit:

3 I, Jacquelyn Keen, Notary Public in and for
4 the State of Virginia at Large, do hereby certify that the
5 testimony contained herein was and transcribed by me, and
6 that the foregoing Pages 1 through 40 represent a true and
7 accurate transcript of said proceedings to the best of my
8 Stenographic ability.

9 My commission expires November 18, 1989.

10 Witness my hand this 26th day of July, 1989.

11

12

13

14

15

16

17

18

19

20

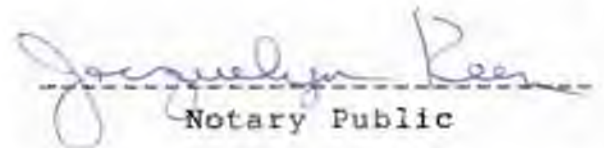
21

22

23

24

25


Notary Public

1 VIRGINIA:

2 IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

3 COMMONWEALTH OF VIRGINIA

4
5 V.

6 ELIZABETH ROXANNE HAYSOM
7
8
9

10 TRANSCRIPT OF PROCEEDINGS

11 Testimony in Support of Guilty Plea

12 August 24, 1987
13

14 APPEARANCES:

15 THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

16 For the Commonwealth: James W. Updike, Jr., Esq.
17 Bedford County Courthouse
18 Bedford, VA 24523

19 For the Defendant: R. Andrew Davis, Esq.
20 307 West Main Street
21 Bedford, VA 24523

22 Hugh J.M. Jones, III., Esq.
23 8800 Timberlake Road
24 Lynchburg, VA 24502

25 Reported by: Jacquelyn Keen

ASSOCIATED REPORTING SERVICE
111 Euphan Avenue
Lynchburg, Virginia 24502
(804) 525-2345

I N D E X

PAGE

R. W. GARDNER

Direct examination by Mr. Updike 3

TERRY WRIGHT

Direct examination by Mr. Updike 23

Cross examination by Mr. Jones 86

KENNETH BEAVER

Direct examination by Mr. Updike 88

E X H I B I T S

PAGE

COMMONWEALTH'S

Exhibit 15	Transcript of 4-8-85 interview	4
Exhibit 16	4-8-85 cassette tapes	5
Exhibit 17	Transcript of 4-16-85 interview	9
Exhibit 18	4-16-85 cassette tapes	15
Exhibit 19	Letters	19
Exhibit 20	Letters	20
Exhibit 21	Haysom custody record	24
Exhibit 22	Copies of ID cards	30
Exhibit 23	Letter to Jens	35
Exhibit 24	Jens Soering diary	45
Exhibit 25	Copy of letter and envelope	50
Exhibit 26	8-3-85 letter	67
Exhibit 27	Letter to Jens	78
Exhibit 28		
Exhibit 29	Haysom custody record	89
Exhibit 30	Transcript of 6-6-86 interview	92
Exhibit 31	Transcript of 6-8-86 interview	98
Exhibit 32	Drawing of knife	121
Exhibit 33	Transcript of 6-9-86 interview	123
Exhibit 34	Interview of Elizabeth Haysom	126

1 AUGUST 24, 1987 P R O C E E D I N G S 9:30 A.M.

2
3 THE COURT: All right, the Commonwealth may
4 proceed.

5 RICKY W. GARDNER, was called as a
6 witness and having been duly sworn was examined and
7 testified as follows:

8 DIRECT EXAMINATION

9 BY MR. UPDIKE:

10 Q State your name, please, sir.

11 A Ricky W. Gardner.

12 Q You're an investigator with the Bedford
13 County Sheriff's Department, is that correct?

14 A Yes, sir.

15 Q And you have participated in the
16 investigation of this matter since the 3rd of April, 1985,
17 is that correct?

18 A Yes, sir.

19 Q And during the course of your
20 investigation, specifically on the 8th day of April, 1985,
21 did you and another investigator have the occasion to
22 interview the defendant, Elizabeth Roxanne Haysom?

23 A Yes, sir.

24 Q And that other investigator was who,
25 please?

1 A Investigator Debbie Kirkland with the
2 Lynchburg City Policy Department.

3 Q And that interview was taped, is that also
4 true?

5 A Yes, sir, it was.

6 Q And Bob McClure of the FBI over here has
7 that taped interview and we're prepared to play that and
8 that interview has also been transcribed, is that correct?

9 A Yes, sir.

10 Q Would this be a copy of the transcription
11 of that interview?

12 A Yes, sir.

13 Q All right, I'm going to leave a copy with
14 you, but we would like to introduce a copy of that, Your
15 Honor.

16 (TRANSCRIPT OF 4-8-85 INTERVIEW
17 OF ELIZABETH HAYSOM INTRODUCED AS
COMMONWEALTH EXHIBIT 15.)

18 Q And Your Honor, if we could ask then that
19 at least the first portion of this tape be played at this
20 time.

21 THE COURT: All right, sir.

22 (Whereupon a portion of a tape was
23 played.)

24 MR. UPDIKE: Your Honor, if I could
25 ask just a couple of questions at this

point, please sir.

BY MR. UPDIKE: (continuing)

Q Investigator Gardner, as far as the remainder of the interview is concerned, and I think it goes on for what, maybe three hours or something of that nature?

A Yes, sir.

Q At that point you were going into a lot of background information and the tape continues along that vein, is that correct?

A Yes, sir.

Q And you have prepared copies of the original tape recordings?

A Yes, sir.

Q And would those be those copies?

A Yes, sir.

MR. UPDIKE: Your Honor, we'd like to introduce these. These would be the entire tapes then, copies of those?

THE WITNESS: Yes.

MR. UPDIKE: If we could make those part of the record, please.

(TAPES OF 4-8-85 INTERVIEW OF ELIZABETH HAYSOM INTRODUCED AS COMMONWEALTH EXHIBIT 16.)

BY MR. UPDIKE: (continuing)

1 Q Investigator Gardner, going back and picking
2 up on the first part where the defendant made reference to
3 Annie Massie, we have of course interviewed Ms. Massie, I
4 think she's here at this time as well.

5 A Yes, sir, she is.

6 Q And has she indicated she's prepared to
7 testify that on that Wednesday of April the 3rd, 1985, she
8 did in fact receive a message from her maid, this being
9 Ms. Massie, that Elizabeth Haysom was trying to get in
10 touch with her?

11 A Yes, sir.

12 Q And Ms. Massie returned the phone call to
13 Elizabeth Haysom there in Charlottesville at the
14 University of Virginia at that time.

15 A Yes, sir.

16 Q Would Ms. Massie also testify that
17 Elizabeth Haysom indicated that she'd not been able to get
18 in touch with her parents and that she needed some money
19 for this rental business?

20 A Housing needs, yes, sir.

21 Q Housing. And Ms. Massie also said that she
22 was prepared to lend the money to Ms. Haysom, the
23 defendant--

24 A Yes, sir, she said she loaned her the
25 money.

1 Q And would Ms. Massie further testify that
2 in response to this, she indicated to Ms. Massie that she
3 wanted Ms. Massie to go out to the house to retrieve
4 something else?

5 A Yes, sir, she did say that.

6 Q A transcript of something.

7 A On her mother's desk.

8 Q So she was making these requests of
9 Ms. Massie on April the 3rd to go out to the house, the
10 Haysom residence, and check things out.

11 A Yes, sir.

12 Q This interview was on April the 8th, 1985?

13 A Yes, sir, at Boonsboro Elementary School.

14 Q Did the defendant through any of this
15 interview show any remorse or emotion that you observed?

16 A No, sir.

17 Q Any crying, any breaking down, things of
18 that nature?

19 A No, sir.

20 Q Now we heard from--at several points some
21 laughing at different things, did that continue through the
22 entire tape at different points?

23 A Yes, sir.

24 Q And this April the 8th would be the day
25 after the memorial service, and in fact just a little bit

1 over a week from the actual murders.

2 A Yes, sir.

3 Q After you concluded this interview, you had
4 the occasion to interview Elizabeth Haysom on a second
5 occasion, is that correct?

6 A Yes, sir, I did.

7 Q When was that please, sir?

8 A On April the 16th, 1985.

9 Q Now from the time of this first interview
10 to the time of that second interview, did you learn some
11 information concerning a rental car in Charlottesville?

12 A Yes, sir.

13 Q And tell us briefly about that, please.

14 A Through our investigation we learned that
15 there had been a car rented in Charlottesville by
16 Elizabeth Haysom. At this point, after going to
17 Charlottesville and talking to the people at the Pantops
18 Texaco which is on 150 outside of Charlottesville, we
19 found that in fact Elizabeth Haysom had rented a car on
20 March the 29th, 1985, and the car had been returned on
21 March the 31st, 1985.

22 Q And you retrieved, or those documents have
23 been retrieved and they are the ones that we've already
24 introduced pertaining to the rental of that car on that
25 occasion.

1 A Yes, sir.

2 Q And the mileage was displayed on the rental
3 form at the return--

4 A Yes, sir.

5 Q --as being what, 669 miles?

6 A I think the total mileage was 669 miles
7 from the 29th when it was rented to the 31st when it was
8 returned.

9 Q And the point that I'm getting to,
10 Investigator Gardner, during this second interview on
11 April the 16th, 1985, you discussed with Elizabeth Haysom
12 this discrepancy in the mileage as far as a trip to
13 Washington from Charlottesville and--round trip between
14 Charlottesville and Washington.

15 A Yes, sir.

16 Q And that interview has been transcribed as
17 well, would that also be correct?

18 A Yes, sir.

19 Q And would these be a couple copies of the
20 transcriptions of that interview?

21 A Yes, sir, it is.

22 Q If you would keep one, please, and if I
23 might introduce one.

24 (TRANSCRIPT OF 4-16-85 INTERVIEW OF
25 ELIZABETH HAYSOM INTRODUCED AS
COMMONWEALTH EXHIBIT 17.)

1 Q And Special Agent McClure, I think--
2 do you have that second tape?

3 A No, I still have that.

4 Q You have that?

5 A That's in my box. No, sir, that's in
6 another package that I failed to bring into the courtroom.

7 Q Where would that be?

8 A It's in your office.

9 Q In that large box?

10 A Yes, sir. It's in a green envelope.

11 THE COURT: Would you like a short
12 recess? All right, we'll take a five-
13 minute recess at this point.

14 (Whereupon a recess was taken.)

15 THE COURT: I just wanted to ask a
16 question. In here you're going into a
17 relationship with other people. If it's
18 necessary, if you have a point to make in
19 support of the plea, of course we'll do it,
20 if not, I see no reason to go into all of
21 this. It's up to you, sir.

22 MR. UPDIKE: All right, let me make a
23 point if I might.

24 BY MR. UPDIKE: (continuing)

25 Q Investigator Gardner, when Ms. Haysom was

1 brought back to this country in May of this year, did you
2 discuss with her this particular conversation concerning
3 Fontaine?

4 A Yes, sir, I did.

5 Q And what did she say about her indications
6 to you concerning Fontaine during this interview?

7 A During this particular interview, she
8 stated to me in May of '87 that--I reminded her of what
9 she told me in this interview, that maybe she was sort of
10 making it appear that Fontaine could possibly have
11 murdered her parents, and she said that yes, that she was
12 just trying to save her skin.

13 Q Save her skin?

14 A Yes, sir.

15 Q By making it look in April of '85 like
16 Fontaine had done it, is that correct?

17 A Yes, sir.

18 Q And she and Fontaine were supposedly
19 friends, weren't they?

20 A Yes, sir.

21 Q And when you talked to Elizabeth Haysom
22 about Fontaine initially on April the 6th, 1985, that being
23 the first interview we just heard--

24 A Yes, sir.

25 Q --you discussed Fontaine with her that

1 time, didn't you?

2 A Yes, sir, that's April the 4th.

3 Q April the 4th then, okay.

4 A Yes, sir. The first interview we talked to
5 Elizabeth about Fontaine.

6 Q Okay. But between that first interview and
7 the second interview, was there a change in her
8 indications and statements concerning Fontaine?

9 A Yes, sir.

10 Q What kind of change?

11 A Well in her first statement on April the
12 8th, '85, she was very defensive of Fontaine.

13 Q The first one?

14 A The first one. She couldn't--she said she
15 didn't feel like Fontaine could have done something like
16 that.

17 Q How about this interview that we're
18 listening to now?

19 A Well she goes on to say later in the
20 statement that it's possible Fontaine might have done it.

21 Q So she changed between those two
22 interviews.

23 A Yes, sir, she did.

24 Q Maybe I can ask you, you all were asking
25 about some other interviews--or excuse me, other

1 individuals as well. Were there some indications on her
2 part that there might possibly be some involvement on
3 their part, specifically I'd be referring to you
4 questioned her concerning Ms. Nancy Haysom's first
5 husband, is that right?

6 A Yes, sir, Patrick Dare.

7 Q Yes, uh-huh. And this is during the same
8 interview.

9 A Yes, sir.

10 Q And does she start telling you some unusual
11 things concerning him, some bizarre things?

12 A Yes, sir, she does.

13 Q Did you know about those before she started
14 telling you about them?

15 A No, sir, I did not.

16 Q Does she tell you in this interview about
17 her parents having a safe in the house?

18 A Yes, sir, she did.

19 Q Did you all look through the house and find
20 any safe?

21 A No, sir, we didn't.

22 Q Did she tell you that her mother usually
23 kept five or \$10,000 cash, money, back in the bedroom?

24 A Yes, sir.

25 Q Did you find any money back there in the

1 bedroom?

2 A No, sir, I did not.

3 Q At that particular time, were you trying to
4 determine whether or not robbery was a motive for this
5 murder?

6 A Yes, we were.

7 Q And she said there was money back there.

8 A She did say that.

9 Q Concerning the money, you asked her who
10 knew where it was. Did she volunteer that Annie Massie
11 knew where it was? I can show you the place in the
12 interview if you would, it would be Page Eighteen.

13 A Yes, sir.

14 Q Annie Massie, as she indicated in these
15 interviews, was a friend of her as well, is that right?

16 A Yes, sir.

17 Q And we have copies of this tape recording,
18 would that also be correct?

19 A Yes, sir.

20 Q We have a whole package here; I expect you
21 could find them for me more quickly than I could. Here
22 you go, sir.

23 MR. UPDIKE: Your Honor, we'd like to
24 introduce copies of the original tape.

25 THE COURT: All right.

1 (TAPES OF 4-16-86 INTERVIEW OF
2 ELIZABETH HAYSOM INTRODUCED AS
3 COMMONWEALTH EXHIBIT 18.)

4 MR. UPDIKE: And Your Honor with that,
5 we would not proceed further with this
6 particular tape.

7 THE COURT: All right.

8 BY MR. UPDIKE: (continuing)

9 Q And at the conclusion of that interview,
10 Investigator Gardner, through the summer months and
11 approaching the period of October 1985, the investigation
12 at that point was primarily being conducted by you and who
13 else?

14 A Myself and Investigator Reid.

15 Q Were you all trying to get some evidence of
16 some sort from Jens Soering, some blood samples,
17 anatomicals, things of that nature?

18 A Yes, sir.

19 Q And as we approached October of '85, if you
20 could tell us a little bit about what you did, his
21 response, what happened, please.

22 A Okay, we tried to contact Jens after
23 speaking with Elizabeth, but right after we spoke to her
24 in April it seemed I believe that it was summer, and they
25 were away that summer and we was having a hard time trying
to track him down.

1 But anyway, we finally contacted him and
2 requested that he sit down and talk to us. And on October
3 the 6th, 1985, Jens Soering came to the Bedford County
4 Sheriff's Department and Investigator Reid and myself
5 spoke to Jens Soering on that date.

6 We talked in general, but from that
7 conversation he informed the two of us that he would be
8 back in contact with us to give us an answer as to our
9 request for his physical evidence, his fingerprints, his
10 blood, his anatomical foot impressions. That day he said
11 he wasn't going to submit them but he would think about it
12 and he would call back on Wednesday.

13 On Wednesday, the 9th of October, 1985, I
14 received a phone call from Jens Soering. And I spoke with
15 Jens over the telephone and he said that he had decided to
16 submit to any tests that we wanted him to take and submit
17 any physical evidence that we wanted from him, but due to
18 mid-term exams and studying that week, that he would have
19 to make an appointment with us for October the 16th, which
20 is one week later, which would have been the following
21 Wednesday.

22 So I told him, I said well we'll meet you
23 at the University of Virginia Police Department at 9:00
24 next Wednesday morning. And I said if anything changes,
25 you know, let us know, just save us a trip to come up

1 there, you know, whatever. And he said that he would, so
2 at the conclusion of that telephone call, Investigator
3 Reid and myself were planning to meet him on the 16th of
4 October.

5 Q Okay, what happened please?

6 A On October the 14th we received a telephone
7 call from Dr. Howard Haysom, who is Elizabeth Haysom's
8 half brother, who was in Lynchburg. He said that he was
9 supposed to have dinner with Jens and Elizabeth on the
10 15th, the 15th of October. He called on the 14th which is
11 a Monday.

12 And he said that he was to have dinner with
13 Elizabeth and Jens in Charlottesville on the--let me make
14 sure--the 15th, the night of the 15th, and he had gone to
15 Charlottesville and spoken to Christine Kemp, who was
16 Elizabeth Haysom's roommate, and Christine informed
17 Dr. Haysom that Jens and Elizabeth had left
18 Charlottesville.

19 And he was quite upset, so at that time I
20 was, too. So we, Investigator Reid and myself that night
21 went to Charlottesville and spoke with Christine Kemp and
22 received--she said that she had given us--Elizabeth had
23 left letters--Jens had left letters and Elizabeth had left
24 a letter and wanted her to give us, the proper authorities
25 or whomever, the letters that were addressed to those

1 people.

2 Q And who is Christine Kemp again now?

3 A She was--well her and Elizabeth were, I
4 believe they were referred to as suite mates or roommates,
5 they were sharing the same house.

6 Q But at any rate, when you all got up to
7 Charlottesville on that night, October the 14th, you could
8 not locate or find either Elizabeth Haysom or Jens Soering,
9 is that correct?

10 A Correct.

11 Q And this Christine Kemp who was the
12 roommate let's say of the defendant, gave you letters from
13 Elizabeth Haysom and Jens Soering, would that be correct?

14 A Yes, sir.

15 Q And I think the one written by Mr. Soering
16 is specifically addressed to you all, isn't it--

17 A Yes, sir.

18 Q --to Officers Reid and Gardner? Would that
19 be a copy of that letter?

20 A This is a copy of the envelope and this is
21 a copy of the letter that he left Investigator Reid and
22 myself.

23 Q And this letter from Elizabeth starting
24 with--

25 A Dearest Donald.

1 Q Okay. If we could introduce those, please.

2 (LETTERS TO OFFICERS REID AND
3 GARDNER INTRODUCED AS COMMONWEALTH
EXHIBIT 19.)

4 Q Now at that particular time, is it true
5 that both Jens Soering and Elizabeth Haysom were Echol's
6 Scholars there at the University of Virginia?

7 A Yes, sir.

8 Q And I've described a little bit concerning
9 that earlier, and Jens Soering was a Jefferson Scholar, a
10 full four-year scholarship.

11 A Yes, sir, he was. He was both a Jefferson
12 Scholar and an Echol's Scholar. She was an Echol's Scholar.

13 Q She was just the Echol's Scholar.

14 A (Witness nods in the affirmative.)

15 Q Well from that point on, from October of
16 '85, I assume you continued looking for Jens Soering and
17 Elizabeth.

18 A Yes, sir, I did. Assuming they were in
19 Europe, we did through other agencies locate the Sirocco
20 at National Airport in Washington, D.C. about three or
21 four days later.

22 Q Did you have any contact or receive any
23 messages of any type from either one of them, either of the
24 defendants from October on into 1986?

25 A No, sir, we didn't.

1 Q When was it that you finally learned of
2 their whereabouts, approximately, would it have been in
3 May of '86?

4 A It was the end of May of 1986.

5 Q And what was that communication and from
6 whom, please?

7 A Well personally I received a phone call, it
8 was on a Thursday, from a constable, Detective Terry
9 Wright, and he stated that--well he told me who he was and
10 he stated that he was with the Richmond, England Police
11 Department. And he asked me was I interested in one
12 Elizabeth Haysom and Jens Soering and I said yes, sir, I
13 am.

14 And--let's see, make sure I get it
15 straight--he asked me if--he said well before you ask me
16 anything--or we were talking and he said before I ask you
17 anything, he said are her parents dead and I said yes,
18 sir, they are.

19 He said one other question. Were they
20 murdered? And I said yes, sir.

21 Q And he informed you at that time that both
22 Jens Soering and Elizabeth Haysom were under arrest in
23 England.

24 A In England. Yes, he said that they were
25 incarcerated over there.

1 Q And at that point you went to England to
2 continue the investigation.

3 A Yes, sir.

4 MR. UPDIKE: Your Honor, at this point
5 we have no further questions of
6 Investigator Gardner, but we'd like to call
7 him back a little later to keep things in
8 continuity. And we'd wonder if they'd want
9 to ask him some questions now or wait.

10 THE COURT: Gentlemen, do you have
11 any questions?

12 MR. DAVIS: Judge, we'd just wait
13 until the final appearance of Mr. Gardner.

14 THE COURT: All right. You wanted to
15 present these but not read them into
16 evidence at this point?

17 MR. UPDIKE: We would not read them
18 into evidence, but we would like to
19 introduce them at this point.

20 THE COURT: All right, they are
21 introduced.

22 (LETTERS FROM ELIZABETH HAYSOM
23 INTRODUCED AS COMMONWEALTH EXHIBIT
24 20.)

24 MR. UPDIKE: Your Honor, our next
25 witness would be Detective Constable Terry

1 Wright from the Metropolitan Police
2 Department; we would be spending a little
3 time with him, would you like to call him
4 now or break for lunch?

5 THE COURT: Well we could do either.
6 I would not like to run past 1:00 which is
7 approximately one-half hour. I'll follow
8 suggestions of counsel as to whether we
9 should stop now and come back at 1:30 or
10 try to go until 1:00.

11 MR. UPDIKE: Your Honor, we're
12 prepared to do either one, but I think that
13 Detective Wright could take a little longer
14 than that and I would like, if permitted,
15 not to break his testimony.

16 THE COURT: Well in that case I think
17 I would prefer to go ahead and take our
18 lunch break now at 12:30 and come back at
19 1:30. Let's recess for one hour.

20 (Whereupon a luncheon recess was
21 taken.)

22 THE COURT: The Commonwealth may call
23 its next witness.
24
25

1 TERRY WRIGHT, was called as a witness
2 and having been duly sworn was examined and testified as
3 follows:

4 DIRECT EXAMINATION

5 BY MR. UPDIKE:

6 Q State your name, please, sir.

7 A I'm Terry Wright, detective constable,
8 Metropolitan Police, England.

9 Q And Detective Constable Wright,
10 Investigator Gardner has testified just a few moments ago
11 about a phone call and some contacts that he received in
12 May of 1986 from you all concerning Elizabeth Haysom and
13 Jens Soering. What I'd like to ask you about, though, if
14 you would just begin with relating to us how it was that
15 Jens Soering and Elizabeth Haysom came into custody there
16 in England, what were the circumstances of their arrest,
17 please?

18 A Yes, sir. They were shopping while in
19 London in a store called Moss and Spencers, which is a
20 store in Richmond. I believe the date was the 30th of
21 April, 1986.

22 Q All right, sir. And if I could stop you
23 there, I should have done this and I apologize. I don't
24 know whether you would need to make reference to this
25 during your testimony, but in the event that you should,

1 if I could provide you with this.

2 First of all, if I could show you an
3 original document and just ask you to identify that,
4 please.

5 A Yes, sir. In our country whenever anybody
6 is arrested and taken to the police station a record is
7 kept of the time they arrived, the reason for their arrest
8 and the details, any movements of the prisoner when
9 they're taken out for interviews, if there's food given
10 and details of that sort, property that was in their
11 possession.

12 Q And so that would be the actual original
13 record that you're talking about and that you have here,
14 is that correct?

15 A That is correct.

16 Q And this would be a Xerox copy of that same
17 original record.

18 A Yes, sir, it is.

19 Q And if we could introduce the copy, please.

20 (CUSTODY RECORD OF ELIZABETH HAYSOM
21 INTRODUCED AS COMMONWEALTH EXHIBIT
21.)

22 Q The original of course will have to be
23 taken back to England with you for your files there, is
24 that correct?

25 A Yes, sir.

1 Q And again, I just hand you that in the
2 event that you should need to review to it. And sorry to
3 have interrupted, but continuing, you think it was April
4 the 30th and what were the circumstances, please.

5 A Yes, sir, it was April the 30th and
6 Elizabeth Haysom was in company with Jens Soering. They
7 were sitting in Moss and Spencers when a store detective,
8 a female store detective that worked there, she initially
9 kept observation on Jens Soering. She thought that--she
10 was suspicious of him and she followed him around the
11 store. He was buying articles of clothing which in actual
12 fact were lady's clothing.

13 She followed him for some time and he--what
14 we call, he did a refund. He took goods back to the
15 refund desk, goods that had been bought in Moss and
16 Spencers on a different day, produced a receipt, got a cash
17 refund for those clothes. He then went to another cash
18 desk where he purchased some more articles using a check
19 book.

20 For some reason she was suspicious of him.
21 kept an eye on him. While she was following him around the
22 store, she also noticed Elizabeth Haysom and was
23 suspicious of her, too. She thought they were together,
24 although they didn't acknowledge each other.

25 She followed--she had to make a decision

1 and decided to keep an eye on Jens Soering and followed
2 him outside the store. And in George Street outside
3 they--Elizabeth Haysom and Jens Soering met together, they
4 went into another store and then left the town of Richmond
5 on a chew train, I believe they're called a subway; she
6 still followed them.

7 And on route she saw an off-duty policeman
8 that she recognized and asked him to assist her and he
9 also followed.

10 Q And what happened then, please?

11 A Yes, sir. The first stop along the line,
12 there's a place called Q. When they stopped at Q Station,
13 the policeman approached Elizabeth Haysom and Jens Soering,
14 told them that he was suspicious and thought they'd been
15 involved in a check fraud. He asked them to leave the
16 train, which they did.

17 On the platform, the railway platform, I
18 understand that Elizabeth Haysom also produced check books
19 in the name of Tara Lucy Noe and Christopher Platt Noe.

20 Q So they were posing at that point as Mr.
21 and Mrs. Noe then. And please continue.

22 A He was not happy, although they had
23 identification cards in those names, I believe it's a
24 Canadian citizenship card and possibly a driver's license,
25 Canadian. He decided that their actions were suspicious.

1 The story told by the store detective was
2 related to them and he wasn't satisfied with their
3 explanation and they were both arrested and taken to
4 Richmond Police Station.

5 Q And once they were taken to the Richmond
6 Police Station, if you wouldn't mind, just summarize
7 briefly what happened from that point on.

8 A Yes, sir. On arrival at Richmond Police
9 Station, they gave the names of Tara Lucy Noe and
10 Christopher Platt Noe, and that is the name that this
11 record of interview was initially made out in.

12 Inquiries were made relating to the--I
13 believe it was a Wednesday, the 30th, and the banks were
14 still open and inquiries were being made to find out
15 whether or not those check books were stolen.

16 During the afternoon, myself and
17 Detective--now Detective Inspector Beaver but at that time
18 Detective Sergeant Beaver, interviewed briefly Jens Soering
19 and later Elizabeth Haysom, although at that time we still
20 believed they were Mr. and Mrs. Noe. As a result of
21 this, these interviews in which they strongly denied that
22 they were involved in any fraud, it came to light that
23 they were staying in London temporarily on a shopping
24 spree, and we left the police station with Jens Soering to
25 search at the address where they were staying.

1 Q And I believe Jens Soering executed a
2 consent for that search, would that be true?

3 A Yes, sir. He was asked whether he
4 consented. In fact if he hadn't consented, he wouldn't
5 have told us where the address was and we'd have had no
6 way of knowing where it was. But he also endorsed the
7 custody record, his custody record, not this particular
8 one, with his authority for us to search that address.

9 Q So if you would, then, just continue. You
10 went to this address; where was it and what happened?

11 A Yes, sir. It was at a placed called At
12 Home, which was a temporary accommodation and bed sit as we
13 call them, a small apartment. It was in Gloucester Place
14 which is in the center of London, or very near it.

15 And on arrival there--Elizabeth Haysom
16 stayed at the police station and we went with Jens Soering
17 alone. Inside the accommodation we found various
18 documents, diaries, other bits of correspondence which
19 related to Elizabeth Haysom and Jens Soering, and that's
20 where we actually identified their true names.

21 There were also correspondence there
22 related to maybe ten other people, and each of these pieces
23 of correspondence, although they had false names on them,
24 they did bear photographs of Elizabeth Haysom and Jens
25 Soering.

1 Q And if I could stop you there, please,
2 Detective Constable Wright. Would these be Xerox copies of
3 the forms of identification that you recovered during this
4 investigation pertaining to the defendant, Elizabeth
5 Haysom?

6 A Yes, sir.

7 Q And if you would--these forms of
8 identification have the picture of Elizabeth Haysom on
9 them, would that be correct?

10 A Yes, sir, although they are in various
11 different guises.

12 Q If you wouldn't mind just flipping through
13 there and giving us some of the names that might be on
14 these different items of identification.

15 A Yes, this first page actually bears the
16 name of Elizabeth Roxanne Haysom and it's signed in that
17 name. There's a resident alien certificate, what looks
18 like a Canadian citizenship card, a University of Virginia
19 class card of some sort and a Commonwealth of Virginia
20 operator's, I believe a driving license.

21 Q Okay, sir, those having the name of
22 Elizabeth Haysom on them.

23 A Yes, sir.

24 Q And the other items of identification
25 please.

1 A Again, various Canadian citizenship cards,
2 this one bears the name of Catherine Lynn Peake.

3 Q Catherine Lynn Peake.

4 A Yes, sir. It bear that name and a
5 photograph of Elizabeth Haysom. Again, driver's license
6 and citizenship cards in the name of Caroline J. Ferrell,
7 Catherine L. Peake, Melissa A. Taylor and Christina M.
8 Clarke, all bearing photographs of Elizabeth Haysom.

9 Sarah E. McKensie, Julia Alexandra Holte,
10 Tara Lucy Noe, which is the identification that she
11 initially gave and those are the ones there, sir.

12 Q And we would like to introduce this,
13 please.

14 (COPIES OF IDENTIFICATION CARDS
15 INTRODUCED AS COMMONWEALTH EXHIBIT
16 22.)

17 Q And the original letters of correspondence th
18 you have described that you recovered, many of those have
19 been brought to this country to be used during this
20 particular proceeding, would that also be correct?

21 A That is correct, yes, sir.

22 Q Now was she later confronted with
23 information that you then had concerning her true identity
24 by other officers?

25 A Yes, sir. We returned at around about
10:25; that's not recorded on this particular record, but

1 it will be on the record of Jens Soering and--

2 Q Would it be helpful if I handed you that
3 one as well?

4 A No, sir, I believe it was around 10:25 that
5 evening, with various pieces of property and--from Moss
6 and Spencers in the form of clothing and a lot of
7 correspondence, including passports, diaries, letters,
8 mainly kept in a large suitcase.

9 I'm sorry, sir, in answer to your question,
10 I believe she was allowed to speak briefly with Soering,
11 and in fact she then volunteered or agreed that her name
12 was Elizabeth Roxanne Haysom. And the following day when
13 some of the property was sorted out she did in fact sign
14 her custody record in that name.

15 Q Would you be in a position to summarize
16 basically what she had to say in the interview which was
17 conducted at that time by your department?

18 A Yes, sir, she was asked--she initially
19 maintained that they were not committing any fraud. She
20 was asked about her actions, why they were shopping in a
21 shop together but apparently apart, doing refunds and
22 returning stuff from one store to another and paying by
23 check for the goods, and she maintained that that was just
24 the way that they preferred to shop.

25 The following morning after we had

1 discovered a true identity, she was again interviewed and
2 admitted that she was part of a fraud with Jens Soering
3 whereby they would open bank accounts in various names,
4 which in itself is no offense in our country, but what
5 they would do, as soon as they got ahold of check book
6 and cards they would then spend the whole check book and
7 turn it into cash by doing refunds at Moss and Spencers.

8 Q Once you learned that and they were in
9 custody on those charges, could you tell us a little
10 something about what it was that eventually led you to
11 contact Bedford County?

12 A Yes, sir. Even on that first evening when
13 we arrived at the place called At Home, on the bed was a
14 hat, a wig and a diary. And in the diary were various
15 details and a time table of how they could get from one
16 store across London to the next store and a code, all
17 working out how the most economical way of committing a
18 fraud.

19 And certain details that were in that diary
20 related to our fraud inquiry, but also there was a
21 reference to Bedford, Virginia; well I assume Bedford,
22 Virginia, a reference to Bedford and certain other
23 references to C'ville and references which stated that
24 fingerprints were wiped clean from cars and hotel rooms,
25 and that made me suspicious.

1 Q I'll show you the diary in just a few
2 minutes to have you read from it, but based upon the
3 suspicions then that you developed because of these items
4 of correspondence, did that lead you to make the inquiries
5 that eventually led to the contact with Investigator
6 Gardner?

7 A Yes, sir. And that night I took possession
8 of the diary, and Sergeant Beaver, now Inspector Beaver
9 took possession of a suitcase which was full of
10 correspondence. Over the next few days I sat and read
11 every item of correspondence in the suitcase and
12 discovered quite a number of letters with various
13 references in it I was certainly suspicious of, and I
14 continued to inquire all the time that they were in
15 custody awaiting trial for the fraud charges.

16 Q What type of inquiries did you have to
17 make?

18 A I initially--well between us, we initially
19 sent a Telex message through Interpol asking various
20 member countries of Interpol whether they were suspected
21 of any offenses or wanted for any offenses.

22 And later, some weeks later, I actually
23 went to see the legal attache at the American Embassy to
24 find out whether he could contact an Officer Reid or an
25 Officer Gardner, which one of the letters referred to.

1 Q Now when you spoke to Investigator Gardner,
2 as I understand it from his testimony you did ask him
3 during that telephone conversation two questions about
4 Elizabeth Haysom, whether her parents were dead and
5 whether they had been murdered, is that correct?

6 A Yes, sir.

7 Q What led you to ask those questions?

8 A Having read the various letters numerous
9 times, I formed the opinion that a murder had taken place
10 but I didn't know where and I didn't know when. And I
11 eventually received a teleprinted message or a Telex
12 message saying that they were suspected in the murder, and
13 my first questions to Officer Gardner were was there a
14 murder--or were her parents dead and were they murdered.

15 Q Now if we could actually get into some of
16 these items of correspondence that you're talking about.
17 And Detective Constable Wright, maybe if you could slip
18 just a little closer to the microphone; you've come a long
19 way, we all want to make sure that we hear you.

20 Let me show you first of all a letter and
21 ask you whether or not that's one of the letters that you
22 all seized on April the 30th, 1986, from the flat that you
23 have described.

24 A Yes, sir, this is one of the letters seized
25 by Sergeant Beaver which was picked out from the rest of

1 the correspondence along with other letters over the next
2 few days.

3 Q And the letters were addressed to whom,
4 please?

5 A It starts off Jens.

6 Q And the signature at the end would be what?

7 A It just says Elizabeth.

8 Q And during an interview that occurred once
9 Investigator Gardner got over there and you all were
10 interviewing the defendant, did the defendant Elizabeth
11 Roxanne Haysom admit and confirm that she actually wrote
12 that letter to Jens Soering?

13 A Yes.

14 Q And would this be a copy of the letter that
15 you have in your hand?

16 A Yes, sir.

17 Q We would like to introduce the copy if we
18 might.

19 (LETTER TO JENS SOERING INTRODUCED AS
20 COMMONWEALTH EXHIBIT 23.)

21 Q The letter is not dated, is it?

22 A No, sir, it just bears the opening Jens and
23 the signature Elizabeth at the end.

24 Q If we could introduce this, and I might
25 like to ask you in a few minutes, once we get to another

1 letter of reference that might help us put that into
2 perspective.

3 Q And at this time, if you would Detective
4 Constable Wright, you've read the letters a number of
5 times, would you mind reading that letter to us, please.

6 A Yes, sir, I'll just spend a moment making
7 sure it's in the right order.

8 Q Please, if you would.

9 A Yes, sir. It begins "Jens, I am writing
10 this down because I'm a writer, not a thinker or a
11 speaker. Writing is the only way I can communicate with
12 any depth; also, I need to talk to you." Excuse me,
13 "Also, I need to talk to you now and you must not be
14 disturbed, so with all of that please forgive the
15 elementary school notion of passing notes.

16 "First of all I love you, I love you
17 selfishly and I love you with pain. I can envisage
18 writing long lists of how desperately I love you, but I
19 have written too much already. Fatigue and weariness of
20 affection will drive you to indifference and boredom." In
21 brackets it says--excuse me, sir.

22 It says, "You just" and then there's a word
23 I'm not quite sure of, "how hard it is not to cling to
24 you. Our talk this evening struck me to the whites of
25 my toes. I was shaking so much I could hardly speak. I am

1 glad you realize that I have never physically touched a
2 man the way I touch you, but how can I make you
3 understand that, that no woman could ever take your place.

4 "Two months is a long time. It is a longer
5 time when you feel a wheezing pain of loneliness. It is a
6 time long enough to discover one's own mind. During this
7 period I tested every aspect of my devotion. I even
8 tempted my devotion. I pulled and twisted it into a
9 multiple amoeba of contortion. I studied as the Jesuits
10 do and still it held fast.

11 "The night I went to the gay bar I was
12 picked up. She was very attractive, amusing, competent
13 and very seductive. For a moment I thought I was rid of
14 my pains. But as lovely as she was, sitting there staring
15 at me with enormous blue eyes, tempting, teasing"--I'm not
16 sure of the next word, sir--"she didn't spark any desire.

17 "The only thought which passed was a
18 trickling little bit of giggle that I could still attract
19 the most beautiful girl in the room. A vanity, a small
20 conceit, which left a blinding"--

21 Q Is that void?

22 A Yes, sir. "--which left a blinding void.

23 "Yes, I would have enjoyed dancing with
24 her, feeling the sensuous delight and dangerous thrill of
25 a female companion, but I didn't want her companionship, I

1 wanted"--excuse me--"I wanted her for show. Melissa was
2 for show. There is a special deliciousness in possessing
3 one of the most desired persons in the community. For
4 them to want you and for you not to feel anything. It is
5 an intricate and exotic game. It is a forbidden game.
6 These things made it appealing to me in the past.

7 "The difference now is that I want to feel,
8 I want to enjoy, the tortuous, wrenching ties which batter
9 me. It has very little to do with genitals. Girls attract
10 me because they are forbidden. The uncertainty, the
11 isolation, it all fascinates me. I enjoy defying the
12 values"--I think it says "I'm instilled with. If men have
13 physically tormented me, girls have too, because one is so
14 vulnerable in a lesbian affair. I'm rambling, excuse me.

15 "Joe Bicep is sleeping in my bed. I could
16 have fallen in love with the girl, I didn't, I fell in
17 love with you.

18 "When I am with a woman I long for a man,
19 when I am with a man I long for the forbidden thrill of a
20 woman. When I am with you I feel only longing for all of
21 you and to possess the sweet and equally forbidden fruit
22 of love.

23 "Love has always been forbidden to me. Not
24 for a daisy's whisper, I have cared for someone, they
25 passed through my life if I enjoyed them, and when they

1 bored me I abandoned them.

2 "Yes, I have been very cruel. I revelled
3 in being a stone. No one affected my life very much. I
4 hated my love for you for a long time, I hated myself for
5 discovering vulnerability. But as the weeks passed, I
6 began to understand.

7 "I'd always believed that I made men fall
8 in love with me so that I could screw them physically and
9 emotionally and take out all the hatred I felt for them by
10 humiliating them. I despised their cheap bursts and easy
11 passions and in the end I made them hate themselves for
12 loving me and the torture I inflicted.

13 "I would make a man humiliate himself to
14 attain me, then I would give him the best that he'd ever
15 had or that he's ever likely to get and then walk out.

16 "Then I searched and discovered that the
17 disposed relief and the comfort that I found in women was
18 exactly the same. I treated them the same way except I
19 was kinder. It had nothing to do with genitals, it was
20 me.

21 "For ten years I have been despising myself
22 and you changed that. You cared with outbursts, you made
23 me feel like a young girl again who had the sun in her
24 eyes and not a moon between her legs. You were always
25 caring and just caring.

1 "I have known"--and then in brackets--"it
2 sounds like grandpa, many people, and simple,
3 straightforward caring is a rare thing. One other person
4 in my life has cared. She always picked up the pieces,
5 but I never loved her, that is why I love you." In
6 brackets it says, "Not only because you care, but against
7 all odds, being a male, you care. And that is why I
8 continued in almost peace, a sort of turbulent peace, to
9 love you for two months, and why I wanted to go on
10 forever." And then in brackets, "At this stage I feel
11 that I can afford to be naive and optimistic. My mind is
12 full of grandiose expressions which I'll spare you. This
13 has all been quite enough.

14 "Looking over it, it is as feebly
15 expressed as anything I've ever said and even more
16 confused. So it shall suffice to say that I love you and
17 it may alter in intensity and direction from time to time,
18 but I will always look to you for the part of me which no
19 one else will be able to snatch." And that's signed,
20 Elizabeth.

21 There is more, sir. It may be that it's
22 out of order. Would you like me to read it?

23 Q Please, if you would.

24 MR. DAVIS: Your Honor, if it makes
25 any difference as far as relevancy goes, we

1 don't object to it if the Court just wants
2 to see the letter and read it, if that
3 would help things with that particular
4 letter.

5 THE COURT: I would be glad to do
6 that.

7 MR. UPDIKE: We would like the letter
8 read, Your Honor.

9 THE COURT: Proceed.

10 BY MR. UPDIKE: (continuing)

11 Q Please continue if you would.

12 A Yes, sir. "Well I'm sitting"--excuse me.
13 I think it says, "Well I'm sitting in the suite and it's
14 extraordinarily dull at this hour. It's dull at any hour
15 but this hour makes it look more shabby and gray. Shall I
16 write you a story?" And then there is like a title which
17 is underlined, it says, "My Wife Is an Android and Her
18 Program is on Dim. Part One.

19 "When I woke up this morning, the ceiling
20 was inside out. Its dimples were pimples until I realized
21 I was staring at the mirror. My toothpaste cracked on my
22 brush as it always does twice a day and then I went for a
23 walk.

24 "It's the same walk I take every morning.
25 I sneak out of the bathroom, through a maze of Persian

1 carpet until I reach the stairs. I thought of climbing
2 down Everest since Hillary fell, removing the banister
3 of precedence,"--I'm not sure of the next word, sir, I
4 think it's my sensuous--"my sensuous something "fog of
5 coffee cleans my lungs and I am given strength to reach
6 the kitchen.

7 "There I discover that the parmesan is
8 hiding the tobacco. I wrestle with the worcestershire
9 and in a--I can't tell the next two words--I tip it down
10 the sink.

11 "The kettle hisses and spits at me in
12 disgust. My grapefruit bites my lip, jealously reminding
13 me of my lover's whip. The coffee, sweet, dear coffee,
14 old comrade in arms, soothes my temper and invites a stick
15 of no exit to join us. We have breakfast repartee,
16 listly gurgles about my fish and only murder."

17 Part Two. "There used to be this guy who
18 always bugged me. And I mean bugged me big time. He was
19 always whispering in my ear, you know, really disturbing
20 things that he whispered. And when he chose to disturb me
21 with his mutterings and rumblings, a person could go crazy
22 with the whisperings of Eden."

23 Part Three. "I got this great feeling
24 once, you know, like how I could get rid of this guy. One
25 night when he started in, I told that guy start in,

1 write a book. And being no fool, I enticed him to get in
2 its soft covers. That guy could mutter and carry on but
3 he had no brains, so I closed the book.

4 "Now he's trapped there where he's been
5 molded for a while now, suffocated in his own mumblings;
6 more like suicide than murder really. Anyway, his corpse
7 is true. Want to see it?" And that's where it finishes.

8 Q And at the top there, one part in the first
9 paragraph stated, gurgles about my first and only murder,
10 is that correct? We had breakfast with repartee? What is
11 it, uttering gurgles?

12 A Which part, sir?

13 Q The top of the page that you just read
14 there.

15 A Yes. We had breakfast repartee, listly
16 gurgles about my fish and only murder.

17 Q Could that--

18 A Fist, might be fist.

19 Q Or could that be first, can you tell?

20 A First, yes, with gurgles about my first and
21 only murder.

22 Q Thank you.

23 (Whereupon a recess was taken.)

24 **BY MR. UPDIKE:** (continuing)

25 Q Now Detective Constable Wright, I show you

1 another document, it looks like it's nearly forty pages
2 long, the majority of it being type written. Would this
3 be a diary written by Jens Soering to Elizabeth Haysom?

4 A Yes, sir, this is one of the pieces of
5 correspondence that we took from the flat in London.

6 Q And the date on that begins with what,
7 please?

8 A December 31st, zero nineteen a.m.

9 Q Okay. If I could see it--

10 A There's also a date there just below that
11 saying 1984.

12 Q I see. And it begins with the greeting
13 what, Dear Liz?

14 A Dear Liz. Would you like me to read it,
15 sir?

16 Q No, that one is rather long. If I could
17 just find--excuse me, find a copy of it here very quickly.
18 This would be a copy of the same document that you have
19 there, wouldn't it?

20 A Yes, sir.

21 MR. QPDLIKE: All right, if we could
22 introduce this, please. Now Your Honor, to
23 speed things along a little bit, there are
24 a couple of references from that document
25 that we would like to make, very brief

1 ones, and I think perhaps I could refer to
2 them faster than I could direct Detective
3 Constable Wright's attention to them.

4 **SOERING DIARY INTRODUCED AS**
5 **COMMONWEALTH EXHIBIT 24.)**

6 If I could read them quickly; I won't
7 be able to read them as well as he would,
8 but for example on Page Five, Your Honor,
9 halfway down the page, there is a reference
10 in this diary, this being under the date
11 of December 31st which would be the--yes,
12 December 27th, 31st.

13 But Your Honor, there is a reference
14 to Elizabeth Haysom and the statement
15 caring without lust. But Your Honor, we'd
16 just point out as being the very same
17 phrase which was used on I think the third
18 page of the letter that Detective Constable
19 Wright has just read to us.

20 And in addition to that--and the
21 purpose of that, Your Honor, being that it
22 appears to us to be a response to the
23 letter that has just been read, and if this
24 is dated December 31st, it would be our
25 position that that letter was written

1 before this was.

2 MR. UPDIKE: Proceeding to Page Six,
3 at the bottom of the page there is just a
4 sentence written by Jens Soering, again
5 under this same date, "You know that
6 certain 'instrument' for a certain
7 'operation' on somebody's relatives."
8 Again this is addressed to her.

9 There are other references of that
10 nature we'd like to refer to on Page Eight,
11 second complete paragraph, the first
12 sentence, Jens Soering still writes under
13 the same date, "By the way, were I to meet
14 your parents, I have the ultimate weapon."

15 Page Ten of the diary, under the same
16 date, Jens Soering writes, "If I repeat this
17 more we'll get out of SRAPON," which I will
18 explain in a moment. "Love is a form of
19 meditation and the ultimate weapon against
20 your parents. My God, how I've got the
21 dinner scene planned out. Unfortunately
22 (for you) result dad might leave me all his
23 loot. Don't worry, everything I have, am
24 or could become is already yours, I mean
25 that." Again Your Honor, reference to

1 weapon.

2 Page Eleven, the first complete
3 paragraph at the top of the page still
4 being the same date, "For what I do see
5 inside me is just that, Liz, that that
6 which there can be no greater than, as
7 Anselm said, I see it in me and in others
8 and in these 'color experiences' I
9 keep having. But I don't see it clearly
10 and I want to.

11 "This that carries with it some
12 powers. Depending on his mental and
13 emotional flexibility, your father, for
14 example, could quite well die from a
15 confrontation with it. If he is too
16 entrenched in hate and/or SRAPON (same
17 thing in many cases), or he could do
18 something silly like trying to give me all
19 his dough. I'm not overestimating I think."

20 The SRAPON, Your Honor, is a word
21 that he uses to describe a phrase he
22 develops earlier in the letter referring to
23 self-reflexive analysis and perpetration of
24 neurosis, something he refers to a number
25 of times during the letter.

1 Page Twelve, first complete paragraph,
2 Jens Soering writes, "I don't know whether I
3 can resist this. I can see myself
4 depriving people of their property quite
5 easily, your dad for instance." And Your
6 Honor, those would be the references we'd
7 like to make at this point, but we'd like to
8 come back to that in just a moment.

9 BY MR. UPDIKE: (continuing)

10 Q In addition to that item of correspondence,
11 if I could show you another one, please, and ask you to
12 identify that for us, and if we could just have this over
13 to the side here, please.

14 A Yes, sir. Again, this is an envelope that
15 was taken from the address in Gloucester Place and
16 contains a letter.

17 Q The envelope is addressed to whom, please?

18 A Jens Soering, 1001 Buckingham Road, Cross
19 Point.

20 Q And the date of the postmark would be what?

21 A It's a USA postmark and it's dated the 28th
22 of December, 1984.

23 Q And it begins under what date and what
24 reading, please?

25 A 20-12-84, My Dearest Jens.

1 Q Would this be a Xerox copy of the envelope
2 and the letter itself?

3 A Yes, sir. Yes, it is.

4 Q And we would like to introduce this,
5 please.

6 A At the top of the page there is the figures
7 20-12-84 and it starts, "My Dearest Jens".

8 Q But would that be the European fashion of
9 referring to December 20, 1984?

10 A Yes, sir, in Europe we put the day of the
11 month first, for the 20th, I'm sure it would be the 20th
12 day of the month.

13 Q And at the end is it signed Elizabeth?

14 A Yes, sir.

15 Q And during the interview on June the 6th,
16 1986 there at the police department in Richmond, during
17 which time you, Detective Inspector Beaver and
18 Investigator Gardner were present, did Elizabeth Haysom
19 admit that she wrote this letter as well to Jens Soering?

20 A Yes, sir, she did.

21 Q So that particular date of December 20th,
22 1984, this date would indicate that this was being written
23 by Elizabeth Haysom at the same time that Jens Soering was
24 writing this correspondence to her, would that be correct,
25 we're talking about the same time period.

1 A Yes, sir.

2 Q And would that be consistent with the two
3 of them being on Christmas break from school and they're
4 writing a diary form letter to one another?

5 A Yes, I believe so.

6 Q Would this be a Xerox copy of the envelope
7 and the letter itself?

8 A Yes, sir. Yes, it is.

9 Q And we would like to introduce this,
10 please.

11 (COPY OF LETTER AND ENVELOPE
12 INTRODUCED AS COMMONWEALTH EXHIBIT
25.)

13 Q Detective Constable Wright, then, if you
14 would read that document for us, please.

15 A Yes, sir. It's dated as I said, the 20th,
16 the 12th, '84. It starts, "My Dearest Jens, About half a
17 sorry hour after you left me Daniel Moses appeared, then
18 he left too, then I was alone."

19 Then that is followed by another date, 21-
20 12-84, and it says, "I wake up and I'm still alone. A day
21 of rain and loneliness. This morning I bought my father
22 a desk for his computer. It took all morning. I didn't
23 smoke. Then I went shopping, I bought cigarettes. I
24 bought other things, too.

25 "My father fell down. (I prayed.) He got

1 up, then I came home.

2 "The next-door neighbor who lives in the
3 poor house came for supper. He's just bought a new BMW.
4 A twenty-six-year-old fool who makes \$100,000 p.a. selling
5 insurance and sleeping with other people's secretaries.

6 "My parents began to drink. My father says
7 that the juniper extract used to flavor gin is a potent
8 poison/drug."

9 Q If I could stop you just in that
10 neighborhood there, please, because I think I have--I was
11 having a little trouble finding my copy. Thank you, sir.
12 Please continue just a little farther, then. You stopped
13 then at the gin?

14 A Yes, sir, it continues, "It causes similar
15 aggression as speed. My mother begins her 6th gin, I
16 pray she'll use the poker on my cold, goading father."

17 Q If I could stop you there. And there's a
18 reference, Your Honor, at this point in the letter to an
19 individual, and the letter continues that this individual
20 calls and "a party he says, breaking my concentration on
21 the many murder stories I have read."

22 A Yes, sir, that is correct.

23 Q If you could continue, please, sir, with my
24 parents want me to be with them.

25 A Yes, sir. It says, "My parents want me to

1 be with them; I want to be with you. They cry drunken
2 tears of affection, I cry tears of waste.

3 "There have been many burglaries in this
4 area recently. I am making an enormous mural. Only
5 twenty-two days left, one day gone. I have found the
6 editing equipment but the cameras are at Mayhill (NS).

7 "My unreal dog has a Lenin badge on his
8 forehead; he parades his politics the way you parade your
9 nationality. Wild animals make me burp."

10 It then carries on 22-12-84 and says "My
11 mother went to her hair appointment three days late. My
12 father and I cut down cedars for Christmas presents.
13 Would it be possible to hypnotize my parents, do voodoo on
14 them, will them to death?

15 "It seems my concentration on their death
16 is causing them problems. My father nearly drove over a
17 cliff at lunch, he nearly got squashed by a tree when he
18 got home and he keeps falling over. And my mother, drunk,
19 fell into the fire. I think I shall seriously take up
20 black magic.

21 "Will you really come to summer school? I
22 have almost discovered a means of living together over the
23 summer at least. My father has put Vera Lynn on and the
24 first song was Lily Marlane. Suddenly he believes that I
25 should make a living from singing. He's confident of my

1 voice. Didn't I sing the Christmas and Easter passion at
2 St. George's Chapel for the queen. But he's concerned
3 about my charisma. He's working on it now.

4 "My mother is concerned about my role, my
5 lack of consideration of going out last night. They
6 apologized profusely about bringing me home early and for
7 wanting to have me with me all of the time, but they blame
8 me for not reciprocating the offense.

9 "I did much washing today." I believe that
10 says her cousin. "Her cousin has come to dinner. She
11 brought me cigarettes. I phoned E'Oley Watson. She's
12 gone to Washington to the ballet. She won't have lunch
13 with me until I get back from Yugoslavia. She knows I will
14 come back just to have lunch with her, but she's vane to
15 think she's the only one I will come back for.

16 "My father lectured me on my career. The
17 drinking begins. My father calls like an alarm clock. I
18 must turn him off. For the moment I shall descend and put
19 him on snooze.

20 "Decorated exotic plants swelling"--I'm not
21 quite sure what this next word means, swelling kumquats or
22 something like that.

23 "My father interrupting my mother's
24 interruption, red wine, braving coffee, the scene of the
25 factless dinner party, William Styron (Sophie's Choice),

1 Gorden Leggett and family, Brokie Abbott, (a man of genius
2 because he's a cousin and paints well) and an entourage of
3 other mediocrities while Mozart's 42nd hums mockingly as
4 background sounds.

5 "My father insists on telling stories about
6 Japan, the men I have known, the honors I have been paid.
7 Tonight is sour with eeking away life, the memories trying
8 to convince the soul of its true worth. What a ridiculous
9 farce.

10 "In the room the women come and go, talking
11 of Michelangelo." It goes on in the form of a poem, sir.

12 Q Okay. Let me just stop you there and
13 review. I don't think that we need to read the poem. If
14 you wouldn't mind continuing, then, with December 23,
15 1984.

16 A Yes, sir. It starts 23-12-84. "More guests
17 come in to pay homage. Have written a vast quantity
18 today, about eight poems, twenty letters and now my diary
19 to you. My mother bitched at me for an hour. I told her
20 the story of anal personalities.

21 "I picked up the wood we cut yesterday and
22 moved it. My mother changed her mind. We removed it.
23 Then she decided to box it; we boxed it. Then we moved it
24 again.

25 "I rediscovered much poetry today,

1 especially T. S. Elliott. I found a poem on Mozart, The
2 Phoenix of Mozart by Claude Vigee and a piece on Alberto
3 Giurometh by Antons Artund.

4 "I became over excited by this part. The
5 man touched the womb of the woman who tenderly thanked him
6 with a gaze, but only the water, the deep well under its
7 little granite roof rejoiced in that gesture because it
8 perceived its remote meaning.

9 "Inside the house in a simple guest room
10 the great Giacometti was sleeping."

11 Then it says, "I thought you might
12 appreciate this, my house is a decayed house. And the Jew
13 squats on the window sill, the owner, spawned in some
14 estaminet of Antwerp. Briskered in Brussels, patched and
15 peeled in London." And then it says T. S. Elliott.

16 It continues, "How I love and miss you. I
17 have found part of your Christmas which is exciting. The
18 days go so slowly. Will you love me when we get back? I
19 begin to wonder. Can my feramanes reach you in Detroit?
20 Even if you don't love me, stay close to me.

21 "My God, I wish I hadn't hesitated at
22 school. Why don't my parents just lie down and die? I
23 despise them so much.

24 "I'm sitting in a bath, a very, very hot
25 bath with lots of bubbles. It makes me sleepy. And I

1 have drunk lots of beer. Webster is flowing.

2 "I really did drink too much. I wanted to
3 drown the hideous maternal voice and the droning paternal
4 growl. For Englishman, he's definitely lost the art of
5 understatement.

6 "I told my parents I was going to marry
7 you. My mother suggested I visit Detroit. I know it all
8 came too close to the bone, so I made you up. You're very
9 rich (well Grandma is). You, however"--I'm not sure of
10 the next two words, sir.

11 Q That's fine, if you'd just continue from
12 there, then. I don't know what it is either.

13 A I think it says with a carpel through it,
14 there's a castle with a carpal or something. "I ended up
15 speaking German to you. My mother notices with her usual
16 acumen that all the important men in my life have been
17 Germans; Hans from Munich, a true child of Hitler, Sebastian
18 from Hamburg, an unwitting child of Hitler, and Jens from
19 nowhere, a posing child of Hitler. I always said from my
20 early memoirs that I would marry a German or an Austrian.

21 "I was looking around at our house today.
22 We have a table made of wood"--I believe that's wood
23 horses--"and plywood in the living room with a priceless
24 Louis XIV chair beside it. My mother wears 1/2 K
25 diamonds in her ears and canvas K's on her fingers and

1 absolute rags from the black flea market on her buddy.

2 "They talk about this cottage in Bermuda
3 they're considering buying as a sometimes retreat but
4 refuse to pay a maid \$5 an hour to clean the house. We
5 have a dishwasher, washing machine and dryer which only
6 work on one button each, barely any water pressure, a
7 black and white secondhand TV which gets three stations,
8 the aerial doesn't work, et cetera, with some
9 extraordinary luxuries.

10 "My parents are going mad. We can either
11 wait until we graduate and then leave them behind or we
12 can get rid of them soon.

13 "My mother said today that if some accident
14 befell them she knew I would become a worthless
15 adventurer; more maternal acumen.

16 "Oh, I want to be with you and around you,
17 in you, through you, tied to you forever and ever. Did
18 you know I spoke to Christine about marrying you? She
19 felt it wouldn't work because once our passion wore off
20 our wills would wage new passion.

21 "She believes that you might become jealous
22 of my success I had, of any success I had, a rivalry would
23 begin between us. I knew exactly what she meant, however
24 I would always step down for you. I have no need to prove
25 myself to the world, or financial need. If necessary I

1 will always be a closet writer.

2 "Please my darling Jens, never let the
3 pursuit of excellence keep us apart, rather let it pull us
4 closer.

5 "My only if about marriage is the U.S. I
6 suppose my standpoint is ridiculous and I will immediately
7 abandon it if I'm sure that I will always have a root in
8 Europe.

9 "All this writing of marriage is because my
10 outburst to ma and pa. I'm not expecting a civil marriage
11 on the 12th of January."

12 Q Nor perhaps?

13 A --"nor perhaps even next. My God,
14 inspiration, why don't you come to Vienna during the
15 summer of '86 and do the internship at the United Nations
16 or something similar, work with Freud, Jr., et cetera.

17 "My poor darling, I have been self-centered
18 for several thousand words. Are you succeeding with
19 weights, hypnosis, NLP, the reading list, et cetera? How
20 is the chagrin of the family? "

21 It's then dated 24-12-84. "The days are
22 only being nibbled by a tiny mouse. My mother has just
23 had a hysterical fit of anger. However, I did have most of
24 the day to myself. I found part of my European diary and
25 my portfolio of garbage from Wickham which I thought had

1 been thrown out so long ago. I must show it to you if you
2 want to see.

3 "You must remember that I was a
4 pretentious, precocious thirteen to sixteen; now I'm just
5 pretentious. I found a few photos to give you an idea of
6 our life.

7 "Will you play cribbage with me next
8 semester? I'll teach you and beat you.

9 "I've designed my mural now and I think it
10 is going to work quite well though Christine, my parents
11 and probably everyone else is going to hate it. I think
12 I'll use pastels and color paint the background. It will
13 be a mural to us. And because it's an eternal depiction
14 of us together, I'm going to write a manifesto to us, a
15 neurosis."

16 Q Okay, and at this point she has written
17 there what she refers to as a manifesto, is that correct,
18 it goes on for a couple of pages?

19 A Yes.

20 Q I might not ask you to read that at this
21 point. However, what I would like to do, if I might, is
22 again, this was posted on December 28, 1984, is that
23 correct, to Jens Soering?

24 A Yes, sir.

25 MR. UPDIKE: And Your Honor, at this

1 point if I could refer to the exhibit that
2 was just introduced a few moments ago as
3 the diary written by Jens Soering during
4 this period of time. And referring to
5 Page Nineteen Your Honor, we would point
6 out that at this page of the diary, the
7 date is January 3, which would be
8 sufficient time for the letter from
9 Elizabeth Haysom to have gotten to Jens
10 Soering by mail.

11 Your Honor, I would like to have the
12 constable read a certain number of portions
13 from the same diary that we have just heard
14 and then I would like to refer the Court to
15 Mr. Soering's response in his diary.

16 **BY MR. UPDIKE:** (continuing)

17 Q For example, Constable Wright, if I could
18 refer you to the top of the second page of her diary,
19 talking about tears of affection, if you could just read
20 those two lines, please.

21 A Yes, sir. It starts on the first page,
22 "They cry drunken tears of affection, I cry tears of
23 waste. There have been many burglaries in this area
24 recently."

25 MR. UPDIKE: And on this date, January

1 3, Jens Soering writes to your actual
2 letter: "The fact that there have been
3 many burglaries in the area opens the
4 possibility for another one with the same
5 general circumstances. Only this time the
6 unfortunate owners," and then there are
7 three periods, just leaving it blank.

8 BY MR. UPDIKE: (continuing)

9 Q Constable Wright, if I could refer you on
10 down that same page to the entry under December 22nd. If
11 you could read the next some several lines through black
12 magic, please.

13 A Yes, sir. It says, "My mother went to her
14 hair appointment three days late. My father and I cut
15 down cedars for Christmas presents. Would it be possible
16 to hypnotize my parents, do voodoo on them, will them to
17 death?

18 "It seems my concentration on their death
19 is causing them problems. My father nearly drove over a
20 cliff at lunch. He nearly got squashed by a tree when we
21 got home and he keeps falling over. And my mother, drunk,
22 fell into the fire. I think I shall seriously take up
23 black magic."

24 MR. UPDIKE: And Your Honor, again on
25 this date of January 3rd, Jens Soering

1 responds, "By the way, yes, voodoo, et
2 cetera is possible. In a real sense we are
3 the victims. I will explain in person."
4 This for the record, again being Page
5 Nineteen of the Soering diary.

6 **BY MR. UPDIKE:** (continuing)

7 Q And Your Honor, just to establish quickly
8 that here is this response, if I could refer you please,
9 Constable Wright, to the top of the next page.

10 A Yes, sir. It starts, "My father calls like
11 an alarm clock. I must turn him off. For the moment I
12 shall descend and put him on snooze."

13 Q And it continues, please, through William
14 Styron.

15 A What, sir?

16 Q Just continue reading the next few lines,
17 please.

18 A Yes, it continues, "Decorated exotic
19 plants, swelling kumquats, my father interrupting my
20 mother's interruption, red wine, probing coffee, the scene
21 of the factless dinner party. William Styron, Sophie's
22 Choice, Gorden Leggett and family, Brokie Abbott, a man
23 of genius because he's a cousin and paints well."

24 Q Okay, that's fine; the point being that in
25 that point in the diary she's writing of William Styron,

1 the author of Sophie's Choice, is that correct?

2 A Yes, sir.

3 MR. UPDIKE: And Your Honor, on Page
4 Twenty, this being the next page that I
5 have been describing, Jens Soering responds
6 with the reference to Sophie's Choice,
7 "So some guy who was in Sophie's Choice
8 visited with your family and you, your dad
9 told about your past loves and et cetera."

10 BY MR. UPDIKE: (continuing)

11 Q Constable Wright, then on the page of
12 Elizabeth Haysom's diary dated December 23, 1984, below
13 the poem there is a reference to her finding a Christmas
14 present for Jens, is that correct?

15 A Yes, sir. "I have found part of your
16 Christmas present, which is exciting."

17 MR. UPDIKE: And Your Honor, the next
18 paragraph in this diary continues from Jens
19 Soering, "Christmas presents, there must be
20 the perfect gift for you out there
21 somewhere. The things I have thought of so
22 far seem so trivial and trivializing. I'm
23 confused, I just want to be with you."

24 BY MR. UPDIKE: (continuing)

25 Q Then Constable Wright, I believe she

1 continues on that same page with a reference to feramones,
2 is that correct?

3 A Yes, sir. It says, "Can my feramones,"
4 which is spelled f-e-r-a-m-o-n-e-s, "reach you in
5 Detroit"?

6 MR. UPDIKE: And Your Honor, in the
7 next paragraph on Page Twenty of the
8 Soering diary, Soering responds,
9 "Pheromones! Pheromones!"--and he spells it
10 correctly here, p-h-e-r-o-m-o-n-e-s--
11 "Pheromones! Pheromones! That's what you
12 meant. I'm sorry, but this is exciting."
13 And he continues with some statements
14 there.

15 BY MR. UPDIKE: (continuing)

16 Q Constable Wright, then the next page about
17 a quarter of the way down, I believe she's making a
18 reference in her diary to telling her parents that she was
19 going to marry Jens, is that correct? Again, "I told my
20 parents I was going to marry you"?

21 A Yes, sir. "I told my parents I was going
22 to marry you. My mother suggested I visit Detroit. It
23 all came too close to the bone."

24 Q Thank you.

25 MR. UPDIKE: And in the Soering diary,

1 Your Honor, the next page, Soering--or the
2 next paragraph, excuse me, Soering writes,
3 "Liz, we need to talk not so much about
4 marriage but you telling your parents about
5 us marrying. We need to talk not so much
6 about marriage but you telling your parents
7 about us marrying." What does that mean?
8 Excuse me.

9 **BY MR. UPDIKE:** (continuing)

10 Q And then she continues on down with her
11 diary to a reference about Jens and Hitler, is that
12 correct?

13 A Yes, sir. It says, "My mother noticed with
14 her usual acumen that all the important men in my life
15 have been German. Hans from Munich, a true child of
16 Hitler, Sebastian from Hamburg, an unwitting child of
17 Hitler and Jens from nowhere, a posing child of Hitler.

18 MR. UPDIKE: Your Honor, again on that
19 same page, Page Twenty of his diary, he
20 quotes specifically from that letter, "Jens
21 from nowhere, a posing child of Hitler.
22 I'm too stupid, Elizabeth, I don't
23 understand."

24 **BY MR. UPDIKE:** (continuing)

25 Q I believe the next page is she makes the

1 reference to Christine.

2 A Yes, sir. It says "Did you know I spoke to
3 Christine about marrying you." And it continues, "She
4 felt it wouldn't work out because once our passion wore
5 off our wills would wage a new passion. She believed
6 that you might become jealous of any success I had. The
7 rivalry would begin between us.

8 "I know exactly what she meant, however I
9 would always step down for you. I have no need to prove
10 myself to the world, or financial need. If necessary I will
11 always be a closet writer."

12 MR. UPDIKE: And Jens Soering writes
13 in the next paragraph on Page Twenty, Your
14 Honor, "Christine is smarter than I gave
15 her credit for. And you are, thank God, I
16 meant that very emphatically, much less
17 idealistic about me than I thought. 'You
18 might become jealous of any success I had.
19 Damn right, to quote J.R., how
20 appropriate." And that, Your Honor, that
21 he might become jealous of any success I
22 had, an exact quote from the Haysom diary.

23 And then, Your Honor, there's another
24 rece on the next page from both diaries to
25 the United States that I won't go into, but

1 basically this being the response in the
2 Soering diary to the Haysom diary. Thank
3 you, sir.

4 (Whereupon a recess was taken.)

5
6 **BY MR. UPDIKE:** (continuing)

7 Q If I could show you another document,
8 please, sir, and ask you what that is.

9 A Yes, this is another one of the letters
10 taken from the address in London which was acknowledged by
11 Elizabeth Haysom as being written by her.

12 Q And would this be a copy of that letter,
13 please?

14 A Yes, sir.

15 Q We'd like to introduce a copy of this,
16 please.

17 (8-3-85 LETTER INTRODUCED AS
18 COMMONWEALTH EXHIBIT 26.)

19 If you would, Constable, Wright, if you'd
20 read that letter for us, please.

21 A Yes, sir. It's dated 8-2-85 and it has the
22 time 2:36 p.m. at the top. It's on Ramada note paper from
23 Denver, Colorado and says, "My Dearest Darling, This is
24 going to be a difficult and strange letter to write so
25 I'll make an effort to be legible and coherent. I love

1 you very much, I know now more than ever how much I need
2 you, how much I love you, how incredibly important you are
3 to my life. I cannot conceive of life without you.

4 "I read Birdy on the flight. Fabulous
5 book in some ways. It was a mistake for me to read it.
6 The relationship between Alfonzo and Birdy was one which I
7 had always envisaged. There are people I have wanted to
8 be.

9 "I am amazed, Americans are identical
10 everywhere. They are the same faces here as in C'ville.
11 The blacks are the same, everyone is the same. Perhaps
12 here they concentrate more on their feet and hands but
13 they are the same. I find that depressing.

14 "Denver is grotesque, a truly magnificently
15 hideous place.

16 "I'm stalling. I'm scared because I
17 believe you love me and I believe we have a fabulous
18 relationship; I don't want it to change. So let me stall
19 a bit longer and tell you a story. Do not skip forward
20 you monkey.

21 "There was once a woman called Nancy
22 Langhorne who married Viscant Astor. She became
23 rich and famous and very powerful. She was a fabulous
24 woman. She was also a bigoted Christian Scientist and
25 like my mother (a British convert), she held her British

1 principles more strongly than the queen. She was a good
2 mother and a very influential policy maker in my family
3 because she was also my mother's aunt.

4 "As a christening present to me she gave me
5 100 Eaton Square (to be used by her until she died).
6 However, there was a condition; I had to go to Cambridge or
7 Oxford and I had to do something wonderful, i.e. something
8 for the betterment of mankind, England in other words. A
9 board of ministers was appointed, Lord Carrington, et
10 cetera.

11 Now when I was fourteen/fifteen, I wanted
12 to be an engineer very badly. I wanted to go to MIT or
13 Cal Tech because they are the best for applied science.
14 However, to maintain Eaton Square in my possession I had
15 to go to Cambridge and I couldn't go into Cambridge for
16 engineering because my math was so weak, although I got
17 into MIT.

18 "So I changed my plans and decided to do
19 history. Many political careers, et cetera, began at
20 Cambridge in the history department.

21 "So I went to Cambridge with a nice
22 scholarship, everybody pleased except for me who wanted to
23 study physics but who also wanted Eaton Square. I
24 compromised myself.

25 "And my grandfather was also generous. I

1 was also much influenced, as were my parents, by Lady
2 Astor. In the long run I was told when I went to Europe
3 the first time with Melissa, when I took a rest from
4 Cambridge, that the authorities were not pleased, I was
5 being irresponsible and foolish.

6 "I knew, however, that I couldn't live with
7 myself, the compromise for material possessions was too
8 great, so I went and I returned.

9 "When I came back Eaton Square was on a
10 lease (you know, ninety-nine year time thing, a favor to
11 the English.) My parents loved it. If you don't do this,
12 that and tither, we'll take away your funds, et cetera.
13 They wanted me to re-enter Cambridge, they wanted me to
14 have psychiatric treatment, they wanted me to do the
15 London scene, they wanted me to be their creation.

16 "I couldn't handle it, I freaked out. I
17 began to believe in the old Puritan principle of doing it
18 on my on. I didn't need their money or anybody else's, so
19 I took off to Europe to prove my point, how much I hated
20 them. I would not sell myself for their easy money.

21 "Their money was a cop-out and I would have
22 never had full control, i.e. if they couldn't--if they
23 didn't like my beloved, when I was thirty-five, they could
24 still say go out with him, marry him and you will be
25 poor.

1 "And so I lost absolutely everything except
2 for Henry Leer's money, and that money was used to pay
3 expenses for searching me out in Europe.

4 "So my parents, when I returned the second
5 time said now if you are very good we'll give you
6 everything back. So I became an Echol's Scholar. So I had
7 ambitions to remodel my soul, to become their dream child,
8 but nothing has happened.

9 "I went to Lynchburg College as they
10 insisted, taking courses they chose for me. I came to UVA
11 as they required. I got a four zero"--I believe that is--
12 "taking astro and fortran as my father insisted.

13 "But they only insist on more and more.
14 The are now ruling over me because I'm a good girl. I
15 will be rich, but until they die they will hold out.

16 "Who is paying for UVA? I am. My \$25,000
17 book contract payment is the same. Last semester cost me
18 \$5,000 and this will be about the same, if not more. The
19 \$500,000 I made from insurance I gave to Richard"--and
20 then in brackets it says brother over the top of that--
21 "because his business was being coerced by a major
22 architecture company. They wanted to buy him out and were
23 forcing him into bankruptcy by pressurizing his creditors
24 to collect and building up payments, Dallas, Dynasty sort
25 of thing.

1 "So I bailed him out with that cash. I
2 gave it to him the way I intend to give up other money. I
3 don't expect a return on it." And at that point there's a
4 little star with a note at the top of the page saying,
5 "Also at that time I was asked to believe that if I did my
6 stuff, UVA, et cetera, that on my twenty-first all would
7 be nicely settled; bull fucking shit.

8 "I think you are getting the picture. I
9 have very wealthy parents who won't give me a dime unless
10 I act out their fantasies, and for a while I believed they
11 would sincerely give me the money when I reformed. I
12 mean, damn it, I am reformed.

13 "However all this shit about guardians, et
14 cetera, until I finish my education is just another
15 pretense. After that will be another clause until I have
16 an acceptable husband or am president or something.

17 "I'm not prepared to act it out any longer.
18 Why spend an entire lifetime chasing the carrot and being
19 incredibly miserable when the carrot will eventually come
20 your way. They can't write me out of their will
21 completely.

22 "I'm sorry, I was not honest with you about
23 the situation. I was foolish, gullible enough to think
24 that every"--"I was foolish, gullible enough to believe
25 that every extra little thing I did, new little thing that

1 I did, they were going to sign the money over. I have no
2 excuse really, I was just so certain something would give,
3 but it never will.

4 "In some ways the prospect of freeing
5 myself from this whole entirely sorted affair fills me
6 with joy. To be completely free with you, reckless
7 adventurers, doing strange things with electronics, rubbing
8 with finesse, maintaining a brilliant lifestyle by sheer
9 force of personality. However I realize, and this is not
10 a judgment or anything else, that the lack of security
11 fills you with horror because you will feel anger because
12 of Connie's future, or however you spell his name.

13 "I promised you I would help pay for his
14 education, I will. He can have the rest of my book money,
15 \$15,000. It's not a vestment, I believe it will pay for
16 about half. I can always dig some up from somewhere. I
17 hate jewelry; I will steal my mother's and sell it. He
18 can go to school or we can live off my platinum junk.

19 "Originally I was never going to tell you
20 no matter what. So far I've been playing with bank loans,
21 et cetera. I will always have \$50 in my sock to buy
22 dinner, so don't feel completely insecure, but I felt I
23 had to tell you. Sorry, not only because I was perverting
24 the truth but because I wanted to share the adventure of
25 it all.

1 "If one works as a lawyer from nine to five
2 or from eight until ten to become rich, why can't one do
3 the same as an adventurer.

4 "I know this will upset you greatly. If it
5 will change your position about us or anything else,
6 please shout at me. Here is the ultimatum my parents have
7 put down: If I go to Europe with you, anybody else alone
8 to bum around, I can kiss lots of lolly goodbye." Lolly
9 is a European term for money.

10 "If I go to summer school or work as an
11 assistant editor to the New Yorker/Harpers, et cetera, I
12 will be on the right road to wealth. If you want to be
13 rich, we can't go to Europe, and if we stay behind, there
14 is still no guarantee as the past year has shown.

15 "You know my position. I don't give a fuck
16 about money, it can be obtained. I obtained large
17 quantities in Europe while trotting about. I'd only
18 starve because I had it stolen almost every time; other
19 times I just blew it on things which made me happy.

20 "I have obtained some money to get through
21 at UVA. It is not enough so I will pursue more from
22 somewhere. If I stay I need to find money. If I leave I
23 have to find money. If I leave I will have a damn good
24 time doing it.

25 "It is a nasty decision for you to make,

1 especially at the moment. You have a form of security in
2 the scholarship; not a light thing to give up when you're
3 giving it up for nothing.

4 "I am sorry. That is so incredibly feeble.
5 You don't need to decide anything at the moment; you don't
6 until September. I will stay with you even if I'm not at
7 UVA. In other words, if you wish to keep the scholarship
8 and stay at UVA, I will find something to do in C-ville,
9 maybe even stay at the U. You do what you feel and you
10 do what you feel you must, but I will stay in very close
11 proximity.

12 "My poor darling, guilt is an awful thing
13 but it is always unbearable where it concerns you. I have
14 really hated myself through all this. Was it better to
15 lead you into security blind and prove that there is no
16 external security or better to completely rock our
17 relationship by telling you.

18 "I've been completely selfish about it.
19 I wanted to insure that you loved me absolutely, the way I
20 love you absolutely, absolutely. And because I love you
21 so selfishly, I wanted to make sure you love me completely
22 before I try"--I can't read the next word.

23 It continues, "You're the inevitable
24 necessity for me to live through living and not living
25 through compromising.

1 "I hated myself for deceiving you and for
2 my own weakness. I couldn't bear for you to reject a
3 lifetime with me. Now I hate myself even more for the
4 deception because it will cause you so much pain. You
5 will not forgive me I'm sure until I redeem my position,
6 and I can only promise you that I will commit my life to
7 your physical security and comfort.

8 "It is not enough I know. Hate me, shout
9 at me, hit me, torture me, make me rob the federal
10 reserve, whatever, but please hug me when we meet. I
11 will do anything to compensate. You're the only person
12 I've ever loved and you're the only one who's ever really
13 loved me.

14 "You are my life. To have any deception
15 remaining in my life would be unbearable. It is time to
16 risk all for the truth. May some faith, God, realize that
17 the horror of this truth and confession and all that it
18 entails is more than equal to all my scheming deceptions
19 in the past.

20 "You know the whole truth. Nobody else on
21 this planet has a glimmer of the whole truth of the RE for
22 I have deceived them all to a lesser or greater degree.
23 Please don't create the greatest irony of my life. All my
24 defenses are down, there is nothing left now, there is
25 nothing left but raw, raw flesh.

1 "Love in its real form is a truly
2 revolutionary thing. I love you and no matter what your
3 judgment I will always love you.

4 "I'm going to write Henry Lear about money.
5 He's a trustee. Something may be worked out with his
6 personality; i.e. if we go check his mines or his rice
7 paddies in Thailand he may lose \$250,000 somewhere. My
8 father and he have had a big row, so he may like the idea
9 or I may do a book on him or something.

10 "This is all tittle-tattle, forgive me for
11 being such a wretch. I love you and I just want to be
12 with you. I just want to share every joy on earth with
13 you. I wanted to make you so happy and all I've done is
14 created more confusion.

15 "I deserve to be rejected, passed over for
16 some true, good and magnificent person. I never deserved
17 you but I'm grateful for having tasted the most glorious of
18 happiness that a person could ever wish. With love and
19 guilt, anxiety, love, love, love, love, love, or where
20 have you led me?"

21 Q And that's--that's basically the conclusion
22 of the letter. I think there's some P.S. or something
23 down there.

24 A Yes, sir. And it's signed E.

25 Q All right. Thank you very much. Now that

1 letter that you just read was posted March the 11th, 1985,
2 then, from the Ramada Inn in Denver, Colorado, as you've
3 already pointed out, correct?

4 A Yes, sir.

5 Q Now we have one here, then, that's written
6 April the 18th, or a couple of weeks after the murders, is
7 that also correct?

8 A Yes, sir.

9 Q I show you that letter at this time.

10 A Yes, sir, another letter that was taken
11 from the address in London.

12 Q And if we could introduce a copy of that
13 letter, please.

14 (LETTER TO JENS INTRODUCED AS
15 COMMONWEALTH EXHIBIT 27.)

16 Q If you could read that letter for us,
17 please.

18 A Yes, sir. It is in the writing which I now
19 recognize as belonging to Elizabeth Haysom, but there's a
20 footnote at the top which is in a different handwriting
21 which I believe to be Jens Soering.

22 It starts, "My Dearest Jens, There are a
23 couple of things I wish to say. I love you very much and
24 I'm sorry for snapping at you last night and for being a
25 dragon all of yesterday.

1 "Why did I snap at you? For the same
2 reason I snapped at you over the Eric business. You
3 immediately assume I have fibbed to you, you said so. Why
4 are you so insecure as to believe that if I had wanted to
5 look at Samuel from the beginning I would have lied about
6 it. Relax a little; I don't see you as my jailer yet.

7 "When I said I wanted to go to bed I did.
8 When I went to bed, I got a second urge to look over my
9 miserable pet project, a change of mind, surely the
10 privilege of every woman.

11 "Now you are probably fuming or contorting
12 yourself over I don't see you as my jailer yet. Well I
13 don't, but others do. I don't care for their opinions, but
14 they may have a point.

15 "I love you completely and if you gave me
16 half a chance I believe I would make you very happy, much
17 happier than you are now; a more peaceful, permanent,
18 universal happiness instead of the kind"--

19 Q COWTOWING perhaps?

20 A Yes, and there's no word we use, I'm not
21 quite sure--"of blind devotion which can only be
22 temporary. Blind devotion may seem to you to be the
23 perfect expression of love but it isn't. For you to be
24 blind, I must have double vision. I carry a double
25 responsibility for you and for me.

1 "I do not sit happily or easily on a
2 pedestal or in a framework of perfection. I need support,
3 not responsibility. I need love and not pressure. We
4 must support each other, for as hard as it is or as odd as
5 it sounds at the moment, I support most of you. I would
6 love to support all of you but I can't. I am only a
7 second rate human being coping with the tensions around
8 us.

9 "You're probably laughing at the idea that I
10 am supporting you when you have been at my arm throughout
11 these past two weeks, but you were the one who was in a
12 hostile or potentially hostile environment. You were the
13 one hating it, upset by my brothers. You were the one
14 claiming possession of the prize.

15 "You threatened to turn yourself in, to
16 commit suicide. When we returned you placed this
17 incredibly heavy responsibility of your life in my hands.
18 I believe we'll always be together; however, such
19 statements as don't worry, I'll never do anything stupid
20 because I'll always love you don't relieve the pressure,
21 they add to it. And although I'm not sure you don't mean
22 it to be an ultimatum or threat, it is.

23 "Genesis, i.e. the first book of the Bible
24 says one of the most worst things of all time about this.
25 Free will and choice are essential to man; otherwise he is

1 an animal, a slave, a toady.

2 "The death of my parents released me from
3 that position. I was free to choose to whom I give my
4 love. That free choice was essential because I gave it
5 willingly. We both know, or at least you should, that I
6 would have given it to you but you made the decision for
7 me. I was truly appalled when you said I didn't do this
8 for your brothers to take you away. I thought we did it
9 so that I could be free.

10 "Jens, I choose you now, I chose you
11 before. But darling, you must let me choose. If you
12 unwittingly coerce me, or perhaps it is consciously, how
13 can you be sure I love you, because I will only love you
14 because I am obligated to do so or because I am frightened
15 of the consequences if I do not.

16 "I'm being hard on you and I'm going to be
17 harder because I do love you and I always want to love
18 you. I refuse to let you kill that.

19 "Never again demand money from me. To say
20 to me I want 200 out of you tomorrow morning is to behave
21 like a bastard. You only needed to say, at least to
22 provide me with the thrill of giving you money unasked for
23 as a token of our unity, was I am really short of cash, or
24 could you loan me a couple of dollars. For you to sit
25 there and say have you got the money and not to say thank

1 you or anything, only to get like it was like the
2 collection of taxes or something, those are the words of a
3 bastard. Remember that it is money I have sort of earned.

4 "Also--yes there is more--don't you ever
5 assume, verbally to me anyway, that half of my father's
6 estate is yours. If you're so caught up in making money
7 out of my family you better reconsider. I will give you
8 everything I get whether you force me to or not. The
9 freedom to choose what I do with it, with my presents or
10 even my life and possessions, with whom I spend my time,
11 is all that I cherish. Do you have any understanding as
12 to what I am saying?

13 "It is not a happy feeling that you may
14 need me more than you love me. I love you and I need you,
15 but please give me some psychological or even physical
16 space to show you. For once you allow me to choose you,
17 and I will continue choosing you, you will begin to
18 understand the divine pleasure of being chosen.

19 "Please my darling Jens, try and
20 understand, I don't want your sacrifice to be a burden to
21 either of us and nor do I want for our love to slip away.
22 Think it over and I will meet you for dinner. I will come
23 to you." And it's signed R.

24 Q And that's April 18, 1985, two weeks after
25 the murder.

1 A That's the date on the top of the page.

2 Q And finally, if I could ask you about one
3 last document. You also recovered a diary from the flat
4 there in London, is that correct? And would this be that
5 diary?

6 A Yes, it is, sir.

7 Q It begins with the date October 5,
8 Saturday?

9 A Yes, sir.

10 Q And during that same interview that we've
11 been talking about, Elizabeth Haysom admits that she
12 wrote this jointly with Jens Soering.

13 A Yes, sir.

14 Q And I of course don't want you to read all
15 of this, but just the first, oh, maybe two pages or so
16 through October the 13th.

17 A It starts October the 5th, Sunday. "Jens
18 goes to see Officers Reid and Gardner in Bedford. They
19 insist on tests. Must phone them by the 9th of October."

20 Then it's dated October 7th, Monday.
21 "Elizabeth discovers she has a brain tumor. Jens gets
22 card to send his traveling passport." Then it's got some
23 words which are crossed out, but it says underneath the
24 crossing out, "Jens phones ML Bank about closing account."

25 October the 8th, Tuesday. "He has tumor

1 out, experimental laser tech."

2 October the 9th, Wednesday. "Jens phones
3 R&G"--which I believe is Reid and Gardner--"that he will
4 do the tests the following Wednesday because of mid-
5 terms."

6 October 10th, Thursday. "Jens phones ML
7 Bank about closing account. Account manager incorrectly
8 denies access. Calls father who calls C'ville in
9 evening."

10 October 11th, Friday. "Both accounts
11 closed. Jens' credit card overcharged \$500. Father's
12 card \$1,600, E closes at \$1,000, Jens closes at \$700.
13 Jens gets call from Richard to go to DC for WE. We go
14 shopping, get only bag, pack Jens. With Christine and
15 David at Martha's Cafe with Christine to"--I'm not sure of
16 the next word but it's something to do with--"to movie,
17 shooting party."

18 October the 12th, Saturday. "Write letters
19 (Jens). Lizzie throws fit with Chris and David over
20 shopping. Jens wipes fingerprints from room, passport
21 photos done. Leaves C'ville at 1:00 p.m., late, for D.C.
22 in his Sirroco. Off to National Airport, satellite
23 parking lot B. Wipes car. Barely catches People's
24 Express to Newark. Departs end at 7:00 p.m. Preppie
25 Negro girl and Buddhist technician as passengers.

1 "E begins packing and writes letter. Jens
2 calls from Europe to invite me to join Richard and himself
3 in D.C. E cooks dinner with Chris and David at 10:00.

4 "Howard phones. He's arriving in C'ville
5 perhaps tomorrow but will definitely be visiting Wednesday
6 six to eight.

7 "The case is about to be solved. Perhaps
8 fingerprints on the coffee cup used by Jens in Bedford
9 interview gave him away.

10 "E&C&D go midnight shopping, walk to
11 corner, Barracks Road Shopping Center, to buy hair dye for
12 E. Walk to Faulkner to pick up stuff. 8:03. Cook
13 cookies while hair is coloring."

14 Would you like me to continue?

15 Q No, that's fine. And I should have
16 introduced a copy of the entire diary, but that's through
17 the entry of October 12th.

18 A Yes, sir.

19 Q And there is an entry there talking about
20 coloring her hair and things of that nature. When you all
21 apprehended them there in London, did you retrieve
22 evidence of disguises from Soering and Haysom?

23 A Yes, sir, the various photographs on the
24 identity cards had different guises, and at the time
25 Soering had died his hair and photographs showed Elizabeth

1 Haysom with various different color hair.

2 MR. UPDIKE: Thank you, sir. I don't
3 believe that I have any further questions
4 of you.

5 THE COURT: Gentlemen, have you any
6 questions of this witness, Mr. Jones or
7 Mr. Davis?

8 **CROSS EXAMINATION**

9 **BY MR. JONES:**

10 Q Mr. Wright, you indicated that when Jens
11 Soering and Elizabeth Haysom were first arrested that they
12 were together for a period of time, do you recall?

13 A At which stage do you mean, sir?

14 Q When they were initially arrested.

15 A They met together outside the store, still
16 being observed by the store detective who had been
17 following Soering.

18 Q I'm talking about after they were in
19 custody, that there was a period of time that they were
20 together.

21 A After they were in custody, from my
22 recollection, I believe that they did speak together
23 briefly at about--after 10:00 that evening when we
24 returned from the address.

25 Q To your knowledge were they together for

1 any length of time?

2 A It would only be--I can't specifically
3 state how long they were together, but it would have only
4 been a few minutes.

5 Q And after the period you have been
6 testifying about there was a period of time when
7 Investigator Gardner was in London and some statements
8 were made.

9 A Yes, sir.

10 Q After that period of time, did you have
11 occasion to hear from Elizabeth while she was in Holloway
12 Prison?

13 A Yes, sir, I received a letter which was
14 addressed to myself and RS Beaver.

15 Q And in that letter, among other things, did
16 she express some concern about some threatening letters
17 that she had received?

18 A No, sir.

19 Q You don't recall that at all?

20 A No, I do recall; there was no reference to
21 that, sir.

22 Q Did she ever have any communication with
23 you after that weekend when she gave the statements about
24 receiving threatening letters?

25 A Yes, I spoke briefly on one occasion on the

1 telephone, and that was regarding some property which I
2 believe she said had been stolen, some correspondence that
3 she said had been stolen while she was in custody at
4 Holloway Prison.

5 Q On that occasion, was anything mentioned to
6 you by her about threatening letters?

7 A Certainly not, no. She did say that she
8 was worried about correspondence being missing, that she
9 feared th at the press would get ahold of it. No mention
10 of any threats.

11 MR. JONES: No further questions.

12 (Witness stood aside.)

13 KENNETH BEAVER, was called as a
14 witness and having been duly sworn was examined and
15 testified as follows:

16 DIRECT EXAMINATION

17 BY MR. UPDIKE:

18 Q State your name, please.

19 A My name is Detective Inspector Kenneth
20 Beaver; I'm attached to Hammersmith Police Station,
21 Metropolitan Police, England.

22 Q And your position, please, in April, May,
23 June of 1986.

24 A I was a detective sergeant at Richmond
25 Police Station, same force.

1 Q And during your stay there at Richmond
2 during the period that we've described, you also worked on
3 the investigation of the charges pertaining to Elizabeth
4 Haysom and Jens Soering, the charges there in London that
5 were described by Detective Constable Wright.

6 A Yes, I did, sir.

7 Q And before I begin asking you some questions
8 concerning a period of time when Detective Gardner and
9 myself came to England the first part of June, 1986, I
10 would like to show you a custody record. This would be
11 the actual original custody record, the second one, that
12 is, pertaining to Elizabeth Haysom, would that be
13 correct?

14 A That is correct, sir, yes.

15 Q And if you need to refer to that, sir,
16 during your testimony; we would like to introduce a copy
17 of that particular custody record.

18 (CUSTODY RECORD INTRODUCED AS
19 COMMONWEALTH EXHIBIT 29)

20 Q Detective Inspector Beaver, what I'd like
21 to do would be to, since we've covered basically what was
22 done before the trip to London on our part, if you would
23 start at that particular point in time and describe how
24 this remand came about that's reflected in the custody,
25 why it was necessary and the developments thereafter..

1 A Yes, sir. At the time we found out that
2 the murder had occurred in Bedford County, Elizabeth
3 Roxanne Haysom and Jens Soering were in custody but
4 appearing at Richmond Court once a week to answer to the
5 charges and to answer to their custody, they would then be
6 remanded back into custody at one of Her Majesty's
7 prisons.

8 On this occasion, this was the 5th of June
9 of 1986, a decision was made beforehand that an
10 application would be made to the Court that Elizabeth
11 Haysom and Jens Soering would be remanded into police
12 custody. This was to allow myself and Mr. Wright and
13 Investigator Gardner to question both parties regarding
14 the murder of Mr. and Mrs. Haysom, question them regarding
15 frauds that had taken place throughout Europe and question
16 them regarding suspected drug involvement in Thailand.

17 This request was made at the Court; in fact
18 the request was made by Detective Inspector Shepardson,
19 and the request was granted by the magistrate and both
20 defendants were taken to Richmond Police Station and
21 according to this, sir, Elizabeth Haysom arrived at 12:30
22 in the afternoon that day.

23 Q Now after the arrival of Investigator
24 Gardner there in London, you did have the occasion to
25 participate in an interview with Elizabeth Haysom I

1 believe on the 6th day of June, 1986, is that correct?

2 A Yes, sir, I did.

3 Q And would you just explain the
4 circumstances leading up to that interview.

5 A Well the circumstances leading up, firstly,
6 when Ms. Haysom arrived at the police station she was told
7 her rights by the desk sergeant; the first right that she
8 was told, that she could have a solicitor to represent her
9 during her stay. She didn't make this request and signed
10 for that request.

11 She was also told that she could contact
12 any person that she wished to; in fact she didn't take
13 advantage of that, sir.

14 And thirdly, she was told that she could
15 have a copy of the code of conduct that we must apply when
16 we have prisoners at the police station; in fact she
17 didn't ask for those. But from that point she got a
18 solicitor anyway who was aware of the code, sir.

19 Going on to the interview, we had spent
20 some time with Jens Soering initially and the first
21 available time that we had to interview Ms. Haysom was
22 about 2:00 p.m. to 5:00 p.m. to be exact on the 6th of
23 June. A message was left for her solicitor, Mr. Barker.
24 He attended the police station at 3:57 that afternoon and
25 was given further access to his client and at 4:42. After

1 this access had been allowed, we took Ms. Haysom to an
2 interview room in the presence of her solicitor,
3 solicitor's clerk and the three officers were there also,
4 sir, including myself.

5 Q And that interview was recorded and I
6 believe we have a copy of that interview at this time.
7 Let me find, first of all, my copy of the statement.

8 This would be a transcript of the interview
9 that occurred at that time, wouldn't it, Detective
10 Inspector Beaver.

11 A This is a copy, yes, sir.

12 Q And we would like to introduce a copy of
13 that.

14 (6-6-86 INTERVIEW OF ELIZABETH HAYSOM
15 INTRODUCED AS COMMONWEALTH EXHIBIT
16 30.)

17 MR. UPDIKE: Your Honor, we would like
18 to play this tape at this time if we might.

19 THE COURT: All right.

20 MR. UPDIKE: Your Honor, upon
21 reflection of reviewing this particular
22 tape, I think I have introduced a copy of
23 it, and if we could just introduce that
24 particular transcript and make it a part of
25 the record and proceed to the next
interview, if that would be permissible.

1 BY MR. UPDIKE: (continuing)

2 Q However, before proceeding to June the 8th,
3 if I could ask you during this particular interview, June
4 6th, did Elizabeth Haysom continue professing her love for
5 her parents and--well basically that's the question, that
6 she did love her parents.

7 A And if I could suggest it, her exact words
8 were, "I have always loved my parents."

9 Q And also during the latter part of the
10 interview, I believe that you confronted her with some of
11 the segments that Constable Wright has read from the
12 various letters, is that correct, various--

13 A Yes, sir, I read some rather prominent
14 extracts that most certainly came to our notice. And when
15 I put each one to her and asked her what she meant, how
16 could she love her parents always when she writes in the
17 letter I despise my parents, why don't they drop down and
18 die, I was putting that to her farther firmly and she
19 chose to make no reply, sir.

20 Q And after putting excerpts such as those to
21 her, how did you conclude this particular interview?

22 A Can I refresh my memory from the transcript?

23 Q If you would, please, uh-huh.

24 A I go on to say, I'm pointing out to her why
25 do you say--why do you write these things, how much you

1 wanted them dead, how much you despise them and most
2 certainly the letter dated the 18th of April, '85, two and
3 a half weeks, when you mentioned about Jens threatened to
4 give himself up, commit suicide and how he did it for you.

5 And then I said to her, if you don't want
6 to answer me now, I would ask you to go downstairs and
7 consider your position. If you do want to speak to me
8 about it, just please reconsider, let me know. Okay, I'm
9 going to terminate the interview now.

10 Q And that interview concluded at what, June
11 6th, 1986, at 6:20 p.m., would that be correct?

12 A It did, sir, yes. Mr. Gardner noted the
13 time for the tape.

14 Q And did there come a later time when
15 Ms. Haysom did in fact initiate contact with you that she
16 wanted to further discuss her statements?

17 A Yes, she did, sir; that was on the--
18 initially it was on the 8th of June, and that would be the
19 Sunday evening and she initiated contact at 9:55. She was
20 kept in a cell and there's a bell inside the cell that
21 attracts the desk sergeant when it's rung. Ms. Haysom did
22 this and I was summoned to the charge room complex.

23 I asked her what she wanted and she said
24 can I speak to Jens. And I said no. And she said why
25 not? And I said because I'm still conducting a murder

1 inquiry and it would be highly irregular for you to speak
2 to Jens. And she said has Jens admitted the murders to
3 you? And I said I'm not going to tell you that, but I'm
4 perfectly happy with the way the investigation is going.
5 And I closed the cell door, sir, and left her there.

6 And I waited, and then about 10:12 that
7 evening I was called back to the charge room the same way,
8 she'd rung the bell and the custody sergeant sent for me
9 and I spoke to her again. And she said I want to come and
10 talk to you, speak to you alone and discuss my side of the
11 story. And I allowed her to do this, Your Honor.

12 Q Okay.

13 MR. UPDIKE: And if I could, then,
14 Your Honor, this is the tape that we would
15 like to play, if I could introduce a copy
16 of that tape.

17 THE WITNESS: Excuse me, there wasn't
18 a tape on this occasion; I was talking
19 alone with her on this occasion.

20 **BY MR. UPDIKE:** (continuing)

21 Q I was thinking of something that developed
22 later. Please continue if you would.

23 A Yes, sir. I took her to a room adjacent to
24 the CID office and I just allowed Elizabeth to just talk
25 freely and tell me her side of the story. And the story

1 went that on the 29th of March she hired a car with Jens
2 Soering and they went to Washington for the weekend. They
3 slept the night at a hotel, which I later learned to be
4 the Marriott Motel, and that morning they got up and Jens
5 mentioned that he wanted to buy a knife, a particular kind
6 of special knife for his young brother; it was his
7 birthday and he was going to buy it as a birthday present.

8 They got in the car and they went to this
9 shop in Washington, but they weren't allowed--she told me
10 that they weren't allowed to buy this particular type of
11 knife but they were directed to a shop in Maryland. They
12 drove there and Jens bought the knife ostensibly as a
13 birthday present for his younger brother.

14 They got back to the hotel and had lunch,
15 and shortly after lunch Jens announced that he was going
16 into Washington to meet some friends. Elizabeth told me
17 that she was surprised and somewhat annoyed at this
18 because it was their weekend together.

19 In any event, he did go away, according to
20 her, to meet some friends, but he told her that--to go to
21 the cinema that evening and buy two tickets to go--while
22 she's there, while she goes to the cinema she's to buy two
23 tickets and then when she came away, just in case he
24 returned, to order two room meals at the hotel. At that
25 time she had his VISA card and paid with his VISA card.

1 Jens didn't return at that time, he didn't
2 return during the afternoon visit to the cinema and he
3 didn't return for the meal that she had ordered in the
4 hotel.

5 So she went on and decided to go and see
6 the Rocky Horror Show, and I believe she left the show at
7 about one, 2:00 in the morning, in the streets of
8 Washington, she's there alone, and Jens drove up in his
9 car.

10 She told me that she got inside the car and
11 sat alongside him, and as he was driving back to the hotel
12 she noticed he was absolutely covered in blood. She was
13 shocked to see this. And then he turned around to her and
14 said I've just killed your parents.

15 She said we got back to the hotel and in
16 order to allow him to get into the hotel covered in blood,
17 she told me that she supplied him with some clothes so he
18 could get back into the hotel.

19 At this stage, sir, I realized the
20 importance of this evidence, the fact that it wasn't on
21 tape, the fact that I was alone with her and there was
22 nobody to corroborate what she was saying to me. So I
23 told her that I was willing to hear her side of the
24 story again, but I told her would she let me tape it and
25 would she let another officer be present. She agreed, she

1 told me she wanted to get it off her chest once and for
2 all. But she did request that only Mr. Wright be present.
3 It's fair to say that she did make a specific request that
4 Mr. Gardner didn't be present.

5 I left her alone--well I left her in the
6 particular room, the interview room, along with one of our
7 lady officers for some fair time and I discussed the
8 matter with Mr. Wright and other persons that were
9 present, and it was then that we went ahead on a taped
10 interview. And I think by then it was 11:15 in the
11 evening, sir.

12 Q And if I could, if you'd hand the original
13 tape recording of that interview, please, to the clerk.

14 MR. UPDIKE: Your Honor, we would like
15 to introduce a copy of that interview,
16 provide one to Detective Inspector Beaver.
17 We would like to introduce this one, if
18 Your Honor, please.

19 No.

20 (6-8-86 INTERVIEW OF ELIZABETH HAYSOM
21 INTRODUCED AS COMMONWEALTH EXHIBIT
22 31.)

23 MR. UPDIKE: Your Honor, if we could
24 ask at this time that that tape be played.

25 Detective Inspector Beaver, I'm just
looking for one portion; I might ask you to

1 start reading.

2 Judge, Special Agent McClure tells me
3 if we use the head sets and we turn the
4 volume down we might could listen to it. I
5 don't know if the Court would be willing to
6 try that rather than--

7 THE COURT: Well I think we've got to
8 give some thought as to where we're going
9 to end today. Normally I end at 5:00. Now
10 if there's a witness that for some reason
11 should be put on today to avoid an extra
12 night here, I would be willing to stay a
13 little later, but I really don't intend to
14 go into the night.

15 MR. UPDIKE: Yes, sir.

16 THE COURT: So I'll leave it up to
17 you, Mr. Updike, as to what you think is
18 necessary. But I'm certainly not
19 encouraging your playing this entire tape.

20 MR. UPDIKE: Yes, I understand.
21 Judge, the only thing I can do in that
22 event would be to ask for just a moment's
23 recess, because the only thing I can state
24 is that it was my intent to play this tape
25 and now that we cannot play it because of

1 the circumstances, if I could just have a
2 moment to reassess things.

3 THE COURT: Certainly. We'll take a
4 short recess at this time.

5 (Whereupon a recess was taken.)

6 MR. UPDIKE: Judge, we were wondering,
7 if we skip over a few pages to Page
8 Fifteen. Detective Inspector Beaver said
9 that he can read this and without the
10 pauses that we have on the tape could read
11 through it pretty quickly.

12 THE COURT: That would be fine.

13 (Whereupon the transcript of the
14 interview was read by the witness as
follows:)

15 Q Your parents disapproved of Jens, didn't
16 they? Before you answer that question, it's half a minute
17 to midnight and Mr. Wright, Detective Constable Wright,
18 has just returned to the room with the letters in
19 question. My question, my last question was, your parents
20 disapproved of Jens, didn't they?

21 A Not particularly. They thought that he was
22 too young for me, they thought that he was too possessive
23 of me and that he took up too much of my time. But at the
24 same time they admired his qualities. He had this
25 fantastic brain and they knew that I enjoyed companionship

1 with somebody other than Americans.

2 It's hard to describe when you've never
3 lived in America. They have a different way of thinking,
4 of being and it's hard to be around all the time.

5 They wanted me to have more than one
6 boyfriend. They were a little bit nervous at the thought
7 that I was so keen on Jens, but they didn't particularly
8 dislike him. I mean they took us out together
9 frequently--well not frequently, but you know, several
10 times.

11 Q Yes, I understand. Well I can see that
12 you're obviously heading on to the letters that mattered.
13 I just wondered, in that period of time you've been
14 traveling around Europe, something in the region of eight
15 months, okay?

16 A Since October.

17 Q And certainly it's around fourteen months
18 or thereabouts from the actual terrible weekend as it
19 were; obviously you and Jens have talked about this since.

20 A Yes. I said that when he started to talk
21 about it, and I meant on a couple of occasions, I told him
22 I don't want to know.

23 Q That's not what I'm asking. I want to know
24 whether or not what he has said if he did kill them.

25 THE COURT: Excuse me, my copy reads

1 that's what I am asking, not that's not
2 what I am asking.

3 THE WITNESS: I'm sorry, Your Honor, I
4 beg your pardon.

5 A Well I can tell you some of the things he
6 said about it.

7 Q But you don't feel happy talking about it?

8 A Well, no. I told you, but I don't know
9 very much myself because I couldn't stomach it. I mean it
10 was hard enough to work around and sit in closets and
11 sleep in the same bed and say to myself that person over
12 there that you're spending your life with, he killed your
13 parents. Sitting in the kitchen and thinking, Christine, I
14 said, do you realize you have just baked a cake for a
15 murderer?

16 Q You said that in words to Christine?

17 A No, I didn't, I was thinking those words.

18 Q How much did you tell Christine as a very
19 close friend?

20 A I said to Christine, I think Jens has
21 killed my parents.

22 Q Do you know when you said that to her?

23 A Yes, I said it to her in the--several
24 times, two weeks, in the two-week period before we left.

25 Q In October?

1 A Uh-huh. It was sort of end of September,
2 October. It was between when I gave my blood and
3 fingerprints and footprints to Officer Reid and Gardner.
4 I--at that stage the guilt was weighing very heavily on me
5 and in my sort of odd way I was trying to help them to go
6 and interview Jens.

7 I, for instance, I knew Jens was at my
8 apartment when they wanted him and I tried to push them in
9 the right direction because they were trying to get him at
10 his place. And so I told one of the other officers he
11 always lives with me, he doesn't live at his apartment
12 really. And they eventually got in touch with him there.

13 And during this period when--and they said
14 to me, why won't Jens have his fingerprints and all that
15 stuff done. I said I don't know, but I wish you would ask
16 him instead of asking me. Because they always came to me
17 about it instead of--they never went to him.

18 A Yes.

19 THE WITNESS: And she went on to say:

20 A And during that time especially, it was
21 Friday, I can't remember, I wrote to Christine and I said
22 to Christine I think Jens has killed my parents. It was
23 along before that because it just didn't work, I just
24 didn't know what to say to her and she called her work and
25 said that she wasn't coming in.

1 Q Did you have a heart to heart chat then?
2 A No, I didn't tell her.
3 Q You didn't tell her?
4 A I didn't tell her.
5 Q And you've never told her?
6 A I've never told her.
7 Q Just implied by saying I think.
8 A Yes, I'd ask questions like, you know,
9 would you betray this person who is himself responsible,
10 this sort of thing, you know.
11 Q She must have had a very shrewd idea that
12 Jens did kill your parents then, and with all this sort of
13 questioning going on, supposedly she's an intelligent
14 girl, is she?
15 A Yes, she is. I mean--
16 Q It doesn't matter, really. We're not here
17 to talk about Christine, anyway."
18 THE WITNESS: Then Mr. Wright said
19 yes, it does matter.
20 A "Yes, you asked something.
21 Q Well you don't have to.
22 A Oh, about what Jens said.
23 Q About you finding it distressing, but you
24 don't have to.
25 A It's all right.

1 Q Did he tell you some of the things that he
2 had done?

3 A Okay. He--one of the first things he said
4 was my God, your father put up, you know, a hell of a
5 struggle. And then he said that dad had said my God, what
6 do you think you're doing. He said that he killed my
7 mother first, that they had been talking to him like forty
8 minutes and then he stood up and slit her throat.

9 Q Did he tell you what room they were in?

10 A He said they were in the dining room. He
11 said that--I think he said my mother got up with her
12 throat slit and started walking out of the dining room and
13 he was struggling with my father. I believe he lost
14 control of the knife and I think he lost his glasses in
15 the fight.

16 And he said to me that my father was very
17 strong and that he just--he said over and over again, he
18 just wouldn't lie down and die, basically. I know he said
19 that. I don't know what happened about my father, but
20 then he went back to my mother, and I don't know if she was
21 standing up or what was going on, but he then attacked her
22 again because he thought that--I don't know what he
23 thought.

24 And then he, I suppose, came back to my
25 father. He said that my father was struggling right to

1 the very end and calling out with that enormous strength.
2 And I don't know any other details than that.

3 Q He told you how many times he struck your
4 father?

5 A No, he didn't. He just told me it had not
6 been very nice. And when they told me how bad it was, I
7 mean I--I didn't know what to say to him. And he kept
8 saying to me well, they just wouldn't lie down and die.

9 Q And you stayed with him after hearing all
10 that?

11 THE WITNESS: There was a long pause
12 and she said:

13 A I was very scared.

14 Q Were you scared or did you know it was
15 going to happen anyway?

16 A I beg your pardon?

17 Q Did you know it was going to happen anyway?

18 A What, the murder of my parents?

19 Q Yes.

20 A No.

21 Q Not when he goes and buys a butterfly
22 knife that morning?

23 A No. I mean it never crossed my mind he was
24 going to go off and murder my parents.

25 Q Let's look at it this way: Let's make a

1 start with point number one. When is his brother's
2 birthday?

3 A I have no idea.

4 Q And didn't it cross your mind--let's take
5 the buying of the two cinema tickets; the first cinema you
6 went to, what crossed your mind when he asked you to buy
7 two ticket for that cinema knowing that he was away, as
8 you say seeing his friends. You didn't expect to see him
9 that afternoon, did you, most certainly not at 2:30 in the
10 afternoon.

11 A I didn't question him at all. I was
12 getting out of the car. I was going into the cinema. He
13 said buy a couple of tickets.

14 Q But it doesn't make sense to me.

15 A Well--

16 Q You bought two tickets for a cinema. You
17 come out of that cinema, you go to another cinema that he
18 didn't know that you were going to. He was still away
19 with his friends for the day as you say and you buy two
20 tickets for another cinema.

21 You go back to your hotel, he's still not
22 returned, and to me you waste money buying two meals on his
23 VISA card. Did you sign for those on that card?

24 A Yes, I've already said that.

25 Q You forged his signature?

1 A I'm not worried about forging signatures.

2 Q You know what I'm getting at, don't you?

3 You knew what was going to happen. I suggest to you

4 Elizabeth, you knew what you were doing all day, didn't

5 you? You did, didn't you?

6 A No, I did not.

7 Q You were creating an alibi.

8 A That is not true.

9 Q Why isn't it true?

10 A Because that's not an alibi, that stinks,

11 that's not an alibi at all. You know that, I know that,

12 it's nothing.

13 Q So you said you went to the movie.

14 A Yeah.

15 Q You bought two tickets?

16 A Well, yeah. Nobody believes that.

17 Q So why did you buy two tickets then?

18 A I don't know, he asked me to.

19 Q Why did you buy two meals when he wasn't

20 there?

21 A I was expecting him to walk in the door.

22 Q You wasn't expecting him to walk in and see

23 Witness with you, you wasn't expecting that. I caught you

24 out on that one, now you're wrong. Now what's going on?

25 You knew when he bought the knife that morning, you knew

1 when buying those tickets, that he was going for a
2 confrontation with your parents.

3 A I did not know that.

4 Q And your parents were probably going to die
5 as a result of that confrontation, you knew that,
6 Elizabeth.

7 A I did not.

8 Q After writing all those letters to him.

9 A Look, I have enough guilt about egging him
10 on so to speak with those wretched letters.

11 Q You egged him on all right, not only with
12 the letters, you egged him on in private, didn't you
13 Elizabeth? You knew it was going to happen and you were
14 creating the alibi while he was committing the crime;
15 that's true, isn't it? Tell me the truth Elizabeth. Are
16 you going to answer me? Well are you going to answer me?

17 You've written letters to him willing your
18 parents to death, you've led the poor boy to it most
19 probably, or are you both as guilty as each other?

20 A All right, I led him into it, I did
21 everything.

22 Q You knew he was going to do it, didn't you?
23 Did you?

24 A I did it myself.

25 Q Don't be silly.

1 A I got off on it.

2 Q You did what? What does that mean?

3 A I was being facetious.

4 Q Okay, then, now tell me the truth, please,

5 without being facetious. You did hate your parents.

6 A I did not hate my parents.

7 Q So why did you allow him to do that to your

8 parents, then, and why did you create the alibi knowing

9 that it was going to happen? Come on, answer me, just

10 give me an answer.

11 If you think I'm going to be stupid enough

12 to believe that, oh, just buy two tickets, so I bought two

13 tickets. Then you bought two tickets at a cinema that he

14 didn't know you was at, the Witness one, the Witness film,

15 two meals inside a hotel room where nobody could see you

16 but eventual proof on a VISA card that two meals were

17 purchased and you forged his signature; what do you want

18 me to believe?

19 And an alleged birthday present of a

20 butterfly knife that morning. Come on, now are you going

21 to tell me the truth or not? Well are you? I can't sit

22 here all night not getting an answer.

23 A Yes.

24 Q What?

25 A I'll tell you the truth.

1 Q Tell me now then, in your own words, come
2 on, Elizabeth. Come on, you told me you were going to
3 tell me the truth. Tell me why you created the alibi in
4 the first place.

5 A Because he was going to confront my
6 parents.

7 Q Yes, for what? What was he going to
8 confront your parents about?

9 A Their attitude towards me.

10 Q Yes?

11 A And Jens.

12 Q Yes, it's got a ring of truth to it now.
13 I've already spoken to Jens; carry on.

14 A He went down there with the knife with the
15 possibility of killing them.

16 Q And you knew that, didn't you, didn't you?

17 A Yes, I did.

18 Q And how long had you been plotting this?

19 A The actual planning for the Washington
20 thing, it took place, it wasn't too long really; that's
21 why we didn't have enough money.

22 Q How long had you been talking about killing
23 your parents?

24 A A month.

25 Q And before these letters in December?

1 A No.

2 Q I think some of the conversations took
3 place in the car, didn't they, in between the letters?

4 A In the car? We didn't have a car.

5 Q The conversations did take place in
6 between the letters?

7 A Oh, yes, we'd seen each other in between
8 letters.

9 Q And a lot took place in between then
10 obviously.

11 A No.

12 Q So what's been wrong, or what was wrong
13 with your parents' attitude towards you?"

14 THE WITNESS: There was a long pause
15 and then she said:

16 A "My father was violently jealous of anybody
17 really who I associated with. He disliked anybody I knew.
18 He was usually possessive of me. If they were invited to
19 a function which wasn't even appropriate for me to go to,
20 they would insist that I came along. They very rarely
21 gave me any space or privacy.

22 If I went upstairs to my room, they were
23 always inquiring what I was doing, not to do it and to
24 come down."

25 THE WITNESS: The tape ended at that.

1 stage. It was reversed and I went on to
2 say:

3 Q "We're continuing the interview. The fresh
4 tape has been inserted into the machine and it's 12:24
5 a.m. and Elizabeth Haysom is telling me about her parents'
6 attitude and continually ringing her at the university.
7 Would you like to go on?

8 A My father wouldn't even let me work. He
9 wanted me to be with him all the time.

10 Q For all these reasons you thought it was--
11 you'd built up so much resentment for all these things
12 that you thought murder was the answer.

13 A Things had been building up for a very long
14 time. In fact, when they sent me away to school when I
15 was quite young, and when I needed adult guidance, a home
16 of any kind, they would brush me off to the next home.

17 An example of that is when my father chose
18 my A levels for me, my A level chemistry. It was apparent
19 to everybody, it was apparent to the school, it was
20 apparent to me, it was apparent to the teachers that it
21 wasn't my field. He insisted that it was my field.
22 And about three weeks into the course I went to the
23 administrator and said that it was absolutely ludicrous to
24 continue the course because I couldn't do it."

25 THE WITNESS: I said:

1 Q "So basically--

2 A Can I finish my thought."

3 THE WITNESS: I said:

4 Q "Sorry, go on. Light your cigarette
5 first."

6 THE WITNESS: She went on to say:

7 A "So we phoned home and my parents said oh,
8 nothing, put it in the dirt. I asked for their consent to
9 change my A levels and they wouldn't give it. So I
10 persevered for a year with those wretched A levels and
11 then they got my school report and decided that perhaps it
12 wasn't my field.

13 Q After a year?

14 A Yes. And I would start again in another
15 year.

16 Q I understand."

17 THE WITNESS: She went on to say:

18 A "So I went back to school and was gone a
19 year, and I started again. And at that time it was B level,
20 I was going to Trinity Cambridge, Trinity College, and I
21 had complete backing from the school to read history and I
22 was doing better.

23 Q How was that made possible then, how was
24 that made possible?

25 A Well I'd done my year and I was into my

1 fourth term, and I asked my parents if they would come over
2 for that period because it was a black period for me. I
3 needed them and I was very troubled and it was a very
4 troubled adventure to go through.

5 Q So you're saying from a multitude of events
6 throughout your life that caused you and Jens Soering to
7 put your heads together between about Christmas 1984 up
8 until the end of March to kill your parents, is that
9 right?

10 A I don't think we seriously discussed it, we
11 discussed it in a sort of grotesque way, general grotesque
12 way for a while, but we didn't say start seriously
13 discussing it until I would say March.

14 Q The beginning of March?

15 A Maybe the end of February or March,
16 something like that, because it became completely apparent
17 that even my doing German at the university was offensive
18 to my parents because that was in some way giving part of
19 myself to Jens.

20 Q They disliked Jens, didn't they?

21 A As I said, not particularly Jens, but they
22 disliked him because they knew how very much in love I was
23 with him and they had never known me to be in love. They
24 hadn't been with me.

25 Q I've got to ask you one question. Did you

1 or do you stand to inherit any money from your parents'
2 death?

3 A What I stand to inherit is enough money to
4 put me through the university. My parents left it so that
5 I would have enough to go through the university; not
6 that I would control it, but the executors of the estate
7 would control it and that they would pay for my education
8 and that's all.

9 And then the interest and capital would be
10 divided between six of us equally and the capital would
11 eventually be divided amongst greatgrandchildren.

12 Q Is it obvious that in the event when you
13 talked about this to Jens--no, I'm sorry, let's go back to
14 the last questions and talk about the whole--when you
15 discussed what you and Jens might do, did you discuss how
16 to throw the police off the scent? Did you talk about or
17 did Jens or yourself come up with any ideas to insure that
18 you and he weren't suspects for the murder?

19 A Well I arranged the alibi, great alibi that
20 it was. Other than that, not really. He wiped his car and
21 his place, I didn't wipe mine.

22 Q But you traveled all the way to Maryland
23 for the knife, for the weapon.

24 A Yes, it's not very far. I mean Washington,
25 D. C. is the District of Columbia, so I mean it's just

1 going out of the district and you're in Maryland or in
2 Virginia.

3 Q Why choose a weapon like that? I can
4 understand you didn't choose a gun because it would make a
5 noise and attract attention, but why this particular
6 butterfly knife?

7 A I have no idea, it was Jens' choice.

8 Q Did you see others?

9 A I've never seen one before.

10 Q I see. What does it look like?

11 A Well, if I can remember correctly, it was
12 sort of--the whole thing was about this long--"

13 THE WITNESS: And she gave an example
14 with her hands.

15 A "--and the handle turns back.

16 Q Just a moment. Take that slip of paper
17 from the top of that file over there and draw it for us."

18 THE WITNESS: In fact Ms. Haysom did
19 draw the knife for us on a plain piece of
20 paper and I said to her:

21 Q "Is that a split down the middle did you
22 say?

23 A She said yes, that's right."

24 THE WITNESS: And then she mumbled a
25 few things and said:

1 A "I don't know how to put it, but it pulled
2 out.

3 Q Opened out?

4 A Extended.

5 Q Extended, yeah, that's a good word. How
6 many blades does it have?

7 A One.

8 Q So it's one blade and two edges.

9 A Yes, one blade with two edges.

10 Q And a point?

11 A And a point, it's not much bigger than
12 that."

13 THE WITNESS: Indicating the drawing
14 that she made. I then got her to sign the
15 paper as an exhibit and I went on to talk
16 to her.

17 Q "You talk about really discussing murdering
18 your parents at the beginning of March. Did you before the
19 last weekend in March decide to go to Washington in order
20 to create such an alibi?

21 A Yes. Originally we planned to go to
22 Washington twice.

23 Q So you'd planned to kill them before or
24 planned for Jens to kill them before.

25 A Well as I say, we originally talked about

1 it in a kind of general way, and then we became more
2 specific that we were actually going to do it rather than
3 just talk about it. We thought we would go to Washington
4 twice, the first time to set up a precedent, and then--

5 Q Before you go any further, do you know
6 which weekend you did what?

7 A No, we never actually went.

8 Q You planned it?

9 A We planned it, we didn't actually do it.
10 We were going to set up a precedent and the weekend that
11 we actually did it, did do it, was supposed to be the
12 precedent weekend. But we discovered that we didn't have
13 enough money to go to Washington again and that--

14 Q Not having enough money to go to Washington
15 again for the weekend, did that account for the last
16 minute arrangements to go out and buy the knife in
17 Maryland?

18 A Yes.

19 Q So you got to Washington on the Friday
20 evening and it was--and was it Friday evening you decided
21 Saturday was the day, or was it Saturday morning?

22 A Saturday.

23 Q Saturday morning. And then from then on,
24 that Saturday morning, the events took their course. So
25 the only lies you have told me now is from possibly the

1 moment you came out of the Rocky Horror Show."

2 THE WITNESS: Mr. Wright said, I think
3 you're starting to be precise. If you
4 haven't told the truth in any matters now,
5 then it will be thrown out later on.

6 Q "What I'm getting at, you see, you wasn't
7 surprised.

8 A Oh, I was surprised, I was, because I
9 didn't think he was going to do it. I mean I didn't
10 think--I knew that he might do it, okay, I mean before the
11 knife, and we had made preparations and had the alibi
12 then, but a large part of me didn't honestly believe that
13 he was going to do it.

14 I thought he was going to come back and say
15 he had spoken to them and give them some excuse for being
16 there and then just come back and that would be it. I
17 mean I just simply didn't think that he would do it.

18 Q But the reason you stayed with him and
19 continued to love him, the real reason is, is because he
20 has carried out your wishes because you wanted both your
21 parents dead.

22 A That's not why I love him.

23 Q That's why you don't hate him, because he's
24 only carried out your wishes, hasn't he?

25 A I don't think that's completely fair.

1 Q Okay, it's a suggestion by me. It wasn't
2 really a question. The truth of the matter is that your
3 parents are now dead and you are part and parcel of their
4 death, aren't you?

5 A Yes.

6 Q Because of their death--okay, I don't think
7 I want to say any more at this stage, I will terminate
8 the interview now, and it is now 12:41. I'm switching
9 the tape off now."

10 (Whereupon the reading of the
11 transcript was concluded.)
12

13 **BY MR. UPDIKE:** (continuing)

14 Q Thank you, sir, for reading that. Now the
15 drawing of the knife that the defendant did in your
16 presence, I believe we have some copies of that, and would
17 this be a copy of the knife that Elizabeth Haysom drew for
18 you during that point of the interview of the knife and
19 she initialled it there at the bottom?

20 A Yes, it is, sir.

21 Q We would like to introduce this, please.

22 (DRAWING OF KNIFE INTRODUCED AS
23 COMMONWEALTH EXHIBIT 32.)

24 Q Detective Inspector Beaver, at the
25 conclusion of that interview, later on that night which

1 was becoming actually early that morning, the defendant
2 asked to speak with you all again, is that correct?

3 A Yes, we received another message, she had
4 rung the bell again and it was during the early hours
5 of the morning, sir.

6 Q And approximately--that statement was very
7 brief, wasn't it; just some several minutes as I recall,
8 is that correct?

9 A That's correct, sir, yes.

10 Q The transcript of the statement is just
11 better than two pages.

12 A That's right.

13 Q Who was present during that interview?

14 A On this occasion she agreed to come and
15 talk to us, she wanted to make some points clear to us. I
16 hadn't chosen to question her, she wanted to make
17 something clear and she didn't object to Terry Wright or
18 Investigator Gardner being with us.

19 Q And according to the Miranda form that we
20 have here that was administered by Investigator Gardner,
21 but you and Terry Wright also witnessed, this interview
22 would have commenced at 2:06 in the morning on June the
23 9th.

24 A That's correct, sir.

25 Q And would this--well it just slightly goes

1 into the third page, it would be a transcription of the
2 statement that Elizabeth Haysom gave at that point.

3 A That's correct, sir, yes.

4 Q We would like, Your Honor, to introduce
5 then a copy of this statement and accompanying Miranda
6 form.

7 (6-9-86 STATEMENT OF ELIZABETH
8 HAYSOM INTRODUCED AS COMMONWEALTH
9 EXHIBIT 33.)

10 Q And if you would, if you would read that
11 statement for us as well.

12 A Do you want me to go through the Miranda in
13 full sir? We finished the first tape by saying she was
14 given the Miranda and the British caution.

15 Q Yes, I don't think it would be necessary to
16 go through that again. Thank you for pointing that out.

17 A Yes, sir.

18 Q She was asked whether she understood the
19 British caution and she said, yes, I do, and I said fine.
20 And Ms. Haysom went on to say this:

21 (Whereupon the following transcript
22 was read by the witness:)

23 A I requested further statement to be given
24 because I felt that I had betrayed my love for Jens, my
25 loyalty to him and that I had done him a disservice. I
don't know if the charges against me, what it will be, but

1 as I said in one of my letters, we did it together and in
2 some ways I'm more guilty than he is, because I mean he
3 loved me beyond reason; I loved him beyond reason, too.

4 I loved him beyond reason, and I suppose I
5 used that love, and because of my own weakness of character
6 I many times have tried to wriggle out of that
7 responsibility and that guilt of putting him in this
8 position. I can't do that any longer. I can't bear
9 leaving my last statement as it stands.

10 I believe Mr. Beaver referred to Jens as
11 that poor boy. I suppose that's accurate, for it was my
12 will that made him kill my parents and he wouldn't have
13 done it, I'm sure, if he hadn't loved me so much and I he.

14 Also, I want to clear up one point about
15 Christine Kemp. My weakness and my confusion of the guilt
16 and conscience and loyalty, I did say to her on one
17 occasion that I thought Jens might have murdered my
18 parents. However, later on I went out of my way to make
19 sure that she was not suspicious of him in any way. She
20 can't be held responsible, in no way responsible, for
21 ever thinking that Jens killed my parents.

22 THE WITNESS: Mr. Gardner said, you
23 don't have to say anything else. Ms.
24 Haysom said I don't think so. Mr. Wright
25 then interjected and said:

1 Q Yes, there is just one little point, when
2 we started--and this isn't a question to continue the last
3 interview, it's just about what you said there. And in
4 the first few sentences you said that we did it together;
5 if you'd just like to explain that.

6 A I believe in my last letter of April the
7 18th, which date I have now memorized, I wrote to the
8 effect I was talking about him, thinking. He threatened
9 to give himself in, he threatened to commit suicide and it
10 was about an argument we had because he had seen how upset
11 I actually was about my parents' death.

12 And he felt that I in some way was now
13 turning on him and accusing him of doing something that I
14 hadn't wanted. And so I was trying to reassure him that
15 in my mind we did it together. Although I wasn't
16 physically present, I suppose I was spiritually there.

17 Q That's fine, that's just you wanted to
18 clear it up, don't you.

19 THE WITNESS: Mr. Gardner said, okay,
20 the time is 2:13 a.m., June the 9th, 1986,
21 and the end of interview.

22 MR. UPDIKE: Thank you again, sir.
23 Now Your Honor, we have here a statement
24 that Detective Inspector Beaver took from
25 the defendant during an interview,

1 Detective Constable Wright was present, it
2 has reference to the charges there in
3 England.

4 We would not wish to go into them at
5 this time, but we understand that there
6 will be a request for a presentence report,
7 and we think that this interview may become
8 important at sentencing and we would like
9 to introduce it at this time just for that
10 reason.

11 THE COURT: All right.

12
13 (INTERVIEW OF ELIZABETH HAYSOM
14 INTRODUCED AS COMMONWEALTH EXHIBIT
34.)

15 MR. UPDIKE: Your Honor, Mr. Davis and
16 I were just talking, and we were wondering
17 under the circumstances whether this matter
18 would be going into tomorrow and whether we
19 should pursue this tomorrow. We just got
20 this once the officers came here from
21 London last week, that was late Thursday,
22 and I've not provided them a copy.

23 THE COURT: Well it's our usual
24 adjournment time, it's been a long day, it
25 would be my preference to stop. But again,

1 if it's a question of a short witness and
2 my staying over, I'll be glad to do it.
3 Otherwise, I would suggest that we adjourn
4 until tomorrow morning.

5 MR. UPDIKE: That would be my
6 preference, Judge, it really would, if we
7 could adjourn at this time.

8 THE COURT: How does the defense feel
9 about that?

10 MR. DAVIS: We of course would have
11 like to have gotten it over with much
12 sooner than even today at this point, but I
13 think with this statement and with what we
14 anticipate Investigator Gardner will
15 testify to, his cross examination, it may
16 carry at least another hour and a half or
17 so with him. And we just put that to the
18 Court and let the Court make that decision
19 based on that information.

20 THE COURT: Well my decision then is
21 that we stop at this time. Let's recess
22 Court until 9:30 tomorrow morning.

23 (Whereupon court was adjourned, to
24 be reconvened at 9:30 a.m., August
25 25, 1987.)

1 STATE OF VIRGINIA

2 AT LARGE, to-wit:

3 I, Jacquelyn Keen, Notary Public in and for
4 the State of Virginia at Large, do hereby certify that the
5 testimony contained herein was and transcribed by me, and
6 that the foregoing Pages 1 through 127 represent a true and
7 accurate transcript of said proceedings to the best of my
8 Stenographic ability.

9 My commission expires November 18, 1989.

10 Witness my hand this 15th day of February, 1989.

11

12

13

14

15

16

17

18

19

20

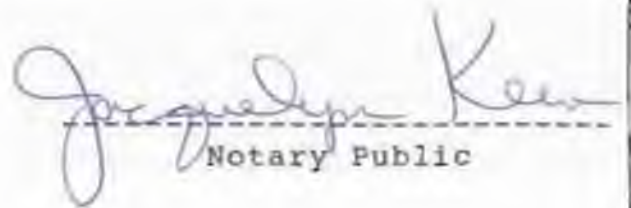
21

22

23

24

25


Notary Public

1 VIRGINIA:

2 IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

3 COMMONWEALTH OF VIRGINIA

4
5 V.

6 ELIZABETH ROXANNE HAYSOM
7
8
9

10 **TRANSCRIPT OF PROCEEDINGS**

11 Testimony in Support of Guilty Plea

12 August 25, 1987
13

14 **APPEARANCES:**

15 THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

16 For the Commonwealth: James W. Updike, Jr., Esq.
17 Bedford County Courthouse
Bedford, VA 24523

18 For the Defendant: R. Andrew Davis, Esq.
19 307 West Main Street
Bedford, VA 24523

20 Hugh J.M. Jones, III., Esq.
21 8800 Timberlake Road
Lynchburg, VA 24502

22 Reported by: Jacquelyn Keen
23

24 **ASSOCIATED REPORTING SERVICE**
111 Euphan Avenue
25 Lynchburg, Virginia 24502
(804) 525-2345

I N D E X

PAGE

KENNETH BEAVER

Cross examination by Mr. Jones

3

Redirect examination by Mr. Updike

11

R. W. GARDNER

Direct examination by Mr. Updike

13

Cross examination by Mr. Davis

37

Redirect examination by Mr. Updike

65

Recross examination by Mr. Davis

68

TERRY WRIGHT

Direct examination by Mr. Updike

70

Cross examination by Mr. Davis

71

E X H I B I T S

PAGE

DEFENDANT'S

Exhibit A Magazine advertisement

10

COMMONWEALTH'S

Exhibit 35 Transcript of 5-8-87 interview

14

Exhibit 36 Transcript of 5-14-87 interview

57

1 AUGUST 25, 1987

2 P R O C E E D I N G S

3 9:30 A.M.

4 MR. UPDIKE: Your Honor, we'd like to
5 introduce this just as to a sentencing
6 hearing.

7 THE COURT: All right, the
8 Commonwealth may proceed.

9 MR. UPDIKE: Your Honor, I think at
10 this point we would have no further
11 questions for Detective Inspector Beaver.

12 THE COURT: All right, the defense may
13 examine the witness.

14 MR. JONES: Your Honor, we do have a
15 few questions we'd like to ask Inspector
16 Beaver about some of the pages that were
17 omitted from his reading yesterday. We
18 don't intend to--

19 THE COURT: That's all right, take
20 your time.

21 MR. JONES: Do you have a copy of the
22 June 8 statement? June 8th at 11:15 p.m.

23 CROSS EXAMINATION

24 BY MR. JONES:

25 Q Inspector Beaver, I'd first like to direct
your attention to Page Four of the statement, and in the

1 long response beginning in the middle of the page about
2 eight or ten lines down, Elizabeth Haysom indicates to you
3 that she only purchased one movie purchase ticket to the
4 Rocky Horror Show, is that correct?

5 A That's correct, sir, yes.

6 Q Now it has come out in testimony from
7 yesterday that there were numerous items of correspondence
8 that were seized from the apartment in which they were
9 living at London, some of those letters which were
10 apparently written prior to the weekend of March 30th,
11 1985.

12 A Yes, sir.

13 Q Did you find any movie tickets in any of
14 those items that were seized in their apartment?

15 A No, sir.

16 Q And did you find any credit card receipts
17 relating to the weekend of March 30th, 1985?

18 A No, sir.

19 Q And then directing your attention to Page
20 Eight of the statement, at the bottom of the page you
21 start out a question, 'I'd like to know why after Jens
22 told you that he had murdered your parents, why you stayed
23 with him since that date, why you went around, travelled
24 with him to Europe and stayed with him without telling any
25 authority. In fact, is it not fair to say that you lied

1 to the police officers about that weekend, about certain
2 aspects and why you even stayed with him and travelling to
3 Europe until your arrest over there, would you care to
4 explain that?" And if you would, would you read her
5 response?

6 A "There were a number of reasons why I
7 stayed with him. I stayed with him because of guilt. I
8 thought I was responsible for what happened. I felt
9 deeply responsible for what had happened.

10 "I also had a huge loyalty to Jens. I
11 loved him very dearly and I needed him so much, especially
12 since I didn't have my parents. I know that sounds odd,
13 but I couldn't bear the thought of betraying him and
14 losing him as well. And at that time I also believed it
15 would be the third death on my hands because I believed
16 that he would go to the chair.

17 Q And then your question is, "For killing
18 your parents?" And her response please?

19 A Her response, "Yes. I was also scared. I
20 thought if I went to an authority, especially the
21 authorities who had been speaking to me, that they would
22 believe that I was part of the crime in a physical sense.
23 Uh, I said that quite a bit I think."

24 Q Okay, thank you. And then if you would
25 move on to Page Ten, please. I'm sorry, the bottom of

1 Page Nine, same page that we just finished.

2 A Yes, sir.

3 Q Okay, you're inquiring about her--you know,
4 why they, you know, left separately.

5 A Yes, sir.

6 Q And would you read her response at the
7 bottom of that page?

8 A Yes. She said, "Well, for--even though I'd
9 gone to Europe on holiday with Jens, I love him very, very
10 much. I--the thought had never really reconciled in my
11 head, the fact that he had butchered my parents and I had
12 often thought of not necessarily going to the authorities,
13 but of speaking to other people about what had happened or
14 give them an idea or whatever.

15 "And when Jens said to me that he wanted to
16 leave, I told him, made up to him that I could arrange to
17 get passports for us through the IRA, and he believed me
18 because I had come into contact with some rather
19 disreputable types in Berlin when I had been there before.

20 "And I told him that I could only speak to
21 this guy, Rover, who was fictional, and on Saturday night,
22 that's when we had planned to talk, and Jens bought that.
23 He did several times say to me that if I didn't turn up in
24 Europe--I think he was a little bit suspicious because it
25 was all so out of the blue, while before that he would

1 either kill himself or he would come back and get me and
2 various things like that."

3 Q And you say, "In fact you, picking up that
4 point on the 18th of April, you did write him a letter,
5 didn't you, and mentioned in the letter that he had
6 threatened to turn himself in and commit suicide. That's
7 true, isn't it?" And would you read the response, please?

8 A She said, "Yes. Once Jens realized how
9 incredibly distressed I was and that my love for my
10 parents was very real, and that although I'd had some very
11 evil thoughts about them, that I had a very special
12 relationship with them as well.

13 "And he was a bit stunned by that, and it
14 upset him and we had a lot of rows about it. And he did
15 threaten to go to the police and turn himself in. And he
16 said other things about the subject, that I would fry with
17 him."

18 Q She used the terms rows in that response,
19 do you understand that to mean argument?

20 A Yes, sir.

21 Q And then moving on to Page Twelve, please.
22 And at the bottom of the page your last question is: "Now
23 you told me about earlier on, about your love for your
24 parents, but you also did mention earlier on evil
25 thoughts. Would you care to discuss those with me."

1 Would you read her response, please.

2 A "Well, as you've read in my letters, I had
3 some absolutely appalling thoughts about a couple of times
4 about my parents. I think I can truthfully say that my
5 parents never deserved that sort of remarks and those
6 remarks came from being very spoiled by my parents. And
7 if I didn't get my way, I didn't shout at them then
8 because I had a great deal of respect for my parents. I
9 very rarely quarrelled with them.

10 "I would take it out in some form on paper
11 because writing is a sort of relief for me. That was
12 perhaps two percent of the time. The rest of the time I
13 had a superb relationship with my father. My father and I
14 were very close. Sometimes I felt--I can't describe it,
15 irritated; sometimes I felt irritated with his--the fact
16 that he was getting old and that he was getting clumsy and
17 fragile when he was such.

18 "He had such a wonderful mind and he'd do
19 clumsy things that infuriated me. I don't know how to
20 describe it."

21 Q Then if you would move on to Page Fourteen,
22 in the last part of your question at the top of the page
23 you state, "At any time did you discuss the murder of your
24 parents or the killing of your parents with Jens;
25 obviously before the event is what I mean." And would you

1 read her response, please.

2 A Yes. "No, we never discussed it in terms
3 of, you know, why don't we go knock them off, that sort of
4 thing. We did a couple of times talk about the difference
5 in life without parents and we talked about it concerning
6 his parents and concerning if his parents divorced. And
7 we talked about it concerning my parents, but never in a
8 sort of conspiracy to sit down and murder somebody type
9 of thing."

10 Q And directing your attention back to your
11 testimony yesterday about the apartment in London where
12 they lived and where this correspondence was seized, did
13 you also find some magazines there?

14 A Yes, we did, sir.

15 Q And were any of those magazines entitled
16 "Soldier of Fortune"?

17 A Yes, one magazine.

18 Q And I'm showing you here a copy of a page
19 from a magazine; do you recognize that?

20 A Yes, I do, sir.

21 Q And can you tell us what that is?

22 A It's an advertisement inside the magazine
23 for a butterfly knife, full butterfly knives.

24 Q And is that a copy of the page of the
25 magazine that you found in the apartment?

1 A Yes, sir, it is.

2 MR. JONES: I'd like to submit this
3 into evidence.

4 (ADVERTISEMENT MARKED DEFENDANT'S
5 EXHIBIT A.)

6 BY MR. JONES: (continuing)

7 Q Okay, now Inspector Beaver, during the same
8 weekend that you were questioning Elizabeth Haysom you
9 also questioned Jens Soering, is that correct?

10 A Yes, I did, sir.

11 Q And there were one or two occasions in
12 which you had conversations with him that were not
13 recorded.

14 A Yes, sir.

15 Q But you made a written memorandum of those
16 conversations, is that correct?

17 A Yes, sir.

18 Q And I'm showing you a copy of a written
19 memorandum of a conversation on June the 5th at 11:14
20 p.m.; is that your memorandum of that conversation with
21 Mr. Soering?

22 A It's a statement that I've prepared from
23 the memorandum, but it's a true account of what happened,
24 sir, yes.

25 Q At the bottom of that statement you state,

1 "I told him that I couldn't really discuss the matter with
2 him but asked him why he was asking such questions"; and
3 he was asking you questions about what might happen to
4 him?

5 A He was, sir, yes.

6 Q And would you tell us what his response
7 was to that?

8 A This response here on the second page, sir?

9 Q It's quoted on your memorandum, so I assume
10 it's his exact words.

11 A Oh, it's his exact words, yes, sir.

12 Q Would you read those, please?

13 A He said, "Because I murdered two people,
14 you know that."

15 Q Thank you.

16 MR. JONES: I have no further
17 questions.

18 **REDIRECT EXAMINATION**

19 **BY MR. UPDIKE:**

20 Q If I could ask you just a couple of
21 questions in response, please, Detective Inspector. The
22 references that you were requested to read concerning some
23 threats directed by Soering towards Elizabeth, they were
24 in the context of occurrences after the murders, wouldn't
25 that be correct, rather than before the murders?

1 A Yes, sir.

2 Q And again, to put this reference to threats
3 in perspective, without us having to actually get the
4 letters out and read them and things of that nature, I'd
5 like to establish with you if I might that while the two
6 of them were incarcerated there in London, isn't it true
7 that there were love letters passing between the two of
8 them even at that point in time?

9 A Yes, sir. That would be about May time,
10 May of '86.

11 Q '86.

12 A '86, yes, sir.

13 Q And again, without reading the letters,
14 there is one that comes to mind, I hope that you might
15 recall it, but is there one that Elizabeth Haysom wrote to
16 Jens Soering that--in which she describes what she would
17 like to do with him and those descriptions are very
18 sexually explicit?

19 A Yes, sir, they are.

20 Q And again, this particular letter that I'm
21 describing would have been mailed from her--or excuse me,
22 the communication would have been intended to go from her
23 from the prison in which she was being incarcerated to
24 the prison where he was incarcerated.

25 A Yes, sir. Of course some of the letters

1 were not posted from the prison, they would be passed at
2 their appearances at the Richmond Crown Court in England
3 as well when they came together on a weekly basis there,
4 sir.

5 Q They would pass those types of notes there.

6 A They would pass notes. It's common
7 knowledge that they do pass little notes to each other
8 when they appear and stand in the dock together, sir.

9 MR. UPDIKE: Thank you. I don't
10 believe I have any further questions.

11 THE COURT: All right, thank you very
12 much. You may step down.

13 (Witness stood aside.)

14 THE COURT: Call your next witness,
15 please.

16 RICKY GARDNER, was recalled as a
17 witness and having been duly sworn was examined and
18 testified further as follows:

19 DIRECT EXAMINATION

20 BY MR. UPDIKE:

21 Q Investigator Gardner, I believe the date
22 was May the 8th, 1987; on that date Elizabeth Haysom was
23 returned from England to Bedford County, is that correct?

24 A Yes, sir.

25 Q And later that night, upon her arrival

1 there at the sheriff's department, is it true that you had
2 the occasion to interview her once again?

3 A Yes, sir, I did.

4 Q And that interview was tape recorded, is
5 that correct?

6 A Yes, sir, it was.

7 Q And we're not going to be playing the
8 recording, but we would like to introduce a copy of the
9 transcript and make certain references to it.

10 This transcript dated May the 8th, 1987,
11 the Miranda form and so forth, would that be a transcript
12 of the interview that you conducted at that time?

13 A Yes, sir, it is.

14 Q And we would like to introduce this,
15 please.

16 (5-8-87 TRANSCRIPT INTRODUCED AS
17 COMMONWEALTH EXHIBIT 35.)

18 Q And do you have a copy of that transcript then?

19 A Yes, sir, I do.

20 Q The transcript of course is rather lengthy,
21 eighty-five pages. If I could just refer you to certain
22 portions, I'd like to ask you about certain portions and
23 then perhaps read others.

24 But at the bottom of Page Two, it would be
25 true that Elizabeth Haysom states that, and confirms, "I

1 rented a car and we drove to Washington and we booked into
2 I believe the Marriott Hotel." She's confirming that she
3 rented the car at that point.

4 A Yes, sir.

5 Q And on Page Three there's that same
6 confirmation, would that also be correct, and the
7 confirmation from Elizabeth Haysom that she made the
8 reservation at the Marriott Hotel, would that also be
9 correct?

10 A Yes, sir, that's right.

11 Q Now concerning the knife itself, I think
12 she gives a rather long description concerning that. If
13 you wouldn't mind just reading that portion beginning at
14 the bottom of the page, at Page Three through Page Four
15 and part of the way down on Page Five, please, sir.

16 A Elizabeth Haysom: "The 29th of March."

17 Question: "The 29th of March, right, okay.
18 So on Friday the 29th of March, you rented a car and
19 drove to Washington, D. C. Okay. Now when did--on
20 Saturday morning did you say you went and purchased a
21 knife, is that right?"

22 Response: "Yes."

23 Question: "Now Jens was with you when this
24 took place, right? And I believe you said that you went
25 to a martial arts store of some kind in Washington, D. C."

1 Response: "No, in Maryland."

2 Questions: "In Maryland. Did you go to
3 another shop in Washington and they wouldn't sell it to
4 you and then you went to Maryland, was referred to
5 Maryland?"

6 Response: "We went to one place in
7 Washington and they told us, I believe it seemed like we
8 couldn't buy and they told us of a place to go."

9 Question: "In Maryland?"

10 Response: "In Maryland."

11 Question: "So you went and purchased a
12 knife."

13 Response: "Yes."

14 Question: "Now the knife, and I believe
15 I've got in my briefcase here, I've got a diagram; this is
16 a copy that was given to me by Detective Terry Wright on
17 June the 6th--June the 9th, 1986. Did you draw this?"

18 Response: "Yes, I did."

19 Question: "It's got folded up here and
20 split here and extended. Do you know what this knife is
21 referred--what it is referred to be?"

22 Response: "I believe it's called a
23 butterfly knife."

24 Question: "A butterfly knife, okay. For
25 the sake of asking, why did you buy a knife?"

1 Response: "To kill my parents."
2 Question: "To kill your parents. So what
3 you're saying is you and Jens prior to February the 29th,
4 had talked about killing your parents."
5 Response: "Yes."
6 Question: "Okay. How long or how in time
7 had you and Jens talked of doing this?"
8 Response: "Hmm, a while".
9 Question: "For a while?"
10 Response: "Specifically I'd say three or
11 four weeks, maybe."
12 Question: "Three or four weeks?"
13 Response: "Yes."
14 Question: "Prior to March the 29th?"
15 Response: "Yes, uh-huh. But I had it in
16 my mind for some time."
17 Q Thank you for reading to that point. And
18 again making some quick references, please, on Page Six,
19 she again confirms purchasing the knife, is that correct?
20 A Yes, sir.
21 Q And then she states that Jens dropped her
22 off in Washington and that he drove to Lynchburg, is that
23 also correct?
24 A Yes, sir.
25 Q Halfway down the page there. Now in the

1 interview that you're familiar with conducted by Officers
2 Beaver and Wright, Ms. Haysom mentioned something about
3 going to a cinema and buying two tickets. At the bottom
4 of Page Six, what does she have to say just basically about
5 the cinema? She changes that statement, is that correct?

6 A Yes, sir.

7 Q And states that she was supposed to go to
8 the cinema, and they had agreed that she would go to the
9 cinema and purchase two tickets, but actually she went to
10 a bar that was in that same area of the movie house.

11 A Yes, sir.

12 Q And on Page Seven we have the agreement to
13 purchase the two tickets that they had entered into.

14 A (Witness nods in the affirmative.)

15 Q On Page Nine, would it be correct that she
16 describes on that page that she later that day, this
17 being Saturday, went back to the Marriott Hotel, that
18 she--let me ask you to read that, if I might, Page Nine,
19 starting with the question, okay, and what time of day was
20 it.

21 A Okay. Question: "Okay, and what time of
22 day was it when you think you got back to the Marriott?"

23 Response: "I don't know, I really can't
24 remember, but it was dark. So it must have been around
25 6:00 p.m. or 7:00 p.m., and I went in and had a shower and

1 then I ordered a meal, two meals."

2 Question: "Room service?"

3 Response: "Room service."

4 Question: "And it was brought to your
5 room?"

6 Response: "Yes, I ordered quite a bit of
7 alcohol and I signed for it in Jens' name."

8 Question: "What kind of credit card was
9 it?"

10 Response: "A VISA card. It was a VISA
11 card."

12 Question: "It was a VISA card. Now
13 obviously I know what you were doing, but for the benefit
14 of the tape, what were you doing?"

15 Response: "I was creating an alibi."

16 Q Okay, thank you. But she goes on to
17 state, continuing there on Page Ten, that after ordering
18 the meals at the Marriott she went to the Rocky Horror
19 Picture Show as they had agreed, is that correct?

20 A Yes, sir.

21 Q And on down Page Ten, does she state that
22 after the movie, "So I stood in the streets outside the
23 building where we agreed to meet and he came along in the
24 car and I got in the car."

25 A Yes, sir.

1 Q And Page Eleven, she begins describing
2 opening the car door, seeing Jens Soering inside with the
3 bed sheet wrapped around him and she describes the blood
4 all over everything, the sheet itself and all over the
5 car; would that also be correct?

6 A Yes, sir.

7 Q Page Twelve she states that once they got
8 back to the hotel Soering told her to get the garage
9 ticket so that no one would see him and she in fact did
10 this, would that be correct?

11 A Yes, sir.

12 Q Coming on down Page Twelve, did she state
13 that she was wearing a big overcoat and she told Soering
14 to put the overcoat on--

15 A Yes, sir.

16 Q --and to wear that. And that he wore her
17 big overcoat going up the elevator back to the room.

18 A (Witness nods in the affirmative.)

19 Q Is that correct?

20 A Yes, sir, that's true.

21 Q And about three-quarters down Page Twelve,
22 did she state that at some point Soering told her that his
23 hand had been cut at the Haysom residence.

24 A Yes, sir.

25 Q And that brings to mind, when you were in

1 London in June of '86 and during your interviews with
2 Soering, did you take note of whether or not his hands were
3 injured in some fashion?

4 A Yes, sir, I did.

5 Q Tell us about that, please.

6 A While speaking with Jens Soering in
7 Richmond, England, we were talking about what happened at
8 the house that night and he showed me his left hand. And
9 he showed me his index finger on his left hand and his
10 small finger on his left hand and he showed me scars, and
11 he said these are injuries that I received at Loose
12 Chippings that night.

13 Q And I think it's obvious, but Loose
14 Chippings is the name that Mrs. Haysom was it, gave to the
15 Haysom residence?

16 A Yes, sir, the Haysom residence on Holcomb
17 Rock Road.

18 Q Page Thirteen, could you read briefly about
19 the knife once again. By the way, how did you pay for the
20 knife; that's about three-quarters of the way down.

21 A Question: "By the way, how did you pay for
22 the knife?"

23 Response: "Cash."

24 Question: "And whose cash was it?"

25 Response: "I was carrying all the cash."

1 Question: "You were carrying all the cash
2 so you paid for the knife?"

3 Response: "Yes."

4 Q Thank you. All right on Page Fifteen,
5 would it be true that in this area of the transcript
6 she's talking about, I believe Jens Soering has gone to
7 sleep at this point and she goes down to clean the car.

8 A Yes, sir.

9 Q Clean the blood out off of the steering
10 wheel, rear view mirror. And does she also state about
11 three-quarters of the way down that Soering didn't want
12 the dog remains on the front of the car. Had Soering told
13 you something about hitting a dog in the area of the Haysom
14 residence?

15 A Yes, sir, he did.

16 Q And she states here that he wanted her to
17 clean the dog remains off of the car.

18 A Yes, sir.

19 Q Page Sixteen, does she describe that she
20 threw the clothes, Jens Soering's clothes that is, away at
21 the University of Virginia?

22 A Yes, sir, she does.

23 Q Page Nineteen, if you would just read some
24 several lines there at the top of the page beginning with
25 your question, were you relieved at this point that your

1 parents were dead.

2 A Okay. Question: "Were you relieved at
3 this point that your parents were dead?"

4 Response: "No."

5 Question: "You weren't?"

6 Response: "At no point afterwards was I
7 relieved that they were dead."

8 Question: "Okay, I'm just trying to--I'm
9 not trying to put words in your mouth, I'm just trying to
10 get your feeling."

11 Response: "Well afterwards I should have
12 been relieved. No, my first thought was at least Jens was
13 alive and, uh, my next thought was to save our skins."

14 Q Thank you. Page Twenty, does she indicate
15 there at the middle of the page that she didn't sleep that
16 night, but that when the morning arrived she went down and
17 checked the car again to make sure that she had cleaned it
18 properly because the lighting had been poor the night
19 before, or during the night?

20 A Yes, sir.

21 Q Page Twenty-One, she again confirms at the
22 bottom of the page that the business about going to the
23 Rocky Horror Picture Show was to create an alibi, would
24 that be correct?

25 A Yes, sir.

1 Q Page Twenty-Three and Twenty-Four, in that
2 area, you actually show her the rental form from the
3 Pantops Texaco in Charlottesville, is that correct, and
4 she confirms that she's the one that rented the car, that
5 that's her signature on it and things of that nature.

6 A Yes, sir, it is.

7 Q At the top of Page Twenty-Six she again
8 confirms that--about purchasing the knife, that you and he
9 had purchased the knife, I think you asked her.

10 A Yes, sir.

11 Q But at any rate, coming on down Page
12 Twenty-Six, could you read the portions there where she's
13 saying what Soering indicated what happened at the Haysom
14 residence, beginning with--well no, a--he said that he
15 went down there and he talked to them, beginning there
16 perhaps, with her response.

17 A I'm sorry, Page Twenty-Six?

18 Q Page Twenty-Six, uh-huh. You asked the
19 question--make the statement okay, I'm sorry, but you said
20 he wasn't very lucid about it.

21 A Okay. Question: "Okay, but you say he
22 wasn't very lucid about it."

23 Response: "No, he said that he went down
24 there and he talked to them for about three-quarters of an
25 hour."

1 Question: "Did he say whether your parents
2 were drinking or not?"

3 Response: "Hmm, yes, they were drinking."

4 Question: "Were they drinking and did--
5 they were drinking, and did he have any drinks with them?"

6 Response: "Yes, he did."

7 Question: "Okay, go ahead. He talked to
8 them for three-fourths of an hour, which would be forty-
9 five minutes.

10 Response: "Yes, uh-huh." The way he said
11 it, there was a lull in the conversation and he decided to
12 go for it during this lull in the conversation."

13 Question: "Did he say which room they were
14 in when this took place?"

15 Response: "No, he didn't tell me which
16 room they were in, but he did say he attacked my mother
17 first."

18 Question: "He said he attacked your mother
19 first, are you sure of that?"

20 Response: "Yes."

21 Question: "Okay, did he tell you, was
22 he--"

23 Response: "He said that he attacked my
24 mother first and that there was one hell of a fight. He
25 said he got his glasses--he said he lost his glasses at

1 one point. He said he lost control of the knife one time
2 and then he said my father just wouldn't die. He kept
3 saying that over and again."

4 Q Okay, thank you. Then coming on down to
5 Page Twenty-Seven, the last response of Ms. Haysom, he
6 didn't really go into description, if you would pick it up
7 there and read just briefly, please.

8 A Question: "So he said he attacked your
9 mother first. Did he say how he attacked her."

10 Response: "He didn't really go into the
11 description, he just said that--he just said that he tried
12 to slit her throat and it wasn't like in the movies."

13 Q Please continue.

14 A Question: "Did he say that he had slit
15 your father's throat?"

16 Response: "Yes, he just said that there
17 had been a terrible struggle with my father and that my
18 father would not lie down and die."

19 Question: "How did he get in the house?"

20 Response: "My father let him in."

21 Question--

22 Q All right, please continue, I'm sorry.

23 A --"Okay, did he tell you that he was at
24 Loose Chippings twice that evening?"

25 Response: "Yes, at some point, and I

1 really--I don't remember when but it can't be too much
2 later. He told me that he had gone and done it and for
3 some reason, which he never explained to me fully or
4 possibly at all, whatever, he just--he kept saying he
5 thought somebody was watching him or he hadn't done
6 something, he went back."

7 Question: "Well could it have been that he
8 left the lights on possibly?"

9 Response: "No. He didn't say anything
10 about the lights; he never mentioned lights to me. He
11 just said that he went back and I think he said he went
12 back to make sure that they were dead."

13 Q And at the bottom of Page Twenty-Eight,
14 does Ms. Haysom indicate that she had given her key to the
15 residence to Jens Soering?

16 A Yes, sir.

17 Q On Page Thirty-One, the long response at
18 the bottom by Ms. Haysom, I was extremely upset.

19 A Okay.

20 Q If you would read that please.

21 A Elizabeth Haysom: "I was extremely upset
22 because I hadn't really heard from various people, and I
23 pointed out to her that yeah, there are many people who
24 would say that I made Jens kill my parents, or I caused
25 him to kill my parents. And that's very possibly true, but

1 after, after he had done it, he thought that killing
2 people was quite a nice occupation. And I said to him, I
3 think my exact words were something along the line that
4 his parents wouldn't be giving me such a hard time if they
5 knew I prevented him from doing them as he had done my
6 parents.

7 "And because I'm older than he is and more
8 experienced, whatever, uh, and because he is so innocent
9 and charming and well spoken and has this beautiful past
10 and I have this horrible past and the rest of it, people
11 see me as the manipulator, and I say that's quite possibly
12 true at one stage. The roles quickly reversed, um, after.
13 We had some really different feelings and he wanted to
14 kill Howard, he disliked Howard."

15 Question: "So he talked of killing
16 Howard."

17 Response: "Yes."

18 Q Okay, thank you. Then just continuing very
19 quickly if I could to go through this, the bottom of Page
20 Thirty-Seven, going to the top of Page Thirty-Eight, is
21 Ms. Haysom indicating there that there was a drastic
22 change in Jens Soering after the murders?

23 A Yes, sir.

24 Q And coming on down until almost the middle
25 of the page, she indicates that after they left Virginia,

1 that he took control, all I can really say is he really
2 took control.

3 A Yes, sir.

4 Q I think there are just a very few more
5 questions I'd like to ask you, but on Page Forty-Six, you
6 put the specific question to Ms. Haysom why are your
7 parents dead, do you see? Begin reading her response
8 there at that question if you would, please. Let me ask
9 you this--

10 A "Let me ask you this point blank: Why are
11 your parents dead?"

12 Response: (Long pause) "That's a very
13 difficult question. Uh, they're dead because--see the
14 thing with that is my reasons that I see now may be
15 different from the reasons I had then, uh. And at one
16 time they were going to separate Jens and myself, they
17 were making the arrangements to leave Virginia."

18 Question: "They were making arrangements
19 for you to leave Virginia or them to leave Virginia?"

20 Response: "All of us."

21 Question: "And go where?"

22 "I don't know, but they talked about me
23 going back to Canada. In Halifax they put the house up
24 for sale. And at that point I could not bear the thought
25 of being separated from--"

1 Q And the tape ended at that point, is that
2 correct?

3 A End of the tape side.

4 Q But on the next page she just continued
5 that thought with she could not stand the thought of being
6 separated from Jens. But she states, but there's a lot
7 more to the story.

8 A Yes, sir.

9 Q Now rather reading all of this, on Page
10 Forty-Seven is she in essence there talking about that she
11 was something of a special child and that she was the
12 child of both Mr. and Mrs. Haysom, the only natural child
13 of the two of them whereas the other children were just--
14 would be children of either one or the other?

15 A Yes, sir.

16 Q And that because of that, Mr. and Mrs.
17 Haysom expected a lot of her, wanted her to be successful
18 and things of that nature; is that what she goes into?

19 A Yes, sir.

20 Q Coming to the next page, I believe you put
21 the question to her whether she resented her parents
22 sending her to Europe to go to school, and she states at
23 one point, "I did feel that very strongly." And does she
24 go on to talk about her father wanting her to be an
25 engineer and requiring that she take A levels, I assume to

1 be majoring, to be the same as what we call major in
2 science, and that majoring in science didn't suit her and
3 she didn't work out well with that and that at some point
4 her parents called Wickham Abbey and changed her A levels
5 for her without discussing that with her ahead of time;
6 would all that be basically a summary of it?

7 A That's correct.

8 Q And she states that because of these, she
9 resented this type of control over her life. And I'm on
10 Page Fifty-One at this point.

11 But continuing along that vein, if I could
12 direct your attention to Page Fifty-Two at the top of the
13 page. Could you read your question and her response,
14 starting with okay, let's go back to the original question.

15 A Question: "Okay, let's go back to the
16 original question, and I think that that was why your
17 parents are dead. Was the main motive for their murders
18 the fact that you and Jens were so much in love and that
19 they were bitterly opposed to any future that you and Jens
20 may share together?"

21 Response: "Yes. And I also--also looking
22 at my brother's situation, although they were cut away
23 from the fold, my family living far away, their daily
24 lives were still manipulated and interfered with by my
25 parents and I wanted them to, I suppose, really to leave

1 me alone."

2 Q Thank you. Page Fifty-Four, at the top of
3 the page, about a quarter of the way down you ask her
4 whether she loved her mother. Could you read that
5 question and her response please.

6 A Okay.

7 Q That would be fine, just start with about
8 my mother.

9 A Okay. Response: "About my mother?"

10 Question: "Did you love her?"

11 Response: "It's very strange, but when she
12 was living there were moments when I deeply loved her, but
13 for some odd reason I can only remember"--I'm sorry--"but
14 for some odd reason I can only remember the sort of
15 torment she put me through, the taunting, the hysteria.
16 Whereas my father, I miss him a great deal."

17 Q Okay. Page Sixty-Four, at the bottom of
18 the page there is just the one question by you and the
19 response that I'd like to get. But you put the question
20 to her, "So in essence, I guess point blank and to the
21 point, he went there to kill them." And her response
22 was, "Exactly."

23 A (Witness nods in the affirmative.)

24 Q Is that correct?

25 A (Witness nods in the affirmative.)

1 Q Starting with Page Sixty-Six, I believe
2 that you're questioning her there concerning the joint
3 diary that has been introduced, and she reads portions of
4 it and confirms portions of it and discusses the diary
5 with you, would that be correct?

6 A Yes, sir.

7 Q Page Sixty-Seven, the business that we may
8 have heard in the diary referring to the tumor. She
9 laughed about that and said no, she didn't have a tumor and
10 she has some explanation here about that. But there was
11 nothing to the tumor business, was there?

12 A No, sir, there wasn't.

13 Q And I believe you go through a number of
14 the letters that we have introduced with her as she
15 confirms having written them and you all discussed the
16 letters in detail. But I would like to ask you about one
17 quote that you directed to her attention on Page Seventy-
18 Eight. If you could start reading at her response where
19 she says I woke up and I'm still alone. On Page Seventy-
20 Eight, about halfway down.

21 A Elizabeth Haysom: "I woke up and I'm still
22 alone. A day of raining loneliness. This morning I
23 built my father a desk; it took all morning. I didn't
24 smoke. Then I went shopping; I bought cigarettes. Jens
25 is trying to make me quit. I bought other things, too.

1 "My father fell down, I prayed, he got up,
2 then I came home."

3 Question: "You prayed what?"

4 Response: "I just have written down I
5 prayed."

6 Question: "You remember what you were
7 praying?"

8 Response: "I'm quite sure at the time I
9 didn't do anything of the sort, but in retrospect I prayed
10 that--"

11 Question: "That what?"

12 Response: "I didn't like him and I wanted
13 him dead. I mean I'll say it 100 times if you want, I
14 admit my guilt to that and all the rest of it."

15 Q Thank you. You asked something of a
16 summary question I guess, beginning on Page Eighty-Two.
17 Maybe if you'd just start reading there with your question
18 at the middle of the page where you're saying, and this
19 goes along with establishing an alibi.

20 A Question: "And this goes along with
21 establishing an alibi. So I'm just trying to sum this
22 thing up and if I'm wrong, you jump right in and tell me.
23 And I don't mean to put words in your mouth and I know
24 that you're not going to let me do that. But you and
25 Jens had talked about murdering your parents for some

1 weeks."

2 Response: "Yes."

3 Question: "Months?"

4 Response: "No, weeks."

5 Question: "Weeks. Did you ever ask him to
6 kill your parents, I mean ask him?"

7 Response: "No, weeks. I don't think so.
8 I was going to do it myself, uh, he said he wanted to do
9 it for me because he loved me."

10 Question: "And you loved him."

11 Response: "I suppose without ever actually
12 in the letters or the thing asking him in spirit, yes.
13 You understand what I mean?"

14 Question: "Uh-huh."

15 Response: "It was no question it was my
16 fault, all right? Not in my mind anyway. I knew that I
17 couldn't do it, I didn't think he could do it either, but
18 I knew I definitely couldn't do it. So when he said he
19 would do it, I didn't say no."

20 Q Okay, thank you. And finally, on Page
21 Eighty-Four, if you could read where you begin with the
22 question there nearly at the top of the page, you think
23 Jens was in this by himself.

24 A Question: "You think Jens was in this by
25 himself?"

1 Answer: "No, he was in this with me."

2 Question: Was there anyone else at the
3 house in your opinion?"

4 Answer: "No."

5 Question: "That Saturday evening."

6 Response: "Not at all."

7 Question: "Wasn't nobody else?"

8 Response: "No."

9 Question: "So to sum it up, you and Jens
10 Soering talked of killing your parents some several
11 weeks."

12 Response: "It was premeditated."

13 Question: "Prior to March the 29th. And
14 he went to the house and murdered your parents and you
15 assisted him in establishing an alibi both before and
16 after the two murders."

17 Response: "Yes."

18 Q Thank you. And after that occasion on May
19 the 8th, 1987, you also interviewed her on two occasions
20 after that I think, what were they, May the 11th and May
21 the 14th?

22 A Yes, sir.

23 Q I don't think that I will be asking you
24 questions about--the May 11th interview was not taped, is
25 that correct?

1 A No, it was not.

2 Q The May 14th interview was taped, and I'm
3 not going to be asking you any questions about it, but I
4 would like to introduce a copy of the transcript of that.
5 Would that basically be that you went through items of
6 correspondence that she had written and she read them for
7 you and explained some of the contents?

8 A Yes, sir.

9 Q If we could introduce a copy of that,
10 please. Of course throughout this, as we've been
11 referring to Elizabeth Haysom, we've been referring to the
12 defendant seated over here, is that correct?

13 A Yes, sir.

14 Q And the Haysom residence, where the bodies
15 were found and where all of this occurred is of course
16 located here in Bedford County, is that correct?

17 A Yes, sir, it is.

18 MR. UPDIKE: Answer any questions,
19 please, that defense counsel may have for
20 you.

21 **CROSS EXAMINATION**

22 **BY MR. DAVIS:**

23 Q Investigator Gardner, I don't know whether
24 you've had an opportunity to take up to the stand with you
25 the statements that you took from Jens Soering on June

1 5th, 6th 7th and 8th, 1986; do you have those with you?

2 A No, sir, I do not.

3 Q I have about ten questions combined to ask
4 you about those statements. Can you come down and get
5 copies of those transcripts?

6 MR. UPDIKE: Sure, we can provide them
7 to you. You think that you could use my
8 copies here?

9 THE WITNESS: Yes, sir.

10 BY MR. DAVIS: (continuing)

11 Q Investigator Gardner, if I could, you did
12 take a statement from Jens Soering on June the 5th in
13 Richmond, is that correct? Richmond, England?

14 A Yes, sir.

15 Q And if I could direct your attention to
16 that statement that was taken on June the 5th at 8:05
17 p.m.

18 A Yes, sir.

19 Q And direct your attention to Page Three.

20 A Yes, sir.

21 Q About halfway down you ask Jens Soering,
22 did she--and you're referring to Ms. Haysom here, did she
23 know the reason you were going there. And by the context
24 of the statement, you're talking about going to the Haysom
25 residence in Bedford County.

1 A Yes, sir.

2 Q In response to that question did she know
3 the reason you were going there, what was Jens Soering's
4 response?

5 A "Did she know the reason you were going
6 there?"

7 Jens Soering: "(Long pause) I would have
8 to say that we had discussed it obviously, but I don't
9 think that either she or I were truly clear about what was
10 going to happen at all."

11 Q Go ahead, the next response.

12 A Okay. Question: "I want"--Jens Soering
13 response: "We were--sooner or later I was going to have
14 to speak, okay, to Mr. and Mrs. Haysom about their
15 feelings about me anyway, and I don't know Elizabeth--I
16 don't know how Elizabeth felt about me driving down there
17 or what, what her--what she thought my motives were or
18 what she thought."

19 Q All right. And continuing on in that
20 statement on Page Nine. And I believe you were present
21 when Sergeant Beaver asked the question of Jens concerning
22 the reason for going down there, about halfway down Jens
23 answers, um, well; can you pick up what his response was?

24 A "Um, well, I think the problem with that is
25 these are the words going to--and as I was saying earlier

1 before the tape was on, unfortunately certainly in my mind
2 I was not at all concerned as to what was going to
3 happen."

4 Q Could that word concerned in fact be
5 certain on the tape, did you listen to that? Certainly
6 in my mind I was not at all certain as to what was going
7 to happen?

8 A It could be, yes, sir.

9 Q Because concerned doesn't really fit in
10 with that--

11 A Right.

12 Q --is that correct?

13 A I'd have to listen to the tape.

14 Q And at the bottom of that page in response
15 again to Sergeant Beaver's question about Soering's intent
16 for going down there, could you read the last response of
17 Jens Soering?

18 A Between her?

19 Q Yes, sir.

20 A "Between her, right, I think the way I
21 would view the situation was that I wanted to see what the
22 parents' attitude really was, because after all, I had
23 only met them once for a very short lunch, and uh, I
24 obviously went there with certain preconceptions,
25 expecting certain things, all right, certain attitudes of

1 theirs. Uh, but God knows I was not at all set."

2 Q Set to do what, and he says, set to kill
3 them.

4 A Sergeant Beavers, question: "Set to do
5 what?"

6 Jens Soering: "Set to kill them."

7 Q And that would be on Page Nine, I believe.
8 On Page Eleven, at the top of that page, does he again say
9 that I think it would be fair to say that my mind was not
10 set to do anything in a firm way?

11 A Yes, sir.

12 Q On Page Twelve, I believe you asked Mr.
13 Soering about the altercation that took place and about
14 how the situation between Elizabeth and her parents was to
15 be handled, that is concerning her relationship with Jens
16 Soering, is that correct?

17 A Yes, sir, I did.

18 Q And what was Mr. Soering's response to how
19 that situation should be handled starting with started.

20 A Page Twelve?

21 Q Yes, sir, at the very top.

22 A Okay, I said "Okay, you were saying the
23 altercation."

24 Response: "Started about painting, but it
25 quickly cleared over into the--into a--I can't remember

1 the other subjects we discussed, too. It ended up being
2 about, you know, about Elizabeth and me and how
3 inappropriate that relationship was. After that, I
4 think it would be fair to say that Elizabeth agreed it was
5 inappropriate but completely disagreed on how to handle
6 the situation or what to do with it.

7 "I unfortunately don't remember details,
8 okay, of what was said or who said what."

9 Q So basically Jens Soering is saying that
10 Ms. Haysom agreed--disagreed, Elizabeth Haysom disagreed
11 with him on how to handle the situation between the two
12 of them.

13 A That's what it says.

14 Q Could I direct your attention to June the
15 6th, the next day, 11:40 p.m. Again, you had the
16 opportunity to talk Mr. Soering, and if I could direct
17 your attention to Page Eleven, and this would have been,
18 again, the next day. Does Mr. Soering reiterate the
19 reason that he did not go to Loose Chippings in the middle
20 of the page where he begins that same statement I made
21 yesterday?

22 A Jens Soering: "That was the same statement
23 I made yesterday. I did not go to Loose Chippings to kill
24 Mr. and Mrs. Haysom."

25 Q On Page Twenty-Three of that same

1 statement, did Jens Soering say what role that he felt
2 that Elizabeth Haysom would take in the responsibility for
3 what had happened? Beginning with well, like I said
4 yesterday?

5 A Twenty-Three?

6 Q Yes, sir.

7 A Well like I--yes, sir.

8 Q What did Jens Soering say?

9 A "Well like I said yesterday, I'm afraid
10 that she might try to fabricate a story. I would think
11 that originally she would try to--and I'm not going to
12 make a statement about my guilt or innocence with that,
13 but I assume that she is the reason, she is the reason"--
14 excuse me--"I assume that the reason she will try to make
15 up a story which would be to the point we're innocent, and
16 I assume that you will confront her with the evidence you
17 have and that she will then change her story, perhaps to
18 one in which she makes more or most--takes more or most of
19 the blame for herself in an effort to do me a favor by
20 that."

21 Q Could I refer you to June the 7th, the next
22 day that you spoke to Mr. Soering on Page Forty-One. Are
23 you at that page?

24 A Yes, sir.

25 Q I believe that you confronted Mr. Soering

1 with a threat that he had supposedly made towards
2 Elizabeth Haysom that he would kill her, is that right?

3 A I asked him about that, yes, sir.

4 Q And in response to that, after, it appears
5 to be about twenty lines going back and forth, he finally
6 says that he denied making that statement, isn't that
7 correct?

8 A Yes, sir.

9 Q But it takes him, based on here, probably--
10 based on the tape we heard earlier and the length of time
11 that it would take, it probably took him three or four
12 minutes to deny making that statement, would that be a
13 fair estimate of the time?

14 A Yes, sir.

15 Q On Page Forty-Nine, on June the 7th again
16 where it has Investigator Gardner there in the middle of
17 the page; are you at that page?

18 A Yes, sir.

19 Q I believe that Jens requested that
20 something be taken off the--that the statement be taken
21 without benefit of the tape recorder. And is it at that
22 point that Jens Soering again told you that he did not go
23 to Loose Chippings that night with the intentions of
24 killing Mr. and Mrs. Haysom?

25 A Yes, sir.

1 Q On June the 8th, I believe you took one
2 final statement from Mr. Soering, and if I could direct
3 your attention to that, it was basically I think an oral
4 statement.

5 A (Witness nods in the affirmative.)

6 Q Would that be accurate?

7 A Yes, sir.

8 Q And I believe at that point, in the middle
9 of the page, Mr. Soering said that he had thrown away two
10 knives; almost in the middle of the page.

11 A Page One?

12 Q Page Three?

13 A Yes, sir.

14 Q And on the next page, eight lines down,
15 Mr. Soering makes the statement that we've heard before.
16 "I fell in love with the girl, we talked about killing her
17 parents, I didn't want to do it but I drove to their house
18 to kill them, I got caught."

19 A Yes, sir.

20 Q And according to your statements, he
21 further states that even though he and Elizabeth had
22 considered the possibility of killing her parents, that
23 that was not his intent or the sole reason that he was
24 going to Loose Chippings, and that he and Elizabeth hoped
25 very much that nothing was going to happen that night and

1 that possibly by him going to Loose Chippings the Haysoms
2 may give their blessing to their relationship.

3 A Yes, sir.

4 Q Investigator Gardner, when you got--when
5 Ms. Haysom here arrived at the Bedford County Jail on May
6 the 8th late at night, you took a statement from her I
7 believe at 10:55 which the Commonwealth has already gone
8 over.

9 A Yes, sir.

10 Q So you have that statement there with you?

11 A Yes, sir, I do.

12 Q And if I could just refer to it briefly,
13 beginning with Page Five, and Mr. Updike has mentioned
14 some of these things already, but Elizabeth Haysom on Page
15 Five in fact said that she never did attend the cinema
16 with the exception of the Rocky Horror Show.

17 A That's true.

18 Q And so based on questions that Mr. Jones
19 asked previously, there were not tickets found of any
20 type.

21 A No, sir.

22 Q And in fact the room service bill which has
23 the listing of room service on March the 30th, of 1985,
24 does not have any signature on it, it just says for
25 signature seen on file, would that be accurate? It

1 doesn't have Soering's signature on it?

2 A I don't believe it has a signature on it,
3 no, sir.

4 Q And I believe earlier in a statement
5 Ms. Haysom said that she had signed her name to a VISA
6 card when the room service came up.

7 A Yes, sir.

8 Q And in fact that did not check out.

9 A Well I can explain that, but--

10 Q I mean there was no VISA card with her name
11 signed to it that you're aware of.

12 A Right.

13 Q On Page Nine of that May the 8th statement,
14 I believe you state that Elizabeth's first reaction upon
15 seeing Jens was one of oh, my God, what happened, about
16 two-thirds of the way down?

17 A I'm sorry, what page, Mr. Davis?

18 Q It would be on Page Nine.

19 A Yes, sir.

20 Q And on Page Eleven, according to what
21 Elizabeth says, upon his return, and this is two-thirds of
22 the way down on Page Eleven, she states that Jens, he was
23 more concerned about me doing my bit, he gave me a set of
24 instructions, would that be accurate?

25 A Yes, sir.

1 Q And in fact on Page Seventeen, Ms. Haysom
2 admits that she really only purchased one ticket and not
3 two which she had earlier admitted to. It would be on
4 Page Seventeen about midway down. I think Mr. Updike has
5 asked you about that, about the creating of an alibi but
6 that she really only purchased one ticket, the one for the
7 Rocky Horror Show right in the middle of the page?

8 A Yes, sir, I'm trying to find it but I can't
9 find that. Seventeen?

10 Q Yes, sir, right in the middle of the page.
11 I only ever purchased one, the one for the Rocky Horror
12 Show.

13 A I'm sorry, I don't see that here.

14 Q Okay, that's fine, I'm just rehashing that
15 anyway. And I will attempt not to do that any further.

16 On Page Twenty-Eight, did Ms. Haysom refer
17 to Jens Soering's threat to kill her? That would be on
18 Page Twenty-Eight, sixth line from the top? He was going
19 to turn you in or do something else? The first reference
20 to yourself there.

21 A Yes, sir. No, wait a minute.

22 Q On the top of Page Twenty-Eight. This goes
23 over into May the 9th, a continuation of May the 8th
24 interview, the morning.

25 A I believe what's happened is the transcript

1 that was corrected, I've got the corrected version.

2 Q Well would you recall this to be accurate,
3 that Elizabeth Haysom said that if she were ever to do
4 anything that he would kill her?

5 A Yes, sir, I believe I remember that.

6 Q And that she took that threat seriously?

7 A Yes, sir.

8 Q Do you recall that during your initial
9 interview, one of the initial interviews with Ms. Haysom,
10 that--and this is referred to in the continuation of the
11 May the 8th statement--that Elizabeth Haysom said in
12 response to some questions, why don't you, Investigator
13 Gardner, go talk to Jens Soering about that question, I
14 don't know.

15 A Yes, sir.

16 Q And this was during the initial stages she
17 was directing you towards him.

18 A That's what she said.

19 Q But you recall that specific statement that
20 was made during the April 8th and April the 16th interview,
21 some questions that she could not answer and she said go
22 talk to Jens Soering about that.

23 A Well I remember her saying that you're
24 going to have to ask Jens about that.

25 Q Now there's been a previous mention of the

1 "Soldier of Fortune" magazine and a copy of a page with an
2 advertisement for a butterfly knife. Have you seen that
3 page?

4 A No, sir, I haven't.

5 Q Judge, I believe that was introduced as
6 Defense Exhibit A.

7 THE COURT: Uh-huh.

8 Q Is that the first time you've seen that
9 photograph?

10 A Yes, sir.

11 Q And it's--for a little background, is
12 "Soldier of Fortune Magazine" a type of mercenary type of
13 publication that advertises exotic weaponry?

14 A I'm not that familiar with it, but I
15 believe it's along those lines, yes, sir.

16 Q And in fact that shows a butterfly knife or
17 what appears to be a butterfly knife and it's advertised
18 butterfly knife for mail order.

19 A Yes, sir.

20 Q Now looking at that photograph, would you
21 say that that butterfly knife is depicted as having one
22 edge?

23 A Yes, sir, it looks that way.

24 Q So it's not a double edge weapon.

25 A This one doesn't appear to be.

1 Q And in fact the one that Elizabeth Haysom
2 drew for you, drew for the London police officers, in fact
3 was shown as having a double edge, wasn't it?

4 A I believe so, yes, sir.

5 Q And you've got it and I've seen it numerous
6 times, but it really doesn't look anything like what is
7 depicted there as a butterfly knife other than it has a
8 blade and a handle.

9 A Yes, it's folded up here.

10 Q During the continuation of the May 9th
11 statement, you went into some of the background with
12 Elizabeth Haysom into her family, her younger years. On
13 Page Forty-Two, did you discuss her early years when she
14 was in Switzerland?

15 A Yes, sir, I remember that; that's not my
16 forty-two, but that's true.

17 Q Well let me show you my Page Forty-Two and
18 ask you this specific question you said to Elizabeth: "In
19 our investigation we found that you were raped when you
20 were in England, is that true?" And could you read her
21 response?

22 A Okay. "Let me ask you this: In our
23 investigation we found that you were raped when you were
24 in England, is that true?"

25 Response: "It wasn't England."

1 Question: "Where were you, Switzerland?"
2 Response: "Switzerland."
3 Question: "Switzerland, okay. Were you
4 attending school at that time?"
5 Response: "Yes."
6 Question: "Did your parents know of this?"
7 Response: "Yes."
8 Question: "They did know it. What was
9 their response or feeling or whatever about this?"
10 Response: "My mother said I was a whore."
11 Question: "How about your father?"
12 Response: (Pause) "It didn't happen."
13 Question: "He didn't believe you?"
14 Response: "Oh, no, I mean I was only ten."
15 Question: "What do you mean it didn't
16 happen?"
17 Response: "It's a--he ignored it, he
18 blanked it."
19 Question: "He wouldn't accept it?"
20 Response: "For him it just didn't happen."
21 Q And how old did Elizabeth say she was at
22 that time?
23 A Ten.
24 Q I believe you also during your
25 investigation were provided some photographs, is that

1 right?

2 A Yes, sir.

3 Q And I believe they were nude photographs of
4 Elizabeth Haysom, is that correct?

5 A Yes, sir.

6 Q And were you told who took those
7 photographs?

8 A Yes, sir, I was.

9 Q And who was that?

10 A Elizabeth's mother, Mrs. Haysom.

11 Q How old was Ms. Haysom, Elizabeth Haysom,
12 at the time those photographs were taken?

13 A I believe she was nineteen, twenty; twenty,
14 I believe.

15 Q It's on Page Fifty-One in my statement,
16 Investigator Gardner, and I believe you asked Elizabeth
17 why Jens went to Bedford County on the 30th.

18 A I asked him why?

19 Q Yes, sir, and this may be on the very same
20 statement that you provided on the corrected type; it
21 looks like it is Mr. Updike's computer matrix print, but
22 it states on Page Fifty-One, "Did he go there with the
23 hope of possibly changing their mind," referring to Jens,
24 why he went to the Haysom residence. Do you have that one
25 with you?

1 A Is that June the 7th?

2 Q No, this would be a continuation of the May

3 the 8th statement, into May 9th.

4 A Oh, okay, May 8th; okay, I've got that.

5 Q On Page Fifty-One, what was Elizabeth's

6 response when asked why Jens Soering went to Bedford

7 County, at the bottom of the page there?

8 A Page Fifty-One?

9 Q Yes, sir.

10 A I'm afraid that's going to be on another

11 page here.

12 Q Let me show you mine then again and just

13 ask if you could just read those last two responses when

14 asked why he went down there; I believe I've got it marked

15 in green.

16 A Question: "Did he go there with the hopes

17 of possibly changing their minds?"

18 Response: "He went down there to see if I

19 was exaggerating about their attitude towards me."

20 Question: "Repeat that."

21 Response: "He went down there to talk to

22 them to see if I had exaggerated about their attitude

23 towards me."

24 Q All right, thank you. And I believe you

25 further questioned Elizabeth about the diary entries, is

1 that correct?

2 A Yes, sir, I did.

3 Q About when they were written and how they

4 were written?

5 A Yes, sir.

6 Q And you have talked numerous occasions with

7 Elizabeth, but you have indicated that she obviously had a

8 love of writing.

9 A Yes, sir.

10 Q And when you brought up the mention of the

11 diaries, did she state to you when some of those entries

12 were written, that is whether they were written on the

13 date that they were dated or whether they were written

14 later on?

15 A You want me to read this?

16 Q Yes, sir.

17 A Okay. Elizabeth Haysom: "Can I point

18 something out about it all being written in retrospect.

19 It was all written in Thailand."

20 Question: "Okay, it was written--"

21 Response: "This book was bought in

22 Thailand and written in Thailand."

23 Question: "Okay, whose writing is it?"

24 Response: "That's mine."

25 Q So much of what she said was written in

1 that diary was written in retrospect.

2 A Yes, sir.

3 Q Did you also ask her when we referred to
4 these specific letters or the Commonwealth referred to
5 specific letters that were written to Mr. Soering wherein
6 she talks about her parents drinking and I wish one would
7 fall into the fire or my mother would take a poker to my
8 goading father, that sort of thing, did you ask her
9 whether she was on any type of drugs or alcohol?

10 A That particular letter I remember she said
11 she was drinking.

12 Q You remember specifically--

13 A Yes.

14 Q --that she stated that she was drinking
15 when that letter was written.

16 A I do remember that.

17 Q Investigator Gardner, you also I believe
18 took an oral statement from Ms. Haysom on May the 11th,
19 is that right?

20 A Yes, sir, she requested that it not be put
21 on tape.

22 Q And she wanted to talk to you?

23 A Yes, sir.

24 Q And did she tell you that she did not want
25 a tape made of that statement because of her continuing

1 fear of Jens Soering?

2 A I think it was something to that effect,
3 yes, sir.

4 Q And you talked for some time on the 11th as
5 well, is that right?

6 A Yes, sir, Investigator Huddleston and
7 myself spoke with Elizabeth on the 11th.

8 Q Did she tell you during that statement that
9 Jens had kept writing her letters wherein he would say
10 cooperate with Jens' solicitor, and if I come out of this
11 all right, you'll come out?

12 A Yes, sir.

13 Q So Jens was continuing to tell her how to
14 conduct any potential defense that she might have?

15 A Yes, sir.

16 Q So you talked to her on the 8th, the 9th, a
17 continuation into the 9th, an oral statement on the 11th
18 and I believe you also talked to her on May the 14th, is
19 that right?

20 A Yes, sir, I did.

21 (5-8 AND 5-14 INTERVIEWS OF
22 ELIZABETH HAYSOM INTRODUCED AS
COMMONWEALTH EXHIBITS 35 & 36.)

23 Q And of course on the 14th. Would it be a
24 fair statement that Ms. Haysom arrived in Bedford on May
25 the 8th and that she was appointed attorneys on May the

1 18th?

2 A Yes, sir.

3 Q So during that ten-day period you really
4 took about four different statements from her, oral and
5 taped?

6 A I did, but at her request.

7 Q Right, I understand that. But you
8 continued to talk with her and in fact take different
9 statements from her?

10 A Yes, sir.

11 Q Do you have that statement of May the 14th
12 there with you?

13 A No, sir, I do not.

14 Q I believe that's been introduced. And I
15 won't take long with this. If I could direct your
16 attention to Page Four of that letter of the 14th, at the
17 very bottom. And what Elizabeth is doing, and you correct
18 me if I'm wrong, but she's going through letters that she
19 received from Jens Soering, isn't that correct?

20 A Yes, sir.

21 Q While the two of them were incarcerated in
22 England.

23 A Yes, sir.

24 Q Beginning with the seventh line from the
25 bottom, I'm very sorry that I cannot give you any direct

1 indication.

2 A Yes, sir.

3 Q And I'll read it, but are these words that
4 she's taken from the letters from Jens Soering? "I'm very
5 sorry that I cannot give you any direct indication of
6 direct benefits for you in all this, I simply do not know.
7 So I'm asking you to save my ass in the hope that
8 someone--in the hope that somehow that will help save
9 yours."

10 A Yes, sir.

11 Q On Page Seventeen does she refer to a letter
12 written to her on September the 26th of '86?

13 A Page Seventeen?

14 Q Yes, sir. And I believe it deals with her
15 conversations with her solicitor, at that time
16 co-solicitor, Mr. Keith Barker, and I believe at the time
17 he represented both of them?

18 A Yes, sir, in England.

19 Q And would this be an accurate excerpt from
20 that letter of September the 26th from Jens Soering to
21 Elizabeth? "When discussing things with him the best
22 attitude to take is to ask him what I have said and then
23 second the motion. Some of the things might sound a bit
24 strange to you but believe me, this stuff has been cooked
25 up by very experienced people. Just play along. Getting

1 me to Germany is not only important for my survival but
2 also to you, what type of conviction and sentence you'll
3 get. As you can tell from the top of this page, your
4 cooperation is important." Would that be accurate?

5 A Yes, sir, it is.

6 Q On Page Eighteen she refers to the October
7 4th letter, and I believe therein does Jens Soering again
8 tell her to follow his lead?

9 A Yes, sir.

10 Q Through that, those letters that you have,
11 does she make it clear to Mr. Soering that she's pleading
12 guilty and that she's admitting involvement and that she
13 wants to get this behind her?

14 A Yes, sir.

15 Q On Page Forty of that statement--let me--
16 before we get to Page Forty, Page Twenty-Six, at the very
17 top of the page you ask her whether she's remorseful.

18 A Yes, sir.

19 Q And this is I guess perhaps one of the very
20 last statements overall on the 14th that you gave her.
21 What does she say to you when you questioned her
22 remorsefulness?

23 A Question: "You're remorseful."

24 Response: "I have a great shame and a
25 great remorse. I can't even begin to describe it."

1 Question: "Remorseful, you're remorseful,
2 you're sorry that it happened."

3 Response: "Yes."

4 Q On Page Forty-Eight, does she state to you
5 that throughout different context of statements that she
6 has given that she has lied on behalf of Jens?

7 A I'm sorry, what page?

8 Q Page Forty-Eight, at the very top of the
9 page. Can you just read the response that Ms. Haysom
10 said.

11 A "Yes. I mean he makes me feel guilty for
12 telling the truth. He makes me feel like I'm betraying
13 him because I'm telling the truth. I don't know what he
14 wants from me. I mean it's a horrible position to be in,
15 but, uh, he wants me to carry on lying and to lie for him
16 because I love him. And I'm not prepared to do that
17 anymore because the whole thing is so ghastly and so
18 wrong, and I've betrayed so many people and I feel so
19 lousy about that. And now I feel completely lousy about
20 that as well, you know."

21 Q All right. And one last reference to that
22 statement. On Page Fifty-Three, and keeping in mind that
23 you're going over letters that she has voluntarily
24 chosen to show you that she received from Jens, is that
25 right?

1 A Yes, sir.

2 Q And as far as you know, she did not

3 withhold any of the letters she had received while she was

4 incarcerated from Jens.

5 A As far as I know she didn't.

6 Q And she allowed you to take possession of

7 the letters, make copies of them.

8 A Yes, sir.

9 Q And you kept the originals and returned the

10 copies to Ms. Haysom.

11 A Yes, I did.

12 Q Do you recall making a reference to the

13 November 11th of 1986 letter in that conversation

14 beginning on Page Fifty-Two, at the very bottom of the

15 page, she's quoting from that?

16 A Yes, sir.

17 Q And she states Jens' words as this: "I

18 really don't think you have anything to worry about,

19 especially since you're not even guilty."

20 A That's true, correct.

21 Q And as you understand, that's an accurate

22 excerpt from his letter to her of November the 11th, 1986.

23 A Yes, sir.

24 MR. DAVIS: No further questions.

25 (Whereupon a recess was taken.)

1 THE COURT: All right, let's resume
2 the hearing, please. You may proceed,
3 Mr. Updike.

4 MR. DAVIS: Judge, I'd just like to
5 ask a few more questions of Investigator
6 Gardner.

7 BY MR. DAVIS: (continuing)

8 Q Investigator Gardner, did Ms. Haysom ask to
9 speak to you on May 14th off the record?

10 A Yes, sir.

11 Q And by off the record, I mean she did not
12 want her remarks recorded on tape.

13 A Yes, sir.

14 Q And she had done that previously on May the
15 11th?

16 A Yes, sir.

17 Q On May the 14th, did she tell you off the
18 record that the butterfly knife, a diagram of which she had
19 drawn, was not used by Jens Soering in the deaths of her
20 parents?

21 A Would you repeat that question again?

22 Q Yes, sir. On May the 14th--two questions
23 then--the statement that she gave you off the record, did
24 she first tell you that she did not purchase the knife,
25 the butterfly or otherwise, that was used in her parents'

1 deaths?

2 A Yes, she did.

3 Q And she told you in fact that was not used.

4 A She said that she wasn't with Jens when the
5 knife was purchased.

6 Q And did she state to you whether or not she
7 knew whether that knife was actually used or not?

8 A She said she didn't know.

9 Q And when she told you this, did she also
10 say I'm not telling you this to lessen my guilt, I just
11 think it's something you ought to know.

12 A She said that she was telling me that so
13 that I would know that and that she wasn't telling me that
14 to lessen her involvement in any way, it was just that she
15 wanted to tell me that.

16 Q So that you could use it for whatever
17 purposes you saw fit now or later on.

18 A Yes, sir.

19 Q During that particular conversation and
20 more particular on May the 11th when you interviewed her
21 and Investigator Huddleston was present, was she
22 physically shaking when she was talking to you about Jens
23 Soering? Not--was she trembling?

24 A She was nervous, yes, sir.

25 Q Trembling?

1 A Yes, sir.

2 MR. DAVIS: Thank you very much.

3
4 REDIRECT EXAMINATION

5 BY MR. UPDIKE:

6 Q Investigator Gardner, I just have a couple
7 followup questions if I may. Concerning the statements
8 that Mr. Davis referred you to, the statements that Jens
9 Soering gave you there in London, he was interviewed, I
10 can't recall the exact dates, but it would have started on
11 June the 5th, perhaps the 6th, 7th and 8th if I recall,
12 but some several interviews during that period of time,
13 nearly every day.

14 A Yes, sir.

15 Q And there were references made to some of
16 the initial interviews, but would it be a fair
17 characterization to say that he, during those first
18 interviews, was basically denying everything and the more
19 that you talked to him, then the more admissions that he
20 would make concerning the murder of Mr. and Mrs. Haysom.

21 A That's very true.

22 Q And it was the last interview on June the
23 8th where he made the statement--and this not being
24 verbatim--but that he had fallen in love with a girl, went
25 to their house, to the parents' house, killed them and he

1 got caught.

2 A Yes, sir.

3 Q And that's again not a verbatim at all.
4 But he did admit to you, at least during the last
5 interview, that he killed Mr. and Mrs. Haysom by slitting
6 their throats, is that correct?

7 A Yes, sir, he did.

8 Q And did he actually demonstrate for you how
9 he did this?

10 A Yes, sir, I--when we were talking, I asked
11 Jens would he demonstrate with just he and I present how--
12 what actually happened that day. And so I got up and
13 walked around and sat in the chair and he walked me
14 through what actually happened.

15 Q And when you would discuss certain things
16 with Soering, particularly the knife, would he come back
17 with responses to the effect, well if I admitted that I
18 took the knife there, that would demonstrate premeditation
19 on my part?

20 A Yes, sir, he did.

21 Q And he is the one who used the word
22 premeditation initially and he's the one who brought that
23 into the conversation; it wasn't you, it was Soering.

24 A That's right.

25 Q And did you get the impression through

1 these interviews then that he was knowledgeable concerning
2 the element of premeditation and how it would pertain to a
3 murder charge?

4 A Very knowledgeable.

5 Q Did he also discuss with you the trip to
6 Washington, going back to Washington after the murders and
7 things of that nature; there was a trip to Washington just
8 as Elizabeth Haysom described.

9 A Yes, sir.

10 Q You were asked by Mr. Davis concerning the
11 receipt from the Washington Marriott Hotel. He was
12 asking you, and I won't take the time to get the actual
13 item of evidence over there, but that credit card receipt
14 on the back that refers to the signature being in the file
15 and not actually seen on the receipt, that receipt refers
16 to the checking out, in other words the total bill and not
17 the bill specifically for room service, would that be
18 correct?

19 A That's correct.

20 Q And as Mr. Feldman informed us that though
21 they have those original records and still have them, of
22 the copies that we've introduced, some of the lessor
23 records shall we say pertaining to such things as room
24 service, telephone calls, that they don't maintain those
25 kinds of records for any great length of time.

1 A That's true.

2 Q Did Elizabeth Haysom in her interviews with
3 you indicate that these references to Rover were
4 fictitious, that Rover was a fictitious individual?

5 A That's what she told me.

6 Q Just made that up.

7 MR. UPDIKE: Thank you, I have no
8 further questions.

9 MR. DAVIS: Judge, if I could follow
10 that up just a little bit.

11 RECROSS EXAMINATION

12 BY MR. DAVIS:

13 Q Investigator Gardner, keeping in mind that
14 Ms. Haysom has--for whatever reason has pled guilty to the
15 charges which she faces, and that's not the reason I'm
16 asking you these questions, but any reference that Jens
17 Soering made to a knife, he referred to a Swiss Army
18 knife, didn't he?

19 A I believe that's what he referred to it as,
20 yes, sir.

21 Q And he said it was one he had had for some
22 time. He found it very useful.

23 A I think that's the way I remember it.

24 Q And again, keeping in mind that Ms. Haysom
25 has pled guilty and Mr. Updike has asked you about the

1 more you talked to Jens Soering the more he admitted his
2 involvement. Through none of those four statements did he
3 ever say that Elizabeth Haysom knew what was going to
4 happen when he went to Bedford County, did he?

5 A No, he wouldn't really talk about
6 Elizabeth.

7 Q But he never admitted that she--or stated
8 that she knew what was going to happen.

9 A No, sir.

10 Q And neither did Ms. Haysom say that in any
11 of her statements.

12 A No, sir.

13 MR. DAVIS: That's all I have. Thank
14 you.

15 THE COURT: That's all. Step down,
16 please.

17 (Witness stood aside.)

18 THE COURT: Next witness.

19 MR. UPDIKE: Your Honor, we can call
20 Detective Constable Wright back to the
21 stand, but we would like to introduce a copy
22 of a letter that was retrieved from the
23 prison where Elizabeth Haysom was
24 incarcerated in England, and this was
25 retrieved after Mr. Gardner and I left

1 London in June of '86, and we'd just like
2 to introduce this, pointing out that it is
3 addressed to, "Dear Rover."

4 MR. DAVIS: We'd like to know the date
5 of it.

6 THE COURT: The date of it? It's not
7 dated.

8 MR. DAVIS: Or some idea of when it
9 was retrieved, where it was retrieved and
10 how it was retrieved. I think Mr. Updike
11 was just made aware of it this morning and
12 he showed it to me about ten minutes ago.

13 MR. UPDIKE: Okay, we'd ask that
14 Detective Constable Wright come to the
15 stand.

16 THE COURT: All right, you remain
17 under oath.

18 TERRY WRIGHT, was recalled as a witness
19 and having been duly sworn was examined and testified
20 further as follows:

21 DIRECT EXAMINATION

22 BY MR. UPDIKE:

23 Q And Detective Constable Wright, if you
24 would just explain. I believe that I just became aware of
25 that letter just a little while ago, is that right?

1 A Yes, sir, I presented this to you this
2 morning.

3 Q If you would, just explain the
4 circumstances under which you obtained that copy.

5 A Yes, sir. After the Investigator Gardner
6 and yourself left England, Elizabeth Haysom was remanded
7 in custody at Holloway Prison. During her time in
8 Holloway Prison, she wrote to various people, and this
9 letter here is actually a photocopy of an original letter
10 that she sent out from the prison; the envelope says Sean
11 Collin and a post box in Dublin, which is in Ireland, and
12 it's addressed to "Dear Rover". So the specific date I
13 can't tell you. There may be a record in England at the
14 prison, but it's some weeks after you left England.

15 Q And we left England the first part of June,
16 1986, it would have been.

17 A That's right.

18 MR. UPDIKE: Thank you, then. We
19 would still ask, Your Honor, that it be
20 introduced.

21 **CROSS EXAMINATION**

22 **BY MR. DAVIS:**

23 Q Has Elizabeth Haysom admitted writing that
24 letter?

25 A Elizabeth Haysom wasn't aware that I have

1 this copy. But I recognize the writing as being Elizabeth
2 Haysom's.

Has she admitted writing that letter?

3 Q To me, no.

4 A To anyone you're aware of?

5 Q No, sir.

6 A Has it been authenticated in any way?

7 Q It has her prison number on the top, sir.

8 A Has it been authenticated by handwriting
9 sample or analysis?

10 A No, sir.

11 Q And I believe that Mr. Updike was just made
12 aware of it a few minutes ago?

13 A Yes, that is correct.

14 MR. DAVIS: Judge, for whatever
15 reason, and I think Mr. Updike has been as
16 straight as any prosecutor possibly can be,
17 and we had no idea about this letter until
18 twelve minutes ago and we would object to
19 its admission into evidence at this point.

20 THE COURT: Can I see it? (Pause for
21 perusal.)

22 MR. UPDIKE: Your Honor, we would just
23 ask for the basis of the objection, I'm not
24 exactly sure what it is, it just now came
25

1 to my attention. But at any rate, the
2 purpose of it we think is if Ms. Haysom is
3 saying that there was not a Rover, that it
4 was fictitious, the mere fact of there
5 being a letter addressed to such a person we
6 think is probative and important.

7 We have established the general time
8 frame from which it was recovered or when
9 it was recovered, the name is there, the
10 prison number is there. We have an
11 individual here who has focused upon these
12 letters quite a bit and we think that the
13 law is clear that even if we had a jury the
14 jury would be in a position to compare
15 handwriting to known handwriting samples
16 such as we've introduced and draw their own
17 conclusions as to whether or not the
18 handwriting is consistent.

19 And we think that she has a
20 distinctive handwriting, and we have all
21 these letters that have been introduced, we
22 have this statement from Detective
23 Constable Wright and we think that the
24 arguments of counsel would go to any weight
25 if this were being tried as opposed to

1
2 admissibility.

3 THE COURT: All right, any further
4 comment?

5 MR. DAVIS: Yes, Judge, the motion for
6 discovery was continuing and by no fault of
7 Mr. Updike it just now came into his
8 possession. We've had no opportunity to
9 discuss this matter with our client other
10 than the five minutes we've had here.
11 We've had no opportunity to find out who
12 this person may or may not be, whether it's
13 a legitimate address or anything of that
14 nature and that's the specific reason the
15 discovery is granted and a cut-off date is
16 generally allowed.

17 And for that reason Your Honor,
18 without having any probability of
19 confirming or denying the existence of that
20 person, we would respectfully ask the Court
21 to deny its introduction.

22 MR. UPDIKE: Your Honor, we think the
23 rule of discovery provides and pertains to
24 matters that come within the custody or
25 control of the Commonwealth or if the
Commonwealth has reason to know about it.

1 This matter just developed, I didn't know
2 about it and I can't give something to the
3 defense if I don't have it or know about
4 it. When I learned about it it was turned
5 over.

6 THE COURT: All right, thank you. The
7 defense motion is sustained. The letter
8 will not be entered as an exhibit. It
9 will, however, be marked filed and today's
10 date put on it. Proceed.

11 MR. UPDIKE: We have no further
12 questions then. Thank you.

13 THE COURT: Any further questions?

14 MR. DAVIS: Yes.

15 CROSS EXAMINATION

16 BY MR. DAVIS:

17 Q Did you try to find out whether such a
18 person existed?

19 A Yes, sir.

20 Q Could you confirm that such a person
21 existed?

22 A I can confirm that the post box exists.

23 Q There is--

24 THE COURT: You didn't let him finish.
25 What's the answer?

1 THE WITNESS: The answer is, Your
2 Honor, that I made inquiries to establish
3 whether or not a Sean Collin was known on
4 police files in our records and I can say
5 that he was not. But I can't confirm
6 whether that person exists or not.

7 BY MR. DAVIS: (continuing)

8 Q You found nothing to suggest to you that he
9 did in fact exist.

10 A I found the letter, sir, that suggests he
11 exists.

12 Q Other than the letter, you found nothing to
13 suggest that this name belongs to a person.

14 A No, sir.

15 MR. DAVIS: No further questions.

16 MR. UPDIKE: I was a little confused.
17 You didn't find him I guess, but that's
18 what it comes down to. Thank you, sir.

19 (Witness stood aside.)

20 THE COURT: Does the defense have any
21 evidence to put on at this stage of the
22 case?

23 MR. DAVIS: May it please the Court,
24 Your Honor, we'd have no evidence to put on
25 at this stage of the proceeding, but if I

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

could just mention a couple of things and
perhaps Mr. Jones would follow.
END OF REQUESTED TRANSCRIPTION.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

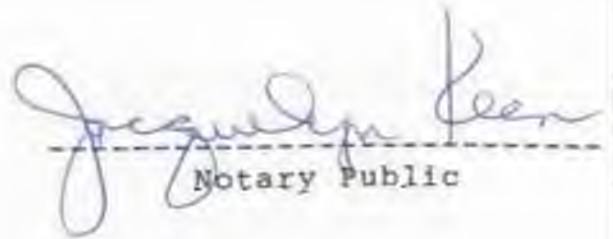
STATE OF VIRGINIA

AT LARGE, to-wit:

I, Jacquelyn Keen, Notary Public in and for
the State of Virginia at Large, do hereby certify that the
testimony contained herein was and transcribed by me, and
that the foregoing Pages 1 through 77 represent a true and
accurate transcript of said proceedings to the best of my
Stenographic ability.

My commission expires November 18, 1989.

Witness my hand this 15th day of February, 1989.


Notary Public

1 VIRGINIA:

2 IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

3 COMMONWEALTH OF VIRGINIA]

4]
5 V.]

6 ELIZABETH ROXANNE HAYSOM]
7]
8]

9
10 **TRANSCRIPT OF PROCEEDINGS**

11 Sentencing Hearing

12 October 5, 1987
13

14 **APPEARANCES:**

15 THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

16 For the Commonwealth: James W. Updike, Jr., Esq.
17 Bedford County Courthouse
Bedford, VA 24523

18 For the Defendant: R. Andrew Davis, Esq.
19 307 West Main Street
Bedford, VA 24523

20 Hugh J.M. Jones, III., Esq.
21 8800 Timberlake Road
Lynchburg, VA 24502

22 Reported by: Jacquelyn Keen
23

24 **ASSOCIATED REPORTING SERVICE**

25 111 Euphan Avenue
Lynchburg, Virginia 24502
(804) 525-2345

I N D E X

	<u>PAGE</u>
R. W. GARDNER	
Direct examination by Mr. Updike	3
Cross examination by Mr. Davis	5
Redirect examination by Mr. Updike	6
CHEETAH HAYSOM	
Direct examination by Mr. Davis	8
ELIZABETH WATSON	
Direct examination by Mr. Jones	11
Cross examination by Mr. Updike	15
JEFF TAYLOR	
Direct examination by Mr. Jones	17
Cross examination by Mr. Updike	25
JOHNNY HORTON	
Direct examination by Mr. Davis	26
Cross examination by Mr. Updike	38
Redirect examination by Mr. Davis	41
CHRISTOPHER KELAND	
Direct examination by Mr. Jones	42
Cross examination by Mr. Updike	55
Redirect examination by Mr. Jones	57
FAYE BRAMLETT	
Direct examination by Mr. Davis	58
Cross examination by Mr. Updike	62
PHYLLIS WORKMAN	
Direct examination by Mr. Davis	62
Cross examination by Mr. Updike	68
VERIAN HAYSOM	
Direct examination by Mr. Jones	71
Cross examination by Mr. Updike	75
Redirect examination by Mr. Jones	76
ELIZABETH HAYSOM	
Direct examination by Mr. Jones	77

1 OCTOBER 5, 1987

2 P R O C E E D I N G S

3 9:30 A.M.

4 R. W. GARDNER, was called as a witness
5 and having been duly sworn was examined and testified as
6 follows:

7 DIRECT EXAMINATION

8 BY MR. UPDIKE:

9 Q You are, of course, Investigator R. W.
10 Gardner, Bedford County Sheriff's Department.

11 A Yes, sir.

12 Q Investigator Gardner, when you testified
13 previously, I believe Mr. Davis asked you something about
14 a statement of Jens Soering pertaining to his Swiss Army
15 knife. And if I could, I'd like to clarify that. Did
16 Jens Soering indicate whether or not a Swiss Army knife
17 was the instrument that he used to kill the Haysoms?

18 A He said it was not.

19 Q Was he definite about that?

20 A He was emphatic.

21 Q Did he ever mention the term butterfly
22 knife to you?

23 A No, he didn't.

24 Q And was it Elizabeth Haysom, the defendant,
25 from whom that you heard this terminology butterfly knife?

A Yes, sir.

1 Q And she was the one who drew the picture
2 of the knife, is that correct?

3 A Yes, sir, she was.

4 Q And you are familiar with the transcript of
5 the interview conducted on June the 8th, 1986 with
6 Elizabeth Haysom by Detective Sergeant Kenneth Beaver and
7 Detective Constable Terry Wright on that date, is that
8 correct?

9 A Yes, sir.

10 Q And in that interview Ms. Haysom indicated
11 that she was present with Jens Soering when they were
12 going to Washington to try and buy the knife and then into
13 Maryland where the knife was actually purchased, is that
14 correct?

15 A Yes, sir.

16 Q And on May the 8th of this year when you
17 interviewed her here at the Bedford County Sheriff's
18 Department, did she state that she was the one who
19 actually paid cash for the knife?

20 A Yes, sir.

21 MR. UPDIKE: Thank you. If you'd
22 answer any questions, please, Mr. Davis may
23 have.
24
25

1 CROSS EXAMINATION

2 BY MR. DAVIS:

3 Q Investigator Gardner, I believe that during
4 the testimony at the previous hearing it came out that
5 there was discovered in the flat or apartment which
6 Ms. Haysom and Mr. Soering resided several issues of
7 "Soldier of Fortune" magazine, isn't that correct?

8 A Yes, sir.

9 Q And it was also introduced at that hearing
10 a picture, a photograph, of an ad for a butterfly knife,
11 isn't that correct?

12 A Yes, sir.

13 Q Now on May the 14th I believe you spoke
14 with Ms. Haysom again at the Bedford County Jail.

15 A Yes, sir.

16 Q And you took an oral statement from her
17 which she requested not be recorded.

18 A That's right.

19 Q And basically the part of the statement
20 that she gave was that she was telling you what she was
21 about to tell you not to lessen her guilt but that it was
22 something she just wanted you to know about the knife.

23 A Yes, sir.

24 Q And in that statement she said to you, I
25 believe, I did not purchase the knife nor was I with Jens

1 Soering when the knife was purchased.

2 A Yes, sir.

3 Q And yet she emphasized that she didn't want
4 that recorded or written down.

5 A Yes, sir.

6 Q Did she tell you that the reason was that
7 she was afraid of Jens Soering?

8 A Not at that particular time she didn't.

9 Q Subsequent to that statement on May the
10 14th she told you that?

11 A Yes, sir, I believe she did.

12 Q Mr. Updike had asked you about the Swiss
13 Army knife. And as I recall, Jens Soering was questioned
14 extensively on the use of a knife in the murders that
15 occurred.

16 A Yes, sir.

17 Q And whenever he was questioned about the
18 knife, wouldn't he reply I'm not going to talk about a
19 knife or whether I had one because that would indicate
20 premeditation.

21 A He did say that, yes, sir.

22 MR. DAVIS: No further questions.

23 REDIRECT EXAMINATION

24 BY MR. UPDIKE:

25 Q Concerning the picture of the "Soldier of

1 Fortune Magazine", wasn't that picture oh, an inch or so,
2 inch and a half?

3 A In the ad, yes, sir, it was.

4 Q The picture she drew with the descriptions
5 of the clamps and everything, that was an actual size
6 drawing that she provided, wasn't it?

7 A Yes, sir, it was.

8 Q And as far as Ms. Haysom saying one thing
9 one time and another thing another time, is it accurate to
10 say that through this she has made many statements that
11 were contradictory of one another?

12 A Yes, sir.

13 MR. UPDIKE: Thank you, no further
14 questions.

15 (Witness stood aside.)

16 THE COURT: Does the Commonwealth have
17 further witnesses at this time?

18 MR. UPDIKE: No, sir, we don't. Thank
19 you sir.

20 THE COURT: The defense may proceed,
21 Mr. Davis, Mr. Jones.

22

23

24

25

1 CHEETAH HAYSOM, was called as a
2 witness and having been duly sworn was examined and
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MR. DAVIS:

6 Q State your name, please, ma'am.

7 A Cheetah Haysom.

8 Q Ms. Haysom, where do you live?

9 A I live in Warwick, New York.

10 Q And if you would, Ms. Haysom, what
11 relation were you to Mr. and Mrs. Haysom and Elizabeth
12 Haysom?

13 A Derrick Haysom was my uncle and Elizabeth
14 is my first cousin.

15 Q I believe on many occasions you would have
16 the opportunity to see Elizabeth and her mother, is that
17 correct?

18 A From time to time over the last five years
19 that's true.

20 Q And during the last five years, what would
21 be the circumstances under which you would see Elizabeth
22 and her mother together?

23 A Well most recently Elizabeth's mother and
24 father had--were moving from Halifax in Canada down to
25 Lynchburg and we lived halfway. And whenever they came

1 through they would stop at our house and spend the night.
2 So we saw them fairly frequently, sometimes by themselves,
3 sometimes with Elizabeth.

4 Q Would you and your family ever stay with
5 Elizabeth's family when you were in Bedford County?

6 A Yes, we came and we stayed with Nancy and
7 Derrick about two weeks before they died.

8 Q If you could, please, describe Mrs. Nancy
9 Haysom as a person, the personality that she seemed to
10 portray.

11 A Well she was a very archaic person, she was a
12 very strong personality, very affectionate, generous; she
13 was an overwhelmingly affectionate and generous person.
14 She was very creative. She was quite forceful and very
15 kind to me and to us.

16 Q If you could, could you describe the young
17 lady that Elizabeth portrayed to you.

18 A Well I didn't really know her or have much
19 contact with her until about five years ago, she was at
20 school overseas. But I guess--we went up and stayed with
21 them in Canada, the first time I really had contact with
22 her as a young woman. She was eighteen then and she was
23 then a very--I mean I was very impressed, I thought she
24 was a remarkably responsible and well behaved teenager.

25 There was--I mean I know at that age I was

1 fairly rebellious and there was absolutely no sign of that
2 in Elizabeth. She was asked to do a lot. There were four
3 of us, I went up with my husband and my two stepsons who
4 are about the same age as Elizabeth and there was a lot
5 to do and she did everything. She was exemplary.

6 Q If you would, knowing Elizabeth's mother
7 and Elizabeth, how would you describe the relationship
8 that you saw when they were together?

9 A Elizabeth appeared to be a very dutiful and
10 respectful daughter. You know, they seemed to be--she was
11 very often very shy, she wasn't--but she was articulate
12 and she responded very well to her mother. She never, you
13 know, behaved in a way that drew attention in fact. Her
14 mother was a very sort of warm, effusive person and
15 Elizabeth was very often--you know, didn't ever really in
16 her personality come above that.

17 Q Have you been in touch with Elizabeth since
18 her arrest in England; in fact, I believe you visited
19 Elizabeth in Holloway, is that correct?

20 A Yes, I was in England about thirteen months
21 ago, I saw her in Holloway.

22 Q And in fact you've been in touch with her
23 by telephone and by letter since she's been incarcerated
24 here in Bedford County, is that correct?

25 A Yes, I have.

1 Q Did she ask you to come to Bedford to
2 testify on her behalf?

3 A No, she never asked me to do anything on
4 her behalf.

5 Q Has she ever requested you to do anything
6 for her?

7 A No. We offered to send anything she might
8 need and she never asked for anything.

9 MR. DAVIS: Thank you. Answer any
10 questions, please, that Mr. Updike or the
11 Court may have.

12 MR. UPDIKE: No questions, thank you.
13 (Witness stood aside.)

14 ELIZABETH WATSON, was called as a
15 witness and having been duly sworn was examined and
16 deposed as follows:

17 DIRECT EXAMINATION

18 BY MR. JONKS:

19 Q Would you state your name, please.

20 A Elizabeth Watson.

21 Q Ms. Watson, where do you live?

22 A On Sherwood Place, Lynchburg.

23 Q And are you in any way related to the
24 Haysom family?

25 A Very remotely. I think we have a mutual

1 great, great grandmother.

2 Q Did you know Mr. and Mrs. Haysom?

3 A Very well.

4 Q And did you also know Elizabeth?

5 A Yes.

6 Q And do you recall when you first met
7 Elizabeth?

8 A I do indeed. I was to a dinner party and
9 was seated between Elizabeth and her father. And
10 Elizabeth I think had just come from England for a
11 vacation.

12 Q And at that dinner party, did you have any
13 conversation that involved Elizabeth and her father?

14 A I did indeed.

15 THE COURT: Could you establish the
16 time, please. When is she talking about?

17 THE WITNESS: Shall I go--

18 BY MR. JONES: (continuing)

19 Q Go ahead, Ms. Watson.

20 A I think--I can't remember exactly the year,
21 but it was after the Haysoms of course had moved here.
22 And Elizabeth had come for, it might have been a Christmas
23 vacation.

24 Q But it was sometime after Mr. and Mrs.
25 Haysom moved to Lynchburg, is that correct?

1 A Yes.

2 Q I think we'll establish that time by later
3 witnesses.

4 Okay, you were going to tell us about the
5 conversation that you had that involved Elizabeth and her
6 father.

7 A Well Elizabeth was telling me about when
8 she was in school, I don't know whether it was in
9 Switzerland, somewhere on the continent of Europe, that a
10 Middle Eastern sheik had offered her father a number of
11 camels for her hand and her father--it was an amusing
12 story and her father corroborated it.

13 And I said Elizabeth, how old were you and
14 she told me; I don't remember exactly what age, but very
15 young.

16 And she said I have been in boarding school
17 since I was eight years old. And I turned to her father
18 and I said Derrick, how could you have done that, and he
19 said we had no choice.

20 Q And then directing your attention to later,
21 sometime not long before the murders of Mr. and Mrs.
22 Haysom occurred, do you recall or did you receive a letter
23 from Elizabeth?

24 A I did. And it was in the month of March,
25 that same month, and--I'm trying to think. Oh, I know the

1 letter was postmarked Colorado, and I believe she was there
2 on a vacation, it must have been a spring break at the
3 university.

4 Q Was she a student at the University of
5 Virginia at the time?

6 A She was a student at the university at the
7 time and she wrote to me in this thing that she had met
8 the man that she wanted to spend the rest of her life
9 with, but that her relationship with him was destructive
10 to her relationship with her parents and vice versa, and
11 that actually she didn't think her parents had the same
12 aspirations for--this is the gist of it, not her wording--
13 for her as she had for herself. But that this feeling
14 of--well the difference in how it affected her
15 relationship with them affected her relationship with the
16 young man and vice versa, that bothered her very much, and
17 that she wanted to--she wanted advice and something had to
18 be done about it.

19 So I wrote to her a letter to the effect
20 that there are frequently as we're growing we differ with
21 our parents, but in the end we would find what they wanted
22 for us was the best that they knew.

23 Q And did you attempt to find that letter
24 that you received from Elizabeth?

25 A No, because I had destroyed that letter.

1 Q Did you attempt to find it at home?
2 A Yes, yes, yes, I went through everything.
3 Yes, I have other letters from her but not that one. I
4 don't think I attached the importance I should have to
5 that letter.
6 Q And have you visited Elizabeth since she's
7 been in the jail in Bedford County?
8 A I have.
9 Q And how often have you visited her?
10 A Not as often as I would have liked,
11 probably three or four times.
12 Q And do you intend to continue keeping in
13 touch with her?
14 A I do.
15 MR. JONES: Answer any questions
16 Mr. Updike might have.
17 **CROSS EXAMINATION**
18 **BY MR. UPDIKE:**
19 Q At any rate, you know Elizabeth Haysom
20 quite well obviously, is that correct?
21 A (Witness nods in the affirmative.)
22 Q Known her for some time, most of her life?
23 A No, no, first time I ever met her was at
24 that dinner party there.
25 Q I see. But during the time that you've

1 known her, have you become aware that she can be quite an
2 actress?

3 A She is a very talented young lady.

4 Q And she can act; would you say that you'd
5 given me that impression on the one occasion that we
6 talked?

7 A Yeah, I think she's very versatile.

8 Q And aren't there also occasions where you
9 have to doubt the veracity of what she tells you?

10 A I think there certainly were, but I
11 attribute that to drugs.

12 Q You attribute that to drugs.

13 A I don't think today you need be concerned
14 about her veracity.

15 Q Now as far as Mr. and Mrs. Haysom are
16 concerned, you'd known them. Did you ever get any
17 indication that Derrick Haysom and Nancy Haysom had
18 anything in their minds but the best interest of
19 Elizabeth?

20 A Oh, I'm sure of that.

21 Q And they tried the best they knew how to be
22 good parents to this girl, didn't they?

23 A I think so.

24 Q You've spoken of holiday, they would send
25 her various places, Europe.

1 A She was in Europe a good part of her life.

2 Q I understand.

3 A And I don't think she had the opportunity
4 of close family ties.

5 Q But it was Mr. Haysom's opinion that he had
6 no choice in that regard, isn't that true, isn't that what
7 he told you.

8 A That's what he told me.

9 MR. UPDIKE: Thank you, ma'am, no
10 further questions.

11 THE COURT: Anything else?

12 MR. JONES: No, Your Honor.

13 (Witness stood aside.)

14 JEFF TAYLOR, was called as a witness
15 and having been duly sworn was examined and testified as
16 follows:

17 DIRECT EXAMINATION

18 BY MR. JONES:

19 Q State your name, please.

20 A Jeff Taylor.

21 Q And where do you live, Mr. Taylor?

22 A 2216 Oriole Place, Lynchburg.

23 Q And did you know Mr. and Mrs. Haysom?

24 A Yes, I did.

25 Q And how is it that you knew them?

1 A When they first came to Lynchburg they
2 moved into a house that I was living in, it's Apartment
3 House 4402 Boonsboro Road. I lived upstairs, they lived
4 directly under me.

5 Q And do you recall approximately when that
6 was that they first came to Lynchburg?

7 A It would be probably January of February of
8 1983 I believe.

9 Q And how long did the two families live in
10 that?

11 A Six to eight months they lived there and
12 then they moved out to Holcomb Rock.

13 Q And do you also know Elizabeth?

14 A Yes, I do.

15 Q And how did you happen to first come in
16 contact with her?

17 A I first met her when her parents had her in
18 for, I believe it was spring break from school that year.

19 Q 1983?

20 A Yes.

21 Q Have you had occasion to visit Elizabeth in
22 the Bedford County Jail since you've been here?

23 A Yes, I have.

24 Q Can you recall approximately the number of
25 times?

1 A Four times.

2 Q And why did you go visit her, what prompted
3 you to go?

4 A Well what prompted me was an incident that
5 occurred back then. I handled the Haysoms' mail when they
6 were out of town, also Elizabeth's and Elizabeth's mail
7 came back to me. And when I questioned her mother about
8 it, her mother was kind of vague as to what was going on.
9 And I made a comment about Elizabeth taking time out from
10 school and Mrs. Haysom kind of gave me a little motherly
11 advice, she said something to the effect that, you know,
12 since I was a father and had a child that sometimes your
13 children do things that you don't like but you've got to
14 stick by them.

15 I thought that was appropriate for me as
16 advice and I also thought that since she's in the
17 situation that she's in, she needed somebody on the
18 outside who sort of supported her, but not--you know,
19 maybe not agreed with what happened, but of course help
20 her.

21 Q You don't condone what happened.

22 A No, not in any sense, no.

23 Q Have you also had some correspondence with
24 Elizabeth during the last several months?

25 A Yes, I do.

1 Q And do you have an original letter in your
2 possession dated July the 6th of 1987?

3 A Yes, I do.

4 Q And is that a letter that you received from
5 Elizabeth?

6 A Yes, it is.

7 THE COURT: This is a letter written
8 from jail?

9 MR. JONES: Yes, Your Honor.

10 MR. UPDIKE: Your Honor, as I recall
11 it, the last time that we had it there were
12 all kinds of objections from the defense
13 about a letter that I wished to introduce,
14 objections as to prior disclosure,
15 objections to verifying the authorship of
16 the letter and things of that nature and I
17 don't think that any foundation has been
18 laid in that regard as far as this letter
19 is concerned unless Mr. Taylor can
20 recognize the writing.

21 I've never seen the letter before. It
22 may very well have been that if I had been
23 provided a copy of it I'd have no objection
24 at all; I haven't even read it. But having
25 not read it, voice the customary

1 objection.

2 MR. JONES: Your Honor, let me--

3 THE COURT: Well do you wish to lay a
4 foundation for the letter?

5 MR. JONES: I think I can lay a
6 foundation.

7 THE COURT: Proceed.

8 BY MR. JONES: (continuing)

9 Q Mr. Taylor, is that attached to the
10 original letter that you have there, is there the envelope
11 that you received it in?

12 A Yes, it is.

13 Q And is there a post mark on that envelope?

14 A Yes, it is.

15 Q And can you tell us what it is?

16 A 7 July 1987.

17 Q And is there a return address on the
18 envelope?

19 A Yes, it is.

20 Q And what does the return address say?

21 A E. Haysom, Box 507, Bedford, Virginia,
22 24523.

23 Q And you have indicated that you had some
24 dealings with the Haysoms' mail prior to this time.

25 A Yes, I did.

1 Q In the course of those dealings, did you
2 become familiar with Elizabeth's handwriting?

3 A Yes.

4 Q Can you identify the handwriting on that
5 letter?

6 A Yes, it is.

7 Q What is it?

8 A It is Elizabeth's handwriting.

9 Q Any question in your mind about it?

10 A No, sir.

11 MR. UPDIKE: I'd like to cross
12 examine.

13 **CROSS EXAMINATION**

14 **BY MR. UPDIKE:**

15 Q Have you ever seen her sit down and write a
16 piece of correspondence and then take the opportunity to
17 compare that with an unknown sample of her writing?

18 A No, sir, I haven't.

19 Q In other words, you've seen samples of her
20 writing--you have seen handwriting samples that had the
21 signature Elizabeth upon it and you assumed that was the
22 handwriting of Elizabeth Haysom?

23 A Yes, I did.

24 Q And all you're prepared to say today is
25 that this letter appears to have been written by the same

1 person who wrote other letters displaying the signature
2 Elizabeth, wouldn't that be correct?

3 A This is true.

4 MR. UPDIKE: We would renew our
5 objection, Your Honor.

6 THE COURT: I will apply liberal
7 interpretation of the rules of evidence in
8 this hearing for reasons which I think are
9 good reasons. The objection of the
10 Commonwealth is overruled, the letter will
11 be admitted.

12 BY MR. JONES: (continuing)

13 Q Mr. Taylor, will you read the letter?

14 A "Dear Jeff, I have thought a great deal
15 about the things you have said. I could see that you were
16 right, but how to go about dislodging the burden has been
17 the question.

18 "Well the process has begun. I had in fact
19 begun some time ago, but I was not letting go. Let me see
20 if I can explain.

21 "For a long time I had a serious drug
22 problem. Even after I was arrested in April of '86, I was
23 still using. In fact my habit grew with easy availability
24 of drugs and alcohol in the English prison system. It
25 took me eight months to finally realize that I indeed had

1 a problem and that my situation might have something to do
2 with it, so I became a member of Narcotics Anonymous and
3 have been clean since January 2nd, 1987, seven months.
4 That was or is something to be proud of and grateful for.
5 It was not easy but my goodness, it has been better.

6 "Although the NA program has made some
7 extremely important and fundamental changes to my
8 attitude, my manner of living, there were other issues
9 preying on my mind which I refused to deal with because of
10 the general guilt and horror.

11 "Well you may or may not know, probably do,
12 I went off to the shrinks last week to cut through all the
13 gray areas of what I'm allowed to talk about; you know how
14 possessive attorneys are. I have finally been forced to
15 reach for help. They have put me in contact with the
16 National (090) Crisis Center and Daughters United.
17 Confronting these two issues is not going to be pleasant,
18 but I am sure that I do and will truly be able to close
19 this past thirteen-year era of my life on August 24th and
20 begin to build a real a positive and active future without
21 anger and bitterness, fear and resentment.

22 "The guilt and shame will never leave but
23 they can be utilized for construction rather than defenses
24 and destruction. As we say in NA, I am not responsible
25 for my disease, but I am responsible for my recovery. So

1 I shall be and thank you for helping me jiggle the process
2 into motion.

3 "I hope all is well with you and your
4 family. I am most grateful to the support you have given
5 me and that is why I had to write and share how much you
6 have indeed helped. Best wishes, Elizabeth."

7 Q Now Mr. Taylor, you said that you visited
8 her I think on four occasions?

9 A Yes.

10 Q Based on your personal contact with her at
11 the Bedford County Jail on those four occasions, do you
12 feel the thoughts she expressed in this letter were
13 sincere?

14 A Sincere, very sincere, yes.

15 MR. JONES: I have no further
16 questions, Your Honor.

17 CROSS EXAMINATION

18 BY MR. UPDIKE:

19 Q Mr. Taylor, so that your contacts with
20 Mrs. Haysom, mother of the defendant as I understand it,
21 indicated that she was very supportive of her daughter.

22 A Yes.

23 Q And believed that she should remain
24 supportive of her daughter even at times when she may do
25 things that the mother may not approve of.

1 A This is true.

2 Q And as I understand it, you found that
3 advice to be helpful in your own life as a parent.

4 A Yes.

5 MR. UPDIKE: Thank you, I have no
6 further questions.

7 (Witness stood aside.)

8 JOHNNY HORTON, was called as a witness
9 and having been duly sworn was examined and testified as
10 follows:

11 DIRECT EXAMINATION

12 BY MR. DAVIS:

13 Q State your name for the Court, please.

14 A My name is Johnny Horton.

15 Q And Mr. Horton, where do you live?

16 A I live in London, England.

17 Q And I believe you're an English native, is
18 that correct?

19 A I am.

20 Q Are you employed presently?

21 A I am, I'm a general foreman on a site.

22 Q Would that be on a construction site?

23 A That would be.

24 Q Let me ask you about your involvement with
25 a fellowship called Narcotics Anonymous. Are you involved

1 with that fellowship?

2 A I am.

3 Q And if you would, please tell the Court

4 what your involvement is with that and how you became

5 associated with that group.

6 A In my past?

7 Q Yes, sir.

8 A I have been clean from drugs and alcohol

9 for seven and a half years now. And my past, I was

10 labeled as a hopeless case and a menace to society. I

11 have spent five years in jail. I have been to a mental

12 hospital for my drug addiction. I was a legally registered

13 heroin addict in--

14 Q What does that mean?

15 A That means that because I was addicted to

16 heroin, in England at the time you can get it legally if

17 the doctors see right. At the time there were only 2,000

18 legally registered heroin addicts.

19 Q When you came out of jail--and how many

20 times have you been incarcerated, Mr. Horton?

21 A How many times?

22 Q Yes, sir.

23 A About fifteen times to court. My cases

24 involved--do I say?

25 Q Go ahead.

1 A My cases involved armed robbery, robbery,
2 drug convictions and there was an attempted murder.

3 Q You said that you have been clean of drugs
4 and alcohol for seven and a half years.

5 A Yes, sir.

6 Q What brought about that change?

7 A Well in the late--in the early seventies I
8 became physically and mentally ill through my drug
9 addiction. I was arrested in London for being involved in
10 drugs in the west end of London. I was given an eighteen-
11 month prison sentence.

12 Whilst I was in prison, I knew that once I
13 walked out of prison I wouldn't have much chance because I
14 knew I needed help. So what I did, I went to a
15 therapeutic community, and it's not an easy place to
16 be, where you confront yourself. And I went there freely
17 of my own mind.

18 I became a part-time counsellor and I also
19 did something I always dreamed of doing once I got
20 straightened out and I became a ladies hair dresser. I
21 also worked in the top places in London. But since I've
22 got clean, I prefer to work on building sites.

23 Q When you went to the therapeutic house and
24 that ordeal, what did you do once you left there?

25 A I was--like I said, I was a part-time

1 counsellor and I was also training as a hair dresser and I
2 passed my degrees.

3 But what happened was that I became an
4 obsessive drinker. I started drinking alcohol which is
5 another drug. And in the process, by 1980 I lost
6 everything and ended up on skid row.

7 Q What happened after that?

8 A I made a phone call to a self-help group
9 for alcoholics. And I found people who had been where I had
10 been, and they were sober and they supported me because I
11 had the willing desire to stop and change my life.

12 After a few months I felt that drug addicts
13 needed this in England and we had nothing like this in
14 England where addicts could walk in and meet other people
15 and get their support. So that's when I got in contact
16 with the fellowship in America, which started in 1953 in
17 California.

18 Q What fellowship are you referring to?

19 A Well we say NA because we are anonymous to
20 protect ourselves, so I always refer to it as NA or the
21 fellowship.

22 Q Were you and another individual co-founders
23 of that fellowship in England?

24 A Yes, I was a co-founder with two other
25 people and we started our first group. And in that time

1 we now have over 200 groups in London, England. I also
2 travel worldwide.

3 Q To speak on behalf of the fellowship?

4 A To speak--not really, because we have no
5 leaders, we have no--we are only trusted servants and no
6 one is a spokesman. But I am willing to do this in this
7 situation.

8 But I do speak at conventions, I've been to
9 America, this is my fifth trip and I would like to say
10 also that I spent my own money to come here and I don't
11 ask for any money back because I do this because I trust
12 the situation on me. And this is how we do it, we never
13 have outside help.

14 Q When did you first become acquainted with
15 Elizabeth Haysom?

16 A I first became acquainted with Elizabeth
17 when I came back from America last year, and I'd been on
18 a three-month trip traveling around America and visiting
19 places like Harlem, the Bronx and other hardship places
20 where there is serious drug problems.

21 And I came back and one of our members--we
22 have an office in London, we have two offices--and one of
23 our members, Sally, was seeing Elizabeth because she made
24 a call.

25 Q Who made the call?

1 A Elizabeth. I believe Elizabeth got someone
2 else to make the call for her because she's not allowed to
3 use the phone in England.

4 Q And the call was placed to the fellowship.

5 A To our fellowship, and that is a call for
6 help.

7 Q Based upon that call, did you go see
8 Elizabeth?

9 A Yes, because like I said, I had more or less
10 just got back into the country and I was looking around
11 for work. And Sally told me, and I went to see Elizabeth
12 when she was transferred to the holding cell at the
13 Holloway Prison.

14 And I would like to say that these visits
15 were valuable visits. She could have had anybody coming
16 to see her. Also, what impressed me about Elizabeth was
17 that the situation that she was under, because some come
18 into the system that have in the past led decent honest
19 lives and are respectable. And I saw that she was trying
20 and saw that she was very mature and very honest and I
21 trusted where she was coming from.

22 And I said would you like me to bring
23 anything up on a visit and she said no, just bring
24 yourself, that's all I want.

25 Q Why did you ask whether she would like to

1 have anything brought?

2 A Well they're allowed cigarettes--I believe
3 she's stopped smoking now--they're allowed cigarettes, and
4 what else is there, candy, chocolate. I said now, you
5 know, I can bring it, so what would you like and I more
6 or less forced her and she said okay, I wouldn't mind some
7 coffee and things like that. And alcohol wasn't even
8 mentioned.

9 Q Was alcohol available to her in the British
10 penal system?

11 A Oh, very openly.

12 Q How many contacts would you say that you
13 made with Elizabeth personally and through your
14 organization on a regular basis?

15 A On what regular basis?

16 Q Yes.

17 A From going to the prison and also every now
18 and then she would go to court, every three or four weeks,
19 which is a custom when you're on remand, to be remanded or
20 dealt with. And because the prisons in England are so
21 filled up, she may not get back to that prison. So it was
22 sometimes difficult to keep track, but I would say
23 between twenty-five to thirty times I saw her.

24 Q Would that have begun in January after this
25 call was made?

1 A Yes, until about April I believe.

2 Q Was there a particular trip you made to see
3 Elizabeth when she was in remand?

4 A There was. And this impressed me even more
5 because--before I say that, I would like to say what
6 impressed me even more with Elizabeth than it did the
7 other two members that were seen was that she was
8 concerned about her own private life. And I suffered a
9 lot of physical pain due to past experiences and I do not
10 take any mind altering chemicals, so I talk about it. And
11 I found I was very open, I could be very open with Liz and
12 she showed concern.

13 And but getting to the situation when she
14 went to court and she didn't get back to Holloway because
15 we phoned the prison, and she was in a holding cell about
16 fifteen miles away; in a holding cell is where they just
17 hold them until they can get them back into prison.

18 When I went to visit her, it took some
19 finding and some time, they let me in to see her and she
20 came out and she look frightened and she looked scared,
21 very vulnerable. And on the notice board there were five
22 prisoners' names. Under four prisoners' names there was
23 medication three times a day, under Elizabeth's name there
24 was none. And I said to her, you know, this is what it's
25 all about. I could see in a lot of ways how she was

1 trying to cope with that situation.

2 Q I assume then on your visit you would talk
3 about drug dependency and the ways to relieve oneself of
4 that?

5 A Yes. And she was interested in how the
6 meetings ran, what we said at meetings and how we did
7 change, because she felt that--she had future plans, et
8 cetera, and she wanted to change her situation.

9 And she was very interested. I found her
10 very easy to talk to, very trustworthy, very honest.

11 Q Since she has been back to the United
12 States, particularly here in Bedford, have you been in
13 touch with her?

14 A I have, and so have several other members of
15 our organization.

16 Q Were you able to see Elizabeth on Saturday
17 of this past week?

18 A I was.

19 Q You obviously have been in contact with
20 many drug addicts.

21 A (Witness nods in the affirmative.)

22 Q In seeing Elizabeth and speaking with her
23 on Saturday, what is your opinion concerning her at this
24 point about any abuse of drugs and alcohol or her desire
25 to?

1 A Well on Saturday I didn't see her for long,
2 but what I saw in that five minutes or ten minutes, it was
3 no more, and I was grateful grateful for that, was again a
4 very vulnerable, frightened person, this is worried on
5 her. But I could see that she was coping with that.

6 And afterwards she said to me that I had
7 lost weight and I said start eating. But that's the way
8 she is. I see that good side to her.

9 Q And you had talked about how so easily it
10 is to be conned.

11 A Yes.

12 Q You talked about Elizabeth conning you and
13 everybody else.

14 A Yes.

15 Q What did you tell me about that?

16 A What did I tell you? Well I'm not now but
17 I used to be a con man. I lived on the streets for
18 fifteen years, from the age of fifteen. It was a hard,
19 tough life but that's the life I chose and I have been
20 with some of the hardest criminals. And I was also a con
21 man; that means I could manipulate and lie.

22 And I can tell if somebody else is doing
23 the same and I believe what Elizabeth had said to me was
24 real. And she was honest. And there was no way, because
25 I wouldn't be over here away from England if I didn't

1 trust what she was doing, what she was saying, just to be
2 able to stand by her and say well, we do get better, we're
3 okay.

4 Q Is it unusual for you to testify on behalf
5 of someone in a situation like this?

6 A Yes, it is because in the last seven
7 years--I'd also like to say that we do have a letter, two
8 letters, and one is from a Judge who once jailed me and
9 I'll now go out to dinner with him, we socialize, and he
10 trusts me.

11 Q He had sentenced you at one time, is that
12 correct?

13 A He sent me to prison once, yeah. And he
14 knows about our organization and he wrote a letter for me
15 that you have as a character reference. I've lost track
16 of what you were saying.

17 Q I had asked about the phrase, initially
18 I started with the phrase you had for a con man, what is
19 that phrase?

20 A You can't con a con man.

21 Q And you consider yourself a con man, at one
22 time?

23 A Not now. But in our organization--yes, you
24 asked me how many people, I've spoken for seven. I have
25 refused about fifteen other people to talk for them in

1 court because I felt they were coming from the wrong
2 places. And a couple of them even threatened in their own
3 way that I should and I said no, I stand my ground and I
4 won't because, you know, I feel that it's not right.

5 So everything going good and what I've
6 spoken to Liz about, and what she's spoken to me about, I
7 have seen someone who is trying, and that has impressed me
8 because I have been there and a lot of other people have
9 been there and I know how people come to cope with the
10 situation.

11 Q Mr. Horton, as far as the future support
12 that you can give Elizabeth through the fellowship, is
13 that available to her?

14 A It's available; people have offered their
15 homes, have offered their support, she's had phone calls
16 and she has responded to that and people have responded
17 to her.

18 And we do support people, we do have a lot
19 of support. And we're not easy either, we're pretty tough
20 with ourselves because we know what it's like.

21 Q One thing that Mr. Jones had reminded me
22 about was he mentioned the easily available alcohol that
23 is in the English penitentiary system.

24 A Yes.

25 Q Is that--

1 A That's only if you're on remand, sir.
2 Q And that is provided by the penal system
3 itself?
4 A Oh, no. I believe they're allowed a
5 certain amount of alcohol brought in by the friends who
6 are visiting.
7 Q But that's what I meant, they have it with
8 the blessings I guess of the penal system.
9 A Oh, yes.
10 Q As far as illicit drugs, are they easily
11 available in the British penitentiary system?
12 A I believe they are, yeah, because at one
13 time two years ago I went and spoke to some prison
14 officers about drug addiction and they shared their fears
15 about the drugs that were in prison and they felt that at
16 some times they were a bit frightened of people who are
17 under the influence of drugs and they don't know how to
18 stop it. And they're also concerned about around
19 children.

20 MR. DAVIS: Thank you. Answer any
21 questions, please, Mr. Updike may have.

22 **CROSS EXAMINATION**

23 **BY MR. UPDIKE:**

24 Q It's Mr. Horton is it?
25 A Mr. Horton, yes.

1 Q As I understand it, she contacted you in
2 January of this year?

3 A Yes, sir.

4 Q That would have been right after she was
5 served with the warrant of extradition to the United
6 States, wouldn't it?

7 A I don't know about it.

8 Q You don't know about her completing her
9 sentence on fraud charges the last part of December, 1986?

10 A Yes, sir.

11 Q And her completing a twelve-month sentence
12 at that time and upon the completion of that sentence she
13 was served with the warrant of extradition from this
14 country? Do you know those circumstances as a result of
15 your conversations with her?

16 A Yes, I knew of those circumstances, but we
17 were talking about--

18 Q And actually she had been in the
19 penitentiary--well the penal system there in England since
20 April the 30th, 1986, hadn't she?

21 A (Witness nods in the affirmative.)

22 Q She'd been there quite a while.

23 A Yes.

24 Q And during that time had made no efforts to
25 contact your organization. But in January for some reason

1 she did contact you.

2 A The reason being that I know of is that at
3 times, because we're still only seven years in the
4 country, in fact the prison that Elizabeth was in we now
5 have a meeting in there and I know Elizabeth did speak
6 with some of the staff. And the reason was that she met
7 somebody who was drug free in prison and they had contacted
8 Narcotics Anonymous and that was what she wanted.

9 Q I understand, sir, and I'm not challenging
10 you and your organization, we're happy to have you here.
11 But that doesn't change the fact that it was January of
12 this year that she contacted you all, does it? I mean
13 that's when it happened.

14 A Yeah, we have to do it sometime.

15 Q Yeah, that's true. And you said that you
16 were a con man. She of course was locked up there for
17 being a con, wasn't she, defrauding, bouncing checks,
18 flim-flam, that kind of thing as we call it here?

19 A I'm sorry sir, but I don't judge other
20 people.

21 Q No, I'm not asking you to, I'm asking what
22 your English judicial system did; they found her guilty of
23 that, didn't they?

24 A Yes.

25 Q And they incarcerated her as a result of

1 that.

2 A Yes.

3 Q So she's something of a con herself, isn't
4 she? I mean you have been asked your expert opinion as a
5 former con man.

6 A Exactly. And what I see is that we all
7 make mistakes.

8 Q Yes, that's true. Sometimes people die as
9 a result of those mistakes, too, don't they?

10 A (Witness nods in the affirmative.)

11 MR. UPDIKE: I have no further
12 questions. Thank you, Mr. Horton.

13 REDIRECT EXAMINATION

14 BY MR. DAVIS:

15 Q Mr. Horton, I believe you do know that
16 Elizabeth pled guilty to the charges that were pending in
17 England, is that your understanding?

18 A The charges of fraud?

19 Q Yes. She in fact pled guilty to those
20 charges.

21 A Yes.

22 Q And maybe I didn't understand you, but did
23 you say that there was not a meeting of your fellowship in
24 the prison that Elizabeth was in at the time she there?

25 A No, we'd been trying for four years to get

1 a meeting in the prison and I have a new government there
2 now. And I know Elizabeth and people like her approached
3 the system and this is the way we do it. But at the time
4 when Elizabeth was there, there was no Narcotics
5 Anonymous.

6 MR. DAVIS: Thank you very much.

7 (Witness stood aside.)

8 (Whereupon a recess was taken.)

9 CHRISTOPHER PAUL KELAND, was called as
10 a witness and having been duly sworn was examined and
11 testified as follows:

12 DIRECT EXAMINATION

13 BY MR. JONES:

14 Q State your name, please.

15 A Christopher Paul Keland.

16 Q And how old are--state your name again.

17 A Christopher Paul Keland.

18 Q And how old are you?

19 A I'm twenty-three years old.

20 Q And where do you live?

21 A Charlottesville, Virginia.

22 Q And what are you doing in Charlottesville
23 at the present time?

24 A I'm a restaurant manager.

25 Q And what's your level of education?

1 A I've got a BA from the University of
2 Virginia.

3 Q And do you know Elizabeth Haysom?

4 A Yes, I do.

5 Q Do you recall when you first met Elizabeth?

6 A Yes, I met her in the spring I gather,
7 fall, spring, of 1982. She came to the University of
8 Virginia to tour the campus to see if she would like to
9 attend there, and through a scholars program we have at the
10 university she came to stay at my freshman dorm and I
11 showed her around the campus that day.

12 Q And what were the scholarship programs that
13 you referred to?

14 A This is the Echols Scholarship Program.
15 She was named Echols Scholar, and in that program they keep
16 all of the people who are named Echols Scholars in one or
17 two dorms and when the prospective scholars come to UVA
18 they are brought to that dorm and the students there are
19 just asked to give them a hand.

20 Q Were you an Echols Scholar yourself--

21 A Yes.

22 Q --at that time when she visited initially?

23 A Yes, sir.

24 Q Was she alone on that?

25 A As far as I know she was alone, yes.

1 Q And how much time did you spend with her on
2 that occasion?

3 A Probably about four to five hours in the
4 evening. I took her around to a few fraternities, walked
5 her around campus.

6 Q What were your initial impressions of
7 Elizabeth at that time?

8 A Extremely neat lady.

9 Q What do you mean by that, can you explain
10 that?

11 A Just a very interesting girl, she was of a
12 rather exotic background, she was debating whether to go
13 to the University of Virginia or Cambridge University in
14 England which is a rather unusual predicament to be in for
15 a prospective UVA student.

16 Q And do you remember when you next saw
17 Elizabeth?

18 A Yes, it was the fall of 1984 when she did
19 in fact come to UVA a year after she had plans originally
20 and I just ran into her at a party on the university
21 campus and went oh my God, I remember you, oh my God, I
22 remember you.

23 Q Was this your final year?

24 A This was my third year at UVA.

25 Q And it would have been her first year.

1 A That would have been her first year.

2 Q And how much did you--how much did you see
3 her during that fall of 1984?

4 A Just periodically, maybe once or twice a
5 week we'd run into each other on campus. I know one
6 particular place that many students ate, we saw each other
7 there frequently. We'd occasionally go out socially at
8 night.

9 Q And did she date other people as well
10 during that period of time?

11 A As well as who? She never dated me.

12 Q Well you said that she would go out with
13 you socially.

14 A Socially.

15 Q Meet on social occasions. But did she
16 actually go out with other students there?

17 A Oh, yes, she did. She went around with her
18 suite for a while, she developed friends outside of her
19 suite within the dorm. She went out with the people she
20 met at the dorm and people she met through those people.

21 Q And tell us if you would your impressions
22 of Elizabeth at this time when she came there to school.

23 A She was a very hard working student, she was
24 a very social person, she was a very garrulous person who
25 likes to meet people and go out and do things with them.

1 Active socially but also very active academically.

2 Q And was there also a student there by the
3 name of Jens Soering?

4 A Yes, sir.

5 Q And did he begin his education at the
6 University of Virginia at the same time she did?

7 A At the same time she did, and they lived in
8 the same dorm with the same scholars program.

9 Q Was he in another scholar program as well?

10 A Yes, he was also a Jefferson Scholar which
11 is a scholarship program where you not only receive little
12 perks as far as what you're required to do academically
13 but you also get your entire education paid for.

14 Q Okay. But as an Echols Scholar you don't
15 get your--

16 A You don't get your education paid for, no.
17 So he had two different scholarships.

18 Q And did there come a time that they began
19 going out with each other?

20 A Yes, sir. I'm not exactly clear on when
21 that was, but at one point Elizabeth was free agent as
22 they say and the next time I saw her she was seeing Jens,
23 so.

24 Q Can you state when that occurred in
25 relation to the Christmas break of that school year,

1 before or after?

2 A I think after but I've never--as I said,
3 I know two other gentlemen she also dated before this and
4 I don't know exactly--only knowing all of this after the
5 fact, I never really got an exact time table of when she
6 was seeing him.

7 Q Who were those other two gentlemen that you
8 remember her--

9 A Eric Ingalls and John Grouper.

10 Q And did you have occasion to observe
11 Elizabeth and Jens Soering together as their relationship
12 developed?

13 A Yes, to a degree. As I said, just
14 periodically running into them on campus.

15 Q To that extent, can you tell the Judge what
16 you observed as far as the development of their
17 relationship.

18 A That it was a pretty naturally developing
19 relationship. Just as anyone would, they got to know each
20 other and saw each other more and more and all of a sudden
21 they were a one unit; they saw no one else and decided
22 they were quite happy with each other.

23 Q Did they keep to themselves or did they
24 get involved in the social group activities?

25 A I think at first, as natural at first, they

1 were pretty much involved in other social activities and
2 going out with other friends and then they started to be a
3 little bit more reclusive. But just as any couple just
4 becomes more and more reclusive as they get to know each
5 other for a while, that's about what they did.

6 Q Now did you continue to know the two of
7 them until the next fall of '85 when they left
8 Charlottesville?

9 A Yes, sir, I did.

10 Q Did you ever know Jens Soering to use
11 drugs?

12 A No, I did not.

13 Q How about Elizabeth?

14 A Not while she was going out with Jens
15 Soering, no.

16 Q How about on other occasions?

17 A Previous to that I think she undoubtedly
18 used drugs but nothing particularly serious. There was
19 other people in the dorms that would have done a lot more
20 drugs than she would.

21 Q After the murders occurred, do you remember
22 the first occasion that you saw Elizabeth in
23 Charlottesville?

24 A Yes, I do.

25 Q And would you tell--you know, just describe

1 what you observed of her, about her at that time.

2 A I just ran into her in the place called
3 the Cave, a place where a lot of students eat on campus,
4 and she walked into the Cave and she didn't look too
5 great, she looked like, you know, her parents had just
6 died. Her face was very puffy, she was extremely pale,
7 she looked extremely worn out and tired and just aggitated
8 with the world in general.

9 Q How would you characterize her state of
10 mind?

11 A State of mind seemed relatively clear, but
12 she did seem upset as if she was--

13 Q Did you ever see Elizabeth with her
14 parents, either one or both of them?

15 A Yes, I saw her on one occasion with both of
16 her parents.

17 Q And where was that?

18 A That was in my mother's house in Cambridge
19 Square Apartments in Charlottesville when they came to
20 help aid Elizabeth in finding an apartment to live in the
21 next year.

22 Q And can you tell us approximately when that
23 occurred?

24 A Excuse me?

25 Q Can you tell me approximately when that

1 occurred?

2 A Oh, yes, sir, that would be either late
3 January or early February of 1985 which is when most
4 students go looking for their next year housing.

5 Q And would you tell us what you observed of
6 that encounter, particularly how Elizabeth seemed to
7 relate to her parents.

8 A She seemed--it was very interesting because
9 she did what a lot of college students would do when their
10 parents are around, which is act a lot more like your
11 parents. She seemed perfectly happy to be with them, but
12 they are people who, they really did just drip with charm.

13 They were utterly charming people, and when
14 you walked into the room with them in the room you kind of
15 straightened up your backbone and decided to all of a
16 sudden be very witty and very clever and very charming.
17 And I think the same thing--Elizabeth had the same natural
18 reaction; she acted a great deal like her mother and
19 father, was extremely charming to my mother and as I said,
20 quick wit. The ideals of British charm in effect.

21 Q Did you detect any animosity between them?

22 A No, certainly no animosity. Everyone was
23 concentrating on the project of finding an apartment and
24 they were fairly working well together to do this.

25 Q Now did there--after the murders occurred,

1 was there a time--period of time when Elizabeth and Jens
2 Soering were living in the same housing as you were?

3 A Yes, over the summer, the month of July
4 especially, that year.

5 Q In July of 1985?

6 A 1985.

7 Q And what were you doing in Charlottesville
8 at that time?

9 A That summer I was working as a pool guard
10 for Management Services Corporation and I was living in
11 Virginia Avenue in this large house. I was staying in the
12 house for free with the girl that was renting the house for
13 the next school year because she was going to be alone in
14 the house for the summer and wanted just someone else in
15 the house in fact.

16 And so there were two of us, the girl who
17 lived in the house and myself and we had a lot of spare
18 bedrooms. And so they took a bedroom.

19 Q And what were they doing in Charlottesville
20 that summer?

21 A I'm not exactly clear on this, but I
22 believe they were both taking classes. I believe that
23 Jens was taking something in economics and Elizabeth was
24 either taking Chinese or was talking about taking Chinese
25 next year and was taking something else. But they were

1 there clearly to take some courses, to get courses out of
2 the way that they would like to get out of the way so they
3 could do the major they wanted the next year.

4 Q And during this period of time in
5 particular, were there any--did you observe any
6 indications in the personality of Jens Soering, any
7 tendencies towards violence or inability to control his
8 temper or anything like that?

9 A Inability to control his temper, yes,
10 violence, no. He did throw temper tantrums, but they
11 never became violent.

12 Q They never manifested themselves in any
13 actual violence?

14 A No.

15 Q Can you give us any examples of what he
16 might throw a temper tantrum over?

17 A Just if a piece of machinery weren't
18 working properly and it was going to be a problem if it
19 weren't working properly, if the toilet plugged up or
20 something wasn't working in the kitchen, he would just
21 lose his temper over that, over things that, you know, you
22 didn't really have that much control over and just really
23 get extremely upset for no reason.

24 Q Was there a particular instance about a
25 toilet?

1 A Yes, there was one time when a toilet did
2 plug up and it was--he got really mad because he couldn't
3 plunge it successfully so it would work again.

4 Q Was there a time when Elizabeth made a
5 comment to you about her parents?

6 A Yes, sir.

7 Q Tell us the circumstances.

8 Q I do not remember exactly the circumstances
9 because I thought of--I remembered this comment after the
10 murder had occurred, so that's the only reason I still
11 remember it was it was triggered by the murder having
12 occurred.

13 But I believe the potential--maybe the
14 situation was that we were in my apartment having dinner
15 or we were at a party somewhere talking, but we were just
16 talking about how recently something had gone wrong that
17 goes wrong with every college student, something like she
18 had bounced a check or something else similar, she'd
19 forgotten to pay rent or something like that and she said
20 that her--she and her mom and dad were upset about this
21 and it was no big deal.

22 And I said well how are you and your
23 parents getting along, do you guys really just disregard
24 each other or do you like each other? And she said well,
25 a year ago or two years ago I really didn't like them that

1 much but I'm really starting to like them and we're really
2 starting to get along.

3 And that was spurred--I remembered it
4 afterwards because I thought if she really had not liked
5 her parents a great deal, there was no real great reason
6 to feel too sorry for her. But remembering that comment,
7 I then thought oh, this really is sad, because she really
8 was for the first time starting to really like her
9 parents. And now for them to die, it was in fact
10 unfortunate.

11 Q In relation to when the murders did occur,
12 in late March of 1985, are you able to recall when that
13 statement was made, when that conversation took place?

14 A Probably two to three months before the
15 murders.

16 Q And then when Elizabeth and Jens came back
17 in the fall of 1985 to being that fall semester, did you
18 have any contact with him from that time in late August,
19 early September until the middle of October when he left?

20 A Very, very little. At that point they were
21 relatively reclusive. People would run into each other in
22 the Cave and go what's going on with Elizabeth, and no one
23 would hardly know because they were very reclusive at that
24 point.

25 Q And over the course of approximately the

1 year that you knew the two of them and observed their
2 relationship, lived with them, who in your opinion was the
3 dominant personality?

4 A I do not believe that there was a dominant
5 personality in the relationship. They worked very well
6 together as a team and they both had very clear goals in
7 life, they wanted to take certain courses, get into
8 business school and then open up a particular kind of
9 business they had in mind later on in life, and they both
10 worked very carefully together to achieve those goals.

11 And I didn't really see one domineering the
12 other either in personal moments or in what they wanted
13 to do with their lives and not in any direction. I'd say
14 they were very much equal partners in the relationship.

15 MR. JONES: Answer any questions

16 Mr. Updike has.

17 CROSS EXAMINATION

18 BY MR. UPDIKE:

19 Q So they became very reclusive, stayed
20 together, the two of them, and worked together very well
21 as a team.

22 A (Witness nods in the affirmative.)

23 Q I certainly won't take issue with you
24 there, sir. Let me ask you about some of the earlier
25 things that you stated concerning her being there at the

1 University of Virginia. She was an Echols Scholar, that's
2 a very prestigious scholarship up there at the University
3 of Virginia, isn't it?

4 A Yes, sir. There are about 150 or so of
5 them awarded each year out of a class of about 2,000.

6 Q Quite an honor, obviously.

7 A Yes.

8 Q And I understand that you were one as well?

9 A Yes, sir.

10 Q And that's quite an honor for you as well.
11 I certainly wasn't one there, I assure you. But as you
12 described her being there and her student life, I believe
13 you were saying that she was garrulous, social, got along
14 with people, would all that be accurate?

15 A Yes, sir.

16 Q She'd date certain boys or perhaps go out
17 with people like you who she was not actually dating, but
18 had a normal social life.

19 A Right.

20 Q Got along pretty well and seemed to be
21 adapting fairly well to the life there in Charlottesville
22 I take it.

23 A Yes, sir.

24 Q Dabbled in drugs, but unfortunately that is
25 not uncommon on college campuses today.

1 A No.

2 Q And when you met her parents, I believe you
3 described them as being utterly charming.

4 A (Witness nods in the affirmative.) Yes,
5 sir.

6 MR. UPDIKE: Thank you, no further
7 questions.

8 REDIRECT EXAMINATION

9 BY MR. JONES:

10 Q Mr. Keland, do you recall how Elizabeth and
11 Jens would go about choosing their courses of study?

12 A Yes.

13 Q And what influence would Jens Soering have
14 as far as that decision was concerned?

15 A Are you saying what influence he would
16 have on what courses Elizabeth would choose?

17 Q Right.

18 A Only as much influence as they really
19 seemed to work as a team and he would be looking at her,
20 she was choosing courses and would just be--stay on track,
21 take what you need to do, what you want to do. But
22 Elizabeth was definitely in control of her courses she was
23 taking.

24 (Witness stood aside.)
25

1 FAYE BRAMLETT, was called as a witness
2 and having been duly sworn was examined and testified as
3 follows:

4 DIRECT EXAMINATION

5 BY MR. DAVIS:

6 Q State your name for the Court, please.

7 A Sir?

8 Q State your name, please.

9 A Faye Bramlett.

10 Q And Ms. Bramlett, I believe you're a deputy
11 and matron at the Bedford County Jail, is that correct?

12 A Yes, sir.

13 Q How long have you been employed at the
14 Bedford County Jail?

15 A Nine years.

16 Q And during the nine years that you have
17 been there, has your capacity been as a deputy and matron?

18 A Yes, sir.

19 Q What do your duties include as matron of
20 the jail?

21 A Taking care of the female inmates.

22 Q And in fact you were employed in that
23 position on or about May the 8th of this year when
24 Elizabeth Haysom came to Bedford County, isn't that
25 correct?

1 A Yes, sir.

2 Q If you would, describe to the Court how
3 much contact you had with Elizabeth either through the
4 normal daily jail schedule or through the visits that
5 would be made at the different times of the day.

6 A Well I have contact with her every eight
7 hours that I'm working because we make our rounds twice in
8 an hour, or every thirty minutes.

9 Q And are you on a swing shift, a different
10 shift?

11 A Yes, sir.

12 Q So would you have an opportunity to see her
13 and visit with her at all different times of the day and
14 night?

15 A When I was working eight to four and four
16 to twelve on midnight, I didn't talk to her that much
17 because they're sleeping.

18 Q But other than that, you would have daily
19 contact.

20 A Yes, sir.

21 Q If you would, describe the relationship you
22 have had with Elizabeth since she's been in the jail as
23 far as the social, if there can be described such a thing
24 in jail, when you would see her, what the circumstances
25 were and what if anything would be said or done.

1 A She's been very cooperative the whole time
2 that we've had her down there as far as I'm concerned.
3 Just talk, general talk, that's it.

4 Q Has she been polite to you and all the
5 other employees and inmates?

6 A Very polite.

7 Q Has she caused any trouble whatsoever?

8 A No, sir.

9 Q Has she been abusive to you or anyone else
10 that you're aware of?

11 A Not that I know of.

12 Q Would you ever have any extended
13 conversations with Elizabeth?

14 A Sometimes I would go up at the cell block
15 and talk to her, especially when she was in the cell by
16 herself, for maybe forty-five minutes or an hour.

17 Q And would those conversations cover many
18 various topics?

19 A Yes.

20 Q Did she ever talk to you about her future?

21 A Not really.

22 Q Did she talk to you while she was there
23 about what she hoped to do while she was in jail or later
24 on?

25 A No, sir.

1 Q Out of the--I assume there have been
2 hundreds of inmates that have been there, perhaps
3 thousands in your nine years.

4 A That's correct.

5 Q At the jail, would that be an accurate
6 statement?

7 A Uh-huh.

8 Q Where would you rank Elizabeth in relation
9 to all of the inmates in relation to her congeniality, her
10 willingness to cooperate?

11 A She's been a model inmate.

12 Q Would you place her at the top?

13 A Yes, sir.

14 Q How many visitors would you say on the
15 average Elizabeth has had since she's been there, per
16 week?

17 A Well see, I don't work every Wednesday
18 during visiting. It's three or four regular visitors that
19 I know of that she has.

20 Q Did Elizabeth request that you come up
21 here to testify on her behalf?

22 A No, sir, she did not.

23 Q In fact I subpoenaed you, is that correct?

24 A That's right.

25 Q And you're not real comfortable about being

1 up here, is that--

2 A That's right.

3 MR. DAVIS: Thank you very much.

4 CROSS EXAMINATION

5 BY MR. UPDIKE:

6 Q Ms. Bramlett, would you sit around and talk
7 to this woman for forty-five minutes at a time?

8 A Yes.

9 Q While you were working?

10 A If she's my only charge, that's my job is
11 taking care of the female inmates.

12 Q Just sit there and talk to her?

13 A Not unless something happened that the
14 jailer needed me downstairs, he would call me.

15 MR. UPDIKE: All right, ma'am, no
16 further questions.

17 (Witness stood aside.)

18 PHYLLIS WORKMAN, was called as a
19 witness and having been duly sworn was examined and
20 testified as follows:

21 DIRECT EXAMINATION

22 BY MR. DAVIS:

23 Q State your name for the Court, please,
24 ma'am.

25 A My name is Phyllis Workman.

1 Q And Ms. Workman, where do you live?
2 A I live in Ivy Hill here in Bedford County.
3 Q And how long have you lived in Bedford
4 County?
5 A Thirteen years.
6 Q Did you know Nancy and Derrick Haysom?
7 A I did.
8 Q And I believe you know Elizabeth Haysom
9 also.
10 A I do, yes.
11 Q Are you any relation to--were you any
12 relation to Mrs. Haysom, to Nancy Haysom?
13 A Yes, distantly. My mother and Elizabeth's
14 grandmother were first cousins, Nancy's mother and my
15 mother were first cousins.
16 Q And do you recall when it was that you
17 first met Elizabeth?
18 A Yes, I do.
19 Q When was that and where was that?
20 A Elizabeth's parents, Derrick and Nancy,
21 were in Lynchburg visiting in the home of a Buffy Abbott
22 and they had a dinner party. Elizabeth's cousin Risk was
23 here and they had a dinner party, a rather large party,
24 for relatives and for close friends. I was there, my
25 husband and I were invited because we were related and I

1 think that information came about through the Kempers, Al
2 and his wife were there. Judge Dale Harris and Ted were
3 there and Judge Sweeney was there.

4 Q Was Elizabeth there?

5 A Elizabeth was there very briefly. She was
6 on her way out with a group of young people when my husband
7 and I arrived.

8 Q Did you meet her on that occasion?

9 A I did.

10 Q You met Elizabeth at the cocktail party.

11 A Yes. It was more of a dinner party, but
12 Elizabeth and some young friends were on the way out for
13 an evening on the town I believe just as we were arriving,
14 so we met them in the front hall and I was introduced to
15 Elizabeth.

16 Q And I believe you saw her a couple more
17 times, but you were not well acquainted with her up until
18 she came back from her arrest in England, is that correct?

19 A That is true.

20 Q What--before I get to that, did you attend
21 the funeral of Mr. and Mrs. Haysom?

22 A I did.

23 Q Did you see Elizabeth there?

24 A Yes. When I got to St. Paul's Church, I
25 was there fairly early, and I sat pretty close to the

1 front, ended up sitting with the family. I think the
2 family took up maybe--I was in the second row there and
3 Elizabeth came in and sat just in front of me over to the
4 right a little bit.

5 Q Can you describe her appearance?

6 A Elizabeth was a very distraught, upset, you
7 could tell visibly that she was shaken, that she was
8 crying and had been crying. She was, as I might put it, a
9 basket case. She was really upset.

10 Q Have you had an opportunity to see her at
11 the Bedford County Jail as I was going into?

12 A Yes. I have been visiting her there.

13 Q What prompted you to go see her at the
14 jail?

15 A I felt very deeply that someone needed to
16 go to Elizabeth and tell her that she was loved, and just
17 to let her know that someone cared about her and wanted to
18 be her friend.

19 Q Have you been seeing her on a regular basis
20 at the jail?

21 A I have. Since June I think I've missed
22 maybe two Wednesdays, as we can only go on Wednesday.

23 Q I asked you at one point whether she'd ever
24 asked for anything from the jail and you told me she had.

25 A Yes.

Q What was that?

1 A She asked me for some coffee, some instant
2 coffee, and she asked me one time to bring her some good
3 smelling soap and some good smelling powder and some good
4 smelling shampoo; that was when we were having a horrible
5 heat wave. And then on another occasion she asked me to
6 bring her a towel.

7 Q In her five months of incarceration at
8 Bedford, is that basically the extent of what she's asked
9 for?

10 A Yes.

11 Q Has she ever asked you for any money?

12 A No.

13 Q Did she ask you to come and testify on her
14 behalf?

15 A She did not.

16 Q Have you been corresponding with her as
17 well through the mail?

18 A Yes, I have.

19 Q Now there has been some mention that
20 Elizabeth is a great actress, was a great actress.

21 A I have heard that.

22 Q And how did it come about that you heard
23 that?

24 A One of her brothers mentioned that to me
25

and another friend in Lynchburg mentioned it to me.

1 Q To me, what is your response to that claim?

2 A Well I can only speak for Elizabeth since I
3 have known her and I have never known her to be an
4 actress. Elizabeth to me is a very sincere, humble,
5 loving, straightforward, honest--most everything good I
6 can say about Elizabeth at this point I would.

7 Q And of course you're aware of her
8 background?

9 A Yes, of course I am.

10 Q And the criminal offenses in England and
11 what have you.

12 A Of course I am, uh-huh.

13 Q Did you mention something else, that if she
14 wanted to act she would have acted in a different manner?

15 A I did. It came to me that if Elizabeth
16 wanted to be an actress, certainly she would have picked a
17 much more flamboyant role. She could have pled insanity
18 and put on a good show.

19 But Elizabeth has done just the very
20 opposite of acting, which is pretending, pretense.
21 Elizabeth has chosen to tell the truth, she has chosen to
22 face what she has done, to admit what she has done;
23 that's to me the exact opposite of acting.

24 Q Is there any question in your mind about
25

1 her sincerity?

2 A There is no question in my mind whatsoever
3 about her sincerity.

4 CROSS EXAMINATION

5 BY MR. UPDIKE:

6 Q Sincerity in what respect, ma'am? Did she
7 tell you that she provided an alibi for the butchering of
8 her mother and father?

9 A We never discussed that.

10 Q You never discussed the murder of her
11 parents.

12 A No, we did not.

13 Q Then as far as your elaborate description
14 of her being an actress, that description would apply to
15 subjects other than the murder of Derrick and Nancy Haysom
16 then, wouldn't it?

17 A I'm not sure I understand your question. I
18 just know that in my relationship with Elizabeth, she--

19 Q Let me explain my question then please, if
20 I might. How can you say that she would be acting or not
21 acting under certain circumstances if you'd never
22 discussed those circumstances with her?

23 A If she were not acting under what
24 circumstances?

25 Q It's very simple, ma'am. When she talks

1 about the murder of her parents, you're not in a position
2 to say whether she's acting or not because you've never
3 discussed that with her, wouldn't that be correct?

4 A I have never discussed that subject with
5 her.

6 Q Thank you, ma'am. I'm a little bit
7 intrigued, if you could explain. You've sat there and
8 you've said what, that she's loving, she's honest,
9 everything good that you can say about this woman.

10 A Uh-huh.

11 Q And she's pled guilty to first degree
12 murder of her mother and father.

13 A (Witness nods in the affirmative.)

14 Q Now how can you sit there and say something
15 of that nature?

16 A I--are you Mr. Updike?

17 Q I'm Jim Updike, yes, ma'am.

18 A I can say that because number one, I would
19 like to think in my years of experience with children and
20 in some work with other people that I have some sense of
21 discernment. Number two, I can say that because I know
22 full well that a person can change, and I believe
23 wholeheartedly that Elizabeth has made mistakes, we all
24 know that, she admits that.

25 Q Mistakes?

1 A Errors.

2 Q Errors?

3 A Yes.

4 Q That's how you would categorize this?

5 A For lack of a better word. Maybe you're

6 challenging my vocabulary here. Elizabeth has made--

7 Q No, I'm just interested in your

8 description. I mean we're not talking about making a

9 wrong turn or something like that, we're talking about

10 murder, two counts of it.

11 A Yes, sir, we are, we're talking about a

12 life that was headed in a wrong direction. It was headed

13 full speed in a wrong direction, but we're also talking

14 about a life that has changed direction.

15 Q I see.

16 A And I would say that Elizabeth reminds me

17 of a person who might be on Route 460 between Lynchburg

18 and Roanoke and you get as far as Bedford and turn around,

19 you're no further away from Lynchburg, you're no closer to

20 Roanoke, but you have turned around, and she has started

21 in the other direction.

22 Q I see. In your opinion, though, based upon

23 your visits at the Bedford County Jail where she's been

24 incarcerated on these charges of murder, isn't that

25 correct?

1 A It is.

2 Q And of course she'd previously been

3 incarcerated for quite some time in England.

4 A And my opinion is also based on

5 correspondence.

6 Q From her that she's written to you?

7 A Yes.

8 Q Your opinion then is based entirely upon

9 what she has told you, is that correct?

10 A No. I've heard good comments about

11 Elizabeth from other people who have had close contact

12 with her.

13 MR. UPDIKE: I'm sure, ma'am. Thank

14 you very much, I have no further questions.

15 (Witness stood aside.)

16 (Whereupon a recess was taken.)

17 VERIAN NEAL GRAHAM HAYSOM, was called

18 as a witness and having been duly sworn was examined and

19 testified as follows:

20 DIRECT EXAMINATION

21 BY MR. JONES:

22 Q State your name, please.

23 A Verian Neal Graham Haysom.

24 Q And how old are you, Mr. Haysom?

25 A I was born in 1947--'48, sorry.

1 Q And where do you live?
2 A Mahone Bay, Nova Scotia, Canada.
3 Q And I believe you're the natural child of
4 Derrick Haysom?
5 A That's correct.
6 Q What is your occupation?
7 A I'm a lawyer.
8 Q And Elizabeth is your half-sister?
9 A That's right.
10 Q We spoke briefly last night and you
11 indicated to me at that time that you--one thing you were
12 concerned about in coming here was detecting a sense of
13 remorse, is that correct, on Elizabeth's part?
14 A Yes, that's been a major concern to me and
15 I think a very important issue. I took it as a very
16 positive sign when Elizabeth didn't contest her
17 extradition and I also took it as a positive sign of
18 remorse when she entered the guilty plea to the charges.
19 THE COURT: Excuse me, sir, would you
20 move your chair up a little bit further,
21 we're having a little trouble hearing.
22 A I also took it as a positive sign of
23 remorse when she entered the guilty plea to the charges.
24 And for me, that has been important in terms of her
25 actions, recent actions. I did have some reservations as

1 a result of things that I'd read in the newspaper on the
2 question of remorse.

3 Q Would it be that you're saying that her
4 actions are speaking louder to you than the words?

5 A Well we haven't exchanged that many words,
6 really. The reports that I received from the newspapers
7 and clippings that were sent down to me suggested--left me
8 with some questions about the remorse on her part. But,
9 you know, I accept that as being what I have read in the
10 newspapers.

11 But I took that as a very positive sign,
12 the way she had dealt with admitting her guilt.

13 Q And waiving the extradition.

14 A Yes.

15 Q And one other thing we discussed was your
16 personal feelings regarding the length of the jail
17 sentence in this particular situation.

18 MR. UPDIKE: Your Honor, we would
19 object to that. I haven't objected to any
20 other questions, but we do not feel that is
21 appropriate.

22 THE COURT: No, I don't think it would
23 be appropriate for him to suggest to me a
24 particular length of sentence, Mr. Jones.
25 But I do think that he could state general

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

feelings about it as long as he stays away from specific matters. I think by and large that's my job, not his.

MR. JONES: I agree completely, Your Honor, and he didn't indicate anything to me in our discussion that was specific. It was a general feeling on his part and particularly being a member of the family, I think it would be relevant and appropriate.

THE COURT: I'll hear his general feelings about the matter of punishment.

THE WITNESS: I think that the long-term question of what happens to Elizabeth is something that's of real concern to me, it's something that I think about the long-term, what is going to happen to Elizabeth. And I accept that one day she will be back in society, and I just question what it will be that returns to society, whether there is a person there who is capable of rehabilitation, who can be rehabilitated and returned and it would be my real desire to see that happen.

I don't want to see her languishing in jail for a period of time that does nobody

1 any good, and that's my concern. And I
2 think one of the questions is what happens
3 to Elizabeth in the future, and that's
4 really the concern that I had. And I just
5 worry that simply forgetting about her and
6 putting her in the prison system is not
7 going to serve her or anybody's long-term
8 interests.

9 MR. JONES: Thank you, Mr. Haysom.

10 Answer any questions Mr. Updike may have.

11 CROSS EXAMINATION

12 BY MR. UPDIKE:

13 Q Mr. Haysom, were some of the concerns that
14 you had from the newspaper reports, the concerns about the
15 reports of sexual abuse by your mother directed towards
16 Elizabeth Haysom?

17 A That's correct, yes.

18 Q And to your knowledge and understanding,
19 those allegations are not true?

20 A Those allegations are unfounded in anything
21 within my experience within anything within my knowledge
22 of my family, and I was very disturbed and upset by them.

23 Q Would it be true that your parents tried to
24 provide for Elizabeth Haysom in the best way that they
25 knew how as far as providing the best education that they

1 were capable of providing financially, would that be true?

2 A I believe that's true, yes.

3 Q And would it also be true that at all times
4 in their conduct toward their daughter, their primary
5 exclusive concern was her own welfare, would you agree
6 with that?

7 A Um, yes, I have nothing to suggest
8 otherwise.

9 MR. UPDIKE: Thank you very much. I
10 have no further questions.

11 REDIRECT EXAMINATION

12 BY MR. JONES:

13 Q Mr. Haysom, is it correct that the
14 education of not just Elizabeth, but you and the other
15 children, was a very high priority with your parents?

16 A Yes, we were a very privileged family in
17 terms of our education. We were all very well educated.
18 My grandfather was a school teacher and it's a value that
19 has stemmed from that.

20 (Witness stood aside.)
21
22
23
24
25

1 ELIZABETH ROXANNE HAYSOM, was called
2 as a witness and having been duly sworn was examined and
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MR. JONES:

6 Q Would you state your name, please.

7 A Elizabeth Roxanne Haysom.

8 Q And how old are you, Elizabeth?

9 A Twenty-three.

10 Q And where were you born?

11 A Salisbury, Zimbabwe.

12 Q And in what year were you born?

13 A 1964.

14 Q And how long did you--Zimbabwe was in
15 Rhodesia at that time, is that right?

16 A Yes.

17 Q And how long did you live there?

18 A Approximately three years.

19 Q And where did you next live?

20 A We moved to Luxembourg.

21 Q And do you recall approximately how long
22 you lived in Luxembourg?

23 A About two years.

24 Q And then where did you go from Luxembourg?

25 A To Nova Scotia, Canada.

1 Q And do you recall about how old you were
2 when you moved to Nova Scotia?

3 A I was about five years old.

4 Q Now you've got--you have four half-brothers
5 and one half-sister, is that right?

6 A Yes, sir.

7 Q Now during those first five years of your
8 life, do you remember them living at home or being around
9 very much?

10 A In Luxembourg my two youngest brothers,
11 Howard and Richard, they were going to school in
12 Luxembourg. And so they would be in school, but they were
13 around for the holidays.

14 Q And after you moved to Nova Scotia at about
15 age five, how long did you live there before you went to
16 school elsewhere?

17 A I went to boarding school when I was ten.

18 Q And did you go to school in Nova Scotia?

19 A Yes, I did, sir.

20 Q From the time you were five years old, or
21 when you started school, until when you were ten years
22 old?

23 A Yes, sir.

24 Q And do you recall how the decision was made
25 or why the decision was made as to your going to boarding

1 school at that time, at age ten?

2 A Well I was very young, so I wasn't very
3 aware of the discussions that were going on. I know that
4 I liked the idea of going away, I wanted to go away, I
5 appreciated the idea of going to school away.

6 Q And I believe that you have two front teeth
7 that are discolored, is that right?

8 A Yes, sir.

9 Q Did that come as a result of something that
10 happened while you were living in Nova Scotia during those
11 years?

12 A Yes, sir.

13 Q What was that?

14 A The year before, when I was nine, it was
15 just before Christmas and I was going to the local
16 elementary school and some young men--I don't recall
17 recall what happened specifically, but they just grabbed
18 me and took my head and smashed it against the corner of a
19 wall at the school, and breaking my front teeth and
20 damaging my jaw.

21 And I spent the next, I believe it was five
22 or six years having corrective surgery and orthodontistry
23 done.

24 Q And was there any reason that they did this
25 to you that you're aware of?

1 A I later discovered that they were the sons
2 of union agents at the steel works where my father worked,
3 where my father was the head of the steel works, he was the
4 president of the company. And there some some strife
5 going on at the plant and they took it out on me I
6 suppose. And I suppose that was one of the reasons why my
7 parents felt that I should be sent away to school, because
8 they were concerned about my welfare, that my father was
9 very concerned about my welfare.

10 Q You also have a couple of scars on your
11 face, one underneath your eye and under your chin. Did
12 that also come about from something that happened while
13 you were living in Nova Scotia?

14 A Yes, sir.

15 Q And what were they?

16 A Well the year before my accident with the
17 teeth, it was the summer I had turned eight, the previous
18 April, and I was at home, my father was obviously at work.

19 Q Where was your mother?

20 A My mother was out collecting rocks. She
21 was interested in making stone walls and she went to
22 collect rocks. So I was at home and I was to feed the
23 dog.

24 And I fed the dog and returned to his bowl
25 to take it away because I had forgotten to put some

1 ingredient in the dog food and the dog bit me across my
2 face in three separate bites.

3 Q Was anyone home at the time?

4 A No.

5 Q And how old were you?

6 A Eight. And I returned to the house, tried
7 to call my father. I wasn't able to use the telephone.
8 And then I went up the driveway and went to the next-door
9 neighbor's, who was approximately a quarter of a mile away,
10 and she took me to the hospital. And it was at the
11 hospital that my father appeared and then later my mother
12 appeared.

13 Q And then where did you first go to boarding
14 school?

15 A In Switzerland.

16 Q And do you recall the name of the school?

17 A Yes, St. Georges.

18 Q And you were ten years old at that time?

19 A Yes.

20 Q And how long did you stay at St. Georges in
21 Switzerland?

22 A For one year.

23 Q And it was brought out at the previous
24 hearing that you reported to the police about being raped
25 while you were at that school in Switzerland, is that

1 correct?

2 A Yes, sir.

3 Q Would you just explain briefly how that
4 came about?

5 A It was at the end of the second semester,
6 towards the end of the second semester in March, and I was
7 playing tennis with a group of friends. And by the tennis
8 courts there was a public walkway which people passed by
9 frequently.

10 And as we were playing tennis I knocked a
11 tennis ball over the back wall of the tennis court, which
12 was a practice court. And I went around to retrieve my
13 tennis ball and there were two young men there and what
14 developed developed.

15 Q Did you report it to the school officials?

16 A Well while it was taking place, obviously
17 my friends were playing tennis and they saw something was
18 going on, and they went and they notified the school
19 authorities. And I was coming back from the incident when
20 the head mistress was coming to find out what was going
21 on.

22 She took me to--it was a hospice, she
23 contacted the police. Several officers came and they
24 interviewed me. I was taken to see a doctor. And I had--
25 at the time I was having dental work done from the

1 previous year's accident on my teeth and some of that had
2 been damaged. So I had to have some emergency dental
3 treatment done on my mouth.

4 I talked to the police officer several
5 times, I went with them on a walk around to do an ID of
6 these people, but I didn't have any recollection of what
7 they looked like.

8 Q Were the perpetrators ever located?

9 A Not to my knowledge.

10 Q Did you ever seek any counseling as a
11 result of this episode?

12 A No, sir.

13 Q And where did you next go to school?

14 A The following September I went to a school
15 called Riddlesworth Hall in Norfolk, England.

16 Q And how long did you stay there?

17 A It was two years.

18 Q And then where did you go after that?

19 A I went to Wickham Abbey.

20 Q And how long did you remain there?

21 A Six years.

22 Q And did you graduate or complete your
23 studies at Wickham Abbey?

24 A Yes, I did.

25 Q And how old would you have been at that

1 time?

2 A Nineteen.

3 Q Describe these two schools to us, what
4 types of schools were they and what their reputation was.

5 A Riddlesworth Hall was considered one of the
6 best, what we called proper schools, I assume the
7 equivalent of an elementary school, goes up to age twelve
8 or thirteen.

9 And then you have to take what's known as
10 common entrance or exams to get into your senior school,
11 which we call public school, and that goes from age
12 thirteen to eighteen. And Wickham was considered one of
13 the most academically and sportwise most prestigious
14 schools in England.

15 Q Okay, is this--can you identify that,
16 please?

17 A This is a transcript of extracurricular
18 activities from my school.

19 Q This is not a school transcript but a
20 transcript that you prepared and you provided the
21 information to use that we put on it.

22 A Yes.

23 (TRANSCRIPT MARKED DEFENDANT'S
24 EXHIBIT NO. 2.)
25

1 **BY MR. JONES:** (continuing)

2 Q And does this describe the activities that
3 you were involved in at both Riddlesworth and Wickham
4 Abbey?

5 A Just Wickham.

6 Q Wickham Abbey?

7 A Yes.

8 Q And it includes such things as music and
9 sports, drama, public speaking, indicates you did some
10 writing; was that one of your particular interests?

11 A Yes, sir.

12 Q You were in Switzerland or England from age
13 ten to nineteen going to school, is that right?

14 A I was in Switzerland for a year and then
15 to--

16 Q All together, about age ten to age
17 nineteen, you were either in Switzerland or England going
18 to school.

19 A Yes, sir.

20 Q During those nine years, how much contact
21 did you have with your mother and father?

22 A It would depend from year to year.
23 Generally what would happen is that I would come home for
24 Christmas, Easter and some holidays, Christmas being a
25 three, four-week holiday as was Easter, which was my

1 birthday, and summer being approximately eight weeks.
2 Q And did these times become less as you grew
3 older or increase or stayed about the same?
4 A They grew less, certainly. For instance I
5 spent my eighteenth birthday in England at that Easter
6 holiday.
7 Q Did your birthday generally come during the
8 Easter break?
9 A Yes. It wasn't so much really that I spent
10 I suppose less time with my parents, I spent very little
11 time at home, I guess. We would--I would go where my
12 parents were, which meant a great deal of my holidays were
13 in one country or another or hotel rooms.
14 Q Now your parents were both divorced, is
15 that correct?
16 A Yes, previously.
17 Q Previously divorced. And do you know where
18 they met?
19 A I believe they met in South Africa in
20 Johannesburg.
21 Q And you are the only child of their
22 marriage, is that correct?
23 A Yes, sir.
24 Q And how many children did you father have
25 by his previous marriage?

1 A Three.

2 Q And can you tell us their names?

3 A Verian, Julian and Myra.

4 Q Myra being your only half-sister?

5 A Yes.

6 Q And how many children did your mother have
7 by her previous marriage?

8 A Two, Howard and Richard.

9 Q And I believe that three of them are
10 present here today?

11 A Yes, sir.

12 Q Who is here today?

13 A I believe Mr. Updike said--Verian said it
14 and I believe he said that Howard and Richard were here.

15 Q And how much older were they than you?

16 A My youngest brother Richard was ten years
17 older than I am and then Howard is eleven years older and
18 Myra is eleven years older and I lose track after that.
19 It's about twelve or fifteen years after that; Julian is
20 about twelve years, Verian's fifteen.

21 Q Now during the time that you were in
22 boarding school from age ten to age nineteen, how much
23 contact did you have with any of your brothers and
24 sisters?

25 A Some I had more contact with than others,

1 depending on their movements. While Howard was in medical
2 school I saw a little bit of him. It was when we
3 were living near where he was going to medical school at
4 that time. So I would see him when he wasn't studying off
5 and on, I'd be approximately age twelve. But I would see
6 maybe Howard once a year.

7 I would see Verian--it would depend on when
8 the holiday was. If I was in Nova Scotia I would see
9 Verian, and Julian was in Nova Scotia so I would also see
10 him occasionally.

11 Richard I didn't see for many, many years.
12 I went to visit him out in Calgary, him and the girl he
13 married.

14 Q Is that where the two of them live at the
15 present time?

16 A Yes. And I hadn't seen him for years
17 before that and I haven't seen him since except for the
18 few--.

19 Q Your parents were obviously ones that moved
20 frequently from place to place.

21 A Yes, they moved frequently.

22 Q Was there any particular reason for that as
23 you look back?

24 A Well my mother originally said that they
25 moved a lot because of my father's job. He traveled a great

1 deal and mamma would be at home. But after my father
2 retired, they moved actually a whole lot more than they
3 had before. We moved three times in one year in Virginia.

4 Q How did it go with you and your parents up
5 through your completion of Wickham, especially during the
6 years that you were away?

7 A Well certainly in the holidays that I
8 spent with my parents, they were very concerned, very
9 supportive of what I was doing in school. I did have some
10 resentments that had stayed. They never came to my
11 successes or failures while I was out at school. They
12 never saw me play a lacrosse match, they never saw me
13 perform, the--

14 Q What do you mean when you say perform?

15 A On stage.

16 Q You were involved in drama.

17 A Yes. They--but as I say, in the holidays
18 they were concerned and wanted to know what I was doing.
19 Then for a long time it was the successes that I suppose I
20 was resentful of, that they weren't there to share them
21 with me. They did share those moments with at least some
22 of my brothers, they have homemade movies of the sporting
23 events.

24 Q Did the fact that you were all the way in
25 England contribute to that?

1 A Yes, they were overseas in Canada and it
2 was impossible for them to come over just because I was
3 playing a lacrosse match.

4 Q But did they visit you in England from time
5 to time?

6 A They moved to England for a year, but they
7 never came. In later years I started having some problems
8 at school, they were academic problems, they were social
9 problems, and the school themselves tried to contact my
10 parents on a number of occasions about academics, about
11 social issues, about drug use, and my parents never could
12 be located when they were in Africa for instance. Or they
13 just--

14 My father was quite funny. He didn't
15 believe what the school had to say, he didn't think it was
16 a problem. He adored me and he saw me as being perfect
17 and so he didn't believe what the school had to say.

18 Q Was there a time during this period that
19 you wanted to come home to Canada to go to school?

20 A Yes. When I was about fifteen or sixteen,
21 that's the end of a segment of school, you take what's
22 known as A levels.

23 Q What, A levels being a type of examination?

24 A Yes, B levels are an examination you take
25 at approximately sixteen years old and then the A levels

1 are an exam you take when you're eighteen years old,
2 standardized tests to get into the university.

3 And it was impossible for me to change
4 schools in the middle of the course, but I wanted
5 desperately to leave Wickham after my A levels and go to
6 school near my home in Nova Scotia. And we looked at a
7 number of places in Nova Scotia, I visited them with my
8 parents, and my father wrote to several of the heads to
9 see if I could come and what level I could come at.

10 Q Why didn't that work out?

11 A My father thought that Wickham was very
12 prestigious and that to break up my schooling career would
13 be inappropriate. And so I just carried on at Wickham.

14 Q Did they become at any time involved in
15 your A levels or the courses you were taking?

16 A Yes, it was at the same time. We discussed
17 changing schools before I actually took my A level exams,
18 but in the year that you take your A levels you have to
19 decide what A levels you're going to take because we
20 specialize. There are eight different subjects, and in A
21 levels you specialize and do two, three, four single
22 subjects.

23 And my father, he saw me to have abilities
24 that I don't suppose I really had and he thought I was a
25 scientist, he thought I was an engineer. And I was at

1 fault as well because I pandered to his dream to follow in
2 his footsteps. And I adored my father, and I wanted to
3 make him happy and do what he wanted me to do so I led him
4 to believe that I was capable of something that I wasn't
5 capable of.

6 The school had contacted him and said that
7 it was out of the question for me to take those subjects,
8 but he had total confidence that I could do anything that
9 I put my mind to. And so my A level subjects were chosen
10 for me and I started off doing maths, we call it maths,
11 further maths, physics and chemistry, which was an
12 extremely advanced program of study in science.

13 I began in the subjects but as I got into
14 them it was blatantly obvious that I was not a candidate
15 of A level standards in those subjects. I spoke to my
16 head mistress and all of my teachers spoke with my head
17 mistress and said she's a bright girl but she can't add.

18 And my head mistress and I both spoke to my
19 parents about changing my A level subjects and my father
20 said it was nonsense.

21 Q Your father said what?

22 A It was nonsense. So I studied for the year
23 in subjects not doing very well, but doing my best. And
24 he following year, September of the next year, I
25 continued on into the final year of my A level courses.

1 And I think it was approximately late September, beginning
2 of October, my parents phoned me up. I was in the middle
3 of a physics problem at the time, I remember it very
4 clearly. And I went to the phone and my parents had
5 changed my A levels to completely different subjects.

6 Q Now your information you submitted in this
7 exhibit indicated your interest was in the arts, is that
8 correct?

9 A Yes.

10 Q Upon your graduation from Wickham, what was
11 going on just before that occurred in your life?

12 A Well as I started all these new A level
13 subjects, I went from the maths, further maths, physics
14 and chemistry to--

15 Q I'm not talking so much in your academic
16 life, but in your social life. Did some problems come up
17 just before you left Wickham?

18 A Yes.

19 Q What were those problems?

20 A Well there were a number of problems. In
21 that last semester I was working towards my A levels, I
22 was working towards interviews at Catherine's College,
23 Cambridge. I have a very close association with a girl
24 there. My parents decided they didn't want me to go to
25 St. Catherine's and I overreacted I guess.

I had been working to go to Cambridge since
1 I can remember and--well I suppose what I did when they
2 said to me we don't want you to go to St. Catherine's, we
3 want you to come back to America. We had planned that I
4 would do things, and then just go to the friend's birthday
5 party, things like that. We want you to come back to
6 America, we want you to go to UVA, I completely
7 overreacted.

8 I threw everything up, I threw my school
9 career up by stealing, I threw up my academic career by
10 forfeiting my class at Cambridge, by not completing my A
11 levels properly and by also not attending the interview
12 because I told the school and the school notified
13 Cambridge.

14 Q Was drugs a part of your life at that time?

15 A Very much so. And then I compounded the
16 error, not only throwing all of that away, I ran away.

17 Q And approximately when would this have
18 been?

19 A I believe it was in June. My mother
20 mentioned in the letter that it was July, but I believe it
21 was June.

22 Q Of what year?

23 A '83. And I ran away.

24 Q Did anybody go with you?

25

A Yes, I went with this girl.

1 Q Would that be Melissa?

2 A Yes.

3 Q How long did you stay gone?

4 A I believe it was about five months.

5 Q And did you stay in Europe the whole time?

6 A Yes.

7 Q And how did this journey terminate?

8 A Well I was using drugs extensively and I

9 eventually ended up in Berlin in a commune-type place; it

10 was a place called Cook Cook. And I had some sort of

11 accident; I was drugged up so I can't really relate what

12 precisely happened.

13 I lost several days. I was found--I had

14 fallen down some stairs into an elevator shaft. The Cook

15 Cook place was a converted railroad station and it was an

16 old abandoned elevator shaft.

17 And after this accident, I was obviously

18 ill, and I was also ill from the drugs, and I was

19 improperly clothed and I wasn't properly fed.

20 Q Did you have any money?

21 A Beg your pardon?

22 Q Did you have any money?

23 A I had some money previous to this accident.

24 I had been working and I had quite a considerable amount

25

of money which I had worked for, but it was--one of the theories was that I had been hit over the head and my money had been stolen from me. I did have a very large egg on the back of my head.

Q What did you do at that point in time or who did you come in contact with?

A Well I was still with Melissa at this time and she was also a British subject. So we went to the British Embassy. I wasn't very coherent at the time because I was suffering from a very severe concussion and I was also drugged up.

So we went to the embassy and it was from there, I don't remember the details, that I first came into contact with Colonel Stuart Harrington.

Q Colonel Stuart Harrington?

A Yes, sir.

Q And was he a member of the United States Army?

A Yes.

Q Stationed in Berlin at the time?

A Yes.

Q Is he here today?

A I believe so.

Q You saw him last night at the jail, didn't you?

A Yes, I did.

1 Q And did you stay with Colonel Harrington
2 for a number of days in Berlin?

3 A Yes, I did. I believe I stayed with him
4 for a week or so.

5 Q And did Melissa also stay with him?

6 A Yes, she did.

7 Q And did you correspond with Colonel
8 Harrington after that?

9 A Yes, I did.

10 Q Did you ever see him again?

11 A Yes, I did.

12 Q And when was the first occasion that you
13 next saw Colonel Harrington?

14 A He came to visit in, I believe it was May
15 of '84.

16 Q Where did he come to visit?

17 A In Lynchburg.

18 Q At your home?

19 A Yes.

20 Q And at that time had your parents moved out
21 to Loose Chippings?

22 A Yes.

23 Q And how long was he there?

24 A He spent the night. He never met my
25

father.

1 Q Pardon me?

2 A He never met my father. He was not home at
3 the time.

4 Q Your father was not home at the time.

5 A No.

6 Q And your mother and you were there?

7 A Yes.

8 Q And did you see him one other occasion?

9 A Yes. After my parents were killed Jens and
10 I went to Europe for a month and I paid a surprise visit
11 to Colonel Harrington in Berlin at that time with Jens.

12 Q Would that have been in the summer of 1985?

13 A Yes, sir. NO TAPE

14 Q And you said you have corresponded with
15 Colonel Harrington. Are you familiar with this document?

16 A Yes, sir.

17 Q And are you familiar with the signature
18 that appears on that document?

19 A Yes, sir.

20 Q And what is that document?

21 A It's a letter written on the 2nd of
22 November, 1983, from West Berlin, Germany, from Stuart
23 Harrington to my mother.

24 Q Is it a letter recounting his--what

25

occurred during the week you and he were together in
1 Berlin following your running away?

2 A Yes.

3 MR. JONES: I'd like to submit that
4 into evidence, Your Honor, if there are no
5 objections by Mr. Updike.

6 MR. UPDIKE: No objection.

7 (LETTER MARKED DEFENDANT'S EXHIBIT
8 NO. 3.)

9 BY MR. JONES: (continuing)

10 Q At this point in time, you know, when you
11 arrived in Berlin, to what extent were drugs a part of
12 your life?

13 A Considerable part.

14 Q And what types of drugs were you using?

15 A I was doing a lot of LSD that was being
16 manufactured where I was staying and I was doing a lot of
17 heroin.

18 Q What?

19 A Heroin. And there was a lot of marijuana
20 and hashish.

21 Q Now where did you go when you left Berlin?

22 A I flew back to London.

23 Q And who did you meet up with there?

24 A Julian was waiting for me at the airport,
25

my brother.

1 Q And did your father meet you in London
2 shortly after that as well?

3 A Yes, I believe he came a few days later,
4 I'm not sure how much later.

5 Q And did you stay in England for a period of
6 time?

7 A Yes, we did.

8 Q How long was that, approximately?

9 A Three weeks. I'm not sure.

10 Q And from the time your father arrived, was
11 he there in England with you the entire time?

12 A Not the entire time. The first day or two
13 I continued to stay with my in-laws who I had been staying
14 with before he came, but after an incident--my father was
15 staying at his--at Picadilly and my in-laws lived in North
16 London, it's quite a distance.

17 And I was still wandering around like an
18 idiot with a hole in my head and bandages on things, and
19 one evening after I had been to a concert with my father,
20 he put me on the tube, the underground, to return back to
21 London. And I had some sort of blackout or something and I
22 didn't hitch up with him that morning.

23 I didn't get home to my in-laws, I didn't
24 arrive on the doorstep until about three in the morning
25

and they were really concerned because I was obviously not
1 real well. So after that incident I went and stayed with
2 him and after that I was with my dad the whole time.

3 Q And when you and your father left London,
4 or England, where did you go?

5 A We flew to Nova Scotia.

6 Q And would that have been in mid November,
7 sometime in mid November of 1983?

8 A I believe it was November 21st.

9 Q And did you and your father stay in Nova
10 Scotia for a period of time?

11 A Yes, for a month.

12 Q And when did you return to Virginia?

13 A Not until just before Christmas.

14 Q And were your parents living in Virginia in
15 November and December of 1983?

16 A Yes, they had been living there for a
17 period of time by that time.

18 Q Where was your mother while you were in
19 Nova Scotia?

20 A She was in Virginia.

21 Q Did she come to Nova Scotia?

22 A No.

23 Q Did you see any of your brothers or sisters
24 during that period of time?

25

1 A I believe I saw Verian, I can't remember
2 whether I saw Julian.

3 Q Verian and Julian live in Nova Scotia?

4 A Julian does now. I can't remember when he
5 moved there.

6 Q Was there any particular reason that you
7 and your father stayed on in Nova Scotia for a month
8 before coming here to Virginia where your mother was?

9 A My father and I, it was a time for us to
10 talk, and we got quite close. He was very concerned about
11 my mother's relationship with me. He warned me that she
12 had been drinking, she was drinking quite a lot, and she
13 wasn't quite herself sometimes and that I would to have
14 control, try not to aggravate her, be good, be as
15 forgiving and also to try and make amends for the terrible
16 distress I caused them.

17 You know, my mother aged considerably
18 because of my running away and she was deeply distressed
19 about it and she was on the verge of hysteria about it and
20 he wanted to prepare me for how she was going to receive
21 me, how she might receive me.

22 Q And was there some concern on his part
23 about how she might perceive your relationship with
24 Melissa?

25 A A little bit. My father wasn't the kind of

1 man who would discuss personal things like that, he found it
2 extremely embarrassing to discuss anything of a personal
3 nature. But he did--we did discuss it in general terms
4 about correspondinog with Melissa and whether I was
5 permitted to maintain contact with her, to be careful
6 about it with my mother, because she was very upset.

7 Q I'm showing you now a group of seven
8 letters and ask you if you can identify the handwriting on
9 each of those letters.

10 A The first one, September the 8th, '83 to my
11 Colonel Williams, it's from my mother.

12 Q Written by whom?

13 A It's written by my mother. It's signed by
14 my mother and it's signed by my father, but it's written
15 by my mother.

16 Q Are all the letters in fact written by your
17 mother?

18 A Yes, sir.

19 Q Now looking back at the first letter of
20 September 8th, 1983, I believe except for the first
21 letter, which is a letter to Colonel Williams, and all the
22 rest of them are letters to Colonel Stuart Harrington.

23 A I believe there is one to his parents.

24 Q And who was Colonel Williams?

25 A I don't know who he is, I have never met

1 him. But I gathered he was the superior officer to
2 Colonel Harrington; he was his boss so to speak.

3 Q Was it your understanding that someone in
4 the Lynchburg community may have some contact with him?

5 A Yes, it was.

6 Q Going back to the letter of September the
7 8th, 1983, there is a mention in there about some grades,
8 or your grade on your Echols Scholarship Achievement Test.
9 What is the comment that's made in there and what comment
10 would you have about that?

11 A She says--it's on Page Two. In advanced
12 placement exam she obtained an A and two credits in her
13 degree course. The advanced placement is based on not
14 letter grades, they are based on number grade, they go
15 from one to five, the lowest being a one.

16 I received a four, which isn't an A, but my
17 mother chose to tell people that I had an A in my advanced
18 placement.

19 THE COURT: I'm sorry, I didn't hear
20 that.

21 A My mother writes here that I obtained an A
22 in the placement examination. I didn't get an A and I
23 couldn't hope to be graded as an A.

24 Q Again, in relation to grades in school,
25 later after your first semester at the University of

1 Virginia, did something come up about your grades involving
2 your mother?

3 A Yes, sir, it did. My first semester I did
4 start out doing very well academically, but by the end of
5 the semester, as my grades show, I had a very poor grade
6 average after my first semester.

7 When I was returning from Yugoslavia on the
8 Christmas holiday, '84, it was now the beginning of '85
9 I talked to them over the telephone, because my parents
10 called at a certain time, and over the telephone my mother
11 told me that I had a 4.0 grade point average for
12 my first semester. We--that was--that attitude about my
13 grades was maintained until approximately March when my
14 dean, the dean of the Echols scholars contacted me
15 and he said that he had spoken to my mother on the
16 telephone and that he had been concerned about my grades
17 and what did she think.

18 And she said that I had a 4.0 and that she
19 was very happy, a straight A average. And he was talking
20 to me on the phone because he wanted me to sort out what
21 had happened.

22 I went around to my professors and I went
23 to the student office on Barracks Road and discovered that
24 my grades were very poor; I had obtained C's and an F.

25 Q When you got home from that Christmas trip

1 after you had been told on the phone that you had got a
2 4.0 average, did you not see your report card or whatever
3 they send home?

4 A No, sir. My parents never showed me my
5 reports.

6 Q And Mr. Arthur reports in his presentence
7 report regarding your grades for the fall semester of 1984
8 that you attempted fourteen hours and you received a final
9 grade of F in computer programing, and grades C and B plus
10 in, German and political philosophy; are those the
11 correct grades to your recollection?

12 A Yes, it is.

13 Q Now did you ever--you said you never saw
14 your report cards.

15 A I did see it at a later stage.

16 Q Your report cards in general?

17 A No. I would be allowed to see them years
18 after the event, my mother would say it was funny that
19 she would keep them all. But when she received them I
20 would not see them. They would sometimes discuss
21 something with me or they would say that was great and
22 that was it.

23 Q The specific transcript that we're talking
24 about here, did you later see it?

25 A Yes, I did.

1 Q And what did you see?

2 A I was cleaning out my mother's desk and the
3 transcript was there. And my mother had written all over
4 the transcript, she had written A's over my grades and
5 filled it in.

6 Q I'd like to refer you on to the letter of
7 November 28th of 1983 which is in that package I gave you,
8 and that--

9 A November?

10 Q November 28th, I believe, 1983.

11 A Yes.

12 Q Do you have that?

13 A Yes.

14 Q And that has a portion in there where she's
15 telling, I believe Colonel Harrington, about a jaunt, I
16 think she called it, that you and your father were having
17 around England. What does the letter say about that?

18 A On the last page are you referring to?

19 Q I think so.

20 A Then Derrick and Elizabeth took a little
21 jaunt around England, visiting friends and family, all who
22 one way or another were involved in Elizabeth's "sojourn"
23 and all came and demonstrated this to her. I think this
24 brought self-confidence and hope back to her.

25 Q Did that few weeks in England do anything

1 about your--do anything as far as your self-confidence was
2 concerned or how would you describe that period of time?

3 A It was--I'm sure my father had the best of
4 intentions taking me around, but it was very humiliating.

5 Q Why was it humiliating?

6 A I was ill, I was embarrassed by the state
7 that I was in. I felt that the prize had been brought
8 home and I was now falling into the role of again playing
9 perfect daughter of the social, enchanting and gracious
10 to these people who were nothing in my life, I didn't know
11 them, they were--

12 Q You're not talking about your parents,
13 you're talking about the people your father was taking you
14 around to visit.

15 A Yes. And I was being taken around and
16 exhibited as the reformed person in a matter of days having
17 been through this experience. And I was tremendously ill
18 and embarrassed by my state, and also I wanted to spend
19 time with my father alone to find out what was going wrong
20 with my life, and instead I was paraded.

21 Q Now that letter also describes when you and
22 your father first met when he arrived in London. Would
23 you read that portion of it, please?

24 A November 26th. "My husband arrived in
25 London the day Julian returned here. We phoned Elizabeth.

1 She were still staying with our relations. The girls met
2 him at a tube station and daddy got a great hug and kiss
3 right then and there. As they walked along Eliza spied
4 a yummy cafe, and the three of them had that which we used
5 to call a real coffee treat."

6 Q How do you recall that meeting?

7 A Well I did meet my father at the tube
8 station and I did hug him and kiss him. It was wonderful
9 to see him again. But we didn't go to any cafe or
10 participate in any of those things.

11 Q What sort of things does she refer to that
12 you participated in?

13 A Well she goes on later and she says they
14 went to concerts, plays, dinner, and when she says they,
15 she's referring to myself and Melissa and my father, they
16 went to concerts, plays, dinners, I think he bought them
17 both more clothes. It's true, I went to a concert and
18 went to many dinners and I think I went to a play with my
19 father and he certainly bought me more clothes; I didn't
20 have anything to wear.

21 But the context which is written here is
22 that my--at home life my father was playing his role to my
23 friends as well, and that's not true.

24 Q Now moving on to the letter of January the
25 3rd, 1984, and that letter talks about returning home.

1 A Excuse me, I'm sorry, January the 3rd?
2 Q I believe so, of '84.
3 A Oh, here it is, excuse me.
4 Q On the second page of that letter she's
5 talking about Christmas of that year.
6 A Yes.
7 Q Would you read that portion to us, please.
8 A Where would you like me to start, it's
9 rather long.
10 Q First paragraph, the first full paragraph
11 in that page.
12 A "Christmas was really Christmas. Father
13 Christmas and his reindeer (the Bronze Belle, an ol' Dodge
14 van!) arrived December 24th p.m., overloaded, and he
15 brought to me my precious daughter. We did not have
16 stockings, we had each other.
17 "We did not exchange gifts, that is
18 commercialism, but I had a small bit of my art work for
19 her, another for her daddy. She had made up a small
20 portfolio of her work from the past few years and
21 presented it to me. I still haven't finished reading all
22 the works. Every time I start reading I find myself in
23 tears and simply can't see so I'm trying to go easy with
24 it.
25 "In our communications with each other, no,

1 it's not always easy." Excuse me, "no, it's not always
2 easy, nobody would expect that."

3 Q So far as gifts are concerned, how do you
4 recall that Christmas being celebrated?

5 A In the usual extremely generous and
6 flamboyant way. We were engulfed in Christmas. My
7 parents were very, very generous and we received many,
8 many gifts and that this Christmas was no exception.

9 Q And your mother mentions having a piece of
10 art work for you. Did you have any literature for her?

11 A Yes. Well when I was in Nova Scotia with my
12 father, in an attempt to try and be what they wanted me to
13 be, I wrote a poem for my mother; she always wanted me to
14 write poems about her, to her, for her, because she felt
15 if you love somebody you should write poetry about them.

16 And so when I was in Nova Scotia I made the
17 attempt to write her a piece of poetry. I made a
18 portfolio of these poems. There was one poem for my
19 mother; the rest were a collection of poems I had written
20 throughout a period of time.

21 I gave them to my mother at Christmas and
22 she says, but she was very disappointed that I had
23 only managed to write one poem about her and I had all
24 these other poems. And the original copies were--they
25 weren't destroyed, I believe that the portfolio is still

1 around, but she threw her--she had been drinking, she
2 threw her coffee or whatever it was she was drinking over
3 the originals because she felt that I had not appreciated
4 her in ways that I should have, and that's probably true,
5 in that poetry.

6 Q Does that talk about outdoor activities
7 as being therapeutic?

8 A Yes, I do. When my mother states she had
9 practical therapy for curing people with self-pity or hate
10 or rebellion, and that applied to everybody in the family.
11 We worked in the garden and we collected rocks, we mixed
12 cement, we weeded, and we cut wood for the winter or cut
13 wood for people.

14 Q Did you do a lot of that during this period
15 of time after you came back?

16 A Yes.

17 Q That spring after you came back, did you go
18 to Phillips Business College in Lynchburg?

19 A Yes, I did.

20 Q And does that same letter have any comments
21 about your going to Phillips Business College?

22 A Yes, it does.

23 Q And what does it say?

24 A On the academic side, she chose to enter
25 into secretarial school. I think that's all it says.

1 Q And what was your mother's feeling as far
2 as your going to Phillips Business College in Lynchburg?

3 A She disapproved strongly in the beginning.
4 My father thought it was a good idea that I get some
5 practical skills because I had a head full of useless
6 knowledge really and I didn't have any practical skills.

7 And when I was in Nova Scotia we discussed
8 me going to a secretarial college in Nova Scotia, which
9 is what I wanted to do, which obviously I had to spend
10 some time with my mother, it was necessary, so we
11 compromised. My mother wanted me to go Randolph Macon and
12 Sweetbrier and she went to a tremendous amount of trouble
13 to get me in there for just the semester, whatever, but I
14 went to Phillips then.

15 Q And moving on to the letter of February
16 2nd, 1984, there is one comment about that letter, she
17 mentioned in there about your going out on evenings with
18 young people.

19 A Yes, she did.

20 Q And what does she say in the letter about
21 that?

22 A "Elizabeth says that she is enjoying the
23 business course and she definitely enjoyed being with
24 the young crowd. One night they played Trivial Pursuit."

25 Q What was your parents' attitude toward

1 going out, even, with your contemporaries?

2 A When I--over this period of time I went out
3 just a couple of times. I went out it's true, I went one
4 night and played Trivia with some very close friends of my
5 parents' children, but I wasn't allowed to go out with
6 other people.

7 Q And there is one more, the letter of
8 January 20th of 1985 to Colonel Harrington. And that
9 letter talks about reimbursing him for expenses he
10 apparently incurred when you were in Berlin.

11 A Yes, in many of these letters she talks
12 about sending checks to pay for expenses incurred in
13 bringing me back to Nova Scotia and then eventually to
14 America. And the fact is that that money was actually
15 taken, it was taken from her personal account and she
16 wrote the checks. But previous to that, the money was to
17 be left to me by a friend of my father's, and money would
18 be left to me by my grandfather were taken out of the
19 trust funds and put into the personal account of my
20 mother's and she told me--I mean she said something and my
21 father said that I had lost that money because of the
22 expenses incurred on my trip and that money had gone
23 towards the expenses. But she didn't make that clear in
24 her letters, that it is as if I in fact paid.

25 Q In connection with that, did your parents

1 make any comment to you about your inheritance from them?

2 A Yes, they always said that the only
3 inheritance I would ever have would be my education, and
4 that's exactly the way they would say it.

5 MR. JONES: Your Honor, I'd like to--
6 I'm not sure how you want to proceed.

7 THE COURT: Now Mr. Jones, we're going
8 to have to give some consideration to a
9 good stopping point for lunch here.

10 MR. JONES: I was going to suggest,
11 Judge, that this might

12 THE COURT: This might be it. It's
13 now ten minutes to one. This Court will
14 recess and we'll resume in one hour in this
15 courtroom.

16 (Whereupon a luncheon recess was
taken.)

17 BY MR. JONES: (continuing)

18 Q Ms. Haysom, you have indicated that in the
19 spring of 1984 after you returned to Lynchburg that you
20 attended school at Phillips Business College. What other
21 activities were you involved in during the spring and
22 summer of '84 before you began at the University of
23 Virginia?

24 A I applied to a writing seminar at Rochester
25 University in New York.

1 Q Did you actually attend that?
2 A Yes, I did.
3 Q With whom?
4 A My mother and I drove up there in my
5 mother's van, and we lived in the van in the back while I
6 was at Rochester University for two weeks.
7 Q And you were preparing to go to the
8 University of Virginia on Echols Scholarship, is that
9 correct?
10 A Yes, sir.
11 Q What was your feeling about attending the
12 University of Virginia at this particular point in time?
13 A At that particular point in time I was very
14 happy to do so.
15 Q And how did your parents feel about you
16 going there?
17 A They wanted me to go very much.
18 Q And what had happened to your hope to have
19 gotten into Cambridge University?
20 A Well that had been spoiled by my last
21 semester at Wickham. I'd still at some later stage, but
22 I'd overcome my rather curious attitude about the
23 University of Virginia by that time.
24 Q What type of social life did you experience
25 during the spring and summer of '84 while you were in

1 Lynchburg?

2 A I spent most of my time with my mother or
3 my father. My father left Lynchburg in I believe late
4 April. I don't recall going out at all with anybody. I
5 may have associated with the children of my parents'
6 contemporaries, friends' friends, which I spent most of
7 my time with my mother doing things with my mother.

8 Q And at the time you entered the University
9 of Virginia in September of 1984, how were things going
10 between you and your parents at that point in time? How
11 would you characterize your relationship?

12 A My mother was unhappy about me leaving home
13 to go to the university. We had become very close and I
14 think she wanted--she had gotten used to having me around.
15 So when I got to the university my parents called me
16 frequently and they visited me frequently and I began to
17 feel overwhelmed, smothered perhaps, by their affection
18 for me. !

19 I had sort of anticipated that when I went
20 to the university, although I obviously needed guidance of
21 some sort from my parents, their advice, that I would have
22 some independence and that was not so.

23 Q How did you react to that? Were there any
24 outbursts of arguments or did you submit to it or what?

25 A No, I never crossed my parents. In the

1 beginning I played up to their image, I saw them, I
2 telephoned them, I received their calls and I tried to
3 understand the way they felt.

4 As things progressed, as my good intentions
5 for school, for working hard and for pulling my life
6 disintegrated and I started to abuse drugs again and
7 sometimes abusing alcohol, I started to play hooky on my
8 parents I suppose; I avoided their telephone calls, I
9 avoided seeing them because I did feel overwhelmed because
10 they controlled every aspect of my--every day of what I was
11 doing.

12 My mother would turn up all hours of the
13 day and night in my dorm room to check on me, what I was
14 doing. And I knew she was doing it out of love, and she
15 was concerned, and I don't--I suppose I took it the wrong
16 way. I was resentful of this attention.

17 Q In what sort of environment did you live at
18 the University of Virginia as an Echols Scholar?

19 A I lived in the dorm with other Echols
20 Scholars. I was in the third floor in a suite of ten
21 people, all girls. We were--the dorm itself was
22 coeducation and I had a roommate.

23 Q And you indicated that after you arrived
24 there that you got involved again with drugs and alcohol.
25 Had you been away from drugs and alcohol since your

1 episode of running away in Europe before?

2 A I had been drinking very heavy at home. My
3 parents drank, and therefore it was very easy for me to
4 drink a lot at home. And I don't recall--there were
5 occasions when I was at Phillips when I obtained drugs,
6 not--just hashish, marijuana, used them once or twice. But
7 most of the time I was only drinking until I got to UVA.

8 And once I got settled into UVA, I abused
9 drugs extensively. I would party with a group of people
10 and I would drink and I would do what they were doing and
11 then come back to my room or somewhere and then abuse it.

12 Q When you used drugs, did you make public
13 use of them or private use?

14 A It was both. But my really abusive behavior
15 with them was most of the time privately. There were a
16 couple of occasions when either Jens or one of the guys I
17 was dating knew that I was fixing, but I would pass it
18 off.

19 Q What types of drugs were you using while
20 you were at the University of Virginia that year?

21 A I was doing a lot of amphetamines, speed,
22 and I was doing some heroin. And I began popping pills
23 and there was quite a lot of hashish that had been soaked
24 in opium so that it's very powerful, and some acid.

25 Q What was Jens' attitude towards drugs in

1 general?

2 A He was very anti-drugs, extremely anti-
3 drugs.

4 Q Did he use drugs at all?

5 A I never saw him use drugs. He told me that
6 he had once or twice tried drugs when he was at high
7 school in Atlanta, but his attitude was very, very hostile
8 to drug users and drugs in general.

9 Q Did he know you were using drugs?

10 A He knew in the beginning when I first met
11 him and when we were friends that I was using drugs. I
12 later on lied to him about it because he was very--he
13 would become very angry if he knew I had been using drugs.

14 Q Were you able to keep it from him?

15 A I would hide from him, I would lie to him
16 about where I was going and what I was doing. I would say
17 I was going to class and I would go off. I would tell him
18 I was going to see some people, and I would see them
19 because he sometimes checked up on me, that I would see
20 them and I would go on and score some drugs someplace.

21 He makes reference, I believe, in one of
22 his notes to me about I don't turn up at the right time
23 when I say I'm going to turn up or else always having to
24 wait for me.

25 Q In the fall of '84, what's your first

1 recollection of Jens?

2 A I met him the very first day I was there,
3 it was for the Echols Scholars there and I was introduced
4 to him. And my very first thought of him was that he was
5 very rude, he was very hostile, he was very aggressive,
6 but he was also very brilliant.

7 And he was introduced to me as a Jefferson
8 Scholar and as a German, and I think that appealed to me.
9 The fact that he was European was very superficial, but I
10 missed Europe and I missed talking to people who knew
11 about Europe, and that was my initial attraction to him I
12 suppose, because he was European.

13 Q During that fall, did you date other people
14 at the University of Virginia?

15 A Yes, I did.

16 Q And who were they?

17 A I dated a number of people, Harry Engels,
18 John Greenburg, I for a short time knew Eddie Castianca,
19 and went out with groups of people, young men, and I
20 socially saw a lot of people, not including Jens, and
21 Christian, John Keen, David Roseland.

22 Q And by Christmas of that year, by the time
23 you left on Christmas break, where did your relationship
24 with Jens stand?

25 A By the time school broke up for Christmas,

1 Jens and I were officially in love.

2 Q What do you mean officially?

3 A He had declared to me that he was in love
4 with me, and I had reciprocated that feeling.

5 Q About how long had that happened before you
6 left for Christmas break?

7 A I'd say within the last couple of weeks in
8 the semester.

9 Q And what--where did he go over that
10 Christmas holiday?

11 A He went to Detroit, back to his parents.

12 Q And what did you do over that Christmas
13 holiday?

14 A I went home to Lynchburg; I spent a very
15 brief evening with some friends from UVA and then I went
16 to Yugoslavia for a skiing holiday.

17 Q And do you recall when you left for
18 Yugoslavia?

19 A I believe it was either the 26th or 27th of
20 December, I'm not sure of the date.

21 Q And whose idea was it that you go to
22 Yugoslavia on this trip?

23 A It was my mother's idea.

24 Q What was your feeling about the trip?

25 A I wanted to be at home with my parents. It

1 was Christmastime and I had always spent Christmas with
2 them and I did spend Christmas with them, but--I did want
3 to go skiing and I discussed with my mother and my father
4 the skiing trip to New England which would have taken
5 place after the new year. My father wasn't particularly
6 happy with the idea of me going away during that Christmas
7 period, but my mother thought that it was something that
8 I should do. And you know, I sound ungrateful, a skiing
9 trip to Yugoslavia is a great thing, except that there is
10 no skiing at that time in Yugoslavia.

11 Q Did you get to ski at all that Christmas?

12 A No.

13 Q Did you convey that to your parents?

14 A Yes, I did. I told them that I would
15 prefer to go to New England later on in the holiday, it
16 would have been much cheaper and it would have been more
17 appropriate.

18 Q Before you left on that trip,
19 Commonwealth's Exhibit No. 28 I believe it is, no, I'm
20 sorry, No. 23 I think is the right summer, is some writings
21 that you made before you left, is that right, on this
22 trip?

23 A Yes, sir.

24 Q And that writing contains various dates
25 throughout.

1 A Yes, it does.

2 Q Can you explain that?

3 A It's a letter in diary form I suppose. I

4 actually, I believe on page--one of the pages I actually

5 say, on Page Five I say in my diary to you, it was written

6 in diary form.

7 Q And when you say now my diary to you, who

8 is you?

9 A At the time of writing it, I was writing it

10 to myself.

11 Q And where was this, what's the first date

12 on that document?

13 A The 20th of December.

14 Q And what's the last date of the last entry

15 in there?

16 A I think it's the 24th of December.

17 Q And is this one of the--did the

18 Commonwealth have their witness read extensively from this

19 document on the hearing on August 24th and 25th?

20 A Yes, sir.

21 Q Where was this?

22 A This was written at Loose Chippings in

23 Lynchburg on Holcomb Rock Road.

24 Q At your home?

25 A Yes.

1 Q And why were they written?

2 A It was written because writing is the way I
3 express myself, I expose my heart on paper. My
4 resentments and anger and frustrations, love, I express
5 those all on paper.

6 Q Do you recall what your state of mind was
7 when these various entries were made as far as any--

8 A Well I usually write in the evening, and at
9 home I had certainly been drinking in the evening, so I
10 believe at some point I make reference that I've been
11 drinking. But I generally used to drink or have a drug
12 when I was writing.

13 Q You indicate the format is a diary form and
14 you have indicated it was a diary to you, but it was later
15 found in Jens' possession when he was arrested.

16 A That's correct.

17 Q And you did mail it to him?

18 A Yes, I did.

19 Q How did it happen that you mailed this
20 document to him if it was initially intended as a diary to
21 you?

22 A Well when I went home to Lynchburg I had
23 some phone calls with Jens.

24 Q You're talking about home from Christmas
25 break from school?

1 A Yes. And as he states in his letter of--I
2 believe it starts on the 27th, his long letter, he makes
3 reference to the fact that he's waiting for me to write
4 to him. And we had several conversations on the phone,
5 one was about writing to him. I wasn't phoning him
6 either, he was phoning me.

7 And what I did is that I started--it turned
8 into a diary--it turned back into a letter and I sent it
9 to him. I sent it to him because I shared everything with
10 him and I shared this with him.

11 Q What if anything were you trying to convey
12 to him by the writings in this diary?

13 A I think I was trying to tell him that I was
14 unhappy. He always described how unhappy he was at home
15 and I was describing to him that we all have strife at the
16 home at various times. I expressed this very cruelly,
17 very forcefully; I overindulged myself in my resentments
18 and hatred, anger and frustrations that I felt. I got
19 carried away on many occasions where one becomes very
20 severe and nonsensical and ridiculous.

21 Q At the bottom of Page Six I believe it is,
22 would you refer to that, please?

23 A To the bottom of Page Six?

24 Q I think so.

25 A The very last two lines?

1 Q The last part of it.

2 A "I want to be with you, around you, in you,
3 through you, tied to you forever and ever."

4 Q And is there a line in there that talks
5 about leaving or leaving something behind?

6 A Yes. I say, "We can either wait until we
7 graduate and then leave them behind or we can get rid of
8 them soon. My mother said today that if some accident
9 befell them she knew I'd become a worthless adventurer."

10 Q What were you conveying to Jens by those
11 several sentences?

12 A I wanted to leave the University of
13 Virginia with him. It wasn't the University of Virginia,
14 I wanted to leave and get away from this overwhelming
15 adoration of my parents. And what I was saying is that we
16 can either wait until we graduate and leave them behind
17 then or we can leave them behind now. I believe we can
18 get rid of them, the you refers in my mind to all sorts
19 of things and Jens, when we were in custody--

20 Q And in the early part of that letter there
21 is some reference to, I think it's that letter, about your
22 voodoo on them.

23 A Excuse me?

24 Q Do voodoo on Page One. Okay, your entry
25 under the date of December 22, '84.

1 A "My father and I cut down cedars for
2 Christmas presents. Would it be possible to hypnotize,
3 voodoo them, to will them to death. It seems my
4 concentration on their death is causing problems"

5 Q What were you attempting to convey by that?

6 A Well the first statement, my father and I
7 cut down cedars for Christmas presents, referring to my
8 mother's theory of practical work, physical exercise makes
9 you get away from your self indulgence.

10 Then when I refer to possibly hypnotizing
11 and will them to death, it's in actual fact a shot at Jens
12 rather than a shot at my parents. He had some
13 extraordinary theories and he had done a lot of reading
14 and--I don't want to call it research, but into popular
15 articles and things on psychological warfare, if you want
16 to call it that.

17 And I used to ridicule him about it, mock
18 him about it, and that's what I'm doing, I'm mocking him
19 and his theories on these things rather than referring to
20 my parents, although I should never have referred to my
21 parents that way.

22 Q Was the physical death of your parents
23 something that you were considering or it was in your mind
24 at the time that these writings were being made?

25 A Not true.

1 Q Was it ever in your mind?

2 A No.

3 Q Okay, now you recall at the hearing on
4 August 24th and 25th that following the Commonwealth's
5 referring to this writing that they refer to a writing by
6 Jens, a very lengthy document which is in that booklet.

7 A Yes.

8 Q About thirty or forty pages.

9 A Yes.

10 Q In attempting to relate certain comments in
11 that document to comments in the document we've just been
12 referring to.

13 A Yes.

14 Q When did you first become aware of the
15 documents that Jens had written?

16 A The typed document?

17 Q Typed document.

18 A He handed it to me after we got back to
19 UVA, so it was sometime in January. He mentioned in that
20 letter he doesn't know whether he was going to give it to
21 me or not or how he's going to persuade me to ask him for
22 it, and he says that in the letter.

23 So the first time I ever saw it was
24 sometime in January. I read the first few pages and we
25 agreed to the fact that it's a very tense and boring

1 document. I read it, I don't remember how many pages, I
2 read a certain number of them and gave it back to him as
3 he asked, as he asked for many other letters, and he
4 comments on those.

5 The next time I saw that document was just
6 a few days ago.

7 Q As of the hearing on August 24th, as of
8 that point in time, had you read through that entire
9 document?

10 A No, sir.

11 Q When did you first do that?

12 A When it was provided to me a few days ago,
13 a week ago, whatever it was.

14 Q And when you first saw the document, you
15 said you read the first--you started reading it but didn't
16 get very far.

17 A Yes.

18 Q Did you get to any of the comments that
19 Mr. Updike referred to?

20 A I believe all the comments that Mr. Updike
21 pulled out of the letter were from Page Seventeen onwards,
22 because it's from Page Seventeen of that letter that Jens
23 talks about receiving my letter, this document we have
24 just described, read the parts of, and I certainly didn't
25 get that far.

1 Q Would you refer to Page Seventeen in that.
2 A (Witness complies.)
3 Q Is that document written at different times
4 as well?
5 A Yes, it's written in diary form.
6 Q Diary form as well?
7 A Yes.
8 Q And the entries are dated?
9 A Yes, it's dated at the time.
10 Q Did you refer to Page Seventeen?
11 A Yes.
12 Q And what's the date of the entry of the
13 writing on Page Seventeen?
14 A January the 2nd and he says I find myself
15 momentarily out of subjects. I have been waiting for
16 your letter with an almost silly desperation.
17 Q And then does he comment on Page Nineteen
18 about your letter?
19 A Yes, it's on January the 3rd that he
20 obviously receives my letter.
21 Q Why do you--
22 A Well as Mr. Updike pointed out, he makes
23 several references to things that I mention in my letters
24 and he says in the final paragraph to your actual letter,
25 so he's referring to the letter he's received.

1 Q Now you say that is dated January the 3rd.

2 A Yes, sir.

3 Q Are there entries in that diary before the
4 date of January the 3rd?

5 A Yes, there is.

6 Q And I would refer you to Page Eight; what
7 is the date of the entries on Page Eight?

8 A I believe it's the 31st of December.

9 Q Is there a mention of your parents on that
10 page?

11 A Yes, there is.

12 Q And would you read us the reference to your
13 parents?

14 A "By the way, were I to meet your parents, I
15 have the ultimate weapon. Strange things are happening
16 within me. I am turning more and more into a Christ
17 figure, that's a small imitation anyway, I think. I be-
18 lieve I would either make them completely lose their wits."

19 Q And in your reading of that entire
20 document, is that the first mention of your parents in
21 that document?

22 A Yes, I believe so.

23 Q Now before you, you know, had left on
24 Christmas break, had you had any conversations with Jens
25 about your parents and your feelings in that regard?

1 A I had had general conversations with him
2 about my parents. He would discuss his parents at great
3 length, and at some point rather I sat down with him and
4 said to him we all have problems and I did voice some
5 resentments and anger.

6 Q Why, did you anticipate problems?

7 A Well I said that we all had problems at
8 home and expressed some of the problems that I had.

9 Q What were your parents' feelings?

10 A They didn't like any of the young men that
11 I saw. In November I brought home a young man, Eric
12 Engels, and my mother was very charming to him, she was
13 very charming, but she didn't like him because he was
14 Jewish and she didn't like him because he wasn't
15 gentile.

16 Q In talking about the document on Page Ten,
17 is there another reference to your parents?

18 A Yes, there is.

19 Q And what is that?

20 A "Love is a form of meditation and the
21 ultimate weapon against your parents. My God, how I've
22 got the dinner scene planned out. Unfortunately for you/
23 result: Dad might leave me all his loot.

24 Q And on Page Twelve.

25 A "I don't know whether I can resist this. I

1 can see myself depriving people of their property quite
2 easily. Your dad for instance. Even more easily can I
3 see myself depriving many souls of their physical bodies.

4 Q There's a comment about his sexual problems.

5 A Yes, he makes--it's a very long comment
6 about to quote his sexual dysfunctions.

7 Q What is he referring to there?

8 A His impotency.

9 Q And as you testified already, on Page
10 Seventeen he indicates he's waiting for your letter as of
11 January the 2nd and on Page Nineteen he indicates that
12 he's received it as of January the 3rd. On Page Nineteen
13 and Twenty, does he make a reference to emotional
14 blackmail?

15 A Yes, he does. He's referring to spending
16 the summer in Europe and he wants me to go with him. And
17 he says but if you don't want to go, that's I think I could
18 persuade you, real emotional blackmail.

19 Q From your perspective at this point in
20 time--well first of all, will you tell me what is meant in
21 your mind by emotional blackmail?

22 A I suppose the phrase would be if you love
23 me you'll do this and if you really love me you'll do
24 that. And he knew I needed him and that I loved him and
25 he would tell me that he loved me and that he needed me.

1 Q This is from Jens.

2 A Yes.

3 Q From your perception now.

4 A Yes, sir.

5 Q Page Twenty-Nine and Thirty-One, is there
6 any reference to violence?

7 A Yes.

8 Q What's that?

9 A He says, "Elizabeth, this is real, it's
10 happened, it's happening, it will happen again and again,
11 and we are doing it every time we cheer Charles Bronson in
12 the movies, or Bernard Goetz in real life when they blow
13 away the punks with the knives, even if it's only for a
14 second quietly inside. I've felt like this, I'm feeling
15 it now inside of me, the need to plant one foot in
16 one's face, to always crush. "Thank you Orwell, for that
17 methaphor you borrowed. And then he goes on, "This is the
18 big horror, the taste you have in your mouth when you wake
19 up in the morning. The taste of death, of your ubiquitous
20 enemy's blood that you drink every night, you drank in your
21 sleep and that you drink every night. Civilization,
22 whether in the form of mouthwash or taboos, you will try to
23 remove that taste of the taste for blood, but when we wake
24 up every morning it is there and it is real."

25 And then he goes on and he says, "There is

1 that other side that Watts speaks of, that deep-seated
2 recognition that I am not only my brother's keeper, I am my
3 brother, and every one and everything else, including and
4 maybe especially those I gun down in some form or another."

5 Q And on Page Thirty-Two, does he make any
6 comments about shifting the burden or decisions?

7 A Yes, he says he's talking about whether
8 he's going to give this letter to me, he discusses this
9 throughout the letter. And he says, "Originally I planned
10 out very sophisticated ways of shifting this decision to
11 you so that in case you said ickee poo, I could say but
12 you wanted to--until I recognized these schemes for what
13 they were. I'll carry the responsibility myself, I owe
14 that to you and also to myself."

15 Q Now why didn't you read this thing that
16 Jens wrote and gave to you after you got back from
17 Christmas break?

18 A Well I read--as I say, I read a number of
19 pages and the first few pages anyway, it was very
20 difficult reading and very boring, very dull and very
21 strange.

22 Q You said earlier you gave it back to him;
23 why did you give it back to him at the--

24 A Well he asked for it back, he wanted it
25 back from me.

1 Q At that point were you interested in
2 reading any more of it?

3 A No.

4 Q And did anything that you said or was
5 anything that you said in your writings of your own over
6 Christmas before you went on your trip to Yugoslavia
7 intending to generate a response to any of these
8 responses, any response to the letter that you read?
9 Let me say that again. Was anything that you wrote in your
10 Christmas writings intended to generate the response that
11 Jens may have made after he received the letter?

12 A No, sir. I wrote a rather sordid,
13 unpleasant letter, diary, whatever it is; I sent it, so I
14 guess it's a letter, just to share the burden of some of
15 my frustrations. And today I think a lot of those
16 frustrations were probably blown out of proportion or
17 exaggerated to some degree.

18 Q And in early 1986, 1985, January the 6th of
19 1985, you're looking at a letter dated January the 6th,
20 1985?

21 A Yes, sir.

22 Q Which I believe is Commonwealth's Exhibit
23 No. 25. I don't want to take up a lot of time reading a
24 whole lot, Your Honor, but in the first page in the middle
25 of the page that begins after your lecture, one begins as

1 Q Now back to the long letter that he wrote.
2 On Page Thirty-Three, does he respond to that letter of
3 January 6th?

4 A Yes, he does.

5 Q And how does he respond?

6 A For some reason I really disliked it.

7 Q Is that all he says?

8 A No. He says--I say in my letter that it
9 would be all right for us just to be friends, or if he
10 doesn't love me anymore I understand. And his response is,
11 "Kind of the same thing with suggesting I'd called you up to
12 tell you it was over and that you could set your love aside
13 and still be friends. The unrestrainable wild aspect, gone
14 with the suggestion of my love leaving or your love being
15 controllable. The spotlight blinding someone embarrassing
16 has disappeared and I'm just sort of sitting there, having
17 drifted back to earth, free fall just a past illusion. So
18 there's no longer the danger of crashing to the ground, but
19 now what?

20 "In a very real sense, walk over and pick up
21 the parachute--a pedestrian experience. I couldn't play the
22 somewhat reluctant love in the face of overwhelming fashion
23 anymore, bring up the fiddles. That's what it boiled down
24 to, I guess I wanted to be overwhelmed, worn out by your
25 love, covered with kisses until I could no longer refuse

1 and return them, a lifelong, well eighteen year old deficit
2 in love paid up.

3 Q When did you first see this response to
4 your letter of January the 6th?

5 A A few days ago.

6 Q And what in your words is he saying that he
7 didn't like about your letter of January 6th?

8 A Well for a change I was being rational in
9 my letter about my situation, about his situation. But it
10 appears to me now that he needed me, he didn't love me, he
11 wanted to be overwhelmed and loved beyond reason. And at
12 that particular time when I wrote that letter I was
13 suggesting that I didn't love him beyond reason and that I
14 could be friends with him rather than be his lover.

15 Q After you returned from spring break in
16 January of '85, how did your relationship with Jens
17 progress?

18 A Well as he says here on the following page,
19 he says that he's going to give it his all, he says I'm
20 going to give it my all, and he says I'm backing down to
21 your position in which I feel comfortable so to speak, I'm
22 trying to get something, your love, by which all rights I
23 shouldn't. And at the time I welcomed his affection,
24 welcomed his love, which I believed to be love. I loved
25 him, or what I thought to be love and we became close. We

1 weren't nearly as close before the murders as we were
2 after the murders.

3 I still tried to escape from him from time
4 to time, I still tried to acquire space and there were
5 arguments with my roommate about it. But we did become
6 increasingly obsessed with one another.

7 Q In February of 1985, did he make a comment
8 to you in your room I believe or in a room about your
9 parents?

10 A Yes, he did.

11 Q What did he say?

12 A He walked into the room and he said I could
13 blow their bloody heads off.

14 Q What prompted that?

15 A I'm not sure. It may have been my parents
16 were sending me out to Colorado to ski when I had planned to
17 stay at the University of Virginia and work with Jens on his
18 movie, and he didn't want me to go out to Colorado. And
19 I'm not sure if it was that, I don't really know.

20 I was in my room, I was reading. He walked
21 in, he said--and when he said it, at the moment that he
22 said it it was definitely apparent that he was serious.
23 He was angry and he meant what he was saying.

24 THE COURT: I'm not sure to whom this
25 was directed, whether the statement was

1 made to him. I'm the one who's supposed to
2 hear it and I've got to hear it. This was
3 one month before, roughly a month before
4 the murders, and I want to hear it.

5 BY MR. JONES: (continuing)

6 Q February of 1985. Where were you when that
7 statement was made?

8 A I was in my room at UVA in Watson Dorm. I
9 was working, reading some text.

10 Q Were you expecting Jens?

11 A Not that I recall, no.

12 Q Did he appear?

13 A Yes, he did. He strode into the room and
14 he blurted this comment out, I could blow their bloody
15 heads off.

16 THE COURT: Excuse me now, is he
17 talking about himself as you perceived
18 it?

19 THE WITNESS: He said to me, I could
20 blow their bloody heads off.

21 BY MR. JONES: (continuing)

22 Q Who is I?

23 A Jens.

24 Q And again I ask you what--do you know what
25 would have prompted him to have made that statement to you

1 at that particular point in time?

2 A I'm not sure what specifically prompted it.
3 I know there was some hostility and anger about my trip to
4 Colorado which was coming up because we had planned to
5 stay at UVA together and I was to help him work on his
6 movie. But I don't know specifically why he came steaming
7 into the room like that, no.

8 Q How did you respond at that time to what he
9 said?

10 A At that particular instant I took him
11 seriously. I, you know, said to him that's outrageous,
12 that's terrible, how could you think something like that,
13 and then just after that let it slide.

14 Q How long did he stay in your room on that
15 occasion? How long did you talk after the statement was
16 made?

17 A Perhaps for half an hour or so.

18 Q What was his state of mind when he left the
19 room?

20 A I don't recall, I'm sorry.

21 Q But you attempted to calm him down?

22 A Yes.

23 Q And what are your thoughts now in the
24 perspective that you have on that statement having been
25 made by him?

1 A I think--well he meant it at the time and
2 he--I didn't realize how serious he was I guess. And
3 today I feel extremely responsible that I didn't follow up
4 on what he had said, that I didn't do something. I don't
5 know quite what, professional counseling, perhaps go to
6 the police, perhaps talk to my parents.

7 But it seems it was--it's become more and
8 more apparent to me as I have gone over more and more of
9 Jens' correspondence to other people that he was not
10 thinking the same way I was thinking. I was indulging in
11 some grotesque, childish fantasies, I was feeling hate and
12 resentment and frustration, but I wasn't thinking about
13 murder. And it seems that he was.

14 Q At the time that statement was made, or
15 following that statement, did you say or do anything to
16 encourage him down that road?

17 A Not consciously, no.

18 Q Did you do anything to try to discourage
19 him?

20 A Yes. From Colorado I wrote to him
21 extensively in a very silly letter about leaving the
22 university. Again, I wanted to get away from the parents.
23 I wanted to be with him and that was my suggestion to him,
24 either for us both to leave then or both leave at a later
25 time, that I would move in with him and to hell with my

1 parents and I would work in some manner or form to stay
2 with him.

3 Q Is that letter on the Ramada Inn stationery
4 that's Commonwealth's Exhibit No. 26 admitted earlier?

5 A Yes, it is.

6 Q And again, was the essence in that letter
7 that you're trying to convey to Jens and you're referring
8 to it?

9 A Have--I'm sorry, what's the date of it?
10 It was a lie, all to persuade him to leave the university.

11 Q A lie about what?

12 A About the circumstances of my running away
13 before. I was trying to show him that I guess I was
14 street wise, so I could cope, foolish things like that, to
15 show him that it was possible to leave and cope.

16 And it's all very--Jens was very concerned
17 about money, security, and so I referred to the subject.
18 I'm trying to manipulate him in that letter to leave with
19 me.

20 Q Now I think at the bottom of Page Six,
21 there is something at the bottom of Page Six that's fairly
22 specific about leaving. On Page Seven you refer to--you
23 talk about an ultimatum; what are you talking about there?

24 A Do you want me to read it? "Here is the
25 ultimatum my parents have put down. If I go to Europe

1 with you, anybody else alone to bum around, I can kiss
2 lots of lolly goodbye. If I go to summer school or work as
3 an assistant editor to the New Yorker or Harpers
4 I'll be in the right road to wealth. If you want to be
5 rich we can't go to Europe. And if we stay behind,
6 there's still no guarantee as the past year has shown.

7 "You know my position, I don't give a fuck
8 about money. It can be obtained. I obtained large
9 quantities in Europe and only starved because I had it
10 stolen from me every time. Other times I just blew it on
11 things which made me happy. I have obtained some money to
12 get through UVA; if it is not enough, so I will
13 procure more from elsewhere.

14 "If I stay I need to find money. If I
15 leave, I have to have money. If I leave, I'll have a damn
16 good time going it. It is a nasty decision for you to
17 make.

18 Q So what was the alternative that you were
19 giving to Jens in that letter?

20 A To leave us. As he was discussing about
21 Europe in his letter to me, he wanted me to go to Europe
22 with him. I didn't want to go to Europe with him because
23 my parents had other plans for me and it would upset them.

24 So for me it was all or nothing, either we
25 left the university and tried to make a life for ourselves

1 or we stayed and towed the line.

2 Q Was there any intent in your writing of
3 that letter to encourage him to murder your parents?

4 A No, not at all. In fact, at the end of the
5 letter I said something completely the opposite of that
6 effect.

7 Q But you do feel a real sense of guilt about
8 not doing more about the comment he made.

9 A Oh, absolutely.

10 Q And that letter you said was written while
11 you were on your ski vacation in Colorado?

12 A Yes.

13 Q And is that with Howard your brother?

14 A Yes, sir.

15 Q Is that the same period of time that you
16 wrote your letter to Ms. Watson that she testified about
17 today? (TAPE ON)

18 A Yes.

19 Q Elizabeth, as of the time that you left on
20 that spring break, that ski trip in Colorado, had your
21 parents met Jens prior to that time?

22 A I think so, yes. Yes, they had. Yes, they
23 had.

24 Q Can you remember the circumstances?

25 A They came to Charlottesville and we had

1 lunch together.

2 Q And was that the only occasion they had met
3 him prior to the killing of your parents?

4 A I believe so, yes.

5 Q And did they discuss their attitude with
6 you about Jens?

7 A Yes, they discussed some feelings they had
8 about him, yes.

9 Q What were those feelings?

10 A They felt he was too young for me, they
11 thought that he was very brilliant, they thought that he
12 tried very hard to be courteous and gentlemanlike. They
13 didn't want me to spend too much time with him; they
14 always advised not to single any one particular person out
15 but to see people in groups and go out with various
16 numbers of people, and they were concerned that I might be
17 seeing too much of him, too exclusively.

18 Q Did you experience that attitude before
19 about other people that you had dated?

20 A Yes.

21 Q Now had Jens ever been to your parents'
22 home on Loose Chippings before the last weekend in March
23 of 1985?

24 A Yes, he had.

25 Q On how many occasions?

1 A Twice.

2 Q Were you parents present on either of those
3 occasions?

4 A No, they weren't.

5 Q Was there one of those occasions that you
6 spoke with Annie Massie about getting a key to the house?

7 A Yes.

8 Q Explain how that came up.

9 A We rented a car and we drove to my parents'
10 home from Charlottesville. And when I got to the house I
11 discovered that I had left my keys behind in
12 Charlottesville. So I left Jens at the house, he was
13 mowing the grass, and I went back into Lynchburg and I
14 went to the Massie's house and I asked her for a key. And
15 I lied to her about my circumstances about being in
16 Lynchburg, how I got there and what I was doing there.

17 Q Did you disclose to her that Jens was with
18 you?

19 A No.

20 Q During spring semester, before vacation
21 when you went skiing, did you have any time with your
22 parents without Jens?

23 A Before I went skiing in Colorado?

24 Q January, February and March.

25 A Yes, I spent a number of weekends with them

1 or days with them.

2 Q Did they come to visit you in
3 Charlottesville during that period of time?

4 A Yes. We were looking for housing all
5 through that time, so I was spending quite a lot of time
6 with them.

7 Q And would that have been during the period
8 of time that Chris Keeland testified that he saw your
9 mother and father looking at an apartment that his mother
10 owned?

11 A Yes, that's correct.

12 Q And after spring vacation, did you see your
13 parents again?

14 A Yes, I did.

15 Q And would that have been the weekend before
16 the murders occurred?

17 A They picked me up from Charlottesville when
18 I came back from Colorado and I think I spent twenty-four
19 hours with them before going back to UVA. And then the
20 next time I spent time with them was on my father's
21 birthday which was the 23rd of March, and I spent the
22 weekend, the 23rd and 24th at home.

23 Q At home?

24 A Yes.

25 Q Just you and your parents?

1 A Yes.

2 Q Jens was not present?

3 A No.

4 Q And you say it was your father's birthday?

5 A Yes, it was.

6 Q And did you bring him any presents for his

7 birthday?

8 A Yes, I did.

9 Q Do you recall what you brought him?

10 A I brought him a cashmere sweater and a hair

11 brush from England; it was imported from England, it was

12 tortoise shell or some sort of wood, some silk

13 handkerchiefs, some dry cleaning spray that he had been

14 trying to locate which I found in Charlottesville, and I

15 think that's it.

16 Q And did you--where did you get the money

17 to pay for those birthday presents?

18 A Just saved up money from my allowance that

19 my parents gave me.

20 Q And what sort of allowance were they giving

21 you at that time, do you remember?

22 A I received \$200 a month from them to pay

23 for my food and books and entertainment, travel, telephone

24 bills. They would give me extra money as well. For

25 instance, when I went to Colorado they gave me extra money

1 and when I went to Yugoslavia they gave me extra money.

2 Q Just describe what you all did over that
3 weekend, what type of a weekend was it with your parents?

4 A Like--well it was supposed to be a surprise
5 for my father, so I dilly dallied and said that I didn't
6 know whether I could come down or not. I caught the bus
7 down from Charlottesville to Lynchburg and my mother
8 obviously knew I was coming, so she made up some pretext
9 to my father why they were going to the bus station; of
10 course there I was. And we had a wonderful weekend
11 together. My parents did go out that evening to a
12 prearranged dinner party.

13 Q What did you do?

14 A I stayed at home. But it was a really
15 wonderful weekend. I managed to sit down and talk with my
16 parents, we discussed many issues which needed to be
17 discussed. And there was some problems in the nature of
18 the discussions, but we had progress, it was a lot of
19 progress between myself and my father about the future,
20 what--things that were going on. We came to agreement
21 about my living arrangements for the following year. We
22 can to agreement about what I was going to do over the
23 summer. We came to an agreement about my financial
24 status.

25 Q Can you be a little more specific about

1 your financial status?

2 A Well I sat down and I said to them that I
3 felt that I was--I had the golden couch in front of me and
4 I was struggling to always please them for money, that was
5 the sort of arrangement that I felt that there was, and
6 that I was of an age, I was twenty going on twenty-one,
7 where I should have a little bit of independence
8 financially so that I could learn to have some
9 responsibility of money.

10 I had been controlling my own finances
11 between the ages of ten and nineteen. It seemed that it
12 was time that I went back to that situation of having some
13 money and controlling it myself.

14 So what transpired is that my father agreed
15 with me that it was time that I had some financial
16 independence, not much, but some. And he said that he
17 was going to make arrangements to set up an independent
18 bank account for myself.

19 Q Did he say where he was going to set that
20 up?

21 A I believe we discussed the Bank of
22 Dominion.

23 Q And when did you return to Charlottesville?

24 A On the Sunday which was the 24th of March.

25 Q And when you left and returned to

1 Charlottesville at that time, did you have any reason at
2 all to expect that your parents would be dead in less than
3 a week?

4 A Not at all, not at all, quite contrary.

5 Q And the progress that you described with
6 me, does that relate back to your earlier testimony about
7 the, you know, the relationship between your parents
8 during that school year and the total control of you?

9 A Yes. We sat down and we discussed that
10 there were some problems and they recognized to some
11 degree that there were problems. And it was really
12 amazing because we talked, we talked to one another and
13 communicated about things that we hadn't communicated
14 about for a long time and needed to be discussed.

15 Q Who did you communicate with primarily,
16 your mother or your father?

17 A Well both my mother and father were
18 present. My mother is sometimes very emotional about
19 things, so it was more difficult to have a--just a normal
20 conversation with her. But my father and I certainly
21 discussed things and my mother agreed with what was being
22 said as well.

23 Q Now after you returned to school on that
24 Sunday, did you have any conversation with Jens about your
25 parents?

1 A Yes, I came back and I was jubilant, I was
2 overjoyed. And I steamed up to the dorm and I said it's
3 fantastic, everything that I have been working for,
4 everything that we've talked about is going to happen.

5 You know, I'm not sure if I discussed with
6 him the money arrangement, but I know I discussed with him
7 the living arrangement for the following year and the
8 summer vacation, which as we've already talked about
9 Jens was very concerned about what was going to happen
10 over the summer holidays.

11 Q Well what did you and your parents talk
12 about happening over that summer holiday?

13 A Well my parents had talked with the head of
14 the German department at UVA and discussed with him the
15 possibility of me going to the Gerta Institute in Salzburg
16 in Austria. And they decided that that was a good thing
17 to do.

18 My father was getting interested in the
19 idea of me doing an internship with the United Nations in
20 Vienna, and I had gone to the department at UVA which did
21 year sabbaticals at foreign universities and I had brought
22 the information home with me to discuss with them and see
23 if there was any headway I could make about going to the
24 University of Vienna.

25 Q Did you have it with you that weekend?

1 A Yes, I did. And they made arrangements, as
2 I say, to call the head of the German Department and
3 discuss which Gerta Institute I should go to to get the
4 language under way.

5 Q Going to the Gerta Institute or to Vienna
6 to work for the United Nations, would that have included
7 Jens?

8 A No, it wouldn't have. When I told Jens I
9 said oh, it's fantastic, mamma and daddy said I can go to
10 Europe for the summer and he said oh, that's great. And I
11 said, you know, I'm going to get to the Gerta Institute
12 in Salzburg, and he said well that's also great because I'm
13 going to be with you.

14 And I was trying to explain to him that he
15 could be there, I could see him on weekends, I would be
16 working; he spoke German and there would be no problem.
17 But he didn't see it that way. He saw it as--that it
18 wasn't what we were working towards, we were obviously
19 working towards different things. I was overjoyed and he
20 was very angry.

21 And it was the same with my living
22 accommodations. I wanted to live independent, alone. My
23 mother wanted me to live in graduate housing and we
24 compromised that I would live with my old roommate,
25 Christine, at 803 Rugby Road. And I was very happy about

1 that. There was a graduate student there which made her
2 happy because she thought that I wasn't getting enough
3 exposure to older people, I was mixing with too many
4 people younger than myself. And I was happy because I had
5 the--we made arrangements that I would have the whole top
6 floor to myself, it was two rooms and a bathroom. So I had
7 some privacy, which I craved.

8 Q And--

9 A But Jens was, he was extremely angry about
10 that because he wanted to live with me in the physical
11 sense.

12 Q Did you first mention this to Jens on that
13 same night when you got back or later in the week, do you
14 remember?

15 A I think I probably discussed it with him
16 immediately.

17 Q Did discussions between you and Jens
18 continue during that week about this?

19 A Yes. He would get ahold of something and
20 go on and on about it and he would try and persuade me why
21 this wasn't right and that my parents were just pretending
22 to be making concessions to me.

23 Q How intense was he about his position,
24 about his opposition to it?

25 A Well he was very angry. He felt that I was

1 letting him down, abandoning him in some way.

2 Q Towards the end of that week, did the two
3 of you make plans to go to Washington?

4 A Yes, we did.

5 Q And before those plans were made, did you
6 have other plans for the weekend?

7 A Yes, we did.

8 Q And what were those plans?

9 A I was supposed to be signing--as I said, my
10 parents and I discussed my housing arrangements. That
11 weekend I was supposed to be signing my lease at 803 Rugby
12 Road.

13 Q And who is the owner of that property?

14 A I'm not sure of the specific name, but a
15 church owns it.

16 Q A church that's next-door to the house?

17 A Yes.

18 Q And what happened to those plans to sign
19 the lease that weekend?

20 A The woman who was coordinating the church
21 side of it, she was--got in contact with my roommate,
22 Christine Kemp, who was the coordinator for the students
23 and discussed with her that they couldn't sign that
24 weekend, there was some problem, and that carried on for
25 quite a long time. There were a number of cancellations

1 after that, so it was some time before we actually did
2 sign the lease. But she didn't notify us until Friday
3 morning.

4 Q Before you were notified that the lease
5 couldn't be signed that weekend, did you have plans to go
6 to Washington?

7 A No.

8 Q Well how did it come about after you
9 became aware that you couldn't sign the lease that you
10 decided to go to Washington that weekend?

11 A I think it came up in the course of the
12 conversation that nothing was going on that weekend, there
13 was no academic pressure, you know, to be at school, and
14 Jens made some sort of comment, I can't quote him exactly,
15 but he said something along the lines that I owed him a
16 weekend.

17 Q Had you and Jens ever been to Washington
18 before during that school year?

19 A No.

20 Q Had you ever talked about going to
21 Washington before, considered going to Washington?

22 A No. We'd spent other weekends, as I said,
23 going to my parents' house. We spent one weekend, or part
24 of a weekend at Howard Johnson's in Charlottesville, but
25 never Washington. It was too expensive and too far. But

1 that's where he wanted to go. ✓

2 Q And on this weekend, how did you--it was
3 too expensive and too far to go, was there anything
4 particular about this weekend that caused you to go to
5 Washington?

6 A No.

7 Q How did you get there?

8 A We rented a car, I rented a car, excuse me.

9 Q And who paid for the rental?

10 A I did.

11 Q What were your--what did you have in mind
12 doing in going to Washington?

13 A Well there was--once we decided that we
14 were going to do something that weekend, I can't remember
15 if it was a deciding factor, but certainly part of the
16 decision was to do with the fact that I had some jewelry
17 to sell. I had tried selling it in Charlottesville
18 already and in that area and I couldn't sell it, or I
19 couldn't get a decent enough price for it.

20 So one of the things that was on the agenda
21 was that I was to go and pawn, sell some of my jewelry for
22 money because I was very short of money.

23 Q Were did you stay in Washington?

24 A The Washington Marriott Hotel.

25 Q And who made the arrangements to stay

1 there?

2 A I did.

3 Q Did you make a reservation to stay there

4 before you went up there?

5 A Yes, I did.

6 Q And did you arrive there Friday, sometime

7 on Friday?

8 A Yes, we did.

9 Q You were alone.

10 A No, I was with Jens.

11 Q Well I mean the two of you were alone.

12 A Yes.

13 Q What if anything came up Friday or Friday

14 evening as far as your parents are concerned?

15 A On Friday evening I don't remember if my

16 parents were discussed at all. We were--

17 Q What did you do that Friday evening?

18 A Well Jens had this impotency problem, and

19 one of the factors of trying to spend some time together

20 weekends was perhaps being away from UVA, or rather the

21 lack of privacy afforded at UVA, maybe in Washington

22 something would happen. So on Friday evening it was some

23 fast play out of him trying to get it together.

24 Q Was there any mention about your parents

25 the next day?

1 A No. Oh, the next day.

2 Q The next day, Saturday.

3 A Excuse me. The next day I went to

4 Georgetown and I sold my jewelry and I met Jens for lunch.

5 Q How much did you get for your jewelry

6 approximately?

7 A Several hundred dollars I believe. I'm not

8 sure exactly. And I met him for lunch and I gave him half

9 the money.

10 Q Why did you give him half the money?

11 A I gave half of everything I had to Jens.

12 Q Half of your monthly allowance from your

13 parents?

14 A Sometimes, yes.

15 Q What else did you give to him?

16 A Everything I had was his.

17 Q So you met him for lunch.

18 A Yes.

19 Q And what transpired at lunch?

20 A He was angry about me having to sell my

21 jewelry for money; he blamed this on my parents, that they

22 weren't providing me with sufficient funds and they were

23 supposed to be so incredibly wealthy, which was not true,

24 that I had to sell my jewelry. He became very angry over

25 that, and that conversation went into the other resentments

1 and angers about my relationship with my parents.

2 Q You're talking about relating back to the
3 prior weekend and the anger he expressed through that?

4 A Yeah, that I was falling for one of their
5 lines is the sort of way he saw it.

6 Q Did you have any particular plans for the
7 money that you would obtain from the sale of the jewelry?

8 A Well my plans were to buy drugs.

9 Q And how were you going to do that if Jens
10 was around? You testified earlier that you kept it away
11 from him.

12 A Well it was quite easy to do, just excuse
13 myself from the restaurant and--when you're a junkie the
14 dealers can smell you a mile off and you just make contact
15 with somebody very--it just takes five minutes. It's easy
16 to buy the drugs and then it's just a question of being in
17 the bathroom and pretending to have a shower or something
18 and using them.

19 Q Going back to the lunch for a moment, how
20 did the lunch with Jens terminate?

21 A He was very angry and he wanted to go down
22 to Loose Chippings, to my parents' home, and to sort it out
23 with them.

24 Q Are you quoting him when you say that or is
25 that just your best recollection?

1 A I think that's just my recollection. I
2 can't be sure of what he said. He wanted to see for
3 himself what the situation was down there. He wanted to
4 discuss me with my parents.

5 I was very much against the idea because--
6 well I thought he was meddling and I was scared my parents
7 were going to find out about me being in Washington
8 unchaperoned with him; they were very strict about that.
9 They would have been extremely appalled and upset if they
10 knew I was in Washington alone with Jens sharing a hotel
11 room.

12 They would have been extremely upset as
13 well if they knew about me renting the cars.

14 Q Why is that?

15 A Well they knew I had a driver's license
16 because I got my driver's license with my mother, but they
17 didn't care for me driving. And so I was worried he was
18 going to rock the boat.

19 Q How did it come about that he went to
20 Lynchburg?

21 A Well I wasn't--I'm not very good at arguing
22 with people when they shout at me or when--I was--I
23 realized when he was talking about going down to
24 Lynchburg that this was a golden opportunity to score. And
25 once I thought about my drugs, I just--my--I just became so

1 self-centered, selfish, just totally involved in my own
2 desire to get my fix or to get him away from me and I could
3 go and score.

4 And so I didn't really care. I was
5 concerned with what might follow, but I didn't care about
6 the long-term, I just wanted to go and get him out of the
7 way.

8 Q Now did he make any comment before he left
9 about your parents?

10 A Yes, he did, sir.

11 Q What did he say?

12 A He said I could kill them.

13 Q Did that register with you at the time, or
14 how did it register with you at the time?

15 A At the time, as I say, I was so involved in
16 my own selfish, tiny, stupid, irresponsible world of drugs
17 and self-satisfaction that I was just like yes, dear, and
18 went on with my business.

19 Q At that time--

20 A And at the time, certainly in view of what
21 happened and subsequent events, I feel I should have known
22 or I did know and didn't care and that I could have done
23 something to prevent it. And it's very hard to distinguish
24 between did I know he meant it at the time or was it just a
25 statement in anger.

1 I feel that I should have done something
2 and because of my failure on so many occasions to do the
3 right things, I'm indeed responsible for what happened.

4 Q And is it your failure to do something at
5 that time, is that one of the reasons that you have entered
6 the plea that you did?

7 A That's part of it, yes, sir.

8 Q As well as the statement that he made back
9 in February of that year?

10 A Excuse me?

11 Q As well as the statement that he made
12 earlier, in February.

13 A Yes, those two statements are part of it.
14 And obviously I feel responsible because of the vehemence
15 with which I wrote in my letters and I was--it was
16 irresponsible to write them, it was irresponsible to show
17 them, they were unfair in what I said, they were--the fact
18 that I hated my parents--well hated my my mother so much at
19 times, I feel responsible for that hate and cluing Jens
20 into it and then allowing him in a sense, as I feel now, to
21 have killed my parents.

22 Q Did you go to Lynchburg?

23 A Did I go to Lynchburg? No.

24 Q What did you do after he left?

25 A We discussed what I was going to do that

1 afternoon. And there were several points as how was I
2 going to spend my time and one of the things was that I go
3 to some movies so I wouldn't be walking the streets. We
4 discussed that I would rent a car so I would have means of
5 getting around.

6 Q Did you rent another?

7 A No. So what eventually happened is that he
8 took me to a movie up in, I'm not sure where it is, north
9 of Georgetown I believe, and he dropped me off at the
10 movie. And as soon as he was gone--he watched me go in and
11 buy the tickets. As soon as he was gone I was out and I
12 went to a bar next-door.

13 And there were some sports on the TV and I
14 bought some drinks and I scored some, a couple grams of
15 heroin and I went into the back and it was no good, it did
16 very little. And then I tried to get some more money with
17 my MOST card, MOST machine, automatic teller things, but
18 there was some--my branch didn't have affiliation with the
19 branch or something so I couldn't get any money out.

20 So at sometime that afternoon I scored some
21 more heroin because my appetite had been whetted I guess,
22 so I went and I got some more and I got some acid.
23 And then I came back to the hotel and while I was at the
24 hotel I ordered room service.

25 Q What did you buy in room service at the

1 hotel?

2 A I know I bought a bottle of Johnnie Walker

3 scotch. I may have bought some food. I was tripping so--

4 Q You were what?

5 A Tripping.

6 Q Because of the drugs?

7 A Well I had dropped the acid, yes, the LSD.

8 And I have this vision of food. I don't know, I can't tell

9 you whether I bought food or how much food but I know I

10 bought a bottle of Johnnie Walker.

11 Q Did you drink any of that bottle?

12 A Yes.

13 Q Do you remember how much was left the next

14 day?

15 A I did serious damage to it.

16 Q Now there's been evidence presented

17 previously about an alibi, movie tickets, credit card, room

18 service.

19 A Yes, sir.

20 Q Was there some discussion between you and

21 Jens about that, about the movie tickets and an alibi?

22 A After the fact, yes, sir.

23 Q When after the fact?

24 A When he came back. Not directly after he

25 came back, but on the Sunday. He assumed that I had been

1 to the cinema, so I let him carry on assuming that I had
2 been to the cinema and I told him that--well I had to tell
3 him because it was actually his father's credit card that I
4 had bought room service with his card and I forged his
5 signature because I didn't have enough money to pay for
6 the room service with cash.

7 And from those two things, then we went on
8 to create an alibi. And first of all I used the alibi to
9 protect myself and Jens in the interviews with Investigator
10 Reid and Investigator Kirkland and later Investigator--
11 excuse me, Investigator Gardner and Investigator Kirkland
12 and later Investigator Reid, as where I was, where he was
13 and that we weren't in Lynchburg.

14 Q Who initially came up with the idea of the
15 alibi?

16 A For the movie tickets?

17 Q Uh-huh.

18 A I don't think it was either--it could have
19 been me, it could have been him, I don't know.

20 Q When was this conversation, the first
21 conversation that you had about using the movie tickets and
22 the credit card as an alibi occur? You said the next day,
23 what--on the next day, what were you doing?

24 A Well on Sunday we had to bring the rent a
25 car back to Charlottesville and it's a three-hour drive

1 from Washington to Charlottesville. And during that time
2 we discussed various aspects of how to cope with the
3 situation.

4 Q Now when Jens returned to Washington that
5 Saturday night, how did he appear, what did he say to you?

6 A I was at the Rocky Horror Picture Show and
7 he was supposed to meet me there. And when I came out of
8 the show and I waited on the side of the road. And I don't
9 know how long I waited for him because like I said, I was
10 tripping, and it's hard to tell if it was ten minutes or an
11 hour; but after the show sometime which means it must have
12 been after midnight.

13 He drove up and he was--he wasn't on my
14 side of the road, he was on the opposite side of the road.
15 And I crossed through the traffic and I opened the car
16 door, and when I opened the car door the light inside the
17 car came on and he was wearing some kind of white sheet
18 and he was covered in blood from head to toe.

19 Q Did he tell you what had happened?

20 A Not immediately. In my head things were
21 going, this is a bad trip, he's trying to freak me out.
22 And then I said to him, my God, what's happened or what in
23 the world's going on or something along those lines. And
24 I think I asked him if he was all right and he told me to
25 shut up and shut the car door because the door was still

1 open, the light was still on, there were a lot of people
2 walking around.

3 So I got into the car and we drove back to
4 the Marriott Hotel and he at some--I can't be sure of when
5 and what was said, but he discussed the fact that he had
6 killed--the way he put it, he killed somebody else and then
7 he said it was a dog, he had run over a dog. And he said
8 that he had killed my parents. And he discussed--well he
9 made a few comments about what had taken place during that.

10 Q Were you still under the influence of drugs
11 at this time?

12 A Yes, sir.

13 Q How about, had they worn off the next day
14 when you were driving back and talking about the alibi?

15 A Yes.

16 Q Did you consider, ever consider shortly
17 after this occurred going to the authorities? Or why
18 didn't you go to the authorities?

19 A To be truthful, my first feelings were to
20 save Jens, save myself from the situation. I didn't think
21 about going to the authorities for a while. I was stunned
22 by the situation, it was so huge, so overwhelming, so
23 definite, so final, so extraordinary. I mean Jens is a
24 wimp, you can't imagine him doing something like that, it's
25 extraordinary.

1 Q Is the fact that you continued for a period
2 of time, quite some period of time, after that to stay with
3 Jens, to protect him, cover for him, is that part of the
4 burden you're carrying today?

5 A Very definitely, it's a very, very major
6 part of it that I did not instantly go inform somebody; if
7 not the police at least one of the family. It was
8 pathetic, my need of this person, my just total obsession
9 and need for him. It was like a physical addiction, it
10 overruled everything, it overruled all values, all
11 concerns.

12 I would have done anything for him and I
13 did do everything for him. I betrayed everything, I
14 betrayed my family, I betrayed my friends, I betrayed my
15 parents. And I sold my soul for him really because of this
16 extraordinary need for him. And it sounds very peculiar,
17 but after he killed my parents I needed him more.

18 Q Can you explain that a little bit more?

19 A My parents, for all the atrocious things I
20 have said about them in my letters and all the resentments
21 and frustrations that I had, they were my whole life, they
22 were the center of my life. I made that comment about my
23 mother said if anything ever happened to them that I would
24 become a worthless adventurer; I recognized that. They
25 were everything to me, I needed them desperately.

1 And after they were gone, I only had Jens,
2 or I thought I only had Jens. I didn't feel then that I
3 could turn, I had no one to turn to other than Jens.

4 Q After the murders occurred, did Jens
5 demonstrate to you more of a violent tendency than you
6 realized existed before the murders?

7 A The nature of our relationship changed a
8 great deal and a number of things happened. One of the
9 first things that happened is that he--one of the obvious
10 things that happened was he was no longer impotent. He
11 also became obsessive and very jealous of me and suspicious
12 of me to some extent.

13 There was a problem because when my family
14 came for the funeral, it was vital, it was absolutely vital
15 for me to spend time with my family. It was the first
16 time--when they came to the funeral, it was the first time
17 I realized the full scope of what had happened, the
18 implication for all their lives, not just my life, their
19 lives as well, their children, the grandchildren that my
20 father never saw. And I needed to spend some time with
21 them.

22 And Jens, he was very nervous and
23 suspicious of me spending time with them. And he made
24 verbal threats about different things that he would do if I
25 didn't spend more time with him, and it became a source of

1 contention between myself and my brothers and my sisters.

2 Q This was during the few days that the
3 family was in Lynchburg for the funeral?

4 A Yes, sir.

5 Q Let's go back just a little bit on that.
6 First of all, you told the police in your statements about
7 a knife.

8 A Yes, sir.

9 Q About going to Maryland to buy a knife.

10 A Yes, sir.

11 Q With Jens.

12 A Yes, sir.

13 Q You later told Investigator Gardner when
14 you got to Bedford that that was not true, that you had
15 nothing to do with the knife.

16 A Yes, sir.

17 Q When did it first come up between you and
18 Jens about the knife and about going to Maryland; was that
19 a fabrication or was that the truth?

20 A Well he--originally he told me that he
21 killed my parents with a steak knife and that was the
22 accepted story, I guess, for a period of time. And then it
23 wasn't until Investigator Reid and Investigator Gardner in,
24 I believe it was September of '85, that they were obviously
25 very suspicious of myself and Jens.

1 And Jens began to feel that I needed to
2 play my part, or share in what had happened. And it was at
3 that time that we discussed that--about the knife. And
4 then it came up again in England of course. But at that
5 time, that was the first time that he ever told me about
6 the butterfly knife.

7 Q Now after--you returned to school on that
8 Sunday.

9 A Yes, sir.

10 Q That night there is some testimony that you
11 called home, there is some indication that you called home.

12 A Yes, sir.

13 Q Did you?

14 A I called home on Sunday night, yes, sir.

15 Q Why did you call home?

16 A It's sort of sick. But Jens, he said to me
17 it was important that people saw that I called home because
18 people knew that I was calling home on Sunday evening and
19 if I didn't call home that they would think it odd or at a
20 later stage I could say as part of my fabricated story to
21 the police that I had called home, you know, that people
22 were around, you know.

23 Q Was it a custom for you to call home on
24 Sunday evening?

25 A Not always, but my parents and I had made

1 an arrangement to call home; I had made an arrangement with
2 them to speak to them on Sunday evening.

3 Q And a couple days after that, did you call
4 Annie Massie?

5 A Yes, I did.

6 Q And why did you call her? What was your
7 purpose in calling her?

8 A It's really unforgivable, but I called her
9 because again Jens, he was--he wanted it all to come to a
10 head, he wanted my parents to be discovered. He couldn't
11 stand waiting, the waiting for something to come up. You
12 know, Sunday passed and Monday passed and he wanted
13 something to happen. And the only person I could think of
14 who would be appropriate to call was Mrs. Annie Massie,
15 which was a dreadful disservice to her.

16 Q And did Mr. Massie and his wife later
17 appear in Charlottesville?

18 A Yes.

19 Q Sometime after that phone call was made?

20 A Yes. I spoke to her a number of times on
21 the telephone and she came to see me on a Wednesday
22 evening.

23 Q And she informed you of what had happened
24 at that time; of course you already knew.

25 A Yes.

1 Q And did you go back to Lynchburg with her
2 and her husband?

3 A Yes, I did.

4 Q And where were you, you know, when she
5 talked to you and told you what happened?

6 A I was in my room at UVA, in the dorm.

7 Q And how did you respond to her?

8 A I don't remember. But I'm sure I tried to
9 put on a display of shock and things that I was supposed
10 to display.

11 Q Now did Jens go back to Lynchburg with you?

12 A Yes, he did.

13 Q And the Massies?

14 A Yes, he did.

15 Q And did Christine Kemp go back with you as
16 well?

17 A Yes, she did.

18 Q And she was your room mate?

19 A Yes, she was.

20 Q Why did Jens accompany you back to
21 Lynchburg?

22 A He didn't trust me out of his sight. In
23 the public--the public portrayal was that he was my loving
24 boyfriend who was with me in my hour of need. He didn't
25 trust me out of his sight.

1 Q And were there threats made to you by him
2 during that period of time that he was in Lynchburg with
3 you?

4 A The threats were made around about the
5 time, I think it was after the funeral or just before the
6 funeral. As I said, I had these confrontations with him
7 about spending time with my family and he threatened to
8 turn himself in and make sure that I went down with him. He
9 threatened to kill himself and leave a message to convict
10 me. He threatened leaving me, which was the terrible thing.
11 He threatened lots of different things.

12 Q You testified earlier, alluded earlier, to
13 the problems that that created between you and your family
14 during those days.

15 A Yes.

16 Q And what are your feelings about your
17 behavior during that period of time regarding--insofar as
18 your family is concerned, your brothers and sisters?

19 A Well I was just disgusting. I not only
20 lied to the police about what was going on when I had ample
21 opportunity and Investigator Gardner and Investigator
22 Kirkland were extremely easy to talk to, and I not only lied
23 to them when I should have told them the truth, I betrayed
24 my family, I--it wasn't only just the betrayal, it was the
25 whole acting out of this innocence.

1 And they had such faith in me and they were
2 so concerned about the things that were happening to me and
3 that I was alone, and they were very supportive and they
4 were very caring. And really, I can see from their point
5 of view I was laughing in their faces. But I wasn't, but I
6 was betraying everything. It was completely unacceptable.

7 Q I want to go back for a minute on a
8 question I overlooked on the credit card. And it came out
9 in your statements about two people, you know, getting a
10 meal that night at the motel. How did the two people come
11 up, do you remember, in your--in particular in your
12 statement of June the 8th to Sergeant Beaver, June the 8th,
13 1986.

14 A If I recall the statement correctly, I was
15 talking to Sergeant Beaver, who is now Inspector Beaver,
16 about the alibi and I informed him about buying the room
17 service with the credit card.

18 Q Was that on Page Four of that statement,
19 about one-third of the way down from the top?

20 A Yes it is, sir.

21 Q And the term room service is mentioned
22 there, is that right?

23 A Yes, it is.

24 Q Anything about two people being involved?

25 A No, sir.

1 Q If you'd move on to Page Nineteen of the
2 same statement.

3 A Yes, sir.

4 Q How did it come up about two people and a
5 meal?

6 A Sergeant Beaver asks me, well states,
7 hesitates that I bought meals.

8 Q Did you say that to him or is he saying
9 that to you?

10 A Sergeant Beaver says to me, "You waste
11 money buying two meals on his VISA card, did you sign for
12 those, that card?" And then I answered him, "Yes, I've
13 already said that." And then Sergeant Beaver says, "You
14 forged his signature."

15 Q You're agreeing with Sergeant Beaver?

16 A I'm answering his question. He said to me,
17 "Did you sign for those, that card?" And I said, "Yes,
18 I've already said that." And Sergeant Beaver says, "You
19 forged his signature."

20 Q Was there anything mentioned there about
21 two people?

22 A No, sir.

23 Q And on Page Seven of your May 8th statement
24 to Detective Gardner, on the bottom of that page--

25 A Sir, what page?

1 Q Page Seven?

2 A Yes.

3 Q At the bottom of that page?

4 A Yes, sir.

5 Q There was a question and answer about that,

6 would you read that.

7 A Investigator Gardner: "Okay, and what time

8 of day was it when you think you got back to the Marriott?"

9 Elizabeth Haysom: "I don't know, I really

10 can't remember, but it was dark so it must have been about

11 6:00 p.m. or 7:00 p.m., and I went in and had a shower and

12 then I ordered a---two meals."

13 Q Now does the statement have two hyphens

14 between the word "a" and the word "two"?

15 A Yes.

16 Q And do you remember a pause by you at that

17 time when you were making that statement?

18 A I know I corrected myself.

19 Q Why did you correct yourself? It appears

20 that you started to say a meal and you changed it to two

21 meals.

22 A Well I do say a meal and then I change it

23 to two meals.

24 Q Why did you change it to two meals?

25 A Well as I said to Investigator Gardner, I

1 was trying to create an alibi in that respect.

2 Q Okay now while you were--did you stay on in
3 Lynchburg after the funeral, after your brothers and
4 sisters left?

5 A For a short time, and then I went back to
6 the University of Virginia. My birthday is the 15th of
7 April and I know I was in Charlottesville for that.

8 Q And were you involved at all in cleaning up
9 the house afterwards?

10 A Yes, I was.

11 Q How did that come about?

12 A I was asked to help.

13 Q By whom?

14 A Howard and Verian. When--before my
15 brothers left we--they told me they were coming back. The
16 house was sealed for a time and they came back when it was
17 unsealed because we had to deal with all the possessions
18 and everything.

19 And the first time I went to the house I
20 was asked to do so by Investigator Reid and my brother
21 Howard in cooperation with. And then after that it was--I
22 went out there with my brother Verian and I went out with
23 other people and with my brother Howard.

24 And I went out there with the professional
25 cleaners, I was asked to go out, I was asked to help, and I

1 was at a later stage asked to organize the furniture
2 removal and--so that--all the furniture was in one room
3 upstairs and one of my brothers helped me with that.

4 Q When you initially talked to Mr. Gardner,
5 did you tell him about--or did you at some point in time
6 point out to him the discrepancy in the mileage on the
7 rental car?

8 A Yes, it was.

9 Q This is in April of 1985.

10 A Yes, I believe I made my first statement to
11 Investigator Gardner on the 8th of April.

12 Q Did you also provide him with Jens
13 Soerings' name?

14 A Yes, I did.

15 Q And did you tell him that you had been in
16 Washington that weekend?

17 A Yes, I did.

18 Q And what was--did you let Jens know that
19 you had told Investigator Gardner this information?

20 A Yes, I did.

21 Q And what was his reaction to that?

22 A Well he was extremely upset because he
23 thought it was quite funny. I told him about--I told him
24 the details of the interview that I had with Investigator
25 Gardner and Investigator Kirkland and I told him, you know,

1 I was quite cross because Investigator Gardner had I
2 thought dwelled on the subject of me supposedly being gay
3 or whatever. And I told him, you know, they were discussing
4 why I never wanted to get married or something.

5 And I informed him, I told him that I had a
6 boyfriend whom I loved very much, what his name was, where
7 he was from, facts about him. And Jens was immediately
8 furious about that because they had no idea that I had a
9 boyfriend.

10 Q You wrote a letter to Jens on April the
11 18th, dated April the 18th of 1985. First of all, there is
12 apparently a footnote at the top of the page which is a
13 little difficult to read, but what did that footnote
14 convey? Was that footnote made by Jens in your letter to
15 him?

16 A Yes, it's a note made by Jens at the top of
17 my letter.

18 Q What's the message in that footnote? You
19 don't have to read it, just tell us what the message is
20 that he's conveying.

21 A He says that he's destroyed his rather
22 nasty letter in reply to this letter.

23 Q Did he have a habit of destroying things
24 that were--you know, might be adverse to him?

25 A He certainly--whenever he wrote me a

1 letter, he always requested that he got it back again. He
2 asked for his letters back and he did destroy a number of
3 them.

4 Q And what were you trying to convey to Jens
5 in taking a look at that letter of April 18th? What were
6 you trying to convey to him in that letter?

7 A Well as I said earlier, he had been
8 threatening, making threatening statements about what he
9 was going to do about his and my position if I didn't spend
10 more time with him and I'm responding to that and I'm
11 trying to make him even more rational about it.

12 I'm trying to make him understand that it's
13 no good if he feels that I'm only with him because I have
14 to be with him; it would be much better for him to realize
15 that I'm with him because I love him and not because I'm
16 terrified.

17 Q Did you complete your spring semester at
18 Virginia that spring?

19 A Yes I did, sir.

20 Q And did you do some traveling that summer?

21 A Yes I did, sir.

22 Q And you and Jens took a trip to Europe.

23 A Yes, we did.

24 Q And then you went to summer school.

25

1 A Yes, we did.

2 Q And then you returned to Charlottesville in
3 the fall for the next semester.

4 A Yes, we did.

5 Q And you ended up leaving Charlottesville in
6 October of 1985.

7 A Yes, sir.

8 Q During that time frame, what was Jen's
9 attitude towards what had happened?

10 A His attitude towards what had happened
11 varied tremendously from--depending on the circumstances
12 of the investigation really. His relationship with me
13 changed dramatically and that process continued after we
14 left.

15 Q What do you mean the relationship with you
16 changed dramatically?

17 A Well he--he made it very clear that there
18 was no point in me thinking about trying to tell somebody
19 about what had happened. Although I have to admit that at
20 that time I was not thinking about it. I loved him, I
21 needed him and I just wanted to blank out what he had done.

22 But he was very obsessed with the notion
23 that I might speak to somebody. And he would say that if
24 he went down I would go with him.

25 There were other times when he thought it

1 was the best thing he'd ever done, he was proud of it, he
2 was--he thought it was--he was some sort of hero. I
3 believe he describes himself in one of his letters as a
4 hero, accomplishing this thing. And in those moments he
5 would say--he would view that he had done the entire thing
6 by himself, plotted it, carried it out, outwitted the
7 police. He thought he was incredibly smart for having
8 outwitted Investigator Gardner.

9 Q Why did you and Jens leave in October of
10 '85?

11 A Because Investigator Gardner and
12 Investigator Reid had requested blood samples from Jens.

13 Q He was getting scared.

14 A Yes. And as I say, his attitude towards
15 what happened changed as outside--as the investigation was
16 progressing. And when he discovered that Investigator
17 Gardner wasn't as stupid as he thought he was and that he
18 couldn't just talk his way out of a situation as serious
19 as this--

20 Q What were your feelings about leaving
21 Charlottesville with him at that time?

22 A I was very, very confused about what to do.
23 I was on a number of prescription drugs, I was drinking
24 heavily, I was doing a lot of legal drugs. I wanted to
25 stay. I wanted to stay for various reasons. I wanted to

1 stay because my life at UVA was wonderful. I wanted to
2 stay because I wanted to get away from Jens. I wanted to
3 stay--

4 Q Why did you want to get away from Jens?

5 A It was like--as I say, like being addicted
6 to a drug. You hate yourself for using it, but when it's
7 there you can't say no. And I wanted to turn him in but I
8 didn't want to betray him. I didn't understand, I
9 couldn't--I didn't understand where the loyalty to him and
10 my love for him stopped and what I was supposed to do as a
11 normal, decent human being whose parents had just been
12 butchered.

13 I couldn't--I just tried to block the whole
14 thing out of my head. And it became so hard to do that
15 increasingly, with Jens' extraordinary behavior, and I
16 tried to discuss it with people, I desperately wanted to
17 talk to somebody about it, and every time I got to that
18 point of discussion, I couldn't.

19 Q Were there any threats involved as far as
20 Jens was concerned, or emotional blackmail that you referred
21 to earlier type of activity on his part that was an
22 influence in your going?

23 A There was some influence of that nature. I
24 don't want to exaggerate its importance. He did--after he
25 left--I arranged this elaborate plot to get him to leave

1 first so I could sit and think about things.

2 He did phone from I believe it was Newark
3 in New Jersey and he told me that he had my letters, these
4 letters which you have before you, which Mr. Updike has,
5 and that he would send them to the police and they would
6 arrest me for them, or whatever. I mean I didn't know
7 anything about the law. All he said is that they had some
8 bad things in them and that he had them and he was going to
9 try and use them in some way.

10 As I say, he did do that but I don't want
11 to exaggerate the importance of it. I left of my own free
12 will, I chose to leave and I did have a choice. And you
13 know, when it came down to it I made the wrong one.

14 Q What did you understand had happened to
15 those letters?

16 A He had told me he had destroyed them all.
17 He told me had had destroyed all the letters concerning
18 everything, his letters. He wrote--as you can see, he
19 writes a lot and--as the way I do--and he destroyed his
20 own letters. He destroyed them except for a couple
21 which were of a completely different nature, letters where
22 I was outraged with him for what he's done, things like
23 that, he destroyed those.

24 Q And then later on April 30 of '86 when you
25 were arrested, he still had those letters in his

1 possession.

2 A Yes, he did.

3 Q And what had you understood had happened to

4 them?

5 A He told me he had destroyed them again.

6 Q After you left in October?

7 A Yes.

8 Q And when Jens left you went to Europe

9 in October of '85.

10 A Yes.

11 Q Traveled around Europe until you ended up

12 back in London.

13 A Yes. We went to Southeast Asia as well.

14 Q And there was a--admitted into evidence

15 what's referred to as a diary, it was written some by you

16 and some by him during that period.

17 A That's correct.

18 Q Is that diary completely accurate?

19 A No. The beginning of the diary is

20 extremely inaccurate.

21 Q Extremely what?

22 A Inaccurate.

23 Q Pertaining to your leaving.

24 A Yes.

25 Q In what--I think you have it here with you.

1 In what respect is it inaccurate?

2 A Yes, I have it here. Well this diary was
3 written, I'm not sure how long after, but it was at least
4 several weeks and maybe longer after these events took
5 place. There are several references by Jens to writing up
6 the diary.

7 And of course Jens and I sitting there and
8 writing it up together so to speak and some of his
9 information that he had was wrong because it was lies to
10 him that I made.

11 THE COURT: That's very confusing to
12 me. Is this your diary Ms. Haysom?

13 THE WITNESS: It's a joint diary.

14 THE COURT: A joint diary?

15 THE WITNESS: Yes, sir.

16 THE COURT: And you're saying that
17 what was put in the diary was incorrect.

18 THE WITNESS: Well if I read you an
19 excerpt maybe you'll understand.

20 THE COURT: Well I don't understand.
21 Go ahead.

22 BY MR. JONES: (continuing)

23 Q Give the Judge an example of what you're
24 talking about. You're saying it's inaccurate.

25 A Okay, let's see, on October the 7th,

1 Monday. Elizabeth discovered she has a brain tumor. Jens
2 gets call and sends in travel passport. Well on October
3 the 7th I did not have a brain tumor.

4 Q Why did something about the brain tumor
5 come up, why do you even mention it?

6 A Because on October the 5th or October the
7 6th, I can't be sure, Jens came down to Bedford and talked
8 to Officers Reid and Gardner, and he had an interview tin
9 them and they wanted his physical forensic evidence, his
10 fingerprints and his blood and everything.

11 And when he came back from Bedford, he felt
12 threatened by Investigator Gardner, he felt that he knew
13 in some sort of way what he had done. And he plotted,
14 devised a plot to kill Investigator Gardner at his home
15 and I was to provide his alibi in Charlottesville.

16 And so there wasn't any point in reasoning
17 with Jens about killing people, it was bad, you shouldn't
18 kill people. He had killed people and I wasn't in a
19 position to moralize to him.

20 So I devised a brain tumor. I went to the
21 hospital--excuse me, I went to student health on October
22 the 7th, I went to see a doctor, I spent some time there.
23 I came back, told Jens I had been diagnosed as having a
24 brain tumor. And I believe on the following day it says I
25 have it out and that's why I provided an alibi.

1 Q So that was your means that you used to
2 avoid getting involved in that.

3 A Yes.

4 Q Did you later tell Ricky Gardner about, you
5 know, the truth?

6 A Yes, I did.

7 Q And there's a reference in the diary to
8 Rover.

9 A Yes, there is.

10 Q Is that inaccurate as well?

11 A Yes, it is.

12 Q Is there any truth at all to what diary
13 says about Rover?

14 A None at all. It's just rubbish. And I
15 think to clarify for you, is that Jens and I were sitting
16 together when it was being written out, so some of it's my
17 handwriting and some of it's his handwriting. And he
18 obviously thought I'd had a brain tumor and had it out,
19 because that's what I had told him in those days preceding
20 our departure, so that's what was put in the diary.

21 THE COURT: Well who was Rover?

22 THE WITNESS: Rover was a figment of
23 my imagination.

24 **BY MR. JONES:** (continuing)

25 Q Why did it even come up in the first place?

1 A It originally came up because of when I had
2 been in Berlin, as I say, I had an accident and it was
3 theory that I had been hit over the head and my money had
4 been stolen. The theory was that it was these Irish guys,
5 no name. And they expressed that they had something to do
6 with the IRA.

7 It was a funny story that I told Jens. It
8 wasn't something originally that was taken seriously, it
9 was just a, you know, a funny incident in my past.

10 Because of his attraction to violence and
11 his interest in things like Soldier of Fortune Magazine
12 and his interest in hire for kill, whatever, it was an
13 appropriate way to manipulate him to leave the country
14 ahead of me. So I told him that I could get in contact
15 with this fictional person, Rover, who was a member of the
16 IRA and that I could get passports, money, whatever, and
17 that I would go to England and I would do that. Of course
18 that didn't happen and it's rubbish.

19 Q It was to get him to leave before.

20 A Yes. I mean he was extremely suspicious of
21 some of the things that I was doing and he--I was the
22 only sort of story that he would buy because he liked
23 those kinds of things. He was interested and excited by
24 the idea that his girlfriend might be involved in
25 something like this.

1 Q Now Mr. Updike brought out another letter,
2 or a letter relating to Rover when we were here back in
3 August.

4 A Yes.

5 Q Is that a followup on the same fantasy?

6 A Sort of. What it was is that we were now
7 arrested on the fraud charges in England and then we'd
8 also made our statements to the police about what had
9 happened down here in Bedford. And I had been advised at
10 this time that my attitude was still one of loving Jens,
11 protecting him, anything to get out of my responsibility of
12 what had happened here, anything to get him out of it.

13 And I had been interviewed by a special
14 branch about this Rover business, about the IRA, the
15 references in the diary, and they came to the conclusion
16 it was a bunch of rubbish.

17 So what I did, after I had been advised
18 that the only way to stay in England, to successfully
19 avoid extradition, would be to be charged with a more
20 serious offense. Well the only more serious offense is
21 terrorism.

22 So I also knew at that time that my mail
23 was being monitored and I made several references--I write
24 to Jens about it-- and he makes several references in his
25 letters about how do I know that my mail is being

1 monitored, how do I know that it's going through Richmond.
2 And I deliberately wrote a letter to Rover because as I
3 say I had been interviewed by a special branch about him
4 and knew my mail was being monitored and I believed that
5 when they saw this letter that they would further charge
6 me and Jens with some kind of activity like that.

7 Q And who gave you that advice?

8 A That was our attorney at the time, Keith
9 Barker.

10 Q So as you just told the--you just explained
11 the time you were arrested on April the 30th what your--
12 where you and Jens stood with each other and about a month
13 after that you made some statements to the police.

14 THE COURT: Excuse me, let me ask you
15 this: The attorney who represented you in
16 England, what was his name, Barker?

17 THE WITNESS: Yes, sir?

18 THE COURT: Was he court appointed or
19 privately employed?

20 THE WITNESS: Court appointed.

21 BY MR. JONES: (continuing)

22 Q About five weeks after you were arrested in
23 England you made statements to the police there which
24 Mr. Updike put into evidence at the last hearing.

25 A Yes.

1 Q In the third statement that you made, the
2 fairly short one at the end, you made reference, you know,
3 this occurred as a result of your will.

4 A Yes.

5 Q That Jens was acting as a result of your
6 will; is that something that you believed at the time?

7 A Very definitely. I felt that I was fully
8 responsible for Jens's actions, for Jens's life, for what
9 happened, everything. I believed that I had manipulated
10 him, had controlled him, had somehow made him do this.

11 Q Based on what's happened since June of last
12 year, do you still believe that it was your will?

13 A I believed it for an embarrassingly long
14 time, but since I have read letters and documents written
15 by Jens, no, I didn't have any control over him
16 whatsoever.

17 Q And the letters that you're talking about
18 from Jens is a whole book of them. And are these the same
19 letters that you gave to Ricky Gardner when you returned
20 to Bedford County?

21 A Yes. Yes, those letters were important, and
22 I gave them to Investigator Gardner because I thought that
23 it was important that he realize just how clever Jens
24 could be. So yes, I gave him those letters voluntarily to
25 help him in his investigation.

1 Q But these are the copies that he returned
2 to you and they kept the originals, is that right?
3 A Yes.
4 Q Is there another letter which has come to
5 your attention more recently?
6 A Yes, there is.
7 Q And is this a letter dated May 18 and 19
8 of 1986?
9 A Yes.
10 Q And was that written before you made the
11 statements?
12 A Yes, it was.
13 Q You and Jens made the statements in
14 England?
15 A Yes, it was.
16 Q And who was that letter written to?
17 A A young man called Neal Woodall.
18 Q And who is Neal Woodall?
19 A He was a young man that Jens shared a cell
20 with in holding cell, and then later spent time
21 with at Ashford Remand Center; he was a fellow inmate.
22 Q The first page of the letter it says dear
23 and then the name is marked out. How do you still know
24 that the letter is to that person, Neal Woodall?
25 A Because of letters that Jens wrote to me

1 about Neal. And also there is a--he--when he writes his
2 letters to me about Neal he describes some of the things
3 that he discusses with Neal and Hen, and he talks about
4 Neal as being his friend and who he's trying to help and
5 who's helped him. And also, Neal wrote to me at a later
6 stage.

7 Q Okay, now referring back to these copies of
8 the letters that Mr. Gardner returned to you, after you
9 went through and read all of those again, what in general
10 was the feeling that you were getting as far as Jens'
11 place in this thing?

12 A Well when I spoke to Investigator Gardner I
13 said to him that I realize that the letters I was
14 presenting to him were--nothing was said in black and
15 white, but there were many indications. And I was trying
16 to explain to him that Jens is very familiar with the idea
17 of psychological warfare is what I call it of very, slow
18 succulent manipulation.

19 And I didn't have anything to really base
20 that on except my own intuition over a long period of
21 time what he was trying to make me do. In November when I
22 had started to disagree with him about how to conduct my
23 case--

24 Q You're talking about November of 1986.

25 A Yes. --then he no longer was so subtle and

1 then I became very aware of how he had been manipulating
2 me. But then--as I say, it was all very, very
3 subtle and very--it's difficult to put your finger on,
4 there are just indications. And then I saw this letter.

5 Q When did you first see that letter?

6 A Just a few days ago.

7 Q What--did that letter prove or disprove or
8 confirm anything insofar as the subtleties that you were
9 getting from the other letters that Soering had been
10 writing to you?

11 A What I discovered was that I was right,
12 Jens was manipulating me, he was using me. But it was
13 more than that. He knew exactly, precisely what he was
14 doing. It wasn't--it's not as if he even believes what he
15 says to me. He states very plainly how to manipulate me,
16 how he feels. And then in letters at a similar time, he
17 does those manipulations. He knew what he was doing in
18 his manipulations, it was deliberate. And my feeling now
19 is that, you know, on top of everything else I am a first
20 class idiot.

21 Q Now at the time that you made the statement
22 in London, one of the things that you did was that you
23 drew a knife.

24 A Yes, sir.

25 Q Why did you do that and how did you know

1 what to draw? (Referring to Exhibit 11.) Do you want to
2 answer the question about the knife?

3 A Yes, I drew the knife, it was a memory of a
4 picture I had seen, I don't remember very clearly, that I
5 had been shown in Soldier of Fortune Magazine, of a
6 butterfly knife. It was described and I'd seen a picture.
7 And that was what Jens and I discussed. You know he
8 said--we were talking about how I was equally responsible
9 for what happened, that I had caused it to happen, he had
10 done it for me, out of love for me and so I obviously felt
11 responsible. And I had written these letters and I felt
12 these things, hate, and I wanted to vomit. And so when I
13 sat down with him and he said well this was the knife,
14 when it comes down to it, this is the knife that was used
15 and--

16 Q Your drawing of that picture, was it correct
17 that it was based on a recollection of an ad.

18 A Yes, that he showed me, the description of
19 an ad.

20 Q That was admitted as an exhibit?

21 A I don't remember if it was that particular
22 ad. I know it was a Soldier of Fortune Magazine that the
23 picture was from. I thought it was a color photograph.

24 Q Had you ever seen a butterfly knife?

25 A Only a picture, I've never seen a real one,

1 no.

2 Q Were you able to talk to Jens briefly after
3 those statements in London were completed?

4 A You mean on June the 9th?

5 Q Uh-huh.

6 A Yes, I was.

7 Q And what was his concern at that time?

8 A He asked me if I had told them about the
9 knife. He asked me if I told them about the knife and if
10 I had told them about the mace. And he asked me if I had
11 sent somebody after he;d come back to me on Sunday, if I
12 had sent somebody down to Lynchburg after him, after he
13 had done the killings.

14 Q Was he concerned that you were protecting
15 him and keeping up the alibi?

16 A Yes.

17 Q Now you mentioned that in November of 1986
18 that a change started to occur.

19 A Yes, sir.

20 Q And was there any particular reason that
21 the change started to occur at that point in time?

22 A I'm sorry.

23 Q Was there any particular reason that a
24 change started to occur at that point in time regarding
25 your attitude towards this whole situation?

1 A Yes.

2 Q And what was that, what occurred?

3 A I saw the photographs, I saw the

4 photographs of my parents.

5 Q Is that because you were provided with a

6 copy of the depositions, of the statements, which included

7 the photographs?

8 A Yes.

9 Q And not too long after that in a letter

10 dated--is this a letter which you wrote?

11 A Yes.

12 Q And who did you write it to?

13 A To Jens.

14 Q And what's the date on it?

15 A The 11th of December, 1986.

16 Q And in that letter, do you indicate that

17 you do not want to contest extradition and that you intend

18 to plead guilty?

19 A Yes, sir.

20 Q And how did Jens respond to that?

21 A If I remember correctly, the letter he said

22 was Elizabeth don't be a bloody idiot.

23 (LETTER MARKED DEFENDANT'S EXHIBIT
24 NO. 12.)

25

1 BY MR. JONES: (continuing)

2 Q Did that feeling persist and progress in
3 your mind as far as your accepting responsibility?

4 A Well, sir, I was giving my deposition which
5 Mr. Updike provided the English authorities and which I
6 had to have a copy of, and in the deposition there were
7 these photocopies of my parents. And I lived with those
8 photographs, they were in my cell, they were on my
9 person, they were with me wherever I went and they were in
10 my mind's eye the whole time as well.

11 And as far as I was concerned absolutely
12 nothing, nothing, could justify what he had done, what I
13 had done, it just became irrelevant anymore what
14 actually--the details of who did what to whom.

15 He had butchered my parents. It was there
16 sitting in front of me, it wasn't just words, it was
17 there. And I was in some way, shape or form part of that,
18 responsible for it.

19 And I had covered up for him, covered up.
20 And not only covered up but broken all trust and loyalty
21 and everything. And I had to do some serious thinking
22 where I was going and how--there was just no way,
23 absolutely no way, no matter what I felt specifically for
24 Jens, there was no way I could continue to have a
25 relationship with him or to pander to his whims or needs.

1 And if I felt lonely, too bad, because it was time to take
2 the stand on this.

3 And that it was slow, very slow getting off
4 the ground. It took eight months, seven and a half months
5 for me to sit down and say what I have done is wrong.

6 Q From--

7 A From the time I was arrested, or before
8 that as well. But I mean in the penitentiary, in my
9 interviews, I still justified, I still saw it all as being
10 something that had nothing to do with me or whatever. But
11 after that it progressed.

12 Q It did progress?

13 A Very much so. As I said, I saw these
14 photographs; my initial reaction was that my life didn't
15 mean anything at all because of what I had participated
16 in, what I had caused, covered up. And I talked to some
17 people and they said to me that the only way which I could
18 even begin to move forward would be to face what I had
19 done and to confront it and confront it publicly and to
20 not try and deny it and to come to terms with the fact
21 that what happened was just an appalling tragedy and it
22 should never have happened and nothing justifies it.

23 Q What is it that I just handed you?

24

25

1 A It's a short story that I wrote in March
2 '87, the 20th of March, 1987.

3 Q And why--was it a short story that you
4 wrote for a competition?

5 A Yes. When I was in the prison I was doing
6 some things and I was asked to write some entries for a
7 prison competition, H prison competition, set up by Arthur
8 Counsellor.

9 Q And does this short story bring out some of
10 your feelings about your responsibility?

11 A Yes, it's like all my writings, I don't
12 seem to be able to separate how I am feeling about things;
13 I bring out some things in this as well.

14 Q And if can exchange here with you, give you
15 the copy that I gave you before. If you would read the
16 portions that you've highlighted in that short story.

17 A I say--

18 Q This is on Page Two.

19 A Yes. And I'm talking about my father. I
20 omitted to love him as a parent, I omitted to admire him
21 as a friend, I omitted to understand him as a man, I
22 omitted to even try.

23 And then I carry on a little bit later and
24 I'm discussing some of my resentments about coming to
25 America and UVA and the way I was conducting my life. And

1 I say I was queen of mediocrity. I omitted to recognize
2 this, instead I blamed my parents. My resentment and fear
3 of them grew as I slipped behind greater deviations and
4 travesties of expectation and performance, between
5 realities and the bogies in my head.

6 Oh, God, how could I have been so stupid.
7 Why couldn't I accept what I was and get on with it.

8 Then I discussed my mother, I think it's on
9 Page Four. I say of my mother, I allowed her to control
10 my life, I resented her for it and I omitted to alter or
11 understand the position designated to me. Now she's dead
12 like my father.

13 (SHORT STORY MARKED DEFENDANT'S
14 EXHIBIT NO. 13.)

15 BY MR. JONES: (continuing)

16 Q Now as Jens perceived this change in you,
17 how did the tone of his letters become?

18 A He became extremely hostile and he became--
19 well he says, he says I'm--there's something here--he says
20 I'm--I feel suspicious of you, I feel abandoned by you.
21 He tells me that I'm abandoning myself legally and by
22 abandoning myself I'm abandoning him. By abandoning him
23 legally, I'm abandoning our love and without our love I'm
24 nothing. He--it's a more obvious continuation of his
25 previous manipulation.

1 Q Now in addition to the threats which came
2 from him, did you have anything else occur while you were
3 in prison in London that would cause you any concern?

4 A There were a number of things that
5 happened. I received a series of threatening letters
6 between the end of August and sometime in October I
7 believe, and I only actually was given one. Our mail in
8 England in the penitentiary is censored, it's read
9 incoming and outgoing. And some of the letters were
10 stopped by security in Holloway.

11 A probation officer came to me and asked me
12 what was going on, what was happening, why would somebody
13 be writing these sorts of letters to me. I had no idea
14 where they were coming from. One letter did get through;
15 it was written in French and that was why it got through.

16 Q Did you have any visitors to cause you any
17 concern?

18 A Yes. In September the German Embassy began
19 to take very--started to take an interest in my life and
20 they started to visit me on a regular basis. They sent me
21 money, they provided me with--we were allowed to have food
22 passes sent in, they provided me with books and they wrote
23 to me, they discussed how I should--how I should conduct
24 my case with me.

25 They continued to do that up until the

1 other day. I mean I'm still receiving money from them,
2 I'm still receiving letters from them, I'm still receiving
3 phone calls from them.

4 Q Did you just receive a phone call in the
5 last couple days?

6 A Yes, I received a phone call on Sunday
7 morning.

8 THE COURT: You've been getting phone
9 calls from the German Embassy at the jail
10 here?

11 THE WITNESS: Yes.

12 THE COURT: What has been the nature
13 of the calls?

14 THE WITNESS: They say things like
15 Jens loves me, Jens needs me, I'm
16 responsible for his life, his life's in my
17 hands. They say things like they fear for
18 my life, that time is running out for me,
19 that I should be quiet in thought and word
20 and deed, to quote. I have letters to that
21 effect as well.

22 BY MR. JONES: (continuing)

23 Q Did you allow Sheriff Wells to listen in on
24 one of those conversations?

25 A Yes.

1 Q Now your correspondence with Jens, did it
2 continue up until April of this year?

3 A Yes.

4 Q Until your extradition.

5 A Yes.

6 Q Have you had any correspondence with him
7 since that time, since you left England?

8 A No.

9 Q Any communication at all?

10 A No. I've had no direct communication. As
11 I say, I've had these odd indirect communications through
12 the German Embassy.

13 Q Other than that. After you were in prison
14 in England, did drugs or alcohol continue at all as part
15 of your life?

16 A Yes, very much so. In the penitentiary
17 system in England you're allowed a pint of beer a day and
18 a bottle of wine--or a bottle of wine, excuse me, a day.
19 And if you're a man, if you're a convicted prisoner,
20 you've been sentenced, you're not allowed that. But if
21 you're waiting for trial, you're allowed that. And of
22 course I was waiting for trial for approximately eight
23 months.

24 And during that time I had people sending
25 me wine and I would save it up. And also we were allowed

1 fresh fruit and we could buy sugar so we could make our
2 own.

3 Q Did you also use some drugs while you were
4 over there?

5 A Yes, there were very liberal in giving out
6 medication, methadone, things like that, but it was also
7 extremely easy to buy or obtain illegal drugs inside. The
8 syringes were available easily, readily.

9 Q Did there come a time that you tried to do
10 something about that, about your abuse of alcohol and
11 other drugs?

12 A Not immediately. As I say, I had my first
13 sort of change in attitude, the first peek at what I had
14 done and that I was responsible for who I was in November.
15 But I continued for about another six weeks to deny that I
16 had any form of drug or alcohol problem. I thought I was
17 just a social user, I could control it.

18 And it wasn't until I was in--well I was
19 charged with the double murder, and that was quite a shock
20 because I didn't understand about how I was going to be
21 charged. I'm not sure what I thought I was going to be
22 charged with, but to have somebody sit there and say
23 you're charged with murder times two is, it's a shock.

24 And I was in the holding cell at Ivory
25 Corner, and I was talking to a girl who had--was a member

1 of NA and she had a relapse, and I was saying oh, I don't
2 have a drug problem, it's fine. And I had ordered
3 medication through the doctor. They assume you want
4 medication when you go through the system, so you see a
5 doctor and they just decide how many sleepers you're going
6 to get and how many Valium to get and--

7 Q So you decided to do something about it.

8 A Well Mr. Updike was curious why I chose
9 January the 2nd. That's what I'm trying to point out to
10 him is that yes, the fact that I was charged with murder
11 times two did play a part, it played a very major part.
12 It's a terrible thing to be charged with and I was
13 reaching out for my drugs that very same day when I met
14 this girl.

15 And she persuaded me not to take my drugs
16 that day and from that it developed.

17 Q Have the visits that Johnny Horton
18 described that he's had with you and the correspondence
19 that's continued between the two of you been helpful and
20 supportive?

21 A Very much so. I don't think I would be
22 alive today if it wasn't for NA, I'm quite sure of that.

23 Q How does it make you feel that you have
24 stayed clean since January the 7th, 1987?

25 A It's a step in the right direction. It's a

1 step towards living in the way that I'm supposed to have
2 lived in the past.

3 Q Do you feel there's any room for drugs with
4 you in the future, in your future?

5 A No. I've been--since I've been in custody
6 here I've been offered a number of times the--obviously
7 I've been nervous and I've been concerned about what's
8 going on. And the staff being concerned for me, they have
9 asked me if I wanted to see a doctor and have nerve pills
10 or something like that.

11 No, drugs cannot be a part of my life.
12 It's caused too much damage. It could never be a part of
13 my life again.)

14 Q Did money or inheritance have anything to
15 do with the death of your parents?

16 A No, sir.

17 Q What was Jens' position as far as money was
18 concerned?

19 A He loved it, it was very important to him,
20 it represented security to him and he could never get
21 enough of it. And he also describes in several of his
22 letters that as far as he's concerned, the best way to get
23 money is the easiest way which is to steal it or just have
24 people give it to you.

25 Q Did Mr. Davis and I when we had one of our

1 first meetings with you throw out the idea of trying to get
2 some money from your parents' estate in order to assist
3 you in your defense?

4 A Yes, you did.

5 Q What was your reaction to that?

6 A No, I didn't want that.

7 Q Now you didn't contest the extradition that
8 occurred in April of this year.

9 A No, I did not.

10 Q Did Jens put any pressure on you to contest
11 it?

12 A Yes, he did.

13 Q And again, was that through his letters to
14 you?

15 A Yes, through his letters and also at an
16 appearance in February in court he made a scene about it.
17 And after that he was handcuffed in court with me and kept
18 away from me because of his outbreak.

19 Q And you returned, you've been in Bedford
20 since May the 8th of this year, is that right?

21 A That's correct, sir.

22 Q And when you arrived in Bedford on that
23 day, did you meet with Mr. Gardner almost immediately?

24 A No, there was a little time. I sat out in
25 the hall, and the magistrate saw me, and a number of the

1 people spoke to me and then I saw Mr. Gardner. I think it
2 was about an hour before I saw Mr. Gardner.

3 Q And that first statement that you made to
4 Mr. Gardner at that time was essentially the same as the--
5 the incriminating part of it, you know, the alibi and that
6 sort of thing--was essentially the same as what you told
7 him in London.

8 A Yes, I reiterated to him what I had said
9 before and I emphasized to him that I had done those
10 things to create an alibi that it was--I think I said a
11 number of times it was premeditated.

12 Q And you emphasized the next day more than
13 you had before the element of premeditation.

14 A Yes.

15 Q And why were you emphasizing that to
16 Investigator Gardner at that time?

17 A Well like I say, I wasn't very--I didn't
18 really have any idea about the law or charges of things
19 and I thought that if I was convicted of being an
20 accessory before the fact that it would only make sense
21 that Jens would have to be convicted of first degree
22 murder or premeditation or whatever it is that he's
23 charged with. Because I am stating that I am an accessory
24 and admitting to being an accessory.

25 And so I thought that if I emphasized and

1 made it quite clear that there was an element of
2 premeditation there, because I knew the line of Jens'
3 defense. So I wanted to make that quite clear to
4 Investigator Gardner because I want Jens to come back
5 here and I want him to stand trial.

6 Q At that--at May the 8th when you made that
7 statement to Gardner, were you still protecting Jens?

8 A No, I wasn't protecting him, I was nervous
9 of him. I was scared of things that I might say, he would
10 get copies of my statements as a packet of depositions as
11 I got his statements when I was in England.

12 I had decided to plead guilty when I
13 arrived here, I had decided to plead guilty before I came.
14 I wanted to make sure that Jens was convicted. So as I
15 say, I thought that if I was found guilty that he would
16 have to be found guilty, too.

17 Q Well what actually happened as far as the
18 events from Saturday, March the 30th, and the alibi and
19 that sort of thing is what you told the Court today what
20 actually happened?

21 A Yes, sir.

22 Q So you were not telling Ricky Gardner the
23 truth on May the 8th as far as the alibi is concerned.

24 A No.

25 Q Why did you reiterate the alibi story

1 rather than telling what you've told us today at that
2 time?

3 A Because it seemed to me that if I sat there
4 and tried to deny those things and was pointing the finger
5 at Jens that it would--you know, it would be obvious that
6 I was trying to excuse myself from any role that I played.

7 Q What's your attitude towards Jens at the
8 moment?

9 A I want him to be brought to justice.

10 Q You're willing to cooperate with the
11 prosecution in that regard?

12 A Absolutely.

13 Q If called upon by the prosecution to
14 testify, would you do it?

15 A Yes.

16 Q Would you be afraid to do it?

17 A Yes, sir.

18 Q Why?

19 A Well I'm--

20 Q I don't want you to reiterate; because of
21 what you've already told us about the threats by Jens?

22 A Yes.

23 MR. JONES: That's all the questions,
24 Judge.

25 THE COURT: Now gentlemen, you all

1 should contact your witnesses who have not
2 testified, any who are here, and make
3 arrangements for them to be back tomorrow;
4 that's your responsibility. All right,
5 this Court will recess until 9:30 tomorrow
6 morning.

7 (Whereupon court was adjourned, to be
8 reconvened at 9:30 a.m. on October 6,
9 1987.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

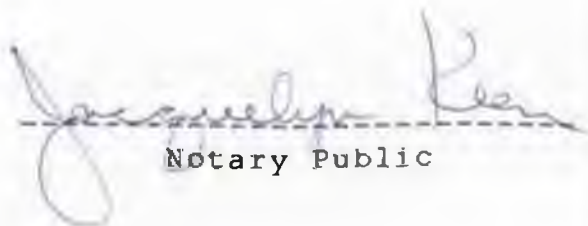
1 STATE OF VIRGINIA

2 AT LARGE, to-wit:

3 I, Jacquelyn Keen, Notary Public in and for
4 the State of Virginia at Large, do hereby certify that the
5 testimony contained herein was and transcribed by me, and
6 that the foregoing Pages 1 through 217 represent a true and
7 accurate transcript of said proceedings to the best of my
8 Stenographic ability.

9 My commission expires November 18, 1989.

10 Witness my hand this 14th day of July, 1989.

11
12
13 
14 Notary Public
15
16
17
18
19
20
21
22
23
24
25

1 VIRGINIA:

2 IN AND FOR THE CIRCUIT COURT FOR THE COUNTY OF BEDFORD

3 COMMONWEALTH OF VIRGINIA]
4]
5]

6 V.]

7 ELIZABETH ROXANNE HAYSOM]
8]
9]

10 **TRANSCRIPT OF PROCEEDINGS**

11 Sentencing Hearing

12 October 6, 1987

13 -----
14 **APPEARANCES:**

15 THE HONORABLE WILLIAM W. SWEENEY, PRESIDING

16 For the Commonwealth: James W. Updike, Jr., Esq.
17 Bedford County Courthouse
Bedford, VA 24523

18 For the Defendant: R. Andrew Davis, Esq.
19 307 West Main Street
Bedford, VA 24523

20 Hugh J.M. Jones, III., Esq.
21 8800 Timberlake Road
Lynchburg, VA 24502

22 Reported by: Jacquelyn Keen
23 -----

24 **ASSOCIATED REPORTING SERVICE**

25 111 Euphan Avenue
Lynchburg, Virginia 24502
(804) 525-2345

I N D E X

1		
2		
3		<u>PAGE</u>
4	ELIZABETH HAYSOM	
4	Cross examination by Mr. Updike	218
5	ALEXANDER ROBERTSON	
5	Direct examination by Mr. Jones	350
6	ROBERT SHOWALTER	
7	Direct examination by Mr. Davis	356
7	Cross examination by Mr. Updike	400
8	HOWARD HAYSOM	
9	Direct examination by Mr. Updike	433
9	Cross examination by Mr. Davis	441
10	STUART HARRINGTON	
11	Direct examination by Mr. Updike	446
11	Cross examination by Mr. Davis	459
12	RICHARD HAYSOM	
13	Direct examination by Mr. Updike	463
13	Cross examination by Mr. Davis	465
14	ANNIE MASSIE	
15	Direct examination by Mr. Updike	466
15	Cross examination by Mr. Davis	468
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 OCTOBER 6, 1989

P R O C E E D I N G S

9:30 A.M.

2

3

THE COURT: All right, gentlemen, are
4 you ready to proceed?

5

MR. UPDIKE: The Commonwealth's ready,
6 Your Honor.

7

MR. DAVIS: Yes, sir, Your Honor.

8

THE COURT: All right, Mr. Updike.

9

MR. UPDIKE: Thank you, Your Honor.

10 CROSS EXAMINATION

11 BY MR. UPDIKE:

12 Q

Ms. Haysom, the circumstances have been
13 such that you and I haven't had the opportunity to talk
14 before, it's not been appropriate before now. But in view
15 of your lengthy testimony yesterday, as you can well
16 imagine I have a number of questions I would like to ask
17 you. So if you would just bear with me, please.

18

I'd like to start where you started
19 yesterday with your education. As I understand it, you
20 first went to school in Switzerland, is that correct?

21 A

Yes, sir.

22 Q

And as I understood your testimony
23 yesterday, that you liked that idea of going to
24 Switzerland, it was exciting.

25 A

Yes, I did, sir.

1 Q So it was not a situation of your parents
2 packing you up so to speak and shipping you off against
3 your will. You liked the idea.

4 A No, I liked the idea of getting away, yes.

5 Q And while there, I think that you described
6 for us an incident concerning you being raped or something
7 of that nature, is that correct, at the age of ten?

8 A Yes.

9 Q Have there been instances when you have
10 described that incident not as rape but rather as an
11 incident of indecent exposure?

12 A No, sir.

13 Q Do you recall telling your brother Howard
14 that someone indecently exposed themselves to you in
15 Switzerland?

16 A I don't recall that, no, sir.

17 Q But rather it's your testimony that you
18 were raped there.

19 A Yes, sir.

20 Q But then again you were there willingly,
21 liked being there, and the extremely unfortunate incident
22 of you being raped, if it occurred as you said, was
23 certainly not the fault of your parents now was it?

24 A No, sir, not at all.

25 Q No basis at all for blaming them or

1 resenting them.

2 A No, not at all, sir.

3 Q And as we look back on that, that really
4 has nothing to do with the murder of your parents, does
5 it?

6 A No, it doesn't, sir.

7 Q And then from the school there in
8 Switzerland, I believe that you went to Riddlesworth, is
9 that correct, in England?

10 A Yes, sir.

11 Q I understand that's a very fine school, is
12 that correct?

13 A Yes, it is.

14 Q I've been told that Princess Diana attended
15 there, is that also correct?

16 A Yes, it is.

17 Q Needless to say, I would assume that's a
18 very expensive school.

19 A I believe so.

20 Q And your parents sent you there or made it
21 possible for you to attend there because isn't it correct
22 that they believed the most important thing that they
23 could provide their children was a high-quality education?

24 A That's absolutely correct, sir.

25 Q And they placed a tremendous value on that,

1 didn't they?

2 A Yes, they did, and they provided it.

3 Q And they did provide it.

4 A Yes, they did.

5 Q And there again, did you like being at

6 Riddlesworth?

7 A My first year was very difficult, but yes,

8 I did enjoy being there.

9 Q And I can imagine that there would be times

10 that you got homesick, anybody would, and things of that

11 nature. But it was quite an experience.

12 A Yes, it was.

13 Q One not afforded to many individuals in

14 this country.

15 A That's very true, I was very privileged.

16 Q And you went there how long, please?

17 A I was there for two years, sir.

18 Q And after that went where, Wickham Abbey as

19 I understand it?

20 A Yes, sir.

21 Q And attended there for six years.

22 A Yes, sir.

23 Q You went there as well willingly, liked it,

24 would that be correct?

25 A Yes, sir. I was extremely happy about

1 going there. It was a very prestigious school and it was
2 a great honor to be accepted, and it was also very
3 expensive.

4 Q But your parents paid for that for you,
5 didn't they?

6 A Yes, they did.

7 Q And you described yesterday, though, there
8 were some difficulties that arose in the later years when
9 you were in Wickham Abbey, is that correct?

10 A Yes, sir.

11 Q And you wanted--did you want to leave
12 Wickham Abbey at that point?

13 A Yes, when I was about fifteen or sixteen
14 years old I wanted to come home.

15 Q And where would that have been, Nova
16 Scotia?

17 A Yes, sir.

18 Q Did you inform your parents of that?

19 A Yes, sir.

20 Q And your parents did everything they could
21 to get you out of school, didn't they?

22 A They went to a lot of trouble to look at
23 other places for me to attend, but eventually it was
24 decided that Wickham was the better choice, yes.

25 Q But at the same time, I believe that you

1 were telling Investigator Gardner back in April of '85
2 that it was extremely difficult to get someone out of
3 Wickham Abbey in the middle of the school year like that,
4 is that correct?

5 A I didn't attempt to leave in the middle of
6 the school year; it would have been after my A levels,
7 which is a natural break in the course of the English
8 education system.

9 Q But did they try to get you out of school?

10 A They didn't try to take me out of school,
11 no. We discussed my leaving after my A levels.

12 Q I don't mean just taking you out, but I
13 mean through proper channels did they try to get you
14 withdrawn or transferred or whatever, out of the school
15 system?

16 A Out of the English school system, yes.

17 Q Do you recall this statement, if I might
18 read this paragraph from your April 8th interview--would
19 you like to see it as I read it? It's over here.

20 A No, that's fine, no.

21 Q It's here, Commonwealth's Exhibit No. 15,
22 and I'll be referring just briefly and quickly to Page
23 Thirty-Four if you'd like to follow along; if not, that's
24 fine, just whatever your choice is. And do you have Page
25 Thirty-Four there?

1 A Yes, sir.

2 Q Okay, about a quarter way down the page I
3 think that you're talking about Wickham Abbey to
4 Investigator Gardner and Kirkland, and you state with my
5 parents, both of them, I liked--how can you possibly keep
6 me there when they--they're playing with my mind like
7 this. So they, referring to your parents, did something
8 about it. They tried to get me out and, you know, they
9 couldn't have done any more. They came over to England,
10 they tried to get me out of it and the situation was such
11 that they couldn't.

12 And the paragraph continues, but down at
13 the bottom of that paragraph as you're ending that
14 statement, you indicate, "and it wasn't my parents'
15 fault".

16 A Yes, sir.

17 Q So there again, though you may have
18 developed some dislike for Wickham Abbey or some problems
19 there, once you brought those to the attention of your mom
20 and dad, they did what they could to get you out of there,
21 didn't they?

22 A They did make attempts, yes, they did, sir.

23 Q And do you agree now with the statement that
24 you made in April of '85 that any problems that you were
25 experiencing there weren't your parents' fault?

1 A They weren't directly my parents' fault,
2 no.

3 Q How were they in any way your parents'
4 fault? Did you resent being there at Wickham Abbey at
5 that point in time, that is resentment directed against
6 your parents?

7 A Well the problem certainly got worse while
8 I was at Wickham, and the school attempted to contact my
9 parents at various times, I tried to contact my parents at
10 various times over these problems, and they were
11 unavailable. But the problems themselves were not my
12 parents' fault, no, they were my fault.

13 Q But my question again, did you resent your
14 parents because you were there at Wickham Abbey?

15 A At times, yes, I did; probably unfairly
16 resented them.

17 Q Why did you resent them?

18 A I needed them.

19 Q Then why would you state in April of '85 it
20 wasn't your parents' fault? They did everything that they
21 could to get you out.

22 A I think what I was doing there was trying
23 to paint a very rosy picture so that I wouldn't be
24 implicated.

25 Q I see. As you continue that statement

1 there, you said and whenever I came home they were all
2 ears and supportive, you know. So in April of '85 you
3 were not telling the truth to Investigator Gardner and
4 Kirkland, is that correct?

5 A It's not exactly not the truth. My parents
6 were very supportive when I came home. But I am making it
7 a lot rosier than it was.

8 Q Deceiving them, then.

9 A Yes.

10 Q Now while at Wickham Abbey and the various
11 schools, we have here some of your activities. It seems
12 that you did quite a bit of acting, is that correct?

13 A Yes, I did, sir.

14 Q A lot of Shakespeare I see.

15 A Yes, sir.

16 Q Let's see, Anthony and Cleopatra; you must
17 have played Cleopatra it indicates, is that correct?

18 A Yes.

19 Q I don't see MacBeth listed here.

20 A No, sir.

21 Q I was curious in one of your statements
22 that you refer to yourself as Lady MacBeth, didn't you?

23 A Yes, sir, I believe I did.

24 Q Did you see yourself as Lady MacBeth?

25 A After the newspaper reports in England,

1 yes, I did.

2 Q Your Shakespeare is certainly much better
3 than mine, but it seems to me if I recall, Lady MacBeth
4 encouraged old MacBeth to commit murder, didn't she?

5 A Yes, she did.

6 Q Persuaded?

7 A Yes, she did.

8 Q Encouraged him?

9 A Yes, she did.

10 Q And that's how you saw yourself--

11 A At that particular time.

12 Q --with reference to Jens Soering.

13 A Yes, I did. I felt totally responsible for
14 manipulating him at that time.

15 Q For manipulating him.

16 A Yes.

17 Q And as I understand your testimony, you
18 very much wanted to continue school there in England.

19 A Yes, I did.

20 Q Wanted to go to where, Cambridge?

21 A Yes, sir.

22 Q Had taken the entrance exams and things of
23 that nature, making preparations for attendance there.

24 A Yes, sir.

25 Q But you didn't go, did you?

1 A No, I didn't, sir.

2 Q Why is that?

3 A Well I originally applied to Trinity
4 College Cambridge and I took the exams. I went to my
5 interview and I did very poorly on my interview. My
6 papers were sufficiently good that Trinity College passed
7 them on to another college, St. Catherine's, and they
8 stated that they would conditionally accept me on the
9 basis of an interview that I was to take after my A
10 levels.

11 Q Then you took off.

12 A Yes, I did, sir.

13 Q Got into trouble.

14 A Yes, I did, sir.

15 Q And began running around Europe with this
16 Melissa Clark, is that correct.

17 A Yes, sir.

18 Q Very heavily into drugs, would that also be
19 correct?

20 A Yes, it is, sir.

21 Q I believe you state in one of your
22 statements to Mr. Gardner that Europe is where you could
23 get cheap drugs, is that correct, did you make that
24 statement?

25 A Yes, I believe I did, sir.

1 Q Is that one of the bases for your
2 fondness for Europe?

3 A I think it was sort of my pretentious
4 pseudo-intellectual Bohemian attitude to things that made
5 me attracted to the idea of the cheap drugs, the
6 flamboyant, vagrant lifestyle that's possible in Europe.

7 Q Now in this statement in the presentence
8 report you make some statement about your mother. And much
9 has been made from the previous hearing in the press and
10 so forth of sexual abuse from your mother. There is some
11 statement in here that you had a full-blown sexual
12 relationship with your mother at one point. As a matter
13 of fact, Ms. Haysom, you were having a sexual relationship
14 with Melissa Clark, weren't you?

15 A (No response.)

16 Q Could you answer that, please.

17 A I don't see how the two are tied together,
18 you seem to be tying the two of them together.

19 Q I understand that you may indicate that you
20 don't understand, Ms. Haysom, but I would like to develop
21 that further. You did state to this man sitting here I
22 think, didn't you, that from eighteen to nineteen you had
23 a full-blown sexual relationship with your mother?

24 A I didn't put it that way, no, sir.

25 Q How did you put it?

1 A Well the question originally came up
2 because Investigator Gardner asked me about the
3 photographs that my mother took of me. Up until that
4 point I had never discussed this issue. I didn't discuss
5 it very fully with Investigator Gardner either.

6 Q How about with Mr. Arthur though, did you
7 make that statement to him?

8 A When I spoke to Mr. Arthur, he also brought
9 up the question of the photographs. I believe he said
10 when I was in court today the--I heard something about
11 photographs that your mother had taken of you, would you
12 like to go into that.

13 Q And you did? Did you make that statement?

14 A I didn't say it was a full-blown sexual
15 affair at all.

16 Q What did you say?

17 A I said what I said to Ricky Gardner.

18 Q And that was what, please? If I might
19 remind you, you indicated to Investigator Gardner that
20 though your mother would come up there, that you would
21 sleep together, that there was nothing sexual about it,
22 didn't you?

23 A I said that she was aggressively
24 affectionate, and I believe when I have discussed this with
25 other people that I said that she was a very lonely and

1 affectionate woman and that is what she was seeking, it
2 was nothing more than that.

3 Q I can show you if you'd like the May 8th
4 interview, Page Fifty-Eight, the question by Investigator
5 Gardner, was there some sexual activity there; this is
6 where you're describing the situation with your mother.

7 Question: Was there some sexual activity there?

8 Response: No, I don't think you would call it sexual
9 activity. That's what you said to him, wasn't it?

10 A That's correct, and that's true.

11 Q And I want to know why it is when you're
12 standing before this Court ready to be sentenced, when you
13 were interviewed for the purposes of a presentence report,
14 after having made this statement that there was no sexual
15 activity from your mother on May the 8th, 1987, what is
16 this doing in this presentence report?

17 A I think what has happened is the same thing
18 that's happened with the newspapers, sir.

19 Q And what is that, please?

20 A I had told Mr. Arthur, as I have talked to
21 several other people, that my mother did sleep with me.

22 Q Well there were reasons for that at times,
23 weren't there?

24 A And she was very affectionate with me.

25 Q But there were also times when you were at

1 UVA when there were no other beds in the house. Weren't
2 Cathy Lowrum in the house, Lucy Lowrum at times, one of
3 them had your bedroom, correct?
4 A That's correct, sir.
5 Q At times you would come home, there would
6 be no beds available other than sleeping with your mother;
7 your father was off in Nova Scotia.
8 A (Witness nods in the affirmative.)
9 Q Perfectly innocent, wasn't it?
10 A Mr. Updike, this isn't an issue that I
11 wanted to bring up.
12 Q I don't want to bring up either, ma'am.
13 A Well you--it's not something I want to
14 discuss. I don't think it's relevant, my mother isn't
15 here--
16 Q Exactly.
17 A --and it's not something I want to discuss
18 in public with people. This is a very private thing and
19 if the newspapers and people have wanted to interpret what
20 I said about my mother in a sordid way, that is their
21 filthy minds.
22 Q Thank you, Ms. Haysom, I didn't wish to go
23 into it either and if you--
24 A Well you brought it up, sir.
25 Q And on April the 28th if you will recall,

1 please, nothing was ever said by the Commonwealth or
2 any of my witnesses about that.

3 A Have I said anything today, sir?

4 Q Well there was evidence, wasn't there, that
5 came out and as a result every article that we see now
6 talks about you being sexually abused. Now--

7 A Well I have never used that term myself.

8 Q My question is simply this: Your mother's
9 been butchered.

10 A Yes, she has, sir.

11 Q During previous testimony yesterday you
12 called her a liar and an alcoholic.

13 A I did not call her an alcoholic.

14 Q Was she a sexual abuser, did she sexually
15 abuse you? If she didn't for God's sake clear her name
16 now.

17 A She did not sexually abuse me.

18 Q Thank you. And maybe the press and others
19 will be just as eager to print the recantation as what's
20 been printed previously.

21 But going back to the previous question,
22 Ms. Haysom, as far as what had anything to do with this
23 murder here, if there was any lesbian relationship, it was
24 with Melissa Clark in the summer of '83, wasn't it?

25 A That's your terminology.

1 Q Excuse me?

2 A That's your terminology.

3 Q Did you sleep with her?

4 A Yes, like I slept with my mother.

5 Q Did you sleep with her at the home of
6 Colonel Harrington in Berlin?

7 A Yes, I did, sir.

8 Q And the reason that you were not able to go
9 to Cambridge had nothing to do with your mom and dad, but
10 rather very simply you took off on this summer of
11 decadence across Europe with this woman, taking drugs,
12 ended up in Berlin in the state that you were, and
13 Cambridge didn't want you. You blew it, didn't you?

14 A Yes I did, sir.

15 Q And your mom and dad had nothing to do with
16 that, there was no basis for any resentment, any hatred,
17 any ill feelings towards them as a result of that, was
18 there?

19 A Probably not, sir, but I did have them.

20 Q You had them anyway? Could you explain,
21 please, how you could resent your family for that when you
22 were doing what you were doing?

23 A Because before I took my A levels, sir, six
24 weeks before I took my A levels, my parents called me and
25 told me that I was not to go to Cambridge, that I was to

1 go to UVA, and that is what perpetrated this over
2 dramatic, over--I responded in a ridiculous way, juvenile
3 way.

4 Q You say then it was your parents that
5 forced you to come back from England and attend the
6 University of Virginia.

7 A No, they didn't force me, sir.

8 Q Did you tell Investigator Gardner that it
9 was your choice to attend the University of Virginia?

10 A Yes, I did, sir, and it was my choice.

11 Q It was your choice.

12 A Yes, it was.

13 Q Well I'm getting confused, Ms. Haysom. A
14 few minutes ago you were saying that your parents said
15 that you were to come home and attend the University of
16 Virginia and now you're saying it was your choice; which
17 was it?

18 A They originally said to me that I was to
19 come home. I took off and went to Europe, I behaved in an
20 outrageous and disgusting manner, I became ill and with my
21 conversations with Colonel Harrington, with conversations
22 with my father, I saw that my parents were--their position
23 was a very reasonable one. And they gave me every
24 opportunity to do what I wanted to do, and I chose to come
25 to UVA to please them.

1 Q To please them.

2 A Uh-huh.

3 Q But as you told Investigator Gardner, I

4 think when you came back you applied to a number of

5 schools, MIT, is that correct?

6 A That was much earlier, sir.

7 Q Excuse me?

8 A That was much earlier, sir.

9 Q You were accepted there?

10 A Yes, sir.

11 Q Were you accepted to other schools in this

12 country?

13 A Yes, sir.

14 Q Such as, please?

15 A Yale, Barnard, Stanford.

16 Q Quite a list. And it was your choice to go

17 to the University of Virginia, do you agree with that?

18 A Yes, sir.

19 Q And that wasn't so bad, was it?

20 A No, it was a wonderful place.

21 Q It was a wonderful place. No reason to

22 resent your mother and father making you go to some

23 terrible place like the University of Virginia in

24 Charlottesville, was it, I mean it was a wonderful place.

25 A It was a wonderful place and it's an

1 excellent university.

2 Q And you've had a classmate testify that you
3 got along pretty well, that you socialized.

4 A Yes, sir.

5 Q Adapted very well there. Now after the
6 summer of '83 nobody hog tied you and brought you back to
7 this country, did they? I mean you and this Melissa Clark
8 went to the English--the British Embassy in Germany,
9 didn't you, voluntarily?

10 A That's correct, sir.

11 Q And there Colonel Harrington contacted you,
12 treated you all pretty well and invited you all into his
13 home.

14 A He was very hospitable, he was very
15 understanding and he went quite out of his way to help us.

16 Q And then the two of you all, both you and
17 Melissa, went to London to meet your brother, Julian, is
18 that correct?

19 A That's correct.

20 Q Your own choice, nobody forcing you to do
21 anything, returned to the United States; you went
22 willingly, didn't you?

23 A I had a severe concussion at the time, sir;
24 I don't remember making any choice whatsoever, but I
25 certainly didn't go unwillingly.

1 Q The reason you had a concussion is that
2 because in a--the results of drug intoxication you fell
3 down the steps, didn't you?

4 A That's not correct, sir, no.

5 Q Have you stated that to somebody, that you
6 fell down the steps, Colonel Harrington?

7 A There's no question about that I had a very
8 bad fall, but there was also the possibility that I'd been
9 hit over the head.

10 Q There's a possibility, you really don't
11 know.

12 A Well I had an egg on the back of my head
13 and my money was stolen.

14 Q But at any rate, it was getting cold in
15 Germany by that time, you'd run out of money, had your
16 summer of fun with Ms. Clark and the drugs, it was time to
17 come home for you at that point, wasn't it?

18 A Yes, it was, sir.

19 Q And when you met your father, your father
20 came all the way to England to greet you, is that right?

21 A That's correct, sir.

22 Q And you have said something about him
23 parading you around and you resented that I believe was
24 your testimony yesterday. But haven't you previously
25 indicated that he was extremely supportive of you?

1 A Yes, he was, sir. In his way he was very
2 supportive.

3 Q How did they react to your summer of '83,
4 your mom and dad that is. How did they treat you as a
5 result of that?

6 A They tried to be--well my father tried to
7 be very fair about it and my mother questioned me
8 extensively about what took place and I suppose in her way
9 she was trying to understand what happened.

10 Q Are you saying that in her questioning that
11 she was trying to make you feel guilty, belittle you or
12 anything of that nature?

13 A I don't know if it was deliberate, sir, but
14 that's how I felt, yes.

15 Q I can refer you to the statement that you
16 have there in front of you, some several pages, Page
17 Thirty-Three, Thirty-Four, isn't it true that you are
18 saying through there, and in other places in the
19 interview, for example at the bottom of Page Thirty-Three
20 you say, and you're talking about your parents' reaction
21 to your summer of '83, and you state, "and so they,--" not he
22 or she, but they-- "and so they never laid a quilt trip.
23 They always said, always said, you know, and they
24 supported us completely. They were really quite
25 incredible in that way. I mean a lot of parents would

1 have just said the hell with you."

2 In the paragraph just above there you state
3 how they obviously didn't condone your actions, but that no
4 matter what happens either in the past or is going to
5 happen, that they were tremendously supportive that way.

6 A (No response.)

7 Q And it goes on in some several different
8 places where you talk about the "incredible relationship
9 that you had with your parents", the fantastic
10 relationship that you had with your parents, on Page
11 Thirty-Six. You say, ah, but I had a fantastic
12 relationship with my parents.

13 You continue on Page Thirty-Six by talking
14 about how you had tremendous trust from your parents.
15 Page Thirty-Seven you say we developed an incredible
16 relationship, you know, we went to movies, and that they
17 said to you they were glad that you had this out of your
18 system.

19 Now there to Investigator Gardner and
20 Kirkland you're describing a different situation, aren't
21 you? You're saying there that your parents accepted what
22 you had done, were glad you had it out of your system, but
23 they wanted their daughter back and they did not lay a
24 guilt trip on you; that's what you said to Investigator
25 Gardner, is that correct?

1 A Yes, I did, sir.

2 Q Do you agree with that summary today?

3 A I think in many respects that's true, sir.

4 I think one of the problems about all of this is that a

5 lot of my resentments were in my own head. My parents

6 were wonderful and they tried very hard. Sometimes my

7 mother probably tried too hard, and I believe one of the

8 faults that she has been given is loving me too much.

9 Q Loving you too much.

10 A Yes. And I think that possibly because she

11 did love me too much she did make me to feel guilty

12 because I had let them down so badly, and they had such

13 high expectations of me, and I was so very imperfect and so

14 very far from what they really wanted me to be, and I felt

15 guilty about that.

16 So what I'm trying to say is that you're

17 quite right, the problem was with me, not with my parents.

18 Q Not with your parents. And despite all of

19 these allegations that we've heard and talked about,

20 especially concerning your mother, you say now that the

21 main fault with your mother is she loved you too much.

22 A I think that's very true, sir.

23 Q And she died because of it?

24 A Probably.

25 Q Probably? Do you remember Colonel

1 Harrington coming to see you and your mother down there in
2 Holcomb Rock sometime during the spring of '84 I guess it
3 would have been, do you remember his visit?

4 A Yes, I do, sir.

5 Q If he were to testify that--you know, you
6 had just been back in that area, down in Boonsboro, since
7 Christmas of '83, is that correct? So as we come into
8 '84, you had not been at home all that long, a couple of
9 months, three months, something of that nature.

10 A That's correct, sir.

11 Q If he were to testify that his observations
12 concerning your mother were that she was going out of her
13 way to make every effort to be supportive of you, welcome
14 you back into the home, would you disagree with that?

15 A No, not at all, sir. She was always very
16 demonstrative publicly in her displays of support.

17 Q As I understood what you were saying then
18 yesterday, in the spring of '84 you and your mother became
19 very close, is that right?

20 A That's true, sir, yes.

21 Q Became so close she kind of hated to see
22 you go away to school again, didn't she?

23 A Yes, that's correct, sir.

24 Q She loved you.

25 A Yes, she did.

1 Q When--I believe you attended Phillips
2 Business College in the spring of '84 as well, during this
3 period that we're talking about, is that right?
4 A That's correct, sir.
5 Q Did you have any objections to that, any
6 problem with that, or was it all right?
7 A That's what I wanted to do. Originally my
8 mother wasn't too happy with the idea, but she acquiesced.
9 Q Then in the fall of '84 you of course began
10 your attendance there at the University of Virginia.
11 A That's correct, sir.
12 Q Eventually met Jens Soering there of
13 course.
14 A Yes, sir.
15 Q And you all started going together and
16 going with one another exclusively after a period of time,
17 is that correct?
18 A That's correct.
19 Q I believe you said yesterday by December of
20 '84 you all were officially in love, is that right?
21 A Yes, sir.
22 Q Well evidently when you all went home for
23 Christmas the two of you made some agreement, didn't you,
24 that each one would write a diary to the other during
25 Christmas break.

1 A No, sir.

2 Q You did not.

3 A No, sir.

4 Q You all didn't say well I'll write a diary
5 of my daily occurrences and you do the same and then we'll
6 exchange those diaries so we'll know what each one did
7 during Christmas, you did not have any such agreement?

8 A I don't believe so, no, sir.

9 Q Before December of '84, before the
10 Christmas break, had you and Jens Soering discussed
11 killing your parents?

12 A No, not at all, sir.

13 Q Not at all.

14 A No, sir.

15 Q Did you discuss with him your hatred for
16 your parents?

17 A I had certainly discussed with him
18 frustrations, anger and bitterness about my parents with
19 him, yes. I don't know if I described it in terms of
20 hatred, but I did describe some problems.

21 Q What was this frustration and bitterness
22 over? Now we've talked about how you've said there was an
23 incredible relationship, the different things that they
24 did, how supportive they were. Please tell us, why were
25 you so bitter and frustrated and angered at these people

1 who spent all this money on your education, and had done
2 everything that they could for you. In Christmas of '84,
3 why were you so resentful, please?

4 A Well it's true, I was extremely ungrateful
5 in many respects, but at the time I believe I thought that
6 when I needed them when I was younger, they weren't there
7 for me. Probably, as I say, it's a bogie in my own head,
8 because maybe if I'd reached out a little bit more they
9 would have been there for me.

10 But I saw it that they had not been there
11 for me, I had been alone for all those years, and then
12 when I come back, when I was at UVA, they were
13 overwhelmingly smothering me with attention, which was
14 extremely ungrateful. As I say, it was my attitude that
15 was wrong.

16 Q But Ms. Haysom, it sounds like your mom and
17 dad couldn't win. You know, if they sent you and provided
18 you with a European vacation where you had your
19 independence, where you could do what you wanted, you
20 didn't like that, you didn't like being away from home.
21 When you were at home in the spring of '84 and your mother
22 was loving you too much and being supportive, and you were
23 at home then, you call that smothering you with attention.
24 So you didn't like it when they didn't give
25 you attention and you didn't like it when they did, did

1 you?

2 A Well, sir, it went from one extreme to the
3 other. All I at the time wanted was to lead a normal
4 life. I wanted to be one of those people who could go to
5 school during the week and on the weekends come home with
6 a friend and see them, see my parents off and on and have
7 a consistent relationship with them.

8 Q You did that, didn't you, at the University
9 of Virginia?

10 A No, sir.

11 Q What did they do so wrong?

12 A Probably not very much, sir.

13 Q Well in your eyes at the time, because they
14 are dead, what did they do in your estimation at the time
15 as being so wrong?

16 A I think my biggest resentment was that
17 they had built me up publicly as this perfect daughter and
18 they had made me feel so guilty for not being that way.

19 Q Now wait a minute, Ms. Haysom, your mom and
20 dad had sent you to where Princess Diana went, sent you to
21 Riddlesworth, sent you to High Wickham Abbey, spent a lot
22 of money, they loved you, could you really blame them for
23 saying something to their friends, you know, Elizabeth's
24 doing this, we're proud of her; didn't they have a right
25 to try to be proud of you?

1 A Yes, sir, they certainly did have the right
2 to be proud of me, except that they exaggerated my
3 achievements. And I had to try and live up to those
4 exaggerations, and that was difficult, and that was
5 probably no greater fault than many parents exaggerate
6 claims of their children.

7 Q No more than any other parent; certainly
8 not a capital offense, was it? But at any rate, Ms.
9 Haysom, you say that you all did not have any agreement,
10 you and Jens Soering, about what you were going to write
11 in December of '84, Christmas of '84, excuse me. And was
12 it then just coincidental that as soon as Mr. Soering gets
13 back to Detroit or wherever it was that he was staying and
14 you get back down here in Boonsboro and you all start
15 writing to one another, the first things that you all
16 start writing about is the death of your mom and dad,
17 don't you? Just coincidental?

18 A It's not at the same time, sir, and I don't
19 believe it's quite in that way.

20 Q All right, then let's look at the--let me--
21 I don't want to try and trick you or anything, so if you
22 want--

23 A No, of course not.

24 Q I hand you Commonwealth's Exhibit No. 25
25 and No. 24; you recognize those of course, don't you?

1 A Yes, I do, sir.

2 Q I was interested yesterday when you first--

3 referring you to your diary, what were the circumstances

4 again of you having written this, beginning to write it?

5 A Well I obviously started it as a letter.

6 Q I know, I see that now, but that's not what

7 you said yesterday, is it?

8 A I believe I said I started it as a letter.

9 Q To yourself.

10 A Yes. It became a diary and then ended up

11 as a letter.

12 Q Yes, but you testified yesterday that this

13 was just meant as you began as something written to

14 yourself, didn't you?

15 A I believe I just repeated what I said. I

16 started it as a letter.

17 Q To whom?

18 A To Jens. It became a diary to myself and

19 then it ended up as a letter which I eventually sent to

20 him.

21 Q All right. Maybe I misunderstood,

22 Ms. Haysom, but obviously on the very first page, at the

23 very top of the very first page you begin, "My Dearest

24 Jens".

25 A Yes, I begin as a letter.

1 Q And you began with the intent then that
2 this is a letter to Jens Soering, you write this with the
3 intent that it be communicated to Jens Soering, don't you?
4 A Perhaps.
5 Q Perhaps?
6 A I've written a great many things to people
7 which I haven't given to them.
8 Q I can understand that, but this is dated,
9 this has got My Dearest Jens, and on December 28th before
10 you take off for Sarejavo it's dropped in the mailbox,
11 mailed to Jens Soering, Buckingham Road, Gross Pointe,
12 Michigan.
13 A Yes, I--
14 Q Wouldn't you say that's a pretty good
15 indication that you intended to mail it to him?
16 A I don't know when I began whether I
17 intended to mail it to him. I do know that there were
18 conversations with Jens before I left Sarejavo that I had
19 not written to him; I believe he refers to that in his
20 letter to me, that he has been waiting for a long time for
21 me to write to him. And I do eventually send it, which I
22 should never have done, I appreciate that.
23 Q Okay, here we are at Christmas, Ms. Haysom,
24 December 21, 1984.
25 A Yes, sir.

1 Q A happy season, a joyous season. And
2 you're writing to this person with whom you are officially
3 in love.

4 A Yes, sir.

5 Q December 22nd, excuse me, getting a little
6 closer to Christmas. But in this joyous season you write,
7 would it be possible to hypnotize my parents, do voodoo on
8 them, will them to death, we've heard that phrase quite a
9 bit.

10 A Yes, we have, sir.

11 Q It seems my concentration on their death is
12 causing them problems. Now why in the world are you
13 writing that about your mother and dad there at Christmas
14 to send to somebody you hadn't known all that long and
15 you've just fallen in love with? What kind of letter is
16 this to send, why did you write it?

17 A It's a disgusting atrocious letter.

18 Q There we are in agreement, but why did you
19 write it?

20 A I wrote it because at the time I felt
21 resentful, I felt anger at my parents, probably unfounded,
22 and--

23 Q I still don't understand why, Ms. Haysom, I
24 don't understand why.

25 A Because I didn't want--

1 Q But at any rate, so what if you felt
2 resentful, so what if you felt irritation with your mother
3 and father. What justification is that for writing to
4 somebody could we do voodoo on them, could we will them to
5 death, would it be possible to do that, my concentration
6 on their death, not mother's, not father's, their death,
7 and I want to know why. Why did you write it?

8 A As I pointed out yesterday, sir, the rather
9 flamboyant suggestion of hypnosis, voodoo and willing them
10 to death is a jab at Jens over his rather pseudo approach
11 to psychology and those subjects.

12 Q I'm sure it is.

13 A I'm sure you're familiar from his letters
14 that he's very much involved in that.

15 Q I'm sure he appreciated it at Christmas, a
16 little jab about voodoo. All right let's put the voodoo
17 aside. Why willing your parents to death, why
18 concentrating on their death.

19 A I'm afraid, sir, that it was a fantasy of
20 mine for many years that my parents would die.

21 Q You fantasized their death for many years.

22 A I fantasized that they would be out of my
23 life.

24 Q By death?

25 A It didn't matter how.

1 Q If they died that was fine, if they ran off
2 somewhere in the jungle and never seen, that was fine,
3 just as long as you had nothing to do with them.

4 A No, sir. My whole approach to life at
5 this stage was running away from things. I ran away from
6 them, from school, from the situation at Wickham, and I
7 wanted to do so again at UVA.

8 Q Yes, but can you explain to me how you can
9 fantasize about someone's death. You just concentrate on
10 it, thinking about it?

11 A No, sir, it's not concentration.

12 Q You sit around in your room dreaming about
13 the death of your parents?

14 A No, sir.

15 Q Just then how did you conduct these
16 fantasies of your parents' death?

17 A I would imagine what life would be like
18 without somebody hovering over my shoulder the whole time.

19 Q Okay. So your concentration then was
20 really on you, what it would be like for you?

21 A Yes, sir, I was completely selfish and
22 self-centered.

23 Q Completely selfish.

24 A Totally.

25 Q And it was what you wanted, regardless of

1 consequence to your mom and dad; if what you wanted could
2 be accomplished through their deaths, it didn't matter, I
3 mean that was your fantasy, wasn't it?

4 A No, sir.

5 Q Explain.

6 A My fantasies were centered on myself,
7 that's correct, and I was totally self-centered and
8 selfish in my association of them being out of my life. I
9 didn't think about the consequences to other people or
10 obviously to my parents. But it wasn't about dying and
11 death, it was about them being out of my life.

12 Just as I was irresponsible and almost
13 brutal in the way that I did not contact my parents when I
14 was running around Europe in this degenerate way, I didn't
15 contact any member of my family, that is how I fantasized
16 about it.

17 Q All right, ma'am. So you're saying that
18 this expression of concentration on their death then was
19 mere fantasy of yours, just fantasy.

20 A Yes, sir.

21 Q That you'd had for some years. Why is it
22 then that you communicated this fantasy to Mr. Soering? I
23 mean you can fantasize things, you can write them down and
24 throw those fantasies away, you don't have to stick them
25 in the mailbox a few days later.

1 A That's very true, sir.

2 Q But you did mail and communicate this
3 fantasy of concentration on your parents' death to Jens
4 Soering on December 28th, didn't you?

5 A Excuse me, what was the date of that?

6 Q I'm talking about the date of the mailing,
7 I believe the post script shows December 28th, 1984.

8 A Well I left for Yugoslavia on the 27th,
9 so--

10 Q So you had to get it mailed before you went
11 to Europe.

12 A Well it couldn't have been posted on the
13 28th then if I was in Yugoslavia on the 27th.

14 Q Well this seems to be a stamp of the United
15 States Postal Service across the United States; do you
16 want to look at the front of it? What does it say?

17 A It does say the 28th, sir.

18 Q Of December, 1984, doesn't it?

19 A Yes, sir.

20 Q And the letter is addressed to Jens
21 Soering, 1001 Buckingham Road, Gross Pointe, Michigan,
22 that's where he was at the time, wasn't he?

23 A Yes, sir. I was also in Yugoslavia on the
24 28th.

25 Q Well that's a good old American stamp

1 there with a postmark on it. But at any rate, when did
2 you mail it then?

3 A I have no idea, probably on the 26th,
4 something like that.

5 Q 26th?

6 A There was probably a delay in the mail.

7 Q You mailed it a little sooner then, okay.
8 But at any rate, getting back, regardless of what day you
9 mailed it, I still didn't get an answer to the question
10 why did you mail this fantasy to this young lover of yours?

11 A Mr. Updike, when Jens and I became
12 friends--

13 Q I'll withdraw the part lover then.

14 A No, no, that's fine. When we became
15 friends, we shared many things, and one of the things I
16 think that was wrong about our relationship was that
17 perhaps I shared too much with him. I indulged my
18 resentments, my self pity, my frustrations with him,
19 exaggerated them, let them run away with themselves,
20 that's very true. And--

21 Q Did he know these were fantasies, just
22 merely fantasies?

23 A Well this is one of the problems that we
24 obviously had. He would discuss with me his fantasies as
25 he describes them in his letters, some of his bizarre

1 sexual fantasies I believe is a quote, and I took his
2 fantasies and my fantasies.

3 Q I see.

4 A I would describe to him I suppose some of
5 my bizarre fantasies of living without my parents, and he
6 obviously did not perceive them as fantasies.

7 Q Right much of an understatement, wouldn't
8 you say?

9 A Yes, it is, sir.

10 Q Now you said that you all did not have an
11 agreement to be writing these things to one another. But
12 looking at Mr. Soering's diary, December 31st, that's a
13 week or so later, but on Page Six, he begins by talking
14 about at the top of the page, remember that test she was
15 talking about doing at the beginning of next semester?

16 A Yes, sir, that's something that comes up
17 many times, and I believe you actually have a note from
18 Jens Soering and myself of the following semester, which
19 is much later on, where I discussed that the test is to do
20 with his movie.

21 Q Oh, the test is the movie.

22 A Yes, you have that document.

23 Q I see. All right, thank you. Proceeding
24 to the bottom of that same page under the same date,
25 Mr. Soering's enjoying Christmas holiday as well, he says

1 you know that certain "instrument for a certain operation
2 on somebody's relatives"?

3 A Yes, I see that.

4 Q So about the same time that you're talking
5 about and fantasizing their death, he's talking about
6 using an instrument on somebody's relatives, isn't he?

7 A I believe he discusses this weapon or
8 instrument and it is this, what does he call it,
9 neurolinguistic programming, psychology, hypnosis, all his
10 as I say pseudo popularized psychology.

11 Q So it--proceeding to Page Eight of his
12 diary, there at the top, second complete paragraph, "By
13 the way, were I to meet your parents I have the ultimate
14 weapon."

15 A Yes, sir.

16 Q He's writing this, too.

17 A And if I can draw your attention to--as I--
18 I pointed that out myself yesterday on Page Eight. He
19 goes on to describe what this weapon is and I think you'll
20 find that the description is throughout Pages Eight and
21 Nine and especially on Page Ten.

22 Q And on Page Ten again, "And the ultimate
23 weapon against your parents, my God, how I've got the
24 dinner scene planned out."

25 A Yes, sir.

1 Q Again, it's weapons against your parents,
2 right?

3 A Yes, it is, sir, it's the lover's form of
4 meditation as he says just before that.

5 Q Then on Page Eleven, first paragraph,
6 referring to your father, Jens Soering writes depending on
7 his mental and emotional flexibility--

8 A Sir, where is this?

9 Q Excuse me, first paragraph, top of Page
10 Eleven, middle of the paragraph beginning with the word
11 depending.

12 A Yes.

13 Q Depending on his mental and emotional
14 flexibility, your father for example could quite well die
15 from a confrontation with him.

16 A Yes.

17 Q Now here we are at Christmas and Mr.
18 Soering's writing about the death of your father as well,
19 why?

20 A I have no idea, sir.

21 Q Just coincidence that he is fantasizing
22 about their deaths while you are also here in Virginia
23 fantasizing about their deaths as well?

24 A I believe you'll find he also fantasized
25 about his own parents' deaths as well in this letter.

1 Q I'm not concerned with that here today,
2 Ms. Haysom. I'm concerned about why your mom and dad got
3 butchered liked they did and why you all were writing
4 these things at the same time, one in Michigan, you here
5 in Virginia.

6 A Yes.

7 Q And I won't go through all of them, you
8 read most of them yesterday, but his diary is full of
9 references of weapons against your parents, isn't it?

10 A Yes, sir. And if you examine what he
11 describes as the weapon, it is things like emotional
12 blackmail. This bit that you just picked out, depending
13 on his mental and emotional flexibility, and before that
14 he's describing color experiences he keeps having.

15 Q Uh-huh.

16 A And this is what carries some powers with
17 it or something.

18 Q Okay, then on your diary, again the second
19 page where you asked the question--well you state, there
20 have been many burglaries in this area recently.

21 A Yes, sir.

22 Q And as you were aware and pointed out
23 yesterday and as I pointed out previously, on Page
24 Nineteen of Jens Soering's diary he responds to your
25 letter at the bottom of Page Nineteen.

1 A Yes, sir.

2 Q The fact that there have been many
3 burglaries in the area opens the possibility for another
4 one with the same general circumstances only this time
5 the unfortunate owners, and it just leads off there.

6 A Yes, it does, sir.

7 Q Were you fantasizing about burglaries as
8 well, were you thinking about faking your parents' murder
9 during a fake--excuse me, killing your parents during a
10 fake burglary, is that what you all were talking about?

11 A No, sir.

12 Q Was it just fantasy, coincidence?

13 A I believe you'll find that there are
14 fantasies about burglaries. I have something written
15 about fantasizing about stealing a five-ton golden Buddha
16 somewhere.

17 THE COURT: Golden what?

18 THE WITNESS: Buddha.

19 **BY MR. UPDIKE:** (continuing)

20 Q And then when you asked about the question
21 about the voodoo that we keep reading, he responds to that
22 on that same page, by the way yes, voodoo, et cetera is
23 possible. Ms. Haysom, I submit to you that as early as
24 December of 1984 and probably earlier by virtue of this
25 having been reduced to writing, you and Jens Soering were

1 discussing the murder of your mother and father and that
2 that is the only reasonable explanation for the two of you
3 writing independently discussions of their murders and
4 their deaths.

5 Now isn't that right? It's the only
6 logical explanation, isn't it?

7 A What was the question, sir? I thought you
8 were making a statement to me.

9 Q Do you agree with the statement?

10 A No, sir.

11 Q Your explanation is coincidence and
12 fantasy.

13 A My explanation is that I had shared with
14 Jens Soering my resentments and my frustrations, and I
15 agree with you wholeheartedly that those were--many of
16 them were unfounded and that my position was one--was
17 totally without fairness or support in discussing the role
18 that my parents played with me.

19 And what I am saying to you is that Jens
20 Soering, as he so graphically describes in that letter
21 which you obviously have read very thoroughly, manipulates
22 that resentment and that frustration that I have discussed
23 with him. And he is talking about a dinner scene three or
24 four months--

25 Q Well--

1 A As you read out there, he says he has the
2 dinner scene planned out. I believe you read that on the
3 August hearing.

4 Q Yes, I did.

5 A Three months before it happened.

6 Q Yes, ma'am

7 A And I don't see how I could have
8 manipulated him to plan those sorts of things when he has
9 already got it planned.

10 Q I see. And you're writing at the same
11 time. Very well, Ms. Haysom, if--

12 A Well we had been discussing these things,
13 we'd been discussing my hatred and my resentments, and he
14 takes it one step further.

15 Q He does.

16 A I have told you, I admit fully that I had
17 the macabre and dreadful fantasies for many years about--

18 Q If we could move on, please, Ms. Haysom;
19 we've covered those letters then, please.

20 MR. UPDIKE: Your Honor, could I get
21 an idea of when the Court intends to break
22 this morning. I can keep going or stop.

23 THE COURT: I think right now might be
24 a good time. We'll take a short recess.
25 (Whereupon a recess was taken.)

1 THE COURT: All right, you may
2 proceed.

3 **BY MR. UPDIKE:** (continuing)

4 Q Ms. Haysom, after you mailed the letter
5 diary, then you went to Yugoslavia, is that correct?

6 A That's correct, sir, yes.

7 Q And mom and dad paid for that, didn't they?

8 A Yes, they did, sir.

9 Q A rather expensive Christmas holiday,
10 wasn't it?

11 A Yes, it was, sir.

12 Q Now if I recall what you said yesterday,
13 you were saying that you wanted to stay at home for
14 Christmas and your mother, it was her idea that you go.

15 A Yes, it was, sir.

16 Q It was your mother's idea, not yours.

17 A Yes, she was the one who found out about
18 the trip and she was the one who made the arrangements.

19 Q I see. Now you've talked just a little
20 while ago about your mother smothering you with affection,
21 not allowing you any privacy, coming to the University of
22 Virginia at times that you didn't want her to. And yet
23 her she was providing you with an European Christmas
24 vacation.

25 A Yes, it was a very public display of trust.

1 Q But at the same time, while you were on the
2 vacation there was no smothering with affection, there was
3 privacy. It was quite nice, wasn't it?
4 A Yes, I had a good time, sir.
5 Q Well there again, she couldn't win, could
6 she? I mean if she was up there with the affection that
7 wasn't right, if she sent you to Europe where you said
8 that you wanted to be, that wasn't right, you wanted to
9 stay at home then. What was she to do?
10 A I think what the problem was, sir, was one
11 of communication. My mother was very strong willed and
12 what she thought was best went, and she was probably
13 usually right. And I know she probably acted out of the
14 best motivations.
15 But the point is that I was a full-grown
16 woman and I wanted to do certain things, my mother wanted
17 me to do certain other things and I did what my mother
18 wanted me to do.
19 Q Then if one of your mother's friends,
20 Ms. Massie, for instance, testified that your mother was
21 concerned about you going, but that it was your idea to go
22 to Yugoslavia and she consented to your wishes--
23 A I'm sure my mother said that.
24 Q But you still maintain that it was her idea
25 and not yours.

1 A Absolutely.

2 Q And then if your mother said that to

3 Ms. Massie, your mother was not telling the truth.

4 A Yes. My mother also told the Massies and

5 numerous other people that I had been accepted into

6 Cambridge.

7 Q She'd lie in other words?

8 A Yes, she occasionally in her pride for me

9 exaggerated her claims of my trustworthiness and how good

10 I was as a daughter.

11 Q Would you agree that you're now calling her

12 a liar?

13 A I would say she wasn't so much of a liar as

14 somebody who--

15 Q Didn't tell the truth?

16 A She had fantasies.

17 Q Ms. Haysom, you wrote Stuart Harrington

18 that you decided to go to Yugoslavia, that statement being

19 in direct contrast to what you're testifying to now.

20 A My mother read my letters.

21 Q Ms. Haysom, it seems that you pass

22 responsibility for everything to somebody else, don't you?

23 A I have done that.

24 Q Do you recognize this letter to Stuart

25 Harrington dated January 6, 1985?

1 A Yes, I do, sir.
2 Q That's your handwriting?
3 A Yes, it is, sir.
4 Q At the bottom of that letter do you say I
5 decided to go to Yugoslavia for a week to remind myself of
6 the sweet, peaceful bliss of Europe?
7 A Yes, I said that. You're reading it, so I
8 presume you said that.
9 Q Well would you like to examine it yourself,
10 please?
11 A Yes, sir.
12 Q You're saying in that written letter to
13 Mr. Harrington that it was your idea to go to Yugoslavia,
14 that you intended to go, where was it, on the second page
15 there, I can't pronounce those European words.
16 A I talk about a skiing resort, Eurobrina
17 outside of Sarejavo.
18 Q That's where you intended to go, right?
19 A That's where I went. I intended to ski.
20 Q I see. If I could introduce that please,
21 Your Honor. Thank you, ma'am.

22 (LETTER MARKED COMMONWEALTH'S
23 EXHIBIT)

24 **BY MR. UPDIKE:** (continuing)

25 Q What is your explanation then for writing

1 to Mr. Harrington that it was your idea to go to
2 Yugoslavia, but testifying here today under oath that it
3 was your mother sending you away at Christmastime; what's
4 your explanation for the discrepancy?

5 A Well what usually happened with my mother
6 is that she would give us options, she would give us an
7 option, we could do this or we could do some thing else
8 and then she would make sure we chose the option she
9 wanted us to choose. And I suppose, again, it was
10 eventually--I did decide to go; I could have put my foot
11 down and refused to get on the plane I suppose.

12 Q Yes. Did you consider that to be a
13 terrible abusive thing?

14 A Not at all, sir.

15 Q A European Christmas vacation?

16 A Not at all, sir. But it was not what I
17 wanted to do. And--

18 Q You wanted to be at home then, right?

19 A I wanted to be at home, yes.

20 Q At Christmas of '84. But you were telling
21 us back in '83 you wanted to stay in Europe to go to
22 school there.

23 A Yes, sir.

24 Q But in December of '84 you wanted to be in
25 Virginia, not go back to Europe.

1 A Yes, sir.

2 Q Do you ever wonder if maybe your parents
3 had a difficult time understanding exactly where it was
4 you wanted to be at the moment?

5 A I think there was a great deal of
6 communication problem between myself and my parents.

7 Q Rather than communication problems, was it
8 just that you changed your mind so much just to suit
9 yourself and your individual desires at the moment?

10 A No, sir, I would change my mind to suit my
11 parents' desires. They wanted me--they were very much for
12 the idea of me going to Cambridge, then they changed their
13 mind about it. So I had my ridiculous display of going to
14 Europe and I acquiesced to their wishes to come to
15 University of Virginia. I did choose to do that because
16 it would make them happy and I felt very guilty for having
17 run away from them.

18 Q I see.

19 A Then when I was at UVA I began to enjoy it.

20 Q So you went to Yugoslavia to make your
21 parents happy.

22 A To a certain extent, yes, sir.

23 Q I'm sure they appreciated it, Ms. Haysom.
24 Now you talked yesterday about your mother, and you've
25 spoken just a few minutes ago about your mother

1 exaggerating your grades and saying that you got a 4.0 at
2 the end of the first semester at the University of
3 Virginia.

4 A Yes, sir.

5 Q Actually you didn't do very well at all.

6 A No, I didn't, sir.

7 Q I think you flunked a course, didn't you?

8 A Yes, I did.

9 Q Got a C?

10 A I had three C's and an F, sir.

11 Q Three C's and an F.

12 A Yes, sir.

13 Q And you accused your mother of exagge rating
14 that. But in the letter, I think it's the one we just
15 introduced, when you wrote Mr. Harrington, Colonel
16 Harrington, you tell him you just got a 4.0.

17 A I couldn't have possibly have said that,
18 sir, since--unless that letter is after Yugoslavia. When
19 my mother had phoned me when I was in New York and had
20 just come back from Yugoslavia, s he told me.

21 Q Could I see that? Maybe I'm thinking the
22 wrong one. The front page of this letter dated January 6,
23 1985--

24 A Yes, I'd just come back from Yugoslavia.

25 Q Excuse me?

1 A I had just come back from Yugoslavia.

2 Q Well I'm not interested--it's about that

3 period of time you write--I have a little trouble, could

4 you just read the first part of that letter about three-

5 quarters of the way down?

6 A Would you like me to start from Dear Stu?

7 Q That will be fine, yes, thank you.

8 A "Dear Stu: Ten thousand apologies for this

9 slow correspondence. You know, the KGB, CIA, FBI, IRA,

10 PLO or any other sultry organization have not yet tempted

11 me from the fine Virginia flock. How the things have been

12 happening"--I'm not sure the next bit is relevant as it

13 concerns my family.

14 Q I'd like for you to read the point about

15 your grades.

16 A All right. Also--yes, here we go. "The

17 heat is finally removed from me who is once more the

18 paragon debutante also maintaining a neat 4.0 average."

19 Q Thank you. That's you writing on January

20 the 6th.

21 A Yes, my mother had informed me when I--as I

22 said yesterday, that I had a 4.0 average.

23 Q Straight A's.

24 A Yes, that's correct.

25 Q So this inaccuracy you're blaming on your

1 mother?

2 A She was the one who told me, yes, sir.

3 Q Now Ms. Haysom, you know, I didn't go to
4 these European schools or anything like that, and I didn't
5 always know exactly what my grades were, but I had an idea
6 between F's and straight A's. Now didn't you know by
7 virtue of the work that you'd done that if she said you
8 got straight A's when in essence and actuality you flunked
9 some courses, you knew the difference yourself without
10 even seeing the report card, now didn't you?

11 A Well, sir, if my actual school work was
12 looked at for that semester, you'll find that I did
13 extremely well up until the very end where I failed to
14 turn up for any of my final exams.

15 Q Okay, so you didn't turn up for your final
16 exams?

17 A No, sir.

18 Q And when the report card comes through and
19 your mother says you got a 4.0, it looks like that your
20 immediate response would be, mom, that can't be because I
21 didn't even take my final exams.

22 A I couldn't have told my parents that.

23 Q But you knew you didn't get a 4.0, didn't
24 you?

25 A I thought it was strange, yes, but I had

1 done a lot of extra work, a lot of extra credit.

2 Q You actually thought without taking final
3 exams the University of Virginia was going to give you
4 straight A's?

5 A I didn't take my final exams at the end of
6 my second semester and I got straight A's.

7 Q Oh, you did then, too. Ms. Haysom, isn't
8 it quite possible that you were the one exaggerating your
9 grades, not your mother, and that you're blaming her for
10 an inaccuracy that she's not allowed to defend?

11 A No, sir, I don't think that's true. It was
12 chance; I went to see my dean, who drew my attention to it
13 because he had discussed it with her. She was the one who
14 had my transcript, she was the one who wrote on it.

15 Q I see. And just before I leave this point,
16 are you saying that you in good faith wrote that letter to
17 Stuart Harrington stating that you got straight A's and
18 that you actually believed that at the moment that you
19 wrote it?

20 A Yes, because it was a very nice thing to
21 believe.

22 Q Proceeding from January then, in February
23 of '85 you said that Mr. Soering came into your room with
24 a very interesting statement. What was that again,
25 please, concerning your parents?

1 A He walked in and said I could blow their
2 bloody heads off.

3 Q I could blow their bloody heads off.

4 A Yes, sir.

5 Q At that point in time of course you had
6 communicated to him with this diary your fantasies as you
7 now call them.

8 A Yes, sir.

9 Q He had written to you, and though you say
10 you didn't read all of it, even in the first ten pages
11 there are references to weapons against your parents.

12 A I have no idea if I got that far but maybe
13 I did, I don't know, I can't say whether I did or I
14 didn't.

15 Q Regardless of whether you read it or not,
16 I'm interested in the fact that he wrote it in response to
17 you. But at any rate, Ms. Haysom--

18 A I believe at Page Ten or whatever is not a
19 response to me, it's of his own free thinking.

20 Q Excuse me, you're exactly right, it's Page
21 Nineteen. Now, my point being though, after you have
22 written what you did during Christmas--

23 A Yes, sir.

24 Q --and Mr. Soering bursts into your room
25 talking about he could blow your parents' brains out.

1 A Yes, sir.

2 Q Didn't it occur to you at that moment hey,
3 wait a minute, this boy's taking this stuff serious?

4 A Yes, it did, sir.

5 Q What did you do to stop him?

6 A Absolutely nothing, sir, and that's why I'm
7 guilty.

8 Q Ms. Haysom, it would seem to me that if
9 somebody said something about murdering one's parents--

10 A Yes, sir.

11 Q --that one would not acquiesce to a
12 suggestion such as that unless that person actually wanted
13 those parents murdered.

14 A Sir, I did not want my parents murdered,
15 but there was a large part of me which did want my parents
16 out of my life. And I think that I chose to ignore his
17 statement or not do anything about it as you say because
18 of that, because I did not necessarily want my parents
19 murdered but I wanted them out of my life.

20 Q Couldn't you have very easily have said
21 that to Jens Soering, look, Jens, I don't want them dead,
22 I would like them out of my life, I don't want them dead.
23 I love you, don't you ever say anything of that nature
24 against my mother and father again.

25 A I certainly was very angry with him. I

1 told him that I thought it was a disgusting thing to say,
2 and I said to him, my God, you are serious about this and
3 it's outrageous.

4 But he obviously knew from, as you pointed
5 out, my letters that I had feelings about my parents that
6 I didn't want them in my life, yes.

7 Q And he would also have feelings that you
8 wanted them dead because of your exact words in the diary,
9 concentrations on their death, willing them to death.

10 A That probably had remained in his mind. I
11 actually had forgotten about those letters until a much
12 later time.

13 Q So you admit that you placed the idea of
14 your parents' death in the mind of Jens Soering?

15 A No, sir.

16 Q Ms. Haysom, then, you did absolutely
17 nothing, you said absolutely nothing, and you say that you
18 did not want them dead, you just ignored that statement,
19 is that correct?

20 A To a certain extent.

21 Q To a certain extent.

22 A What is your question then, sir, excuse me,
23 maybe I misunderstood.

24 Q Let's just move on, Ms. Haysom. I think I
25 plowed that ground and I'm not getting anything but rocks.

1 Now after February, the next month, March,
2 and I'd like to keep things in sequence if we could.
3 You've written a December diary about willing them to
4 death, Jens in February is talking about blowing their
5 heads off, you say that you just passively acquiesced,
6 that you don't do anything to encourage it, you just allow
7 him to think what he wants.

8 A Well I think, sir, that by passively doing
9 nothing, that is an acquiescence, and that is why I am
10 responsible for my parents' death.

11 Q I submit to you, Ms. Haysom, and I hand you
12 Commonwealth's Exhibit No. 26, that you did much more than
13 passively acquiesce, you actively participated, didn't
14 you? I hand you--

15 A Excuse me, sir, what do you mean by
16 actively participated?

17 Q Let me point to the letter that I have
18 just handed you. This you wrote from the Ramada Inn in
19 Colorado, didn't you?

20 A That's correct, sir.

21 Q And these cruel parents who wouldn't allow
22 you to go anywhere or do anything, Christmas break you go
23 to Europe, spring break you go to Colorado.

24 A I didn't want to go to Colorado, I wanted
25 to stay at Virginia with Jens.

1 Q You just had a miserable life, didn't you,
2 Ms. Haysom.
3 A No, I did not, sir.
4 Q But while in Colorado, you write this
5 letter to him, knowing the background that I've already
6 described. For example on Page Three of the letter at the
7 bottom quarter you state, "I would not sell my soul for
8 their easy money, their money was a cop-out and I would
9 never have had full control. If they didn't like my
10 beloved when I was thirty-five, they could still say go
11 out and marry him and you will be poor."
12 Then you write, oh, two pages over,
13 actually three pages over, middle way down the page, I'm
14 sure you're familiar with it, "Why spend an entire life
15 chasing a fat carrot and being incredibly miserable when
16 the carrot will eventually come your way. They cannot
17 write me out of their will completely."
18 A I'm sorry, I can't find it, sir.
19 Q Okay, right here, please. It's the page
20 with the note there at the top.
21 A Oh, okay.
22 Q Do you see that?
23 A Yes, sir.
24 Q And then I'm not reading all of it, but
25 then just flip over several pages to where the Ramada

1 Inn's at the top, to this part right here, see where I am
2 now, that page?

3 A Yes, sir.

4 Q If I go to Europe with you, anybody else,
5 alone, to bum around, I can kiss lots of lolly--that's
6 English for money, right?

7 A Yes, sir.

8 Q I can kiss lots of lolly goodbye. If I go
9 to summer school or work as an assistant editor to the New
10 Yorker, Harper's, et cetera, I will be on the right road
11 to wealth. You're writing these things to Jens Soering,
12 aren't you?

13 A No, sir.

14 Q As you described yesterday, he was very
15 concerned about financial security, wasn't he?

16 A Yes, he was, sir.

17 Q And this business about going to Europe, it
18 concerned him that if you all took off you all wouldn't
19 have enough money.

20 A No, sir, he was not discussing about taking
21 off, he was discussing a holiday as he describes in that
22 letter of December and January.

23 Q He was concerned about financial security,
24 though, wasn't he?

25 A Yes, he was, sir.

1 Q And you knew that.

2 A Yes, sir, and I tried to manipulate him in
3 that letter about that.

4 Q And you said that, tried to manipulate.

5 A Unsuccessfully, too.

6 Q But at any rate, you are putting to him an
7 ultimatum, aren't you? You are stating to him about how
8 your parents were controlling you, that you tried to do
9 all these things and it didn't make any difference. And
10 you state on one hand if you go to Europe, you're going to
11 lose out on the money. You can stay here and be rich, but
12 you're going to have to be subjected to the control of
13 your parents.

14 So you had that ultimatum that neither one
15 of you wanted, did you, and that the only resolution to
16 that dilemma, the only one, the only way that you could
17 have both, was to kill the parents, wasn't it?

18 A No, sir.

19 Q Because then you would have had your
20 freedom to go to Europe and you would have had the wealth
21 as well, you would have had both. And knowing the letters
22 you'd written in December, knowing about his statement in
23 February about blowing their brains out, in March, two
24 weeks before the murder, you're manipulating him, playing
25 with him, presenting this dilemma to him that had only one

1 resolution.

2 MR. DAVIS: Judge, I believe he's sort
3 of badgering the witness and being very
4 argumentative, and I don't know whether
5 there's a question there or what's going
6 on, the statement's been going on for about
7 three minutes. And if there's a question
8 to be asked, maybe it can be rephrased in a
9 more simple manner.

10 THE COURT: Any response to the
11 objection?

12 MR. UPDIKE: Your Honor, I think that
13 I have the right to cross-examine. I'll be
14 happy--I thought I was putting it in the
15 form of a question to ask her wasn't that
16 the only resolution to the dilemma.

17 THE WITNESS: No, sir. What I'm
18 trying to do here, if you're interested,
19 are you interested?

20 BY MR. UPDIKE: (continuing)

21 Q Yes, very much so, ma'am, I've waited quite
22 some time to talk with you.

23 A What I'm trying to do in this letter,
24 exactly, I'm trying to manipulate him.

25 Q To do what?

1 A To leave the university with me; that is
2 why I go into this incredibly flamboyant and nonsensical
3 description of how it's okay to leave, that everything's
4 going to work out, that you can find money, do whatever is
5 necessary.

6 Q You start out in the letter by talking
7 about you were to inherit Eaton Square.

8 A That's nonsense.

9 Q I know it was. But he didn't know it, you
10 were telling him.

11 A No, I spoke to him on the telephone the same
12 day.

13 Q Yes, ma'am, but you are writing this letter
14 saying that if you did such and such thing in accordance
15 with your parents' will, you would inherit 100 Eaton
16 Square.

17 A I spoke to him on the telephone that same
18 day and I told him that the--

19 Q Ma'am, I'm not asking about the telephone
20 call, I'm asking you didn't you write this to him?

21 A Oh, yes, it's right here in front of me, I
22 can't deny that.

23 Q And you talk about your heritage going back
24 to Lady Astor, don't you?

25 A Yes, sir.

1 Q And what you were doing was you were
2 emphasizing your background, your heritage, your potential
3 wealth to this young man who was concerned about financial
4 security, weren't you?

5 A No, sir, I was--well, yes, you're correct
6 in a way, I was emphasizing the fact that there was lots
7 of money there. But I was emphasizing to him that that
8 money would never be available to me. As I said in the
9 letter, the golden carrot was always before me and I would
10 never be able to achieve it.

11 Q Unless your parents died.

12 A No.

13 Q I direct your attention then to Page Four
14 of the letter.

15 A What does that look like? This isn't
16 numbered, I'm sorry.

17 Q It starts with the words absolutely
18 everything.

19 A Yes, sir.

20 Q And you state at the middle of the page,
21 referring to your parents, they are now ruling over me
22 because if I'm a good girl I will be rich, but until they
23 die they will hold out.

24 A Well, that's--

25 Q Yes, ma'am. And you're talking about

1 that's the only way that you're going to get that wealth,
2 isn't it, they are going to hold out until they die. And
3 you're describing to this young man this wealth that's
4 there available, the European trips. You're manipulating
5 him, aren't you?

6 A I am manipulating him, yes, I admit to
7 that.

8 Q And the purpose is in this reference until
9 they die to the young man who's talked about blowing their
10 brains out, it's to encourage him to free you so the two
11 of you will have the freedom and will have the wealth to
12 do whatever you want.

13 A That's not true, sir, because I knew at
14 that time that I wasn't--all I was going to inherit, I say
15 all, but what I was going to inherit was my education.

16 Q Why did you write this then?

17 A I wrote it to manipulate him to leave the
18 university with me.

19 Q Two weeks later, Ms. Haysom, you, according
20 to you, were in the Washington Marriott and Jens Soering
21 was on his way to Holcomb Rock Road, Loose Chippings.

22 A Yes, sir, he had a four hour drive.

23 Q And he murdered your parents there, didn't
24 he?

25 A Yes, he did, sir.

1 Q And are you saying that this letter two
2 weeks before, and the statements that he made in February,
3 and the letters that you wrote in December had nothing to
4 do with the trip that he made all the way from Washington
5 to Loose Chippings?

6 A No, I'm not saying that, sir.

7 Q You did want your parents dead, didn't you?

8 A I did not want them murdered, sir.

9 Q You wanted your father dead for example,
10 didn't you?

11 A No, I didn't, sir.

12 Q You told this man here on May the 8th, and
13 I'll find the exact quote, but you said to him on May the
14 8th, 1987 down here at the Bedford County Sheriff's
15 Department, with reference to your father, and this is
16 nearly a verbatim quote, I didn't like him, I wanted him
17 dead, I'll say it 100 times if you want, now didn't you
18 say that? Would you like to see it in print?

19 A No, sir, I remember it very vividly.

20 Q You did say that, didn't you?

21 A Yes, I said that to Investigator Gardner.

22 Q But here today, oh, no, you didn't want him
23 dead, is that what you're saying?

24 A What I said was I didn't want him murdered.
25 I know to you who obviously are very logical and very

1 clear headed that doesn't make any sense. But sir--
2 Q Please.
3 A --I wanted my parents out of my life. I
4 had this immature, ridiculous fantasy of them being dead,
5 not murdered, not in actuality, not in reality. My
6 letters, my writings, they all have a very surreal and
7 fantastic nature. It was in my head and Jens made it
8 reality. But it wasn't a reality that I wanted.
9 Q You wanted them dead, you state here on
10 Page Seventy-Eight.
11 A I wanted them dead to me, I wanted them
12 disinherited from me. I wanted them to be out of my life.
13 Q So this is just, oh, a lack of
14 communication between you and Jens Soering then, is that
15 right?
16 A I think that's a very gross under
17 statement.
18 Q Is that how you would characterize your
19 testimony though here today?
20 A I don't understand the question, excuse me.
21 Q But at any rate, while I've got it here,
22 you do admit that you stated to Investigator Gardner, I
23 didn't like him and I wanted him dead, I mean I'll say it
24 100 times if you want. I admit my guilt to that and all
25 the rest of it.

1 A Yes, I said to Investigator Gardner many,
2 many times that I was guilty and that--
3 Q But you just--
4 A I was responsible for everything that took
5 place and that I caused it to happen and that's true.
6 Q You didn't want them dead, all right.
7 You've written these letters.
8 A I wanted them dead, but not murdered, sir.
9 Q All right. At the end of March, March the
10 28th, was it the 29th, that Friday, you and Jens Soering
11 went to Washington, D.C., didn't you?
12 A Yes, sir. What's the date of that?
13 Q Well let me get a copy of the reservations
14 that you made then. Commonwealth's Exhibit No. 10,
15 arrival at the Washington Marriott on Friday, March the
16 29th, departure on Sunday, March the 31st. You all went
17 to Washington that weekend, didn't you, despite all this
18 that's happened before.
19 A Yes, we did.
20 Q And for the trip, who rented the car?
21 A I did, sir.
22 Q Who called and made the reservations?
23 A I did, sir.
24 Q And what was your purpose as you state now
25 for going to Washington on that occasion?

1 A To spend some time with Jens away from the
2 university and to sell some jewelry.

3 Q Whose jewelry?

4 A My jewelry.

5 Q You said something in some letters about
6 you'd steal your mother's jewelry, I think it's the last
7 one I showed you.

8 A Was any jewelry stolen of my mother's?

9 Q I'm asking you, was it your mother's jewelry
10 that you sold?

11 A No, sir.

12 Q Just some jewelry that you had.

13 A Yes, sir, I did have some.

14 Q That you wanted to sell to buy drugs.

15 A (No response.)

16 Q You made the reservations, you rented the
17 car and you all drove up there just for a little pleasant
18 weekend buying drugs and so forth. What did you all do
19 Friday?

20 A We stayed at the hotel, sir. I can't
21 remember if we went to a movie that night, but I think we
22 stayed at the hotel.

23 Q All night?

24 A Yes, sir.

25 Q The next morning what did you do?

1 A The next morning we had breakfast and I
2 went into Georgetown for a couple of hours, sold some
3 jewelry, then I met him at the hotel again.

4 Q What did you do then?

5 A Ate lunch.

6 Q What happened then?

7 A Then we had the argument, discussion,
8 confrontation.

9 Q About what?

10 A Well I gave Jens half the money that I had
11 obtained from selling the jewelry.

12 Q How much was that?

13 A It was several hundred dollars I believe.

14 Q So you gave him half the money; what
15 happened then?

16 A He was upset that I had to sell my jewelry
17 and he thought I should have gotten more for it. He
18 blamed my parents.

19 Q Why?

20 A That I didn't have sufficient money that I
21 had to sell my jewelry.

22 Q Your parents were giving you I think you
23 said \$200 a month yesterday, didn't you, in addition to
24 paying your expenses and all that, your allowance was \$200
25 a month according to you yesterday.

1 A Yes, sir.

2 Q You told Investigator Gardner on April the

3 8th that your allowance was \$350 a month.

4 A I know, sir, I lied to him.

5 Q You lied to him.

6 A Yes, I did, sir.

7 Q You're capable of lying and deceiving

8 should it meet your needs then?

9 A I have lied and I have deceived.

10 Q To serve your own purposes at the time?

11 A Yes, sir.

12 Q But at any rate, you had an allowance and

13 he got mad because you sold your jewelry.

14 A Yes, sir.

15 Q Then what happened?

16 A From the discussion about why I didn't have

17 enough money and I had to sell my jewelry, that developed

18 into an argument about the relationship I had with my

19 parents generally.

20 Q Okay, they're your parents, what happened

21 then?

22 A He said that he wanted to go down to Loose

23 Chippings.

24 Q And talk to them?

25 A And talk to them.

1 Q (Laughs.) Now, Ms. Haysom, you haven't got
2 much money evidently, you're selling your jewelry here.
3 You rent a car--
4 A Yes, sir.
5 Q --to have a little weekend with your
6 boyfriend.
7 A Yes, sir.
8 Q Putting miles on it, you all had to
9 pay for the miles, I expect, didn't you when you turned it
10 back in?
11 A No, sir.
12 Q You don't?
13 A No, sir.
14 Q All right. But at any rate, the miles are
15 kept on it and you have gone all the way to Washington,
16 and Charlottesville, for the record here, I think
17 everybody here knows, it's about halfway between Lynchburg
18 and Washington, D.C., isn't it?
19 A I don't know, sir, I don't know the
20 geography of this area at all.
21 Q How many times did you travel from
22 Charlottesville to Loose Chippings?
23 A Many times.
24 Q You ought to know that, don't you?
25 A Yes, I should.

1 Q How long did it take?

2 A About an hour and a half.

3 Q How long did it take you on the occasion of

4 March the 29th to drive from Charlottesville to Washington?

5 A A couple of hours.

6 Q That makes a right good drive all the way

7 back from Washington, D.C. all the way down to Loose

8 Chippings, doesn't it?

9 A Yes, sir.

10 Q After you all had gone to all that trouble

11 to set up a nice little weekend for the two of you there in

12 Washington, D.C., you're saying that on Saturday Jens is

13 upset about the sale of some jewelry and all of a sudden

14 he says well I think I'll just drive on down to Lynchburg

15 and talk to your mom and dad about that, is that what

16 you're saying?

17 A Yes, sir, he was like that.

18 Q Did it ever occur to you two brilliant

19 students, if it happened like what you're saying, to say

20 now look Jens, if you want to talk to mom and dad let's

21 wait until we get back to Charlottesville, and you can go

22 down there some other time, and you won't have to drive

23 all the way from Washington to Lynchburg, and then from

24 Lynchburg all the way to Washington, and then from

25 Washington back to Charlottesville?

1 A Yes, sir, I did say that to him.
2 Q That made a 650 mile round trip.
3 A It certainly did.
4 Q And he was that upset about selling the
5 jewelry.
6 A Jens, when he gets into a temper, does what
7 he wants to, and he wanted to talk to them now. He wanted
8 me to go with him.
9 Q And I believe that you stated that when he
10 was leaving in the car what did he state?
11 A He said I'm not sure if it was when he was
12 leaving in the car, of if it was the discussion at lunch,
13 but he did say I could kill them.
14 Q I could kill them.
15 A Yes, sir, he did.
16 Q And what did you do?
17 A I did absolutely nothing, sir.
18 Q But of course you didn't want your parents
19 dead, you just wanted them out of your life, is that what
20 you're saying?
21 A Yes, sir.
22 Q Does that make sense, Ms. Haysom? You are
23 bright, is it logical?
24 A No, sir, it isn't logical. I think--you've
25 said it several times, that I'm awfully bright, perhaps

1 that's an over estimation of my abilities.

2 Q But you understood that, what he was up to,
3 didn't you?

4 A Perhaps, sir.

5 Q Perhaps.

6 A Perhaps. I chose to ignore him. As I say,
7 I was very much caught up in my own self-centered, selfish
8 life.

9 Q Can you explain why after writing all the
10 correspondence about the deaths of your parents, about
11 telling the investigators in England about wanting them
12 dead, and about telling this man here about wanting your
13 parents dead, and about having said all of that and knowing
14 all of that and doing what you did there in Washington,
15 you here today say that you did not want them murdered?

16 A The distinction I'm trying to make, and I
17 know it's very--it's a very difficult one to understand--
18 yes, I said to Investigator Gardner when I came back here,
19 which is approximately two years after my parents were
20 killed, that I did want them dead, yes, but I did not want
21 them murdered.

22 I lived in--I'm sure you can tell from my
23 letters that I lived in a world of fantasy to a large
24 extent. I deceived people, I lied to them, I exaggerated
25 it, I played roles, I acted out roles. But in reality I

1 still find it very difficult to believe, although
2 obviously I know that it's true, that Jens, or in fact
3 that anybody could kill somebody, particularly with a
4 knife.

5 I don't--to have known Jens, I had never
6 known anybody who was particularly violent or criminal.
7 To kill somebody, it's so very definite and so very real;
8 I just never really imagined somebody could do that, would
9 do that. For all the talk and hard times, it's just not
10 something that people do, they don't go around killing
11 other people even if they have talked about it, written
12 about it. It's not something one does.

13 Q I see. Then are you saying despite
14 everything that had been written and said between the two
15 of you and despite what Jens Soering said as he was
16 leaving Washington, are you saying that you did not know
17 he was going to murder your parents?

18 A (Pause.)

19 Q You knew what he was going to do, didn't
20 you?

21 A No, sir.

22 Q You didn't. Did you think he was going to
23 drive that distance after all of this just for a little
24 chat?

25 A I never thought that Jens would murder my

1 parents. I thought he might do a lot of things, but kill
2 somebody, stick a knife in my mother and father, butcher
3 them, no. I never believed he would do that to my
4 parents, I still can hardly believe it.

5 Q Then if you did not think that, why did you
6 think he was driving so far under those circumstances?

7 A He went down there to confront them over
8 his anger and frustrations about my relationship with
9 them.

10 Q Ms. Haysom, with you all living there in
11 Charlottesville he could have come down from
12 Charlottesville to talk to your parents.

13 A But that's when we were discussing it,
14 that was when he got angry, that is when he wanted to see
15 them. And when Jens wants to do something, if he has to
16 drive ten hours from New York to Charlottesville, he'll do
17 it. If he's in Detroit and he wants to see me in New
18 York, he drives the distance. If he wants to do something
19 he does it.

20 Q I understand then, you're sticking to that
21 explanation. There's no point in me badgering you on it,
22 I don't mean to.

23 A Sir, what I want you to understand is I do
24 not mean to minimize my guilt. What I did, what I said,
25 what I failed to do, my irresponsibility, my manipulation

1 of Jens, yes, I'm totally guilty, I'm totally responsible
2 for my parents' death, I accept that.

3 But what I want you to realize is that Jens
4 acted of his own free will, he had a choice; he had a
5 choice, he had a four-hour drive. No matter what I said
6 to him before that, no matter what I had written to him in
7 months before that, he had a choice whether he killed
8 my parents or not.

9 He sat and talked with them. He had some
10 kind of meal with them or something. He didn't have to do
11 anything, nobody forced him to do anything. And I never
12 once believed that somebody like Jens could do something
13 like that.

14 Q Ms. Haysom, please don't misunderstand me,
15 I'm not trying to minimize Jens Soering's guilt. And if I
16 live long enough, the time's going to come when he's going
17 to be here, his day will come, so I'm not trying to
18 minimize his involvement. I'm trying to lay a foundation
19 for the Court to determine yours, that's why we're here
20 today.

21 A I understand that, sir.

22 Q And your explanation, then, as I try to
23 summarize it, in my mind is that you passively acquiesced
24 in his intention to kill your parents rather than
25 actively participating in the planning.

1 A Sir, I'm not a planner. I'm an impulsive,
2 irrational, emotional person. I spit things out, I write
3 things down, I don't think about them, I forget about
4 them. And a lot of the things I have said and done are
5 irrational and illogical.

6 Q I understand all that. But in answer to my
7 question, is it accurate then to say that your testimony
8 here today is you passively acquiesced in Jens Soering's
9 intent to kill your parents?

10 A I don't think I could ever say that it was
11 passive having written those letters, they obviously had
12 something to do with it.

13 Q Yes, ma'am.

14 A I won't say that I didn't intend them that
15 way, but obviously they were taken that way; therefore I
16 can't possibly say that it was passive.

17 Q And can you agree that you agree, then,
18 that they could have been taken as encouragement for
19 murder; would you also agree that they could reasonably be
20 interpreted by Jens Soering as encouragement to murder
21 your parents?

22 A I would say that it's reasonable to say
23 that he would interpret it as an encouragement, but not
24 for murder.

25 Q And knowing that and your ability to

1 interpret when Jens Soering left Washington, you did
2 nothing, you did not know he intended to kill them.

3 A No, sir.

4 Q And you have indicated to us you're capable
5 of deceiving, aren't you?

6 A Yes, sir, I have deceived.

7 Q Capable of lying.

8 A Yes, sir.

9 Q Let's take you back, then, we have heard
10 your statement here today. Let me ask you about your
11 statement concerning the exact same weekend, the statement
12 that you made on June the 8th, 1986--

13 A Yes, sir.

14 Q --to Detective Sergeant Beaver and
15 Detective Constable Terry Wright--

16 A Yes, sir.

17 Q --there in Richmond, England.

18 A Yes, sir.

19 Q I'll be glad to hand you a copy of it,
20 perhaps I should. While I'm looking for it, if I could
21 summarize and ask you to state whether my summary is
22 accurate. You were initially interviewed a couple of days
23 before by all three officers, Investigators Gardner,
24 Beaver and Wright. At that time you indicated that you
25 loved your parents and really said very little else. I

1 mean you had counsel present and upon his advice you
2 indicated no reply to just about everything, right?

3 A Yes, sir, my attitude was extremely
4 obnoxious I believe as well at the time.

5 Q Yes, ma'am. Now you were left alone for a
6 couple of days then, and then you were left alone, the
7 first interview was on June the 6th, 1986, there's a copy
8 of that, I'm really not interested in that, but then a
9 couple days later, June 8th, 1986, that's the second
10 statement if you need to refer to it.

11 But during this first part of the
12 interview, you had not been interviewed for several days.

13 A Yes, sir.

14 Q Sunday night you were interviewed, you knew
15 that the officers had been talking to Jens Soering, and
16 during the first part of this interview you just admit
17 Jens Soering's involvement in its entirety, don't you, but
18 you state that you didn't know that Jens Soering intended
19 to kill your parents.

20 A Yes, sir.

21 Q For example, what did you state to the
22 officers concerning the purchase of the knife on Saturday
23 morning, what did you say at that time, this being Page
24 Two?

25 A I believe I said that we bought it together

1 at--I'm sure--if I remember correctly, I said that we
2 purchased the knife together and I think--I believe I
3 later stated that I paid for it in cash.

4 Q Yes, ma'am. So at that time you're saying
5 that on Saturday morning you weren't selling jewelry, but
6 rather at that time your explanation was that you and Jens
7 Soering tried to purchase a knife in Washington, D.C.

8 A Yes, sir.

9 Q Couldn't purchase it there, you drove into
10 Maryland and the two of you together purchased a butterfly
11 knife.

12 A Yes, sir, that's correct.

13 Q You later drew a butterfly knife as well,
14 didn't you?

15 A Yes, I did, sir.

16 Q Did you also state at that time that you
17 and Jens Soering had an agreement before he left
18 Washington, D.C. that you would attend movies and purchase
19 two tickets in order to establish an alibi?

20 A I believe I did say that, yes, sir.

21 Q Did you state to them that you attended one
22 movie, purchased two tickets, this being around 2:00, you
23 couldn't remember the name of that one, you got out, went
24 to another movie that I think you referred to as Witness,
25 attended that, and then after attending that second movie

1 You returned to the hotel room.

2 A Yes, I believe I said that, sir.

3 Q And you stated to the officers that at the
4 hotel room you ordered room service.

5 A Yes, I did, sir.

6 Q And the purpose of you ordering room
7 service was so that you could order two meals and there
8 would be documentation there at the Washington Marriott
9 that two meals were ordered there on Saturday night.

10 A I don't believe I said that, I believe I
11 said the room service, and Sergeant Beaver, Inspector
12 Beaver, suggested that and I agreed with him.

13 Q Two meals?

14 A Yes.

15 Q Later on you said two meals to this man,
16 didn't you, in May of '87?

17 A I said one meal and corrected myself, yes.

18 Q And said two meals.

19 A Yes, sir.

20 Q Your intent was--you didn't correct the
21 Sergeant, your intent was to leave the impression that you
22 ordered two meals, right?

23 A Yes, sir, it was. I wanted to convict
24 myself completely.

25 Q You wanted to convict yourself completely?

1 A Yes, sir.

2 Q But Ms. Haysom, that's what I'm saying.
3 During the first part of this June 8th interview, you're
4 trying to convict Jens Soering, you completely insist that
5 you had no knowledge of the intent to murder. It's only
6 during the last part of that interview when Sergeant
7 Beaver confronts you with your statement being so
8 illogical.

9 A Yes, sir.

10 Q In the latter half, that's when you break
11 down and that's when you admit your involvement. During
12 the first part you're saying Jens did this, Jens did
13 that, he left Washington and I didn't know what he was
14 going to do; isn't that a fair description?

15 A I think it does go something like that,
16 yes.

17 Q My question then is why did you say that
18 tho those two police officers at that time about
19 purchasing the tickets, going to the hotel room, and here
20 today you're saying something different?

21 A Okay, while I was in custody at the
22 Richmond Police Station, as you know from my first
23 interview with Investigator Gardner and Detective
24 Constable Wright and Sergeant Beaver, I refused to make a
25 statement basically, I said no reply, and I refused to

1 talk after that.

2 And when I discovered--I admit my sole
3 purpose at this time was to continue to cover up for Jens
4 and to continue to cover up my coverup, any participation
5 that I had. And when I discovered, when Sergeant Beaver
6 confronted me in the cell with Jens's statement he was
7 very careful to tell me a couple of details about Jens's
8 statement, and so I was fully aware of the fact that Jens
9 had been talking to them.

10 Any my response was one of anger that Jens
11 had let me down, that he had confessed while I was
12 continuing to betray and lie and cover up for him, and
13 meanwhile he was confessing. And I felt like I had been
14 set up by him.

15 And so what--my response was one of anger.
16 And when I spoke to Sergeant Beaver in the beginning, yes,
17 I did, I tried to put the entire mess on to Jens, I said
18 that I didn't now what was going on.

19 Q For example, about the tickets, you
20 responded, "Well, he just said buy a couple of tickets
21 when you go, so I bought two tickets." So your intent
22 was just whatever Jens said do, you did it without
23 knowledge of the consequences. During the first part of
24 the interview, is that correct?

25 A Yes, sir.

1 Q So Jens had confessed, you were mad at him,
2 so you just decided to put him in a little bit deeper.

3 A Well it's a little bit more complicated
4 than that. At that time, as I still do feel, I felt
5 responsible for what happened, what took place. And I
6 suppose I was also trying to shift the burden of that
7 guilt and responsibility.

8 Q To somebody else?

9 A Yes, sir.

10 Q But then, Ms. Haysom, when the officer,
11 Sergeant Beaver outlined how it just didn't make sense
12 that you would have done all these things, buying the
13 tickets, two tickets, buying two meals when Jens wasn't
14 even there, when he confronted you with it not making any
15 sense, you changed your story again, didn't you?

16 A Yes, sir.

17 Q And what did you say that time?

18 A I don't remember. I believe I said--where
19 does it start where I changed my story?

20 Q Okay, I think it starts on Page Twenty-
21 Two, let me check to make sure. Yes, ma'am. That's where
22 he's asking you to tell the truth. You see where I'm
23 talking about? I'm just referring you to Page Twenty-Two
24 as being the point--

25 A Page Twenty-Two?

1 Q Yes, ma'am.

2 A Oh, yes, he says yes, it's got a ring of
3 truth to it now.

4 Q Yes, where he says that.

5 A (Pause for perusal.)

6 Q And you state initially there at the middle
7 of the page, he went down there with the knife with the
8 possibility of killing them.

9 A Yes, sir.

10 Q And he says and you knew that, didn't you,
11 didn't you? You respond, yes, I did.

12 A Yes, sir.

13 Q He asked you, "And how long had you been
14 plotting this, the actual planning for the Washington
15 thing had took place? Wouldn't have been too long, really,
16 that's why we didn't have enough money."

17 Q Question: "How long had you been talking
18 about killing your parents?" Your response, "A month."

19 A Yes, sir.

20 Q There you're saying that you plotted the
21 murder of your parents for a month.

22 A At that time, sir, and as you have very
23 clearly pointed out that my letters from December, they
24 obviously had something to do with the death of my
25 parents. And my lack of doing anything about Jens's

1 various comments also had something to do with the death
2 of my parents.

3 Q Yes. But if that's true, Ms. Haysom, at
4 this point in time why didn't you tell Sergeant Beaver
5 exactly what you're telling His Honor today instead of a
6 completely different story? Ms. Haysom, how are we
7 supposed to know what's true? You have told so many
8 things, haven't you?

9 A Yes, I have, sir.

10 Q But the only logical explanation, it's just
11 like Ken Beaver pointed out to you that night, that Sunday
12 night in England, this was the only logical explanation.
13 And after a long pause you said well I'll tell the truth,
14 and at that one point, Ms. Haysom, you did tell the truth,
15 didn't you?

16 A No, I didn't, sir.

17 Q You're stating now that after Jens Soering
18 left you got some acid or some drugs or something.

19 A Yes, sir.

20 Q And you had no plan to establish an alibi
21 there in Washington.

22 A No, sir.

23 Q But yet you testified yesterday you
24 returned to the Washington Marriott?

25 A Yes, of course, sir.

1 Q Why?

2 A It was where I was staying.

3 Q Yes, but after the Washington Marriott, you

4 left just in accordance with the plan that we heard about

5 there in England and went to the Rocky Horror Show.

6 A Yes, sir.

7 Q That was on the other end of town, wasn't

8 it?

9 A It was in Georgetown; the Marriott Hotel is

10 not very far from Georgetown.

11 Q My question is why couldn't you have just

12 stayed over there, why did you return to the Washington

13 Marriott?

14 A Stayed over where?

15 Q Where you were in that part of town where

16 the theaters were and where you were supposed to meet Jens

17 Soering.

18 A Because I went to the Marriott in the early

19 evening. Was I supposed to walk around town all night?

20 Q You said here that you attended movies,

21 you're saying now that you didn't?

22 A No, I didn't.

23 Q Instead you went back to the Washington

24 Marriott.

25 A Yes, sir.

1 Q And then you left the Washington Marriott.
2 A Yes, sir.
3 Q Why?
4 A To meet Jens.
5 Q Now why couldn't you have met Jens Soering
6 at the Washington Marriott? I mean he was supposedly was
7 just going down for a little chat with your parents.
8 A There was no reason why we couldn't have
9 met at the hotel.
10 Q But you had agreed earlier where you would
11 meet?
12 A Yes, sir.
13 Q So that part is the same as what you said
14 in England.
15 A Yes, sir.
16 Q But there was no plan of providing an alibi
17 you're saying here today.
18 Q There was a plan afterwards, yes, sir.
19 Q A plan afterwards?
20 A Yes, sir.
21 Q On Page Twenty-Five of the statement on
22 June the 8th, at the bottom of the page you made the
23 statement, well I arranged the alibi.
24 A Yes, sir.
25 Q You say today that that's not true?

1 A Yes, sir.

2 Q Did not want your parents murdered?

3 A No, sir.

4 Q Okay, so you're over there near the Rocky

5 Horror Picture Show and Jens Soering rolls back into town

6 on the wrong side of the road, is that right?

7 A Yes, he was on the other side.

8 Q And you opened the door.

9 A Yes, sir.

10 Q And what do you see?

11 A I see him wrapped in a sheet covered in

12 blood.

13 Q Covered in blood?

14 A Yes, sir.

15 Q You knew whose blood it was, didn't you?

16 A No, sir, I didn't.

17 Q Well he said he had gone down to see your

18 parents.

19 A Yes, sir, he did.

20 Q Did you ask him what had happened?

21 A Yes, sir, I did.

22 Q And he told you, didn't he?

23 A Yes, sir, he did.

24 Q He told you that he had murdered your

25 parents?

1 A Yes. He started off by saying that he had
2 killed this dog and then he said he killed my parents.
3 Q He was more worried about the dog first,
4 but then he came along and included your parents, he
5 killed your parents as well, is that correct?
6 A Yes, sir.
7 Q Now you didn't want them dead; what did you
8 do?
9 A Absolutely nothing, sir.
10 Q And you were mentioning only a little while
11 ago when you were getting a little bit emotional and upset
12 about Jens Soering having that time to drive all the way
13 from Washington down here to Bedford County, you had that
14 time as well, didn't you?
15 A I'm sorry, I don't follow.
16 Q Let me be a little more specific. During
17 that four hours that it takes to make that drive, you had
18 every opportunity to pick up a telephone and call your
19 mother or father and say Jens and I have had an argument,
20 I don't know what he's up to, he may be dangerous, somehow
21 alert them?
22 A Yes, sir.
23 Q But you didn't.
24 A No, sir.
25 Q And Ms. Haysom, I would ask you, isn't the

1 only logical explanation for your failure to alert your
2 parents is that you wanted him to kill them?

3 A No, sir.

4 Q Then when Mr. Soering shows up with the
5 blood, you learn that it's your parents' blood, you know
6 what he's done, what do you do then?

7 A I protected him, I covered up for him and
8 I helped him.

9 Q You protected him. This man who's done
10 something that according to you you didn't want done.

11 A Yes, sir.

12 Q So when you get back to the Washington
13 Marriott Hotel, he tells you to get out and get the garage
14 ticket, doesn't he?

15 A Yes, sir, that's correct.

16 Q And you do it so he won't be discovered,
17 the murder?

18 A Yes, sir.

19 Q Then to get up into the hotel you give him
20 your coat so he won't be discovered, don't you?

21 A Yes, sir.

22 Q And then when you get back up to the room
23 he goes back to sleep and you go back down and mop up your
24 parents' blood out of that automobile, don't you?

25 A Yes, I did, sir.

1 Q But no, you didn't want them murdered.
2 A No, sir, I didn't.
3 Q And then the next morning before you check
4 out you go down and check the car again to make sure you
5 had cleaned it well enough, hadn't you?
6 A Yes, it was sometime later on that night.
7 Q Again, that wasn't because he had done what
8 you wanted. And then, Ms. Haysom, you all returned back
9 to Charlottesville, you turn the car back in, don't you?
10 A Yes, sir.
11 Q You go to the funeral, you take Jens
12 Soering with you and Christine Kemp.
13 A Yes, sir.
14 Q On the very night of the funeral you and
15 Jens Soering make love, don't you?
16 A No, sir, not quite like that.
17 Q Was there sexual intercourse between you
18 and this man who had butchered your parents after you had
19 attended their very own funeral?
20 A I was in a separate room in a single bed,
21 sharing that room with my roommate. Jens came to me and
22 he said that he needed me, that he was lonely, he was
23 scared. And I went with him. At this time I was on
24 prescription sedatives and tranquilizers, and I went with
25 him. And up until this time he had been completely and

1 totally impotent. And I got into bed with him and I went
2 to sleep. And I woke up, sir, and yes, he was making love
3 to me.

4 Q Making love to you?

5 A Well for want of a better term.

6 Q What, are you saying he raped you?

7 A No, sir, because I didn't struggle.

8 Q And this is that man known to you as the
9 murderer of your parents.

10 A Yes, sir, that's correct.

11 Q The funeral service, the remorse that we
12 have heard about, the attendance at the service for your
13 slain parents must have had no effect on you, did it?

14 A It did have a very profound effect on me,
15 sir.

16 Q Then how in the world can you lie in the
17 same bed with who had killed them and make love to the
18 man?

19 A I don't know, sir, I'll never forgive
20 myself and I don't expect anyone else to either.

21 Q Once again, isn't the only logical
22 explanation that this lover had done as you had
23 requested?

24 A No, sir.

25 Q The very next day you're interviewed by

1 Investigator Gardner and Investigator Kirkland, April the
2 8th, 1985.

3 A Yes, sir.

4 Q You say nothing to them about what had
5 happened, about the murder of your parents and your
6 knowledge about it.

7 A No, sir.

8 Q Instead you cover up for Jens Soering,
9 don't you?

10 A No, sir.

11 Q I won't go through all this again, but time
12 and time again you talk about the marvelous relationship
13 that you had with your parents.

14 A Yes, sir.

15 Q Statements to police authorities in which
16 you just absolutely and completely lied, didn't you?

17 A Yes, sir.

18 Q April the 8th, 1985, Boonsboro Elementary
19 School. Remember a week or so later, April the 16th, 1985,
20 were you interviewed at the Charlottesville Police
21 Department, again by Investigator Gardner?

22 A Yes, sir.

23 Q You said nothing about the murder of your
24 parents?

25 A No, sir.

1 Q Said nothing about the involvement of Jens
2 Soering?

3 A No, sir.

4 Q Instead you completely and absolutely lied
5 to cover up for this murderer, didn't you?

6 A Yes, I did, sir.

7 Q Why?

8 A Because I loved him and I needed him.

9 Q You loved him?

10 A Yes, sir.

11 Q After what he had done?

12 A Yes, sir. In fact I needed him more.

13 Q Can you love somebody for doing something
14 you didn't want them to do, something as atrocious as
15 this?

16 A Sir, I blanked the entire episode out of my
17 head, or tried to.

18 (Whereupon a recess was taken.)

19 THE COURT: All right, you may resume.

20 MR. UPDIKE: Thank you, Your Honor.

21 BY MR. UPDIKE: (continuing)

22 Q Ms. Haysom, I didn't understand yesterday
23 when you were talking about the discussions that you had
24 had about the knife, the purchase of the tickets, the
25 alibi and so forth. As I understood it, you were saying

1 that that alibi was formulated after your parents were
2 murdered.

3 A That's correct.

4 Q For example, the purchase of the knife, are
5 you saying that after the murders Jens Soering told you
6 that the two of you would say that the killing was done
7 with a butterfly knife?

8 A No, sir.

9 Q When did the talk about purchasing the knife
10 for Jens Soering's brother's birthday and it being a
11 butterfly knife, how did that come about?

12 A The brother's birthday was just something
13 that was in my head, that was just--

14 Q Just a lie and a deception to the officers?

15 A Yes, sir.

16 Q How about the purchasing of it, it being a
17 butterfly knife?

18 A That was brought up I believe in September
19 sometime, of '85.

20 Q How was it brought up and why?

21 A It was brought up because I had been
22 recently interviewed by Investigator Reid and
23 Investigator Gardner, and I had given them my footprints
24 and blood samples, and Jens was beginning to feel that he
25 hadn't been so smart after all and that Investigator

1 Gardner and Investigator Reid might be suspicious of us.
2 And he wanted me to share with him the responsibility of
3 what had taken place. And he led me to believe that I was
4 responsible and I felt responsible.

5 Q So that was supposed to be an alibi you all
6 agreed about, what you would say about the purchase of the
7 knife?

8 A The purchase of the knife wasn't about an
9 alibi, the purchase of the knife was an admission of
10 guilt.

11 Q Why was he having that discussion with you,
12 I can't understand, at that particular point in time, it
13 doesn't make sense to me.

14 A He was worried he was going to be arrested
15 and he wanted me to share that burden with him.

16 Q And what were you supposed to do, tell that
17 to the police officers?

18 A Yes, sir. I was actually supposed to say
19 that I had bought the knife and that I had bought a can of
20 mace and that I had given them to him and that I had
21 made him go down there and do it, that's what I was
22 supposed to say.

23 When I actually came to saying it, as you
24 are well aware, I talked nonsense about his little
25 brother's birthday and ended up saying that we both

1 purchased it, although I did say that I paid for it.

2 Q But Ms. Haysom, maybe you can help me
3 understand, I don't see how that--if Mr. Soering was
4 concerned about Investigator Gardner and them getting
5 onto him and he was scared about getting caught and being
6 prosecuted--

7 A Yes, sir.

8 Q --it doesn't make any sense, does it, to
9 have that conversation at that particular point in time
10 with you to the effect that if the two of you all were
11 caught you were to say that you had purchased the knife
12 that he killed them with and it was a butterfly knife
13 purchased in Washington. True, that involved you, but it
14 certainly didn't eliminate his involvement by saying I
15 purchased that knife that he used to kill you parents. I
16 mean how did that help him?

17 A His theory was that I forced him to do it,
18 I made him do it, and that's what he believed at that
19 particular time, or that's what he stated to me at that
20 particular time.

21 We originally were going to say nothing,
22 but I did, that we were not to say anything to the police.
23 But when he--when we were in England and arrested in
24 Richmond Police Station--

25 Q How about the purchase of your tickets, was

1 that part of you all's alibi that you discussed
2 afterwards?

3 A Yes, sir, that was--the tickets wasn't so
4 much a story for an alibi about the killings, it was
5 supposed to be an alibi to show where we were. So I'm not
6 being very clear.

7 Q That's my point.

8 A The point is when Investigator Gardner and
9 Investigator Kirkland were discussing where was I on that
10 weekend, Jens pointed out to me that I would be a suspect
11 before he was, because they didn't know about him, and
12 that I needed somebody to be with for an alibi. And so
13 that's how he put it to me, that I needed an alibi, not
14 that he needed an alibi because they didn't know about
15 him, but I needed an alibi. And so my alibi was that I
16 was with Jens and that I had gone to the movies with him.

17 Q But if it had happened that way, your
18 discussions and agreement to talk about purchasing the
19 knife that he used to kill your parents certainly didn't
20 help him in any way.

21 A He believed it would. He believed that as
22 he has portrayed very convincingly that he's an innocent
23 young lad who was led astray by an older, more experienced
24 woman. And that was his point, was that I was to shoulder
25 the responsibility for what he had done, that I was in

1 control of his actions.

2 Q And you said that later, didn't you, Ms.
3 Haysom, you talked about a role reversal, you told the
4 officers about that, about before the murders you were
5 controlling, you were manipulating, but after the murders
6 there was a role reversal and he became the dominant one,
7 you have said that previously, haven't you?

8 A Yes, sir.

9 Q Is that true?

10 A I believe very firmly that I had
11 manipulated him, I believed what he said that I had made
12 him do it, I believed what he said that I was the cause of
13 his actions. But in my manipulation of him to try and
14 leave the university I was not successful. And since I
15 have said all of those things, I have seen correspondence
16 of his where he discusses deliberately manipulating me
17 to believe those things.

18 Q I see.

19 A He uses the word emotional blackmail.

20 Q And once again, Ms. Haysom, I'm not trying
21 to minimize his involvement or in any way present any
22 mitigation concerning him, I show you that Commonwealth
23 exhibit which is the letter with the date April the 18th,
24 1985.

25 A Yes, sir.

1 Q If I could remind you, Ms. Haysom, that I
2 was asking you about the March letter just a couple of
3 weeks before the murders.

4 A Yes, sir.

5 Q This letter would be a couple of weeks
6 after the murder.

7 A Yes, sir.

8 Q As you recall the March letter, you're
9 talking about the money, and about the Eaton Square,
10 and about how your parents would rule over you until they
11 were dead. And you have talked about how he had concern
12 for financial security.

13 A Yes, sir.

14 Q And yet you say that nothing to do
15 with the murders.

16 A I didn't say that, sir. I said that my
17 statements were not--they were not made to encourage him
18 to kill my parents. I was using his love of money, his
19 need for security in financial terms to manipulate him to
20 leave the university. I firmly believe today that Jens
21 did think there was money in it.

22 Q He did, didn't he?

23 A Yes, he did.

24 Q He believed that if he killed your parents
25 that you would inherit money and that he would get a

1 portion of it, didn't he?

2 A I told him many, many, many times, many
3 times, that my inheritance was my education.

4 Q Ms. Haysom, that's not what you have said
5 in the March letter to him, because there you're talking
6 about Eaton Square.

7 A I told him I had lost all that.

8 Q But you're saying that if you do certain
9 things you'll be rich, if you do what your parents want.

10 A Yes, if I do what my parents want, they
11 hold the golden carrot before me. They never gave me
12 that money and I make that clear to him. I would say if
13 you want to stay at the university, you must behave in a
14 manner, tow the line, and that golden carrot is before us.
15 But from previous experience, we'll never receive that
16 money.

17 Q Again referring you to the letter written a
18 couple of weeks afterwards, in that letter you start
19 talking to him again about the money, don't you?

20 A Which money?

21 Q Well for example the third page of the
22 letter you state, "Never again demand money from me." The
23 next page--

24 A Excuse me, sir, where is that?

25 Q Last paragraph at the bottom of that page,

1 beginning with the word never, "Never again demand money
2 from me. To say to me I want \$200 out of you tomorrow
3 morning is to behave like a bastard. That page begins
4 with the word Genesis.

5 A Yes, I found it.

6 Q So within two weeks of the murders Jens
7 Soering was demanding money from you, wasn't he?

8 A Yes, he was. My brother Howard was
9 extremely generous, and he knew that I needed some money
10 and he gave me some money, I believe he gave me \$500. And
11 Jens demanded that money from me and that's what I'm
12 referring to.

13 Q And that confirms the point, doesn't it,
14 that Jens Soering believed by the murder of your parents
15 he would get some money, because two weeks later, within
16 two weeks, he's demanding money.

17 A Very possibly he believed that, but I made
18 it very clear to him, I made it very clear to him. But he
19 has what's known as a selective memory and he chooses to
20 remember what's convenient for him when it's convenient
21 for him.

22 Q The next page you state also, "Yes, there's
23 more; don't you ever assume verbally to me anyway, that
24 half of my father's estate is yours."

25 A Yes, sir.

1 Q So he had made indications that he thought
2 a portion of the father's estate was now his, hadn't he?
3 Otherwise there would be no reason for you to chastise him
4 for making that request.

5 A Yes, sir. What happened was that around
6 about the time of the funeral, obviously I was presented
7 with a copy of my parents' will which Jens insisted on
8 reading. And he was extremely upset by the wording of the
9 will that my two brothers would be executors of the estate
10 and that I would have no control over the financial aspect
11 of the money that was to go towards my education. It
12 wasn't cash in hand, it was cash for my education to be
13 designated by them.

14 And he wanted me, and he quite successfully
15 got me to badger and demand money from my brothers Howard
16 and Verian.

17 Q Ms. Haysom, that statement just directly
18 contradicts what you said a few moments ago, doesn't it?

19 A No, sir.

20 Q You just now stated at the reading of the
21 will, which was after the death of your parents, he
22 learned of the specific provisions of the will, those
23 being that you would not inherit a share of the estate,
24 but rather the estate would be managed by an executor.

25 A Yes, sir.

1 Q That's what you said he learned at the
2 reading of the will after the murders.

3 A Yes, sir.

4 Q A few moments ago you you were saying that
5 you made it abundantly clear to him before the murders
6 that your only inheritance was your education, that you
7 wouldn't get anything.

8 A That's correct.

9 Q He would not have gotten upset after the
10 murders at the reading of the wills if you had made it so
11 clear to him before.

12 A That's not true, sir. He did not believe
13 me obviously. He thought I was holding out on him.

14 Q You obviously didn't make it as abundantly
15 clear--

16 A I made it very clear to him. I made it
17 extremely clear to him.

18 Q Clear as you did here today?

19 A Jens thought I was made of money.

20 Q And you wrote him letters about Eaton
21 Square, and you had nothing to do with him getting that
22 impression.

23 A That's true, I manipulated him, I led him
24 to believe that. But I did make it clear to him that in
25 terms of my inheritance that there was absolutely no

1 financial gain. I made that abundantly clear to him many,
2 many times.

3 Q He just didn't believe it because he was
4 demanding afterwards money from you, as you have already
5 indicated.

6 A Yes.

7 Q And as you state on that same page
8 beginning with Genesis, you--at the top you're talking
9 about freedom, freedom of choice.

10 A Yes, sir.

11 Q The death of my parents released me from
12 that position, I was free to choose to whom I gave my love.

13 A Yes, sir.

14 Q The freedom for you to love whoever you
15 wanted to, emotional freedom.

16 A Yes, sir.

17 Q That was part of it as well in addition to
18 the wealth, wasn't it, you wanted to be able to love who
19 you wanted to and your parents wouldn't allow you to do
20 that, and the only way to have the freedom from that, to
21 have emotional freedom, social freedom and economic
22 freedom, was through the death of your parents.

23 A Sir, if I wanted my parents dead for their
24 money, I would have waited until after my twenty-first
25 birthday when they were planning to set up an account for

1 me.

2 Q If you had known beforehand the provisions
3 of the will, and you didn't know, did you?

4 A Yes, I did. It was made clear to me from
5 the moment I came back from Europe, I discussed it with my
6 brother Verian, I discussed it with several members of the
7 family that my only inheritance was my education.

8 And I would also like to point out, you
9 have commented on the beginning of this letter about this
10 Genesis, and I quote what I wrote. "The death of my
11 parents released me from that position. I was free to
12 choose to whom I gave my love. That free choice was
13 essential because then I gave it willingly. We both know,
14 or at least you should have, that I would have given it to
15 you, but you made the decision for me."

16 Q And continuing on, read the next few words.

17 A "I was truly appalled when you said I didn't
18 do this for your brothers to take you away, I thought we
19 did it so that I could be free."

20 Q I thought we.

21 A That's correct, sir.

22 Q You're writing two weeks afterward.

23 A That's correct, sir, I believed
24 at that time that I was responsible for manipulating him
25 in some way.

1 Q Ms. Haysom, you have maintained in the June
2 interviews your participation, your arranging the alibi,
3 June '86 in England. When you came back to this country
4 in May of '87, you maintained and continued with your
5 statements concerning the arranging of the alibi. What
6 in the world since May of this year, was it a sudden
7 revelation to you that no, I did not participate in the
8 establishment of an alibi but rather I was manipulated by
9 Jens Soering? We're just talking about several months,
10 what caused that sudden change?

11 A The letters you provided a few days ago,
12 sir.

13 Q A few days ago?

14 A Well I received them a few days ago.

15 Q And what was it about those letters?

16 A The letter to Neal.

17 Q Who was Neal?

18 A A young man in confinement with Jens
19 Soering.

20 Q All right, tell us about it, Ms. Haysom,
21 why is it that that suddenly made you realize that no, you
22 didn't participate actually, you were just manipulated by
23 Jens Soering?

24 A He discusses his manipulation of me.

25 Q Would you tell us, please, Jens Soering's

1 motive for killing your parents, then, if it was him, if
2 it was his intent, if it was his manipulation of you to
3 kill them, what was his motive, Ms. Haysom?

4 A I don't know, sir, I think--

5 Q You don't know.

6 A Can I continue?

7 Q Please.

8 A It is my view today that Jens Soering would
9 eventually kill somebody, but because of the things that I
10 said to him and the things that I shared with him, he
11 killed my parents.

12 Q Because of what you said to him?

13 A Yes, sir. And those letters that I wrote
14 to him.

15 Q He was expecting to benefit indirectly
16 through you from the death of your parents, correct, he
17 was expecting--

18 A I don't know what you want.

19 Q The benefit indirectly I'm talking about
20 again is money from the estate, he's also expecting to
21 benefit indirectly by virtue of you having your freedom to
22 go wherever you wanted to, not be controlled by the
23 parents, that was the benefit that he hoped for.

24 A Jens Soering knew--

25 Q And your love for him.

1 A Jens Soering knew on the 24th of March,
2 almost exactly one week before he killed my parents, that
3 my parents were setting up a bank account for me for my
4 twenty-first birthday and that would have given me some
5 financial independence then and there. Why did he kill my
6 parents before that if he wanted money from them?

7 Q My question to you that I'm still asking,
8 why did he kill them at all?

9 A I've asked him that many times.

10 Q You've asked him that many times. Now Ms.
11 Haysom, after April of '85 and the summer of '85, you took
12 off to Europe with him, traveled over this country to
13 Detroit in October of '85, you take off again to Europe
14 and you travel all over Europe sleeping with him, living
15 with him. Did it ever occur to you to just say to Jens
16 Soering, why did you do it?

17 A I said that to him, yes, sir.

18 Q And he never gave you an answer?

19 A Yes, sir.

20 Q And what was the answer?

21 A The very first time I asked him was when we
22 were in Lynchburg and I said to him, why did you do this?
23 And he pulled out my letters.

24 Q Your letters did it then, okay. I won't
25 argue with you there. I'm interested, though, in the

1 indications and testimony concerning remorse. For example
2 the house that your parents were murdered in, you went
3 there and cleaned up the blood, didn't you?

4 A I went there with a number of different
5 people to help with the cleaning up, yes.

6 Q So you not only mopped up the blood out of
7 the rental car, you went to the house to mop up--

8 A I never mopped up any blood in the house,
9 professional cleaners mopped up the blood.

10 Q But the fact is, Ms. Haysom, isn't it,
11 that you weren't satisfied with the work that the
12 professional cleaners had done, and that you insisted on
13 going back to the house and cleaning yourself.

14 A That's not correct, sir.

15 Q If Howard Haysom, your brother, a physician
16 who is used to seeing blood said that that is indeed the
17 case, would you disagree with it?

18 A Yes, I would.

19 Q Did you also make the statement there as
20 you were cleaning around the fireplace that one of your
21 friends heard that there's pop's brains, just cleaning up
22 pop's brains?

23 A Obviously they have the story, that's
24 rather inaccurate. It was not around the fireplace, it
25 was around the door.

1 Q Well excuse me, I'm not interested in where
2 it was, I'm interested in why you said it.

3 A We're supposed to be dealing here with
4 accuracy of what happened and what did not happen.

5 Q Thank you, ma'am. You did make the
6 statement nevertheless, didn't you?

7 A No, I did not make that particular
8 statement.

9 Q If you didn't make it, how do you know
10 where it occurred?

11 A What I said and what happened, I was doing
12 some cleaning, and there was several hairs from my father's
13 head on the door and I was sick.

14 Q You were sick?

15 A Yes, I was.

16 Q How in the world did that get confused,
17 to a statement, well, I'm just cleaning up pop's--

18 A I did make some comment about these are the
19 hairs of my father's head, and I went to the bathroom and
20 I was sick, as I was throughout that entire period of time,
21 and I was on medication for it because I could not hold
22 anything down.

23 Q Why were you there to begin with?

24 A Because I was asked to be there.

25 Q By Howard Haysom?

1 A I was asked to be there. I was there
2 with my brothers on several occasions, I was asked to move
3 the furniture, I was asked to arrange some of the
4 decorating, I was asked to go out there and move my stuff
5 and move some borrowed stuff, borrowed furniture. I was
6 asked because I was the person on the spot to go out
7 there on a number of occasions.

8 Q And I want to make sure of this, you're
9 saying that Howard Haysom, your brother, asked you to go
10 there.

11 A Yes, he did.

12 Q And you say that realizing that he's here.

13 A I realize that.

14 Q Thank you. You mentioned mace just a few
15 minutes ago, you've indicated a willingness to help the
16 Commonwealth.

17 A Yes.

18 Q Did Jens Soering use mace on your parents?

19 A I have no idea, sir.

20 Q Did he say that he did?

21 A He did--when the story was presented to me
22 about the knife, I was supposed to say that I had bought a
23 can of mace and I had bought a butterfly knife.

24 Q You were to say that in defense of Jens
25 Soering?

1 A I was to assume responsibility for his
2 actions, that I had bought these things, that I had
3 manipulated him by saying that if he was man enough he
4 would do this; this is what I was supposed to say. I
5 don't know whether he used mace or not. But he was
6 concerned about it.

7 Q You keep insisting you didn't want them
8 dead, you did not want him to kill your parents, but then
9 as I've indicated in October of '85 you left the country
10 with him at the time that he was under investigation,
11 serious investigation, didn't you?

12 A Yes, sir.

13 Q You went throughout Europe with him,
14 sleeping with him, living with him, the person who
15 murdered your parents.

16 A Yes, sir.

17 Q You assumed during this period of time
18 false forms of identification, didn't you?

19 A Yes, sir, for fraud scam.

20 Q For fraud?

21 A Yes, sir.

22 Q For deception?

23 A Yes, sir.

24 Q For pretending to be something you're not?

25 A Yes, sir.

1 Q And you did those things?
2 A Yes, I did.
3 Q We have identifications over here with all
4 different kinds of names on them.
5 A They were brought over from Richmond, yes.
6 Q And you made arrangements for the
7 production of those forms of identification, didn't you?
8 A That's correct.
9 Q And then after you were apprehended in
10 April of '86, you continued, even though you were
11 incarcerated, writing love letters to this murderer.
12 A That's correct, sir.
13 Q Why?
14 A I needed him.
15 Q You needed him?
16 A Yes, sir. I was obsessed with him.
17 Q In fact some of the letters were extremely
18 sexually explicit, weren't they?
19 A Yes, sir.
20 Q Ms. Haysom, I'm not going to ask you to
21 read any portion of this letter, I just want it identified
22 and I'd like this introduced, counsel has been provided a
23 copy of it previously.
24 A Yes, sir.
25 Q You wrote this letter to Jens Soering while

1 one being incarcerated in one institution in England, Jens
2 Soering in another?

3 A Yes, sir.

4 (LETTER MARKED COMMONWEALTH'S EXHIBIT
5 NO. 2.)

6 BY MR. UPDIKE: (continuing)

7 Q Another question concerning your alleged
8 willingness to help us as you made yesterday,
9 Ms. Haysom, I want to know if we could test that a little
10 bit. Who is the family?

11 A Excuse me?

12 Q The family.

13 A I believe the family is an organized crime
14 based in Munich.

15 Q What did that have to do with these
16 murders?

17 A Nothing.

18 Q Why was it that when Jens Soering was
19 incarcerated in one institution and you in another, and
20 upon your periodic remands to Richmond you would pass
21 notes, and in those notes he would take those occasions to
22 ask you to erase all evidence pertaining to "the family"?

23 A I don't believe I ever actually got that
24 note as it was taken off.

25 Q You didn't. And Mr. Soering tore it up and

1 some very fine police officer spent a lot of time putting
2 it back together.

3 A Yes, sir.

4 Q If you'd like to see it please.

5 A Yes, sir. (Pause for perusal.)

6 Q Now the circumstances, as you know, at that
7 point when that note was passed, you had been incarcerated
8 on the fraud charges.

9 A Yes, sir.

10 Q You had been remanded to Richmond for
11 purposes of questioning pertaining to these murders.

12 A Yes, but I believe these notes were written
13 before that took place.

14 Q My question is why did he take that
15 occasion to pass that note, and in that note--now this is
16 no time to be messing around, you all were about to be
17 questioned for murder.

18 A Yes, sir.

19 Q And he talks about the family. My question
20 is why, what is it?

21 A It was a--as I understand it from letters
22 and discussions with him, the family was something to do
23 with this Neal Woodall person that he met when he was
24 incarcerated, and he was at Hibred Corner which is a
25 holding cell, I believe it was in the first or second week

1 of May. It was around that same time that we were
2 questioned by Special Branch.

3 And he met up with this Neal person and he
4 says in the letter to me, which I believe that you have,
5 that Neal has friends, the family organization, who will
6 help us in the future.

7 Q Is this the first letter that you're
8 talking about? I want to know why it is when he refers to
9 family he always puts it in quotation marks.

10 A Because it's an organization, it's not
11 an actual family.

12 Q That's what I thought. And in this
13 letter--this letter was sent by Jens Soering to you
14 earlier from the prison, is that correct?

15 A From yes, the holding cell, whatever it is.

16 Q And he says about the family of course,
17 you are part of the package, we'll always be together.
18 They are a real family, but also "family" you know, in the
19 states where all the flamingos area. It kind of sounds
20 like Florida, doesn't it? Anyway, he's talking about
21 family there in this letter.

22 A Yes, sir.

23 Q Now my real question is on this occasion
24 when you all have just been remanded and you're about to
25 be questioned for murder, he's concerned enough about this

1 family, not to talk to some Neal or somebody else, but
2 he's trying to sneak a note to you through the guards.

3 A No, sir, we were openly passing letters at
4 court to one another.

5 Q Be that as it may, why was he taking that
6 occasion--could I see the note, please in the plastic?

7 A He says--just before your quote he says
8 "Erase all written evidence of Bedford, Neal and/or family
9 cross it out."

10 Q In this letter that he's passing you can
11 just barely read it because it's all not here. He' saying
12 to you, cross out or destroy any--something--information,
13 especially the words, and you can see it there, family.
14 Down here at the end of this, the family is--family in
15 quotes is family, German Sicilians, but outside the highly
16 respected doctors, lawyers, et cetera. I mean if you want
17 to help us I just--it just strikes me--

18 A Well, sir, I only know what he has told
19 me through these notes, and you know as much as I do.

20 Q Yes, but this was no time to be talking
21 rubbish, and if he thought it was important enough to
22 write at that time--

23 A I don't believe the family business is
24 rubbish.

25 Q What do you think it is then?

1 A I think it's an organized crime unit in
2 Munich.

3 Q What was the involvement, or if any,
4 relevance to the murders of these two individuals here,
5 because that is what you all were about to be questioned
6 about and that's when he wrote that note.

7 A As far as I know, nothing at all.

8 Q Nothing at all. The business about IRA and
9 terrorism, that had no relevance, that was just rubbish?

10 A Yes, sir.

11 Q The business about your talking in your
12 letter about voodoo and the marks on the floor and things
13 of that nature, that was all rubbish as well?

14 A I thought the marks on the floor were--the
15 descriptions of marks on the floor were hyped from the
16 media rather than things that actually took place.

17 Q But you're saying that that had nothing at
18 all to do with any of this.

19 A Not to my knowledge, no. I must say that
20 having read Jens's statements of that June period, I find
21 it extraordinary that he confesses to the killings very
22 early on in his statement and yet is unable to separate--
23 when Sergeant Beaver says to him, can you separate killing
24 Mr. and Mrs. Haysom and mutilating their bodies or doing
25 something odd on their bodies and he's unable to separate

1 that. I don't know if you have the statements there, but
2 it's very curious.

3 Q Ms. Haysom, I just have a very few more
4 questions for you. The major question that I'd like to
5 ask you is why did your parents die?

6 A My parents died because Jens and I were
7 obsessed with each other and he was jealous of anything
8 else other in my life. He was jealous of my parents and
9 then he became jealous of my family after, during the
10 funeral part.

11 Q So he killed them out of jealousy?

12 A He killed them because he knew how
13 important they were to me and that there was a
14 reconciliation going on. There was a reconciliation going
15 on. The time I spent with my father on the 23rd of March
16 was fantastic, it was a fantastic weekend, and I'm very
17 lucky that I have that memory of him. I spent one full
18 weekend with them and--

19 Q Did the memories of that weekend occur to
20 you during the four-hour drive that Jens was taking down
21 here to Holcomb Rock? Did those memories ever encourage
22 you or persuade you in any fashion to pick up the phone
23 and give them a call, give anybody a call?

24 A No, sir, I was obsessed only with getting
25 my drugs.

1 Q Your drugs, because that's what you wanted
2 at the time.

3 A That's right.

4 Q Your own selfish desires.

5 A Exactly.

6 Q And if the consequences revealed themselves
7 to be the murder, the butchering of your parents, that
8 didn't matter because you wanted your drugs at that
9 moment, and that is what was important.

10 A Yes, sir. The only thing I can say is that
11 in my rather feeble and peculiar way I made one or two
12 pathetic attempts to have Jens caught, but they're so
13 insignificant that it doesn't really matter.

14 Q Ms. Haysom, when you stated your
15 explanation here today why your parents were dead, are
16 dead, that's not the same thing that you told Investigator
17 Gardner on May the 8th of this year, is it?

18 A No, sir.

19 Q Do you recall what you told him at that
20 time and what your explanation for your parents' death
21 was just several months ago?

22 A I think I said that they're dead because I
23 loved Jens too much or something, I'm not sure.

24 Q One point you start out--Investigator
25 Gardner took the same question to you on Page Forty-Six of

1 the transcript, would you like to see it?

2 A Yes.

3 Q Commonwealth's Exhibit No. 35, Page Forty-
4 Eight--excuse me, Forty-Six, the question was put to you
5 by Mr. Gardner why were your parents dead.

6 A Excuse me, this only has twenty-eight
7 pages.

8 Q I think this starts with Page Thirty.

9 A Page Forty-Six?

10 Q Please.

11 A (Pause for perusal.) Yes, sir.

12 Q Halfway down the page, do you see where
13 you're talking about--Question: Let me ask you this
14 point blank, why are your parents dead? The response,
15 it's a very difficult question. They're dead because--see
16 the thing with that is my reasons that I see now
17 may be different from the reasons that I had then. At one
18 time they were going to separate Jens and myself, they were
19 making arrangements to leave Virginia.

20 Question: They were making arrangements
21 for you to leave Virginia or them to leave Virginia?

22 Response: All of us.

23 A Yes, sir.

24 Q So at that time one reason for Jens killing
25 or your parents being dead was your parents were trying

1 separate you from your lover.

2 A Actually what you just said is exactly
3 accurate. One reason for Jens killing my parents, I
4 wanted to go--well I had discussed with my parents on the
5 23rd of March going to the Gerta Institute in Salzburg,
6 doing an internship with the United Nations in Vienna. I
7 had discussed with him going to the University in Vienna
8 at a later stage, and they were making arrangements for
9 all of us to leave Virginia. And Jens did not like it.

10 Q Page Fifty-Two, you state that a question
11 is repeated to you. Okay, let's go back to the original
12 question and I think that was why your parents are dead.
13 And in the next paragraph you start talking about--

14 A Excuse me, where are we?

15 Q Page Fifty-Two, it begins with the word
16 Hayhill at the top. First full question, then did he ask
17 you, okay, let's go back to the original question. And
18 then your response, yes, in looking at my brothers'
19 situations, although they had cut away from the fold, my
20 family living far away, their daily lives were still
21 manipulated and interfered with by my parents. And I
22 wanted them to, I suppose really to leave me alone.

23 A Yes, I stated that today.

24 Q That was another reason you wanted them
25 dead, wasn't it, you felt that they were interfering with

1 your lives, you looked at your brothers' lives and you
2 felt that your family still interfered with them despite
3 distance, and you felt that the only resolution was for
4 them to be murdered.

5 A No, sir.

6 Q Why did you say this here then, why did you
7 make reference to the interference in your brothers' lives
8 in response to that very same question?

9 A Yes, and I didn't mention anything about
10 murder, I said I wanted them to really leave me alone.

11 Q But the question was why are your parents
12 dead, and that was your answer, wasn't it, Ms. Haysom?

13 A That is why Jens killed them perhaps, one of
14 the reasons why he killed them. And I did want them to
15 leave me alone and I did want them out of my life, but I
16 did not want them murdered.

17 Q Under summary on Page Eighty-Four
18 Investigator Gardner was trying to sum everything up, it
19 had been a long interview.

20 A Sir, which page is that?

21 Q Eighty-Four. And he's asking you, he's
22 summing things up. Let's start where he asks the
23 question, he's asking the question do you think Jens was
24 in this by himself.

25 A Yes.

1 Q Your response: No, he was in this with me.
2 A Yes, sir.
3 Q Question: Was there anyone else at the
4 house in your opinion?
5 No.
6 That Saturday evening? Response: Not at
7 all. Question: Was nobody else there? Response: No.
8 Question: So to sum it up, you and Jens Soering talked of
9 killing your parents some several weeks. And you interrupt
10 to say it was premeditated.
11 A Yes, sir.
12 Q Investigator Gardner continues by saying,
13 prior to March 29th, and he went to the house and murdered
14 your parents and you assisted him in establishing an alibi
15 both before and after the two murders. Your response,
16 yes.
17 A Yes, sir.
18 Q And that's true, isn't it, Ms. Haysom?
19 A No, it isn't.
20 Q Give me one good reason for telling a
21 police officer after we have gone all the way to
22 London, England to bring you back here, and you're locked
23 up down at the jail and he's asking you what happened, why
24 would you say this if it's not true?
25 A Why would I be saying it today if I have

1 already pleaded guilty?

2 Q Ms. Haysom, I submit to you that sitting
3 down there in the jail and seeing a little bit about what
4 our penal system is like, being brought up here on May the
5 14th, remember that, 1987, that's the day that you were
6 brought up here for the attorney advisement?

7 A Yes.

8 Q That's the day you first got the eye of the
9 press, that's the day you first got an inkling of what
10 this was going to be all about, remember that?

11 A Yes, sir.

12 Q It was May the 14th you went back to the
13 jail and it was then after some several times saying that
14 you purchased a knife you asked to talk to Investigator
15 Gardner and then you began recanting, because wasn't it
16 that very same day that you told him, you know that knife,
17 I didn't buy it after all, didn't you?

18 A I'm not following what you're trying to
19 say.

20 Q I'm saying that on that day of May 14, Ms.
21 Haysom, you started just trying to steadily retreat from
22 your earlier statements. You're trying to minimize your
23 involvement, aren't you?

24 A No, sir, I'm not. I think what I am guilty
25 of is in some ways worse than what Jens's guilt is.

1 Q Do you remember on June the 9th--and this
2 is my final question, then I'll stop--

3 A I made that statement to Investigator
4 Gardner about the knife because Jens told me he used a
5 steak knife on my parents. And I was concerned that the
6 knife that I had described did not fit the forensic
7 evidence about the killings. And I wanted him--nothing to
8 do with my case, it's only at the insistence of my
9 attorneys and various confrontations we've had over this
10 issue if it was ever brought up.

11 I was concerned that when Jens came back
12 here, that one of the loopholes, or technicalities or
13 whatever would be that that knife was not used. And when
14 I came over here I believed that if I was convicted of
15 premeditating this murder with him, that he would also
16 have to be convicted of premeditated murder, and that he
17 would not be able to give an insanity plea, or to give a
18 self-defense plea, or to give a second degree murder
19 conviction.

20 And I was very concerned at that point that
21 Investigator Gardner realized that regardless of what Jens
22 said, that certainly in Jens's mind it was premeditated,
23 and that he had used another weapon other than the one
24 that I described. And that was what I was trying to do.
25 I was trying to help you, I'm sorry if it appears to be a

1 minimization of my guilt.

2 I believe that I am thoroughly guilty,
3 thoroughly responsible for what happened. And I believe
4 that as I said in my statements to Investigator Gardner
5 that I deserve life for what I've done. I agreed with all
6 of that, I agreed that I betrayed, lied, deceived, and I
7 wouldn't be in this position today if I had not done those
8 things.

9 And worst of all, I stayed with him, and
10 worst of all, I stayed with him willingly, and continued
11 for so long, even after we were in custody, to love him
12 and to need him, and to support him, and to try every
13 which way I could to prevent him from coming back here.
14 But my attitude has changed on that.

15 MR. UPDIKE: Thank you, ma'am, I don't
16 have any further questions.

17 THE COURT: All right, we're going
18 to lunch at this time, we'll adjourn until
19 2:00.

20 (Whereupon a luncheon recess was
21 taken.)

22
23 ALEXANDER MCFARLAND ROBERTSON, was
24 called as a witness and having been duly sworn was
25 examined and testified as follows:

1 DIRECT EXAMINATION

2 BY MR. JONES:

3 Q State your name, please, sir.

4 A Alexander McFarland Robertson.

5 Q And where do you live, Mr. Robertson?

6 A I live in Amherst, Virginia.

7 Q And you're retired at the present time, is
8 that right?

9 A I'm retired. I'm Director Emeritus of St.
10 Paul's Episcopal Church in Lynchburg.

11 Q And did you preside at the funeral of
12 Mr. and Mrs. Haysom?

13 A Yes, that's the first time I met any of
14 them was at that funeral.

15 Q Did you know Mr. and Mrs. Haysom prior to
16 that time?

17 A No, as far as I know I'd never seen them.

18 Q And just tell us briefly about your
19 background or experience you have in counseling people,
20 meeting with people, evaluating people.

21 A Fine. In our seminary in Alexandria, the
22 Virginia Theological Seminary, we had--as well as learning
23 pastoral care, we had several sessions or quarters of
24 pastoral work in hospitals once a year. And we learned
25 from different psychiatrists certain things about what you

1 should know, not that we are trying to be psychiatrists,
2 but rather that we might recognize how far we could go
3 before we turned a patient over to a psychiatrist, and we
4 did that.

5 Q And over the course of your career, have
6 you had an opportunity to counsel with people?

7 A Very much so, starting with--

8 Q How long has that career been?

9 A Oh, forty years. Counseling people started
10 in Alexandria, it started with them almost on their first
11 visit to their--to a man and a woman's house. You found
12 yourself right in a mess almost from the very beginning
13 and then there were all kinds of counseling.

14 Q Do you know Elizabeth Haysom?

15 A Yes, I know Elizabeth Haysom.

16 Q And how did you come--how have you come to
17 know her?

18 A Well when she came back from England,
19 having buried her parents, I thought I ought to come down
20 to the Bedford Jail and provide whatever spiritual comfort
21 or counseling that she might need. She could have thrown
22 me out if she wanted to, but she didn't. In fact, after
23 I'd been there for the first time she wrote me a note
24 asking me to come back, and then we went into all kinds of
25 spiritual counseling.

1 Q And how frequently did you visit with
2 her?

3 A I visited her at least once a week.

4 Q And I think there was a period of time
5 early in the summer where you had a little heart attack.

6 A Oh, yes, I had a heart attack, and that was
7 my fourth, and in fact my doctor calls me the miracle for
8 having that many. And during that time, the first day
9 that Elizabeth heard of this, she sent a beautiful bouquet
10 of flowers to my room which touched me very much, believe
11 me. And I also sent down one of my colleagues to counsel
12 with her during this period when I couldn't.

13 Q On the average how long did you spend with
14 her on these weekly visits?

15 A Around an hour.

16 Q And did you discuss with her things other
17 than related to spiritual guidance?

18 A Well, yes, we started off with this
19 situation that we're involved in right now. I mean I
20 didn't know what I was getting into, I didn't know whether
21 she would want to talk to me about what had happened, but
22 she did and what came out was pretty much what I have
23 heard from papers and so on. I haven't been able to be in
24 the courtroom, but I have gotten things from papers and so
25 on as to what went on in here while I was sitting out on

1 one of those hard benches. And what she had to tell me
2 was very much the same as what appeared in those papers.

3 Q How did she impress you as an individual
4 during these visits?

5 A Well when I went to the Bedford Jail the
6 first time, not knowing her at all, I wondered if I would
7 get any kind of a reception, which I got a very fine
8 reception. and we got into this business of forgiveness
9 both of parents and of her and her brothers and sister,
10 and all that kind of thing. And then we went from there--
11 I had brought her a Bible and also numbers of religious
12 books by very fine writers such as C. S. Lewis and Dorothy
13 Sayer and so on.

14 Q Over the course of the last several months
15 that you have been visiting her, did you note any sense of
16 remorse on her part?

17 A Absolutely. She was most remorseful when I
18 got in there and we started talking about these things.
19 And she showed a great remorse that this had happened.
20 And of course she wished it hadn't, but here it was and
21 she had to face it.

22 And she also said I did wrong, I have to be
23 punished for it. And she believes that.

24 Q Do you feel that she has any potential as a
25 constructive member of society in the future?

1 A I think she's got tremendous potential. I
2 think what's inside her is very great and that she could
3 become almost anything she wants to be when she will get
4 down and get through with her school work and degrees and
5 all that kind of thing, which I hope can happen during the
6 next few years.

7 Q Do you condone in any way her involvement
8 in this matter?

9 A Oh, my goodness, no. She didn't expect it
10 of me and she didn't get it either. In fact, I said
11 you're right, you have to be punished for what has
12 happened here. But that doesn't mean that your life is
13 ruined. It's not a good start, but we just think that--or
14 I think that you have so much in you that it would be a
15 shame to waste it by sitting behind prison bars for years
16 and years

17 I think she should get out and--I mean even
18 to do prison work would be a great thing I think; teaching
19 or counseling or anything of that sort would be fine.

20 Q And do you intend to continue your contact
21 with her and visiting her from time to time?

22 A As often as I can. It depends on where she
23 will be, and I expect to see her if she'll have me see
24 her, and I think she will, at least once a month, maybe
25 oftener. I hope it will be oftener.

1 MR. JONES: Thank you. Answer any
2 questions Mr. Updike might have.

3 MR. UPDIKE: I have no questions,
4 thank you.

5 (Witness excused.)

6 ROBERT SHOWALTER, was called as a witness
7 and having been duly sworn was examined and testified as
8 follows:

9 DIRECT EXAMINATION

10 BY MR. DAVIS:

11 Q State your name for the Court, please.

12 A Robert Showalter.

13 Q And Dr. Showalter, where do you live?

14 A My home is in Harrisonburg, Virginia, where
15 I have a part-time private practice of psychiatry.

16 Q And as you say, your profession is that you
17 are a psychiatrist, is that right?

18 A That is correct.

19 MR. UPDIKE: Your Honor, if I might
20 interject, Mr. Davis of course can go into
21 whatever qualifications he wants, but we
22 have seen Mr. Showalter many times and we
23 would stipulate to them.

24 THE COURT: Dr. Showalter has
25 testified in this court before and I'm

1 familiar with his qualifications, I have no
2 problem with conceding that he is certainly
3 an expert in his field, but if you wish to
4 go into his qualifications, that's fine.

5 MR. DAVIS: Judge, we'd like to go
6 into just a few.

7 THE COURT: All right.

8 **BY MR. DAVIS:** (continuing)

9 Q Dr. Showalter, where were you educated?

10 A I had my medical training at the University
11 of Virginia and in a sense never left the University of
12 Virginia, continuing there for a medical internship and
13 the three-year psychiatric residency. Two years
14 thereafter, I served as a special assistant in the office
15 of the director, the National Institute of Mental Health
16 in Washington, D. C. Following that, returned to live in
17 Harrisonburg and continued a part-time association with
18 the University of Virginia in both the school of medicine
19 and the school of law.

20 At this time I am associate medical
21 director of the Institute of Law and Psychiatry and Public
22 Policy at the University of Virginia, which is a conjoint
23 effort between the schools of medicine and the schools of
24 law combining resources, talents for research, academic
25 studies and clinical evaluations on occasion relative to

1 issues of interest to both fields, namely forensic
2 psychiatry.

3 Q Have you been a practicing psychiatrist for
4 approximately the last twenty-four years?

5 A Yes, I commenced private practice in the
6 summer of 1969 and have continued that uninterrupted since
7 that time.

8 Q And of course Judge Sweeney has recognized
9 you as an expert, but can you tell us approximately how
10 many times you have testified in a Circuit Court in the
11 State of Virginia?

12 A Oh, sometime I should sit down and count
13 those up, it's been well over 100, probably several
14 hundred if we were to add them all up.

15 Q Have you also been connected in the
16 authorship of any publications?

17 A Yes. As part of my--both clinical work and
18 academic work, I have authored and co-authored a number of
19 scientific publications.

20 Q What would have been the most recent
21 publication?

22 A The most recent publication actually is in
23 press at the moment, hopefully to be released this month,
24 printed this month in the Journal of Psychiatry and Law,
25 entitled "Objectivity and Advocacy in Forensic Evaluation

1 Following AP Oklahoma", and that last part is just a
2 technical reference to a recent Supreme Court case that
3 gave us some impetus stimulus for the ideas contained in
4 our treatise.

5 Q In your expert testimony, do you testify on
6 behalf of the Commonwealth and on behalf of the
7 defendants?

8 A That is correct, and also on occasion as a
9 friend of the Court.

10 Q Do you recall back in May of this year when
11 I called you concerning Ms. Elizabeth Haysom?

12 A I do.

13 Q Would it be fair to say to you that you
14 would not be able to be paid from any resources that we
15 might have to provide an evaluation of Ms. Haysom?

16 A That is correct.

17 Q And are you here on your own, not expecting
18 any payment from Ms. Haysom or Mr. Jones or myself?

19 A That is correct. This was a case, when you
20 laid out some of the basic aspects of it to me, seemed to
21 meet the criteria for one of our pro bono evaluations that
22 occasionally we do when the case seems to have sufficient
23 interest, impact and potential for learning, research and
24 teaching as a matter of fact.

25 Q And would it also be safe to assume that

1 the reason I initially contacted you dealt with we were
2 asking for a evaluation concerning Elizabeth's competency
3 to stand trial and her mental state at the time of the
4 offense.

5 A As I recall you asked for a comprehensive
6 standard forensic psychiatric examination, which would
7 include the assessment of the competency to stand trial,
8 assessment of mental state at the time of the offense, and
9 then the more broad-based inquiry relative to any issues
10 that may be of note or pertinence with respect to
11 sentencing.

12 Q Would it also be correct that you found
13 Elizabeth during your evaluation, you did find in fact
14 that Elizabeth was competent to stand trial.

15 A That is correct.

16 Q And did you also find that there was no
17 reason to question her insanity, or sanity rather, at the
18 time of the offense.

19 A That is correct.

20 Q Her mental state at the time of the
21 offense.

22 A That is correct.

23 Q If you would, can you give us an indication
24 of how many occasions Elizabeth came to Charlottesville
25 for an evaluation, what was taken into account in

1 preparing the evaluation.

2 A In general, I--let me start with my own
3 involvement which consisted of four separate face-to-face
4 contacts, interviews on four different days beginning in
5 mid July and ending about mid September, early September.

6 In addition to my direct examination and
7 evaluation of Ms. Haysom, she was evaluated by Dr. Janet
8 Warren, the forensic social worker, was a member of the
9 Forensic Psychiatry Clinic staff. She was also given a
10 battery of psychological tests by several individuals that
11 are affiliated with our clinic, and also she was
12 interviewed on at least two, possibly three occasions by
13 Dr. Lisa Hogerban who is our senior fellow in forensic
14 psychiatry in the clinic at this time.

15 Q And I believe she's in the courtroom here
16 today, is that right?

17 A Yes, that is correct.

18 Q Do you recall what documentation that you
19 had that had been provided in addition to these personal
20 interviews?

21 A Yes, I've got a rather lengthy list if you
22 would like me to just read that into the record?

23 Q Yes, I believe it would be important that
24 the Court note that.

25 A Our examination started with the psycho-

1 social interview which was carried out by Dr. Warren on
2 June 30th, 1987. The psychological testing that I
3 mentioned occurred on July 21, 1987.

4 My first psychiatric interview, my first
5 direct contact with Ms. Haysom, occurred on July 21, 1987.
6 A follow-up psychiatric interview occurred on August 6 of
7 1987 which was conducted by Dr. Hovermale and myself.

8 On July 26, 1987, Dr. Warren had the
9 telephone interview with Verian Haysom. On July 30th,
10 Dr. Warren had a telephone interview with Cheetah Haysom.
11 On July 31st, Dr. Warren had a telephone interview with
12 Shane Haysom. On August the 6th, Dr. Warren had a
13 telephone interview with Veona Haysom.

14 We also received a letter to the forensic
15 clinic from Andrew Davis dated June 25, 1987. We have in
16 our custody a transportation order, more or less a
17 formality, dated June 25, 1987, an affidavit from Annie
18 Adams Robertson Massie dated June 27, 1986, an affidavit
19 from James W. Updike, Jr., Commonwealth's Attorney for
20 Bedford County, dated July 28, 1986, affidavit from
21 Investigator Ricky W. Gardner dated July 24, 1986, copies
22 of letters from Elizabeth Haysom to Jens Soering, copies
23 of poems written by Elizabeth Haysom, photographs of
24 victims take at the scene of the crime, copy of last will
25 and testament of Derrick Reginald William Haysom dated May

1 7, 1985, copy of last will and testament of Nancy Astor
2 Haysom dated May 7, 1985.

3 Copies of letters from Jens Soering to
4 Elizabeth Haysom dated December 31st, 1984 through January
5 13th, 1985, copies of letters from Jens Soering to
6 Elizabeth Haysom dated from July 13, 1986 through December
7 7, 1986, copies of interviews with Jens Soering, Richmond
8 England, with Detective Sergeant Kenneth Beaver and
9 Detective Constable Terry Wright dated June 5 and 6, 1986,
10 copies of statements by Detective Sergeant Kenneth Beaver
11 dated September 10, 1986. Copy of interview with Jens
12 Soering in England police station, Investigator Ricky
13 Gardner, Detective Sergeant Ken Beaver and Detective
14 Constable Terry Wright, dated June 7, 1986.

15 Copy of extradition papers on Elizabeth
16 Haysom dated December 10, 1986, copy of interview with
17 Elizabeth Haysom at the England police station with
18 Sergeant Beaver, Detective Wright and Investigator
19 Gardner.

20 Copies of false identifications of
21 Elizabeth Haysom and Jens Soering, copies of bill from
22 National Car Rental Systems, Incorporated dated March the
23 29th, 1985, copy of summary statement by Investigator
24 Ricky Gardner dated June 8, 1986, copy of autopsy report
25 on Nancy Haysom dated April 8, 1985, copy of statements

1 from Sergeant Beaver dated April 18, 1987, copies of nude
2 photographs of Elizabeth Haysom, telephone interview with
3 Christine Kemp conducted by Janet Warren on December 14,
4 1987, telephone interview with Howard Haysom conducted by
5 Dr. Janet Warren on September 23rd, 1987, interview again
6 with Elizabeth Haysom, conducted on September 28th, 1987
7 by Lisa Hovermale as well as myself on that date.

8 And telephone conversations with the
9 Hoffretts Cutlery Shop in Georgetown Park Shopping Center
10 in Georgetown.

11 Since the preparation of this list of
12 sources, I have received or did receive on Saturday
13 morning several additional letters and also have had
14 several telephone conversations with Ms. Haysom from my
15 office to her in the Bedford Jail.

16 Q Is it your understanding that the letters
17 that you received--and I believe you did receive a group
18 of letters on Saturday.

19 A This past Saturday morning, that's correct.

20 Q Is it your understanding that those were
21 provided to me by the prosecution on Friday and then I had
22 them to you on Saturday?

23 A That is correct.

24 Q And have you looked at those letters as
25 well?

1 A Yes, I have.

2 Q Would one of those letters, for future
3 reference, be the one that has dear and then it's marked
4 out?

5 A That is correct.

6 Q We call it the Neal Woodall letter?

7 A That is my understanding, yes.

8 Q In preparing an evaluation, how would you
9 rate this one in terms of comprehensiveness, the one
10 that's been prepared?

11 A Well I like to believe that every
12 examination that we carry out is comprehensive. I might
13 say that this particular examination, evaluation, has been
14 very far reaching and very extensive due to the wide range
15 of facts and issues related to the case, facts and issues
16 which seem to have a bearing on the case. So it has taken
17 a tremendous amount of work and countless hours of staff
18 time to prepare.

19 And in that respect, it's probably one of
20 our most involved cases as far as time allotments were
21 concerned in the forensic psychiatry clinic at the
22 university.

23 Q Is it your understanding that you and the
24 clinic were provided with basically every document that
25 came to Mr. Jones' and my possession?

1 A That is my understanding.

2 Q Including statements of Ms. Haysom as well
3 as the co-defendant?

4 A That is my understanding, right.

5 Q Based on the interviews that you had with
6 Ms. Haysom and also the number of letters, statements of
7 Mr. Soering and other information you discerned, were you
8 able to make any diagnosis concerning Ms. Haysom?

9 A Yes. As I mentioned earlier, our initial
10 work with Ms. Haysom centered around making an assessment
11 for competency to stand trial, her mental state at the
12 time of the offense.

13 Obviously, if an individual is being
14 evaluated in a psychiatry clinic, one is looking for the
15 presence or absence of mental disease, which may have some
16 bearing on the issues at hand. Ms. Haysom emerged as a
17 very bright, very articulate young adult woman, clearly
18 meeting the statutory criteria in the Commonwealth of
19 Virginia to stand trial, and there was no suggestion that
20 at or near the time of the offense was she suffering from
21 a disorder that would meet the insanity test criteria
22 currently in force in the Commonwealth, namely the
23 McNawton formulations.

24 However, in the course of our workup, it
25 became quite obvious that although Ms. Haysom did not meet

1 these threshold criteria for any consideration of
2 incompetency to stand trial or insanity in any sort of
3 exculpatory sense, we were very struck by the presence of
4 significant symptoms of psychiatric dysfunction.

5 After our thorough clinical workup, we
6 identified a number of symptoms which meet the diagnostic
7 criteria of the borderline personality disorder as it is
8 described in the diagnostic and statistic manual of the
9 American Psychiatric Association, which is the standard
10 for meeting--that is used now for establishing psychiatric
11 diagnosis.

12 Q And that is the recognized standard in the
13 United States, is that correct?

14 A That is the recognized standard, yes.

15 Q Do you have a copy of that book here with
16 you today?

17 A I do.

18 Q Based on that standard and what you
19 observed, what did you determine was in particular
20 relevant to Ms. Haysom in your diagnosis?

21 A Probably the best thing for me to do would
22 be to run down the diagnostic criteria as they are
23 enumerated in the diagnostic and statistical manual and
24 just sort of walk with you through the reasoning--or
25 observations and subsequent reasoning which led to the

1 formulation of this diagnosis.

2 Q And to begin with, what was the diagnosis?

3 A The diagnosis is that of borderline
4 personality disorder, it is one of the personality
5 disorders.

6 If you would care to follow this, or Your
7 Honor, if you would like to follow the diagnostic
8 material, I would be happy to share this. The diagnostic
9 criteria, Your Honor, are contained in this boxed-off
10 area, the lower part of Page 347.

11 Now let me take just a few moments to
12 position the personality disorders as far as psychiatric
13 diagnosis is concerned. A personality disorder is not a
14 schizophrenic disorder, it is not a bi-polar disorder, it
15 is not one of the diagnoses actually that are the most
16 floridly symptomatic for the most part with respect to
17 psychiatric--the whole spectrum of psychiatric patients
18 that a psychiatrist would be asked to evaluate and treat.

19 Personality disorders do not have a sudden
20 onset. A schizophrenic disorder or a personality--or a
21 major active disorder may have a very sudden onset, can
22 occur--the onset often occurring first late in the second or
23 early in the third decade of life.

24 Personality disorders are in many respects
25 more subtle diagnoses. The antecedents for the symptoms

1 that form the basis of the personality disorder, however,
2 develop early in life. You don't contract a personality
3 disorder, for example, at age eighteen or twenty or
4 twenty-five. If the diagnosis of a personality disorder
5 is made, the careful psychiatric history will lead you to
6 develop what we term clinically developmental insults that
7 certainly fanned the flames of that later create the basis
8 for the symptoms.

9 In other words, the germs, the seeds, are
10 planted very early, often very early in life, first decade
11 of life often and into the second decade of life, and then
12 the symptoms will become florid somewhere later on, often
13 around the age of late high school or college years. This
14 is a very typical time for this disorder to initially
15 manifest itself or the symptoms thereof.

16 And the symptoms usually manifest
17 themselves as inabilities or compromises in ability to
18 function in personal relationships, social relationships,
19 or to function in the goal-directed activity at the
20 moment, be it attending college, carrying out a nine-to-
21 five blue collar job, taking care of a family, whatever.

22 So these, the individual suffering from a
23 personality disorder will actually present for treatment
24 at the point when some aspect of his or her life becomes
25 dysfunctional, both in his or her mind and usually in the

1 mind of significant others.

2 I should add also that we could make a
3 diagnosis of a chronic and long-term substance abuse
4 disorder in Ms. Haysom. We did not isolate that out as a
5 separate category because the substance abuse that
6 characterized much of her developmental years, or most of
7 her developmental years, is assumed under the heading as
8 I'll point out here in a few minutes, it's one of the
9 characteristics of the borderline personality disorder.

10 With that background, I'll run through the
11 criteria as we--the first criteria in this diagnosis, and
12 I'm following down through the diagnostic and statistical
13 manual.

14 Q Let me interrupt you if I could, Doctor.
15 How many criteria are there that deal with a borderline
16 personality disorder?

17 A There are eight established criteria.

18 Q And what would be the number that would
19 have to be met before it would classify or qualify as a
20 borderline personality disorder?

21 A According to the American Psychiatric
22 Association, in order to establish this diagnosis five of
23 the eight criteria should be in evidence, should be
24 clinically manifest.

25 Q In Elizabeth's case, at the conclusion of

1 your evaluation how many out of the eight criteria were
2 met?

3 A Seven.

4 Q Two more than is necessary to meet that
5 specific diagnosis.

6 A That is correct.

7 Q So I guess common sense would tell you that
8 there is little doubt but that she falls under that
9 diagnosis.

10 A Definitely. This is not a cliff-hanging
11 diagnosis by any means, this is a well developed, very
12 clear demonstration--or Ms. Haysom represents a very
13 clear--or presents a very clear demonstration of this
14 diagnosis.

15 Q If you would, and I interrupted you, but
16 you were talking talking about Criteria Number One.

17 A I will just follow through these, and
18 please feel free to interrupt if you have a questions
19 about this.

20 The first criteria identified in the DSM3,
21 which is the Diagnostic and Statistical Manual, which I
22 will refer to in shorthand from this point on, is a
23 pattern of unstable and intense interpersonal
24 relationships characterized by alternations between
25 extremes of overidealization and devaluation; that stated

1 a bit more simply, overridealization means over
2 involvement, overinvestment in a person or situation with
3 the--it can be characterized somewhat as a pendulum swing.
4 At one end of the pendulum swing there is strong over-
5 idealization, the individual can do no wrong. This
6 individual is the total answer for my life. The pendulum
7 swings through its complete arch, at the other end is
8 devaluation or feeling of hatred, frustration, a sense of
9 disinterest and a desire for disengagement frequently from
10 that person. And this just swings back and forth in a
11 pendulum-type fashion.

12 The supporting data for that is as follows:
13 Elizabeth Haysom described all of her significant
14 relationships with other individuals in terms of intense
15 and volatile dynamics. Her mother was seen as seductively
16 attentive yet critically rejecting in her evaluation of
17 Elizabeth and her activities.

18 Melissa was an understanding albeit
19 possessive friend with whom Elizabeth lived and traveled
20 and then from whom she abruptly separated.

21 Jens was her passionate paramour with whom
22 she played out highly charged physical and emotional
23 scenes here and across Europe.

24 All of these relationships reflected a
25 state of enmeshment in which Elizabeth found herself

1 fluctuating between a sense of submissiveness and
2 dependence and resentment and manipulation. Despite a
3 desire for autonomy, and this became very clear in our
4 various discussions with Elizabeth, she was searching
5 desperately at times for some way to achieve some
6 personal autonomy; despite this desire for autonomy, she
7 found herself unable to separate for any extended period
8 of time, or any significant period of time, from these
9 individuals in her life whom she designated as being very
10 important.

11 Criteria Number Two again, drawing from
12 that as listed in DSM3, impulsiveness in at least two
13 areas that are potentially self-damaging. And the manual
14 gives as examples spending, excessive spending, sexual
15 involvement, substance abuse, shoplifting, reckless
16 driving, binge eating, being characteristics. And our
17 analysis and evaluation of Ms. Haysom revealed the
18 presence of an excessive drug history characterized by
19 multiple substances, marijuana, LSD, heroine, methadone,
20 used both alone and in various combinations.

21 Her earliest exposure to substances
22 occurred before she left her home at around age nine or
23 ten, this was alcohol. At thirteen or fourteen, I believe
24 she was in Wickham at that time, she began experimenting
25 with some of the other drugs, and then the drug abuse

1 pattern intensified to what we would call clinically
2 rather extreme proportions.

3 Her impulsive departure to Europe with
4 Melissa also reflected a recklessness, a reckless form of
5 decision making which ultimately impacted on her physical
6 health, educational plans and family relationships, and
7 this can be augmented by a number of spur of the moment,
8 impulsive type decisions that she made relative to school
9 work, academic involvement and various aspects of her
10 relationships with Mr. Soering.

11 Criteria Number Three is termed technically
12 affective instability, which can be defined as a marked
13 shift or marked shifts from base line mood to depression,
14 irritability or anxiety, usually lasting a few hours and
15 only rarely more than a few days. And the supporting
16 history and clinical data for this centered around
17 Ms. Haysom's chronical long history of plunges into
18 depression, usually stimulated by environmental stresses.

19 This no doubt represented one of the
20 reasons that she turned to drugs in an attempt to
21 override her symptoms of depression and utter aloneness
22 and despair.

23 Throughout her interviews, Ms. Haysom also
24 documented the development of intense anxiety feelings
25 relating to interactions with significant others in her

1 life. She identified here particularly her relationship
2 with her mother and her relationship with Jens Soering.

3 Q So in other words you're saying that she
4 felt that those two people in particular were important in
5 her life, when you say important others?

6 A Well these were probably at the top of the
7 list, these two individuals, yes, that's correct.

8 Criteria Number Four, for sake of
9 completeness I will read, but we did not find the data or
10 evidence clinically to support the Criteria Number Four,
11 and this is the one out of the eight that we did not
12 diagnose. Presence of inappropriate intense anger or
13 lack of control of anger as characterized by frequent
14 displays of temper, constant anger, recurrent physical
15 fights.

16 Q Would that be basically a diagnosis that
17 Elizabeth is a nonviolent person?

18 A It would suggest that.

19 Q And was there anything in your report or in
20 your diagnosis that would portray Elizabeth as a violent
21 person?

22 A No. To the contrary, Ms. Haysom tends to
23 be very withdrawn and has been throughout most of her
24 life. I would characterize her as long suffering in
25 quietly and meekly accepting a wide range of abuses from

1 significant others in her life without responding in ways
2 that as I recall some of her family members suggested, you
3 know, why don't you get a little upset, why don't you
4 react. But she very meekly and docilely accepted the
5 abuse and went from there.

6 Criteria Number Five, again, this is one
7 that we did diagnose; the remaining we did diagnose,
8 Number Four was the only one that we didn't. Recurrent
9 suicidal threats, gestures or behavior or self-mutilating
10 behavior. Ms. Haysom reported a long history of self-
11 mutilation beginning at around age eleven. This involved
12 at about that age an attempt to cut out a mole from under
13 one of her breasts.

14 She also at that time began episodes of
15 slashing her wrists and sticking pins into her feet. She
16 also conveyed a variety of behavior suggesting severe
17 self-destructive tendencies and at least two actual self-
18 destructive attempts; one of these was a rather severe
19 overdose at Wickham and then as I recall, I think in the
20 holding cell in Highberry Corner, she attempted a self-
21 destructive act with a plastic bag. Also there was some--
22 a fairly significant drug overdose, if my memory serves me
23 right, at Holloway.

24 There were multiple episodes of self-
25 mutilation, particularly in the form of slashing and

1 cutting interspersed with several less severe episodes of
2 drug overdose in the various series of European and
3 British boarding schools that she had been in.

4 Criteria Number Six, a marked persistent
5 identity disturbance manifested by an uncertainty about at
6 least two of the following, self image, sexual
7 orientation, long term goals or career choice, type of
8 friends desired and preferred values. And the supporting
9 clinical data for this diagnosis is as follows.

10 Ms. Haysom reflected an extremely
11 ambivalent image of herself. At times she could reflect
12 upon herself as being an attractive young woman, while at
13 other times she commented on her ugliness as she termed
14 it, explaining that she only recently began wearing makeup
15 and that she could not stand looking at herself in the
16 mirror.

17 Her desire to bandage up her breasts and
18 her relationship with Melissa reflected some degree of
19 confusion in gender identity, while her fanciful leaps
20 between being an academic at Cambridge or a career
21 criminal demonstrate the same degree of confusion in terms
22 of her goals and career choices.

23 Conflicts around her choice of friends and
24 the types of relationships that she wished to pursue was
25 also demonstrated.

1 Criteria Number Seven, chronic feelings of
2 emptiness and boredom. Ms. Haysom dramatically conveyed a
3 sense of personal loneliness and alienation that began in
4 childhood and characterized all of the major developmental
5 stages of her life. As a child she pushed notes under her
6 parents' door and yearned for a pet who would keep her
7 company.

8 As a teenager she drew back into a cloak of
9 isolation, maintained by her insistent drug usage. Here
10 again, linking the drug usage to the sense of abandonment,
11 parental abandonment.

12 And as an adult, she felt different from
13 her dorm mates and felt that she could not involve herself
14 in the "superficiality" of their pursuits.

15 Ms. Haysom also reported a sense of
16 inadequacy in establishing significant interpersonal
17 relationships and viewed herself as not the type of person
18 who could sustain relationships with healthy and
19 successful peers. Rather she felt driven to find the "odd
20 type" of people that reflected the confusion that she
21 found in herself.

22 She was plagued by a sense of boredom when
23 confronted with the normal routines and lifestyles of her
24 peers and because of this appeared compelled to search
25 out the more bizarre elements of life. Finally her sense

1 of emptiness and boredom created a strong need to engage
2 in fanciful and metaphorical thinking, and this issue
3 cannot be over emphasized.

4 Ms. Haysom started early on in life with
5 playmates. She did not have actual playmates, as she
6 reports it she made them up. And this was the beginning
7 of an extraordinarily active and to her meaningful fantasy
8 life. At no time, however, would she in my opinion have
9 hesitated to give this up had it been possible to develop
10 significant relationships. But the same problem here is
11 that she had no modeling for the development of a normal
12 "normal relationship" with peers her age.

13 As a child she had secret friends and acted
14 out dreams of a number of the pathetic characters in
15 Charles Dickens novels. As an adult she wrote literary
16 prose and indulged in hours of conversation with friends
17 on philosophical, mystical and political themes and
18 ultimately dramatically began to discuss with Jens Soering
19 her desire that her parents could simply vanish.

20 Q Dr. Showalter, if I could interrupt you
21 right there, you have seen I believe, or been presented
22 every letter that I'm aware of that Elizabeth Haysom wrote
23 to Jens Soering. You had mentioned this metaphorical
24 thinking and fantasy; did you see any of that present in
25 any of the letters which you read?

1 A I would say that that was the overriding
2 element of the vast majority of that correspondence. It
3 is my impression that they did not use correspondence to
4 transact business as you or I may use correspondence to
5 transact business, it was purely used--taking into
6 consideration here that you're dealing with two highly
7 intelligent, bright people suffering, certainly in the
8 case of Elizabeth Haysom, severe personality disorder, and
9 she used with her verbal linguistic skills, would fill up
10 hours and hours writing that otherwise in a more normal
11 well adjusted young adult would have been spent
12 socializing, fraternizing with friends and hopefully
13 family members.

14 Q Thank you.

15 A Criteria Number Eight, frantic efforts to
16 avoid real or imagined abandonment. As I mentioned
17 earlier, Ms. Haysom early in life began to feel a sense of
18 abandonment, a feeling of not being wanted, not being
19 cared for. She recalls and recounted to us on numerous
20 occasions during our direct work with her the sense of
21 probably not being wanted as a child because no family
22 member had time for her, Hence, the very sad need to send
23 notes under the door of her parents in an attempt to get
24 a questions answered or to have some contact.

25 Our responses further substantiating,

1 supporting this diagnosis are as follows: Ms. Haysom
2 proved incapable of separating from significant others,
3 despite the pathological nature of her relationship with
4 her mother and her disclaim for her mother's status-
5 conscious values, she felt incapable of rebelling against
6 her mother and establishing a life of her own. Rather she
7 felt compelled to placate and appease her mother, agreeing
8 even at one point to pose nude for her upon request.

9 Ms. Haysom also found herself unable to
10 terminate her relationship with Jens, attempting instead
11 to convince him that she had a brain tumor or a date with
12 a member of the IRA when in Europe.

13 In Europe she accepted physical beatings
14 from Mr. Soering, his insults and participated in his
15 bizarre sexual interests. Again, rather than separate
16 from him, again, underscoring this fear of abandonment and
17 demonstrating the ends to which one would put oneself
18 through troublesome situations for maintaining--the price
19 of maintaining the relationship.

20 Yet when they were arrested and placed in
21 different parts of the jail, she felt that she would die
22 if she had to suffer any prolonged period of separation
23 from him.

24 So these are the clinical parameters that
25 we identified and that in the opinion, my opinion and that

1 of my colleagues in the forensic psychiatry clinic at the
2 University of Virginia, clearly establishes a diagnosis of
3 borderline personality disorder.

4 Q How would that diagnosis impact upon her
5 relationship with Jens Soering?

6 A It would impact probably most clearly in
7 two arenas; number one, and this is earlier on, Mr.
8 Soering proved to be a very interesting person to her.
9 She acknowledged that just as soon as she laid on eyes on
10 him at the University of Virginia--and they were housed in
11 the same dormitory I understand--she realized as she said
12 at one point, and I think I'm quoting correctly, certainly
13 the gist of this is correct, that he was European and
14 weird, and those seemed to be two criteria that were very,
15 very important to her.

16 She was looking for an individual with whom
17 she could relate. Elizabeth looked at herself from a very
18 early age, as I've mentioned earlier, as weird, strange,
19 quite likely unloveable. And it's very characteristic for
20 a person like this having these feelings about himself or
21 herself to gravitate toward other individuals that appear
22 to be suffering the same plight. That was Category Number
23 One.

24 And Category Number Two then deals with the
25 capacity that both Elizabeth Haysom and Jens Soering had

1 for interacting on a very high cognity plane. Ms. Haysom
2 felt that this was a fanciful, methaphorical series of
3 head games, an attempt to see who could be the more
4 outlandish, a term that she used not infrequently during
5 my discussions with her. This, again, was a substitute
6 for more normal, more wholesome socialization, but she
7 found an individual that could spar with her or meet her
8 in this metaphorical, fanciful, outrageous head game
9 approach to life.

10 Q Was there a particular mention of a
11 redesigning of a particular automobile?

12 A Yes they had all sorts of, would spend
13 nights doing outlandish, outrageous head games, one of
14 which was, as I understand it, attempting to redesign the
15 ultimate automobile that in their opinion would be
16 something of a cross between a Porsche and a Ferarri,
17 spent a lot of time doing this and actually approached this
18 as though at some point someone might produce this
19 automobile.

20 But the bubble burst and soon they went on
21 to another fanciful head game such as rewriting some
22 Shakespeare plays or at least changing certain of the
23 scenes in a way that they felt would be more acceptable
24 and fun.

25 And it was in that type of fanciful and

1 metaphorical thinking that Elizabeth began talking with
2 Mr. Soering about the very troublesome home life that she
3 had experienced. It's my understanding that he identified
4 similar sentiments about his own parents and possibly even
5 a grandmother, and that seemed to be another element that
6 brought the two of them closer together around that issue
7 of disdain, dislike, frustration with their developmental
8 years.

9 Q In your perusal of the letters and the
10 staff perusal and evaluation, in the relationship between
11 Elizabeth Haysom and Jens Soering, who was the dominant
12 character in that relationship?

13 A There is no question in my mind that
14 throughout this relationship Mr. Soering was the dominant,
15 stronger of the two personalities. Ms. Haysom was able
16 to, by virtue of her own academic, literary, creative
17 skills, continue to serve up new ideas, new entertainments
18 as it were. But these were done in the interest
19 frequently of attempting to retain and hold on to this
20 relationship that at least had some moments of
21 gratification.

22 As the relationship progressed, however,
23 these positive moments seemed to diminish and the negative
24 moments seemed to predominate. But yet she could not, she
25 did not have the self assertive capability characteristic

1 of this diagnostic syndrome, the syndrome that we've
2 diagnosed her as suffering from, did not have the personal
3 strength or sufficient aggression or assertiveness to
4 extricate herself or even begin a serious process of
5 attempting to extricate herself from her emotional bond
6 with Mr. Soering.

7 Q In some of the letters was it your
8 understanding that many thoughts and ideas were produced
9 while she was either under the influence of alcohol or
10 other mind-altering substances?

11 A Yes. As I mentioned earlier, Ms. Haysom
12 has a long and checkered history of substance abuse
13 beginning with experimentation with alcohol at home,
14 moving on to experimentation, continued experimentation,
15 and very soon it got beyond experimentation, but very
16 inappropriate involvement with alcohol and drugs in the
17 various boarding schools, drugs on her summer trips and
18 then at the University of Virginia, living in an almost
19 constant drug haze, the use of drugs as suggested earlier,
20 in my opinion, serving not as some flagrant anti-social
21 gesture, but attempting very sadly to fill a void that
22 could not be filled through effective, meaningful,
23 interpersonal relationships.

24 Q You are aware of the different accounts of
25 her parents' deaths that Elizabeth has given to different

1 police authorities, is that correct?

2 A That is correct.

3 Q And as you are aware, she has stated that
4 the alibi which was provided essentially was created after
5 the fact.

6 A That's my understanding.

7 Q How can that be connected to the diagnosis
8 that you've made here in overwhelming demonstration which
9 she's made not only back in August but before she even
10 came over here to plead guilty?

11 A As has come out previously and been stated
12 in some of the clinical data, one of the head games played
13 by Elizabeth Haysom and Jens Soering was that of getting
14 rid of her parents, getting rid of his parents, possibly
15 including his grandmother, I think there's some reference
16 somewhere to that in one of the writings.

17 Ms. Haysom very clearly acknowledged, and I
18 think quite credibly, that this would relieve tension, to
19 talk about this would relieve tension and thereby bring
20 her a little closer to a reasonable level of psychological
21 functioning and it would lessen the pain a little bit to
22 diffuse this.

23 And people do this all the time, often
24 through humor, bizarre jokes, whatever, you can actually
25 work out anxiety, frustration, pain and hurt. This is the

1 purpose that this was serving as well as continuing this
2 back and forth sort of written reparte, if there is such a
3 thing, in which they would try to ever produce something
4 more outlandish, more grandiose.

5 Ms. Haysom never felt that this could
6 happen as a real occurrence. At one point she said a very
7 bright Jefferson Scholar at the University of Virginia
8 could not just do something like this, nor would he or she
9 have taken any steps to produce a hybrid Porsche Ferarri,
10 nor would they have attempted to actually sit down and
11 find a publisher for a revised Shakespeare play, that was
12 not to happen. These were things that happened in a
13 metaphorical, fanciful mental life; these activities
14 functioning as substitutes for a more normal, wholesome
15 series of involvements with other people.

16 Q In your expert opinion, how do you explain
17 her willingness to provide this alibi for Jens Soering?

18 A This relates very specifically to the
19 diagnosis, to two characteristics in particular, or two
20 criteria in particular. Criteria Number One, which
21 to review just basically, this pendulum swing of over-
22 idealization and then devaluation. The relationship got
23 started largely on that basis and carried through these
24 various swings. And through this sort of range of emotion
25 that Elizabeth experienced toward Jens Soering, through

1 this range of emotion, she more or less got used to the
2 fact that the relationship was there and was likely to be
3 there for some period of time.

4 And also, in a very bizarre way this
5 demonstrates a well know clinical dictum that negative
6 attention, negative emotion is better than no attention or
7 no emotion at all. She was so craved and starved for some
8 type of relationship that the negative aspects of the
9 relationship were somehow denied or attenuated to a level
10 where they could be tolerated.

11 Now couple that with this last category
12 that I spoke with you about, mainly the fear of
13 abandonment and the sense--this existential, overpowering,
14 existential sense of loneliness, a person suffering from
15 this, and it's very difficult for many of us to appreciate
16 or understand this unless we've experienced it or as
17 clinicians have seen this in repeated cases to the point
18 where it makes very good sense, and it certainly was the
19 case with Ms. Haysom. Her sense of being alone, her fear
20 of being alone, her fear of being unloved was so intense,
21 so strong that she paid virtually any price to have a
22 friend.

23 And I think that explains her willingness
24 to participate in the alibi, her willingness to make a
25 number of the statements that she made, because she felt.

1 bizarre as it was, there was an allegiance.

2 Q Have you looked into certain aspects of the
3 alibi, you and members of your staff?

4 A Yes, we have, although we do not put
5 ourselves forth as investigators, by no means, we're
6 clinicians.

7 Q I understand that. In arriving at your
8 diagnosis, though, did you attempt to determine the
9 veracity of her alibi concerning the purchase of the
10 knife?

11 A We did.

12 Q And would it be safe to assume, and it's
13 into evidence, that Ms. Haysom in her statement I believe
14 on June 8th, I believe, 1986, stated that she and Jens
15 Soering had gone to a knife shop in the District of
16 Columbia attempting to purchase a knife which would be
17 used to kill her parents, and that they were unable to do
18 so because that was illegal in May of 1986, and so they
19 were directed to a certain store that sold the type of
20 weapon they were looking for outside of the District in
21 Maryland. Would that be basically your recollection of
22 that?

23 A That is my recollection, yes, it is.

24 Q Was any investigation done into the
25 legality of purchasing the knife in Washington, D. C.?

1 A Yes. Members of our staff checked this out
2 and that is simply not true. I think that there is a law
3 to that effect now on the books, but was not present at
4 that time. I mean there would have been absolutely no
5 legal hurdles whatsoever to purchasing whatever knife they
6 wanted to purchase as I understand it in the District of
7 Columbia at that time.

8 Q So that statement where she was implicating
9 herself, and the reason she gave just simply was not true.

10 A That is simply not true. It's a very sad,
11 very pathetic example again of trying to remain, to
12 demonstrate allegiance in a situation in which there is
13 literally nothing else.

14 Q Would that also be true in her statement to
15 Investigator Gardner on May the 11th that she did not do
16 it to lessen her guilt nor her involvement, but that she
17 did not purchase the knife and that the knife was not
18 purchased as she had previously stated?

19 A Yes. I see all of that as a progression,
20 most clearly and most credibly interpreted against the
21 backdrop of the borderline personality disorder
22 symptomatology that I have outlined here this afternoon.

23 Q I believe that you were provided on
24 Saturday, and as I said we got them on Friday and you got
25 them on Saturday, a cluster of letters, one of which has

1 been described as being to Neal Woodall from Jens Soering.

2 A Yes.

3 Q Could you basically outline the
4 significance of that letter and how it applies to
5 Elizabeth Haysom?

6 A My reading of that letter, Mr. Davis,
7 established for me or underscored I should say, ideas that
8 were already emerging, gestating in my mind. And I think
9 very broadly stated, this letter suggests the--or outlines
10 in a sense Mr. Soering's philosophy on a number of things,
11 most specifically and most relevant for our consideration
12 here, his philosophy relationship, and particularly his
13 relationship with Ms. Haysom.

14 I think if there were any issues or
15 unresolved issues or questions about who was in the
16 ascendancy or who controlled the relationship, I think
17 that that letter should very clearly establish the fact
18 that Mr. Soering saw himself as the sort of prime mover
19 and certainly a self-contained young man fully capable of
20 carrying out whatever deeds or acts he wanted to do.

21 Q Based upon your evaluation and all the
22 information that you gathered concerning Elizabeth Haysom,
23 is that the overall impression you get from Mr. Soering?

24 A Yes. Yes, it is.

25 Q How would that impact upon Elizabeth

1 Hayson's involvement in the creation of the alibi and the
2 assumption of the guilt?

3 A Well my understanding in talking about this
4 with Elizabeth Hayson is that she felt that she had no
5 choice, and she told me very pointedly that when she
6 realized that Mr. Soering had indeed killed her parents,
7 this sense of horror went over her and she realized that
8 their relationship wasn't what she had thought, i.e.
9 metaphorical, fanciful, head game situation, but that
10 actually he did, his status at the University of Virginia
11 notwithstanding as an excellent student, certainly the--
12 that act demonstrated his ability to convert these
13 metaphors, these ideas, these weird head games, into
14 action in a way that was very abhorrent and scary to her.

15 And she said at that point, when he came
16 back to D.C. or Georgetown on the day of the murders, that
17 she felt intensely afraid and realizing for the first time
18 that something serious could happen and he would in fact
19 act out fantasies. This was the first demonstration of an
20 acted-out fantasy that they had played around with in this
21 head game phenomenon.

22 Q Can you explain why she would remain with
23 him for the next several months after she knew that he had
24 killed her parents?

25 A It goes back to the diagnosis, this fear of

1 abandonment. If she were to--she didn't have the
2 requisite strength, initiative to separate herself from
3 this situation; she did not have the psychological
4 strength, maturity to do that.

5 Number two, by following him she was not
6 abandoned, there was a relationship. She was paying an
7 exorbitant price for this relationship at that time and
8 she's been very, very clear about that. But still, the
9 price was not high enough that she could separate; a
10 graphic demonstration of this one criteria for the
11 diagnosis of borderline personality disorders.

12 Q It was stated here earlier today by
13 Ms. Haysom in response to questions from Mr. Updike that
14 she felt more guilty than Mr. Soering was and that in her
15 opinion she was more guilty and she deserved life in
16 prison. How do you characterize that into the diagnosis?

17 A Well I think there are several comments
18 that I can make on that. In the first place, before I
19 relate it specifically to the diagnosis, from my first
20 meeting with Elizabeth Haysom, I was struck by the intense
21 remorse and sorrow. Even though the quality of parenting
22 that she experienced was marginal at best, she still felt
23 sorry, all of her metaphors and all of her head games
24 again aside, that her parents were dead, that her parents
25 had been brutally and tragically murdered in the way that

1 they were.

2 She feels that, you know, obviously
3 Mr. and Mrs. Haysom were her parents, and so she feels
4 because of the relationship that she has a closer, did
5 have a closer allegiance to her parents and hence has felt
6 extreme unrelenting guilt about this.

7 She also, although she understands to some
8 extent the psychopathology involved in this, she's still
9 very clear about the reality issues that they did do these
10 head games and that maybe in some way that contributed to
11 the actual physical enactment of one of these head games,
12 which was the destruction of her parents.

13 Q And that particular act which resulted in
14 the destruction of her parents, was that in your opinion
15 based on what you have seen, heard and read concerning
16 this matter, based on a selfish motive of Jens Soering or
17 out of love?

18 A Would you restate that?

19 Q Based on everything that you've seen and
20 heard regarding this particular matter, and in your
21 interviews with Elizabeth Haysom, there arose the driving
22 force or the question of the impetus for the reason that
23 Jens Soering killed Elizabeth's parents, was it out of
24 love or was it out of selfishness?

25 A Well the way this has finally come

1 together, I think after extensive research and study, it's
2 my impression that Mr. Soering carried out the murders
3 largely motivated by his fear that he was losing
4 Elizabeth.

5 As you may recall, the weekend before their
6 tragic death, the death of the Haysoms, Elizabeth had had
7 what she characterized as probably one of the best
8 weekends that she had ever had with her parents. She
9 explained to them some of her goals, some of her
10 frustrations with her involvement with them evidently,
11 particularly with respect to her father; it was a candid,
12 forthright exchange that she felt very good about.

13 I take it she came back to school and went
14 over a fair amount of this interchange, exchange, with
15 Mr. Soering, announcing that she had reconciled some
16 issues in her own mind with her parents, she announced
17 that she had intentions to pursue further education in
18 Europe at the Gerte Institute specifically, if I recall
19 correctly. And further, although it was her impression
20 that her father did not really agree with this next step
21 in her education, he agreed to make provisions to make
22 that financially possibly for her to do.

23 In retrospect, she looking back over this
24 feels that Mr. Soering became extremely upset at what
25 appeared to be some reconciliation or some lessening of

1 the anger toward her parents, and because of that reason
2 she said let's go to Washington, let's have a nice
3 weekend. I had a nice weekend with my parents last
4 weekend, we'll go to Washington, I'll have a nice weekend
5 with you this weekend in an attempt to placate what seemed
6 to be heightening anger and frustration demonstrated
7 towards her by Mr. Soering.

8 Q Did you and your staff corroborate the
9 establishment of a bank account at the Bank of Bermuda for
10 Elizabeth?

11 A It was either established or about to be
12 established. I think signature cards had been prepared or
13 something, but I don't now that the money actually got to
14 Bermuda or not.

15 Q And that was I believe verified through
16 Howard Haysom, Elizabeth's brother.

17 A That's correct.

18 Q Dr. Showalter, I believe you and your staff
19 prepared a report which is some thirty-nine pages long,
20 plus a copy of the psychological evaluation.

21 A That is correct.

22 Q The psychological evaluation that was
23 conducted, what if any corroboration or emphasis does that
24 place upon your diagnosis?

25 A It is remarkably supportive. We use

1 psychological testing, I as a psychiatrist use
2 psychological testing as a surgeon may use radiographs, X-
3 rays, to essentially tell you whether or not you're in the
4 right ball park sometimes or to confirm in ambiguous
5 situations.

6 In the situation with this degree of
7 psychopathology and magnitude of the issues at hand,
8 careful psychological evaluation took place and in essence
9 very closely corroborated the clinical findings.

10 Q Dr. Showalter, I believe the diagnosis and
11 evaluation begins on Page Thirty-Three of that report, is
12 that correct?

13 A Yes.

14 Q And would this be a copy of that report?

15 A It seems like it. You don't want me to go
16 through this page by page do you?

17 Q No, that's all right, I just want the Court
18 to see it.

19 A It appears to be a copy of this report.

20 MR. DAVIS: And Judge, if we could
21 just--

22 MR. UPDIKE: Your Honor, I'd like a
23 chance to look at this thing, I have never
24 seen it. It just seems like sometimes our
25 system, the way it works, I gave them

1 everything that was passed on to the doctor
2 and I have never seen this report.

3 THE COURT: Well we are going to take a
4 recess. I think you're just about through,
5 aren't you?

6 MR. DAVIS: Just about.

7 THE COURT: And then I was going to
8 take a recess and I--now whether you should
9 have been given a copy before now or not,
10 I'm not passing any opinion on that. Go
11 ahead, proceed, finish your part.

12 MR. DAVIS: Judge, would that be
13 before we allow the Court to have a copy of
14 the--

15 THE COURT: No, you may put it up here
16 and I'll just withhold entry of this into
17 evidence.

18 MR. DAVIS: Judge, we're not going to
19 offer it into evidence at this point.

20 THE COURT: All right, then I will not
21 review it until such time as Mr. Updike has
22 had a chance to review it.

23 MR. DAVIS: Judge, what we would ask
24 is that at the appropriate time it be made a
25 part of the presentence report as well and

1 subject to the same confidential nature.

2 THE COURT: I'll do that, that
3 protects the confidentiality of the report
4 under the statute.

5 BY MR. DAVIS: (continuing)

6 Q Dr. Showalter, were many of these
7 conclusions based on information that was given to you by
8 members of the family?

9 A The report reflects a considered
10 assessment and evaluation of everything I read at the
11 outset of my testimony, which obviously includes a lot of
12 direct input from Ms. Elizabeth Haysom, copies of reports,
13 statements that she made to investigators, law enforcement
14 individuals, and telephone conversations, possibly one
15 direct contact, I'm not sure on that, with family members
16 or friends, individuals, peers who were in contact with
17 Elizabeth Haysom, knew her and could give credible comment
18 about their perceptions of her life.

19 Q And particularly the information regarding
20 her family life was derived as you understand it from some
21 members of her family.

22 A Yes.

23 Q Brothers and sisters.

24 A Yes.

25 Q And not just what Elizabeth Haysom said.

1 A No. The comingling of insights and
2 perceptions, with possibly one exception, were amazingly
3 similar.

4 MR. DAVIS: Thank you. Answer any
5 questions Mr. Updike may have.

6 THE COURT: This is the time for the
7 break. All right, we'll take a short
8 recess at this time.

9 (Whereupon a recess was taken.)

10 THE COURT: All right, Mr. Updike.

11 MR. UPDIKE: Thank you, Your Honor.

12 CROSS EXAMINATION

13 BY MR. UPDIKE:

14 Q Dr. Showalter, I wish I'd had the chance to
15 see this beforehand so that I could perhaps just focus in
16 on a few questions and make short work of this.
17 Unfortunately I didn't, so perhaps if you can bear with
18 me.

19 Dr. Showalter, it seems you've made some
20 rather broad statements here today, haven't you? I mean
21 you've not only offered a psychological analysis of the
22 defendant, but you've offered an analysis of the facts of
23 our case as well, haven't you?

24 A No, by no means.

25 Q Oh, you haven't?

1 A No.

2 Q It seems to me that what you're saying is
3 that Ms. Haysom had nothing to do with this really, ahead
4 of time, other than some mere fantasies, and that after
5 the--that she did not believe the killings could be
6 perpetrated by Jens Soering ahead of time, is that what
7 you're saying?

8 A I made those statements, but they are to be
9 interpreted as a--within a clinical context, Mr. Updike.

10 Q That she had no participation in the alibi
11 ahead of time, but only participated in forming an alibi
12 after the fact, are you saying that?

13 A There is strong evidence to support that.

14 Q Strong evidence?

15 A But I'm not saying that, there's a
16 difference between the two.

17 Q Yes, but you're analyzing the evidence of
18 the case as well, aren't you? I mean--

19 A Only as it relates to the clinical
20 perceptions and diagnosis, that's the limit of my
21 expertise.

22 Q Yes, sir. Because I know you're much
23 smarter than I am, but I've been wrestling with this thing
24 for a couple years now, and it looks like that you've read
25 some letters and so forth and come down and offered an

1 opinion that Jens Soering was the dominant one, she never
2 felt this could happen, she didn't participate in the alibi
3 ahead of time.

4 Do you feel that she had any participation
5 in advance of the murders?

6 A Well certainly at the head game level,
7 Mr. Updike. I mean I think that's why Elizabeth Haysom
8 has the intense overriding remorse and guilt that she
9 does, to the extent that she's made some of the decisions
10 that she's had already with respect to this matter. She
11 feels intensely guilty.

12 Q Yes, I see. But you're saying that she
13 played some mind games and that those were misconstrued by
14 Mr. Soering, is that it?

15 A Misconstrued, or he acted upon them when
16 she didn't anticipate that he would act upon them.

17 Q Didn't encourage him at all.

18 A Well that depends upon how you define
19 encourage. If you play these games back and forth, it's a
20 matter of question as to how you would define
21 encouragement I think.

22 Q I was interested in the list of things that
23 you used to formulate your analysis. I couldn't write
24 them down, I mean you read them pretty quickly. Do you
25 have that, can I see that?

1 A Yes, and also that's on the front page of
2 your report. It constitutes basically the first three
3 pages of the report, Mr. Updike.

4 Q It's hard to tell what's in this thing then
5 isn't it?

6 A It was my hope that this report would make
7 your job easier as well.

8 Q Well you know, it's hard for me when you
9 start rattling off these terms. Let's see, psychological
10 interview with Elizabeth Haysom, there's some testings
11 here, interview with Verian Haysom, Cheeta and so forth.
12 I don't believe you talked to Richard Haysom, did you?

13 A If it's not there, we didn't. I know I
14 didn't personally.

15 Q Did you talk to any of these people
16 personally?

17 A No, these were--that's a function of our
18 forensic clinic, that's relegated to other members of the
19 staff, in whom I have utmost confidence and trust.

20 Q I'm sure of that, but that kind of puts me
21 at a disadvantage because I can't ask them about this
22 stuff. I mean you're the one sitting here today saying
23 she never felt that Soering could kill her parents, so I
24 have to ask you the questions, don't I?

25 A (No response.)

1 Q For example, do you know the content of any
2 of these, because when you read these they sounded so
3 good. There were thirty-five items here. For example,
4 the affidavit from James W. Updike, Jr., what was in that,
5 do you remember?

6 A I don't remember specifically at this
7 point.

8 Q Was it my grocery list or did it have some
9 pertinence to this case? You don't know?

10 A Certainly. I mean everything there you
11 would assume would have some pertinence, Mr. Updike, and
12 that's why it's there.

13 Q No, sir, that's not why it's there. That
14 affidavit was required by the State Department to state
15 the law of this Commonwealth for purposes of extradition.

16 A Uh-huh.

17 Q It had nothing at all to do with this
18 woman's psychological status at any time in her life. Yet
19 that's listed there and it doesn't seem that you even know
20 what's in it. What did Ricky Gardner say in his
21 affidavit, do you know?

22 A There were hundreds of pages of paper,
23 Mr. Updike, and--

24 Q I'm well aware of that.

25 A And we've gone through all of that in staff

1 conferences. I cannot give you--I'm not going to try to--
2 I did not commit those to memory, I'm not going to try to
3 play that game because I can't.

4 Q I'm not asking you to play a game. I just
5 want to know the essence for these wide, far reaching
6 opinions that you've stated; not only that she has a
7 borderline disorder, but you've gone into actually
8 analyzing her alibi or attempts at an alibi after the
9 fact, her intent, her criminal intent beforehand.

10 A Only as it relates to her psychiatric
11 illness, Mr. Updike, not beyond that.

12 Q It seems to me that this psychiatry, isn't
13 it just kind of like anything else, building a house or
14 any kind of common labor, you've got to start out with a
15 good foundation, haven't you?

16 A Certainly.

17 Q And you start out supposedly with certain
18 premises and then you build upon that to draw conclusions
19 such as the ones that you've stated here today, wouldn't
20 that be correct?

21 A You don't start with premises, you start
22 with the observable data that you collect through the
23 examination and evaluation process.

24 Q And if that observable data ain't any good,
25 then what follows later is not going to be any good

1 either, is it?

2 A That's exactly right.

3 Q My point, Dr. Showalter, as I go down this
4 list very quickly, it looks like you're going to have to
5 base your analysis and your opinion almost entirely on
6 what Elizabeth Haysom told you yourself.

7 A That certainly is the centerpiece.

8 Q The centerpiece.

9 A Uh-huh, Mr. Updike. These other matters or
10 other inclusions are--

11 Q Right, you know, like things like the last
12 will and testament?

13 A Uh-huh. One could argue the fine points
14 of the purpose of that if you chose to.

15 Q Uh-huh. But the actual analysis of her
16 state of mind at the time this happened is primarily based
17 upon what she told you or what she told some of the police
18 officers, wouldn't you agree with that?

19 A Or other members of our staff at the
20 institute.

21 Q Now the Court, Dr. Showalter, and the
22 people that have been present in this courtroom have heard
23 some several versions from Ms. Haysom. Now in formulating
24 this opinion that you have offered, which one of the
25 versions did you use?

1 A I would say that to come up with this
2 report we--or this report reflects a composite no doubt of
3 all of the versions. Again, a clinical fact that I think
4 is important to lay out here is if you'll note there that
5 our examination and evaluation process began in July and
6 was completed only in late September.

7 Probably one of the most significant and
8 useful bits of data clinically speaking is the progression
9 over the course of our work with Ms. Haysom from the very
10 strong position of total responsibility toward movement
11 from that position to a position that more openly
12 implicated her paramour.

13 Q I see, more openly implicated. Are you
14 familiar with the interview that she gave to Kenneth
15 Beaver and Terry Wright?

16 A I read that at one time.

17 Q Do you recall what it said?

18 A I do not recall specifically.

19 Q You don't recall that version.

20 A No.

21 Q You wouldn't know then that at that
22 particular time, I mean she really put it to him. Now she
23 started out by saying that she established the alibi, she
24 bought the tickets at the hotel, she made the
25 reservations, she did all of this, and that Mr. Soering

1 left to kill her parents and she didn't know anything
2 about it.

3 But once Ken Beaver confronted her with the
4 fact that it didn't make any sense, she came around to the
5 fact and she admitted she did actively participate in the
6 alibi ahead of time, she knew that Jens Soering was going
7 to kill her parents when he left Washington headed for
8 Holcomb Rock Road. Now if this was a progression towards
9 implicating him, it seems like the progression's going the
10 wrong way now, isn't it?

11 A But you fail to take into account this
12 pendulum aspect that I talked about which is so
13 characteristic of the diagnosis of the borderline
14 personality, Mr. Updike.

15 Q What is a borderline? Then she doesn't
16 have a personality disorder, it's only borderline then as
17 I understand it.

18 A By no means. That is confusing; the
19 terminology is not good and there are many members of the
20 psychiatric profession who are searching for alternate
21 designations. But the borderline doesn't refer to
22 borderline in the sense of maybe it's there and maybe it
23 isn't there.

24 Q What does borderline mean?

25 A Borderline in this situation refers to a

1 borderline, movement, if you say normal personality is
2 here and gross deterioration is over here, and most of us
3 hopefully are over toward this more normal end. But as you
4 move away from that toward more serious, more debilitating
5 psychiatric illness, you find yourself crossing over
6 certain very significant meridians psychologically
7 speaking.

8 And when you get to that area where you are
9 sometimes possibly psychotic, as psychological testing
10 indicates in this case, sometimes effectively disturbed,
11 which is depressed, sometimes experiencing unusual swings
12 or episodes of emotional ability which I talked about
13 earlier this afternoon, you see the person--it's sort of
14 like a kaleidoscope, you're moving around, you've got this
15 confluence of at least three or four types of psychiatric
16 symptomatology and there is the borderline.

17 Q Hmm, that was a mouthful there, wasn't it.

18 A A very disturbing diagnosis, Mr. Updike.

19 Q Dr. Showalter, let me--as I've always
20 understood you all's profession here, you all have got
21 this manual, haven't you, that's put out--

22 A That blue thing--

23 Q It's not a whole lot different from a shop
24 manual that people get for working on cars or something,
25 is it? I mean you all work by it and you've got

1 definitions for different things. For example, a
2 personality--borderline personality disorder, you've got a
3 list of things, criteria you all call them.

4 A Eight criteria, yes, sir.

5 Q And there are eight criteria.

6 A You have to have five of the eight to
7 substantiate credibly the psychiatric diagnosis.

8 Q I see. So you go through each one of these
9 criteria and if you find--if you see some factual basis
10 for it you check off that criteria in effect and you go to
11 the next one, right? You say that criteria is satisfied.

12 A It's not quite that simple. It takes a
13 long time and a lot of interviewing to make these
14 judgments.

15 Q And if you get five of eight you say that's
16 close enough and formulate your opinion.

17 A Well it's a lot more serious than that. I
18 mean it's not like diagnosing a malfunction in an
19 automobile engine which is much more black and white.

20 Q I can understand, sir, but what I'm saying
21 is I've got two butchered human beings in this county and
22 you're coming in and you're providing explanations as to
23 this woman's criminal intent, and I start asking you the
24 factual basis for those opinions and Dr. Showalter, to be
25 honest, I'm getting the impression that you don't know

1 what the factual basis for them are.

2 For example, where do these criteria start
3 in the report, I can't find it.

4 A Toward the upper thirties I think.

5 Q Do you know the page number of it for me,
6 please?

7 A Page Thirty-Three.

8 Q For example, the first criteria, what is
9 that now? That's a pattern of unstable and intense
10 interpersonal relationships characterized by an
11 alternating between extremes of overidealization and
12 devaluation. Now what does that mean, really, please?

13 A Okay.

14 Q Explain that to me.

15 A I'll go back over that.

16 Q Thank you.

17 A What this criteria means is that an
18 individual suffering from this disorder demonstrates,
19 usually starting early in life, a pattern of unstable
20 relationships, unstable meaning inconsistent. Often this
21 is--and for the borderline personality diagnosis, this is
22 almost invariably coupled with a history of parental
23 deprivation at the emotional level.

24 Q Parental deprivation. All right, what were
25 the facts of this case that you used to formulate your

1 opinion that Criteria Number One was met?

2 A Well to start with, the pattern of unstable
3 relationships, the critical relationship here I think was
4 Elizabeth's relationship with her mother.

5 Q If I could stop you there, did you know
6 Mrs. Nancy Haysom?

7 A Of course not.

8 Q You never met her, never talked to her,
9 never had the opportunity of course, did you?

10 A Of course not.

11 Q And I'm not being critical there, but
12 that's obvious, isn't it? The relationship, the
13 characterization of the relationship that you used to
14 formulate your opinion came from information that she
15 provided herself, didn't it?

16 A Corroborated by certain family members.

17 Q What family members?

18 A Well we could go through this and try to
19 pick it out. We have the telephone consultations with the
20 various family members.

21 Q Which family members?

22 A If you have your--

23 Q No, I know that you talked to certain
24 family members but I'm wondering what you talked to them
25 about, whether you talked to them about the relationship

1 between Elizabeth and her parents and if so how they had
2 any basis to know about that.

3 Isn't it true, Dr. Showalter, that at the
4 age of ten she was sent to Switzerland?

5 A Yes.

6 Q Then she spent quite some time in England
7 attending school?

8 A Yes.

9 Q A couple years at the one school and then
10 six years at Wickham Abbey?

11 A Uh-huh, yes.

12 Q And some of the brothers and sisters are
13 quite a bit older. For example, Mr. Verian Haysom here --

14 A Yes.

15 Q --he wasn't at home during this woman's
16 developmental years--

17 A Yes.

18 Q --to observe the relationship between
19 Elizabeth and her parents. In fact, he was in Nova
20 Scotia.

21 A That's correct.

22 Q So I just wonder how much information you
23 got from him as to the characterization of the
24 relationship between Mrs. Haysom and Elizabeth Haysom; do
25 you know how much information you got from him?

1 A I would have no way of quantitating that at
2 all. But I will say this, Mr. Updike, that it's very
3 normal, very expectable I think, for families to have some
4 awareness of the general health or dysfunction as the case
5 may be of the nuclear family unit, and they needn't be
6 living on top of each other or under the same roof,
7 particularly when you're dealing with a family of this
8 level of intelligence, to make some observations. And
9 there were periods of time which Elizabeth did come into
10 direct contact with her parents in the company of various
11 of her siblings, half siblings.

12 Q I won't argue that that could happen,
13 Dr. Showalter, my--

14 A That did happen.

15 Q How do you know? What did he say to you?

16 A Because these people told us that on such
17 and such occasions they did.

18 Q Told you what?

19 A Well let's go through the report.

20 Q Is it in there?

21 A Yes. Probably not all of it, but if it
22 were all of it we'd have a several hundred page report.
23 Okay, toward the bottom of Page Eight, Mr. Updike,
24 Mr. Verian Haysom stated that his relationship with his
25 stepmother, Mrs. Haysom, was initially fairly extensively

1 strained and attributed this to the fact that his father
2 married her quickly after his divorce from Verian's
3 mother. He stated that she was a "'social kind of person'
4 who placed a great emphasis on appearance and good manners
5 thereby creating a certain degree of hypocrisy wherein she
6 kept the reality of her life and our lives hidden", and
7 that's a quote.

8 Yet he also emphasized that she was, again,
9 "gracious and polite, although somewhat artificial." He
10 recalled her efforts to welcome him and his siblings when
11 she first married their father and her habit of referring
12 to him as her oldest son. He recounted the resentful
13 feelings that this type of statement would arouse in him.

14 Mr. Verian also recalled an incident when
15 he arrived home with a young woman with whom he was
16 living, she is now his wife, and he was told that he could
17 not stay under such circumstances. He explained that they
18 did finally spend the night and attributed this to the
19 fact that his stepmother was not at home that evening.

20 Q Okay. Where is there anything in there
21 where he talks about the relationship between Elizabeth
22 Haysom and her mother. There's nothing, is there?

23 A Not specifically at that point, no.

24 Q No, not at that point.

25 Q For example, Dr. Showalter, let me just

1 draw something out on down the line here. For example, I
2 think you put quite a bit of emphasis on the fact that her
3 mother forced her to pose for nude photographs, didn't
4 you?

5 A That was mentioned, I don't think it was
6 emphasized, Mr. Updike.

7 Q How do you know the mother forced her to
8 pose for nude photographs?

9 A I think two aspects of reality testing
10 there. Number one, Elizabeth's statement to this effect.

11 Q Elizabeth's statement.

12 A And then rather poor quality Xerox copies
13 of photographs, some photographs.

14 Q Poor quality of the photograph indicates
15 that mamma took it?

16 A No, I'm just adding that in. We didn't see
17 the direct photographs, we had Xerox copies. Elizabeth
18 told us that her mother took these photographs.

19 Q That's my point, Elizabeth told you. And
20 based upon that, you assumed that she was telling the
21 truth and you used that in formulating your opinion,
22 didn't you?

23 A That's a very--that in itself is a small--

24 Q It's an example, though.

25 A But it's one example. And we laboriously

1 sought out dozens of examples. This information that I
2 read to you about Verian Haysom I might add is--you know,
3 all the information, again, as a clinician that's
4 important, doesn't have to bear directly on the issue at
5 point. And his characterization of Mrs. Nancy Haysom is
6 very useful in substantiating some of the emotion
7 characteristics of Elizabeth's mother. It gets quite
8 complicated.

9 Q What about the time that she stated to
10 Ricky Gardner that she hated her father and she wanted him
11 dead and she'd say it a hundred times.

12 A Yes. But again--

13 Q And you just--what did you make of that,
14 you just discounted that?

15 A No, I put that in the context.

16 Q Of what?

17 A Of the metaphorical thinking.

18 Q Now what was it about that, Dr. Showalter,
19 to say or indicate that this was metaphorical.

20 Mr. and Mrs. Haysom are not metaphorically dead.

21 A That is absolutely correct.

22 Q Then what was it about the statement that
23 she says she wanted them dead, she wrote letters to Jens
24 Soering expressing her desire that they be killed, they
25 were killed, and you're saying it was all a metaphor.

1 A From Elizabeth's standpoint it was a
2 metaphor, and that is based on the clinical diagnosis and
3 the supporting data that I have enumerated, elaborated
4 here for you this afternoon.

5 Q All right, when she starts talking about
6 willing her parents to death--

7 A Yes.

8 Q --voodoo--

9 A Yes.

10 Q --what exactly was it about that, factually,
11 now, that caused you to think that was just a metaphor?

12 A That's just one of dozens of examples,
13 Mr. Updike.

14 Q Why did you think they were metaphors
15 factually? I mean it's writing on a piece of paper.

16 A Yes. But you have to understand the
17 clinical backdrop for this to make sense I do believe.

18 Q I want to know what it was that you used,
19 if you can tell me, if your response--and I don't want to
20 push you or be rude or anything like that, if you don't
21 know the answer just say so. Do you know what the basis
22 was for you making this critical finding, and it is
23 important in our case, that all of these writings are
24 metaphorical? That's crucial to our case.

25 A That is crucial.

1 Q And you come down here and say it's a
2 metaphor, and I'm just asking you do you know why you're
3 saying that?

4 A I'm saying it is a metaphor because that is
5 how Elizabeth Haysom's mind works.

6 Q Just how did you get into Elizabeth
7 Haysom's mind when she's telling you all these different
8 things?

9 A We didn't physically get inside her head.

10 Q Well thank goodness. How did you get in
11 there metaphorically?

12 A We didn't get in there metaphorically, we
13 got in there clinically.

14 Q Clinically, well I'm glad we got that
15 straight. How did you get into her head clinically?

16 A After hours and hours and hours of repeated
17 conversation and asking her questions, assessing and
18 evaluating her responses.

19 Q I asked her questions all day today,
20 Dr. Showalter, got a number of different answers.

21 A That is correct. And to you that comes
22 across differently than it does to me as a psychiatrist,
23 as a clinician.

24 Q It comes across to me, Dr. Showalter, that
25 the truth is the same very time you tell it, and when

1 she's telling things different ways each time she's lying,
2 isn't she? She's capable of lying, isn't she?

3 A Anyone is capable of lying, Mr. Updike.

4 Q I don't doubt that. But she's capable of
5 deception as well, quite good at deception, isn't she?

6 A Again, that's a common human property and I
7 don't see her having any particular expertise in
8 deception.

9 Q Oh, really? Well perhaps we could go
10 around the courtroom here and ask these people, each one
11 of them, how many of them have been through Europe forging
12 and bouncing checks with forged forms of identity, have
13 you seen those?

14 A Uh-huh, some of them.

15 Q And she admitted on the stand--

16 A Yes.

17 Q --one of the few things that she admitted,
18 that she actually had those prepared.

19 A Uh-huh.

20 Q Now she can go from country to country to
21 country, I don't know how she gets these papers and all
22 this, but she was able to do it with this stuff that she
23 drew up, and you're saying that she has no special ability
24 at deception?

25 A Well she's very bright.

1 Q And she also has a special ability at
2 deception, doesn't she?

3 A She has the capability to deceive
4 commensurate with her intelligence.

5 Q I see. So she's right intelligent, she's
6 got a right good capability to deceive, would that be--

7 A That is reasonable.

8 Q That's reasonable. But that's a little
9 different from what you were telling me a moment ago I
10 believe. Criteria Seven, chronic feelings of emptiness
11 and boredom. Have you ever been bored, Dr. Showalter?

12 A To some extent, and then I trust you have
13 too.

14 Q Yeah, I get bored sometimes in the
15 courtroom. I shouldn't, but what, Dr. Showalter
16 did that have to do with killing two human beings. Have
17 you ever met anybody who didn't get bored?

18 A Well it's a matter of degree here. And as
19 I say, to make a diagnosis of borderline personality
20 disorder, to use this criteria, you're talking about an
21 extreme degree of boredom.

22 Q How do you know she was extremely bored?

23 A For hours we went over her history, how she
24 functioned, how she didn't function academically,
25 socially.

1 Q How many people did you talk to from
2 Switzerland?
3 A I didn't talk with anyone from Switzerland.
4 Q Did your staff talk to anybody from
5 Switzerland? I didn't see any Swiss names.
6 A I'm not sure that we had any Swiss
7 contacts.
8 Q Did you talk to anybody from England?
9 A I didn't personally.
10 Q That's about ten years of her life, her
11 early life.
12 A Yes.
13 Q I believe that you were saying that these
14 traits of personality disorder begin to display themselves
15 during the early stages, don't they?
16 A Yes.
17 Q And you didn't talk to anybody who was
18 around her during her early stages. I mean she was going
19 to school over there nearly year around.
20 A Yes, but we have very clear evidence of her
21 maladapted behaviors while in these schools.
22 Q From whom, her? I mean if you didn't talk
23 to her teachers, you didn't talk to her school mates over
24 there, the only way you know is what she told you.
25 A That's certainly the--the bulk of our data

1 comes from Elizabeth.

2 Q You've got this extremely bright young
3 woman who knows what she's charged with, knows she's
4 pleaded guilty, and knows that you're going to be down
5 here one day testifying in her defense, and she has this
6 very good capability of deception as you've already
7 admitted. Talking to her a few hours, it's right hard to
8 tell whether she's deceiving you or not, isn't it?

9 A It can be difficult, less difficult as a
10 clinician I think than someone--

11 Q What is it about being a clinician that can
12 tell you when somebody's looking you in the face whether
13 he or she's lying?

14 A Now you're slipping a bit, you're talking
15 about credibility. I'm telling you that after you see
16 dozens and dozens of people with a--or hundreds of people
17 with a certain diagnosis, you begin to develop a sense.

18 Q I don't know what you all psychiatrists
19 call it, but we lawyers call the determination of whether
20 somebody's telling the truth or not a determination of
21 credibility.

22 A Yes.

23 Q Do you all call it something else?

24 A No. But I'm saying we do not--we do not
25 claim unique expertise in credibility.

1 Q Well a few minutes ago you just said that
2 you felt that a clinician had some special ability, I
3 thought you were saying that.

4 A I'm saying--you misunderstood. A clinician
5 has a special ability to listen to a case history, to
6 listen to the facts, to knit it together and make it mean
7 something. And there's a difference.

8 Q I also got the idea that that's what the
9 Judge was for, Dr. Showalter, wouldn't you agree with
10 that?

11 A I'm doing this on a clinical level,
12 Mr. Updike.

13 Q You're not testifying--

14 A I am not a trier of fact.

15 Q And you haven't sat here for hours on
16 August the 24th and the 25th, yesterday and today,
17 possibly tomorrow, I don't know, listening to evidence as
18 a trier of fact would, have you?

19 A No.

20 Q And yet you presume to have the ability to
21 offer the statement before this Court, under oath, that
22 she had no idea that Jens Soering would kill her parents.

23 A I'm giving you the clinical interpretation
24 of all of the data that we have available to us,
25 Mr. Updike.

1 Q And that of course, the value of it,
2 depends upon the value of the information that you got in
3 advance and that you used to formulate that opinion,
4 wouldn't it?

5 A Certainly.

6 Q When she said during the early morning hours
7 of June the 9th that she willed Jens Soering to kill her
8 mother and father, did you think from reading the
9 transcript and not being there that she was fantasizing or
10 lying when she said that?

11 A No.

12 Q She stated, I requested--after she says why
13 she requested the further statement, this being at 2:00 in
14 the morning, and she asked to give this statement.

15 A Uh-huh.

16 Q "We did it together, and in some ways I'm
17 more guilty than he is. And she goes on down to say, "For
18 it was my will that made him kill my parents and he wouldn't
19 have done it, I'm sure, if he hadn't loved me so much and
20 I him." But she's saying it was my will that made him kill
21 them.

22 A You're reporting one statement on one
23 occasion. And there are, as you know, and what has
24 frustrated all of us here, there are a number of
25 statements, some supporting that and some widely divergent

1 from that.

2 Q Dr. Showalter, I'm suggesting that you're
3 doing exactly the same thing.

4 A No, I'm not.

5 Q And that you're accepting the very last
6 statement that she gave.

7 A The difference is I'm not picking and
8 choosing, I'm painting with a broad brush. You're
9 absolutely correct, my perceptions and observations are
10 broad and that is the value of clinical expertise.

11 Q Dr. Showalter, the last time we talked to
12 her, Ricky Gardner did, was in May, and at that time she
13 admitted her involvement, the planning of the alibi, the
14 purchasing of the knife, her entire involvement, and she
15 said that she was guilty, said that she wanted her father
16 dead, she'd say it a hundred times.

17 She walks into the courtroom this morning
18 and she says something entirely different. And I asked
19 her, I said now what is that sudden revelation that has
20 caused you to change in these past several months. She's
21 been talking to you these several months, hasn't she?

22 A That has nothing to do with this. This
23 has--that's an excellent demonstration of sort of an
24 invivo or in real life demonstration of what I've been
25 talking about here all afternoon, Mr. Updike. You

1 witnessed a clinical phenomenon.

2 Q A clinical phenomenon, that's what this
3 was?

4 A Yes.

5 Q But yet, Dr. Showalter, your statement
6 under oath today that--you're saying that she acquiesced
7 in the killing of her parents, that she passively
8 acquiesced and that she had no active participation in the
9 planning of the alibi ahead of time, aren't you?

10 A Yes.

11 Q Would you be surprised then to hear that
12 that's right close to what she said on the stand yesterday
13 and today as opposed to what she has said time and time
14 again to police officers? She said basically the same
15 thing that you're saying. Now why is that?

16 A That's a very good question, I wonder why
17 too, because she's not asking for mercy, she feels very
18 guilty and feels that probably the rest of her life should
19 be spent as a sacrifice, offering herself as a sacrifice
20 for her involvement in the death of her parents.

21 Q Do you think being as bright as she is and
22 sitting up there talking to you all that she got a pretty
23 good idea of where you all were coming from and she
24 modified her testimony accordingly so that it would match
25 what you were going to come in here and say?

1 I'm not saying that you intentionally did
2 it. I'm just saying in talking to somebody, they can get
3 an idea of what you're talking about.

4 A I would beg to disagree with that.

5 Q You would?

6 A I certainly would.

7 Q Why is that so impossible, sir.

8 A Simply we don't fashion defenses.

9 Q You don't?

10 A No. That's not my job.

11 MR. UPDIKE: Thank you,

12 Dr. Showalter, I don't have any more
13 questions.

14 **REDIRECT EXAMINATION**

15 **BY MR. DAVIS:**

16 Q Dr. Showalter, would it be correct that on
17 May the 11th Ms. Haysom told Ricky Gardner at that point,
18 I don't say this to lessen my guilt and I don't want you
19 to record it, but I was not present when the knife was
20 purchased and I did not purchase the knife? Now she
21 certainly hadn't seen you on May the 11th, had she?

22 A No, I hadn't even talked with you on May
23 the 11th.

24 Q Apparently everything the prosecution says
25 about her formulating this afterthought story can't all be

1 accurate, can it?

2 A Absolutely not. I would take strong issue
3 with even the embryonic notion that that conveys.

4 Q Forget the events that took place, which we
5 all can't, but from a clinical standpoint, what would be
6 your diagnosis of Elizabeth Haysom if she had come to see
7 you given the same information and you had the same
8 information at your disposal, but not looking at the
9 offenses.

10 A There's one notation in the--and I thought
11 about this--in the report where she had some periods of
12 unconsciousness and was evaluated by a very reputable
13 neurologist, Dr. Miller in the department of neurology.
14 At that point, I forget the date of that, I can't keep it
15 straight, but one statement in his notation was that he
16 felt that Ms. Haysom's problem was ninety-nine percent
17 psychiatric, possibly one percent neurologic, i.e. a
18 seizure disorder.

19 I have a notion, and this is pure
20 speculation and I want to be very clear about that, that
21 had I met Ms. Haysom as an attending psychiatrist in
22 student health at the University of Virginia in her first
23 semester at the University of Virginia, I would have been
24 able to make very clearly and unequivocally the diagnosis
25 of a borderline personality disorder.

1 Q Is that condition treatable?

2 A It is treatable.

3 MR. DAVIS: Thank you, no further
4 questions.

5 CROSS EXAMINATION

6 BY MR. UPDIKE:

7 Q What's it got to do with the killing of her
8 parents whether she's got a personality disorder or not,
9 Dr. Showalter?

10 A It's offered as an explanation, Mr. Updike.

11 Q An explanation?

12 A Yes, sir.

13 Q I didn't ask you, but when you said a
14 little while ago, I'm trying to find it, I'm having
15 trouble with this thing, when you said it was your
16 definite opinion that Jens Soering was the dominant
17 individual of the two. Are you speaking before or after
18 the murder?

19 A I'm not distinguishing at that point.

20 Q You're not distinguishing?

21 A No.

22 Q Are you aware that Ms. Haysom distinguished
23 in one of her statements?

24 A Yes, I am.

25 Q It could very well be that he did become

1 the dominant figure. And I'm aware of the letters that
2 he's written since the murders.

3 A The Woodall letter in particular.

4 Q Yes, but that's dated May 18th, 1986,
5 better than a year later.

6 A Uh-huh.

7 Q She's charged with being an accessory
8 before the fact. Were there any letters in advance of the
9 killing, any basis for you to say that he was dominant
10 before the murders, or is it as you said a minute ago that
11 you're not distinguishing?

12 A I'm not distinguishing, I can't. I cannot
13 give you--it would be totally inappropriate for me to
14 speculate further on the personality characteristics of
15 Mr. Soering, I've never met him.

16 Q Never met him, never examined him or
17 anything?

18 A That is correct, yes.

19 Q That was really another question. I mean
20 you a little while ago made a really definite statement
21 about Jens Soering and yet you've never examined him,
22 you've never talked with him; wasn't that just speculation
23 on your part?

24 A I wouldn't go so far as to say it was
25 speculation. I mean we haven't met him. One doesn't

1 establish with the force that I'm establishing a
2 diagnostic profile of Elizabeth Haysom, it would be
3 ridiculous to attempt to do that with Mr. Soering having
4 not met nor examined him. But I can make a few general
5 observations and that's what I've done.

6 Q But you're really not in a position to
7 offer any--

8 A Formal diagnosis, no.

9 Q Why were Mr. and Mrs. Haysom killed?

10 A That's again speculation. I haven't talked
11 with the perpetrator, Mr. Updike.

12 Q And you can't say then, is that correct?

13 A No, I haven't talked with the perpetrator,
14 that's correct.

15 Q Then why did you say a few minutes ago in
16 response to Mr. Davis's question that you felt that Jens
17 Soering killed Mr. and Mrs. Haysom in an attempt to
18 maintain control over Elizabeth, that he thought he was
19 about to lose her?

20 A That is a very reasonable interpretation.

21 Q Reasonable interpretation of the facts?

22 A Yes.

23 Q Is that your expertise?

24 A Yes. Because it fits with this balance
25 between control, maintaining control, losing control, et

1 cetera. Clinically it fits together beautifully.

2 Q Clinically.

3 A (Witness nods in the affirmative.)

4 Q That doesn't do Nancy and Derrick Haysom

5 much good, does it?

6 A Unfortunately not, you are so correct.

7 MR. UPDIKE: No further questions.

8 (Witness stood aside.)

9 MR. DAVIS: That would be all of our
10 witnesses at this time.

11 HOWARD HAYSOM, was called as a witness
12 and having been duly sworn was examined and testified as
13 follows:

14 DIRECT EXAMINATION

15 BY MR. UPDIKE:

16 Q And you're Howard Haysom, is that correct?

17 A Yes, sir.

18 Q Your profession is what, please?

19 A I'm a physician in practice in Houston.

20 Q And Elizabeth Haysom, the defendant, is
21 your sister, is that correct?

22 A Yes, sir.

23 Q Or explain that for me if you would as far
24 as the exact relationship.

25 A Elizabeth is technically my half sister,

1 she is the daughter of my mother, the daughter of my step-
2 father in common parlance.

3 Q And Dr. Haysom, I just have several very
4 brief questions for you. I can appreciate that this would
5 not be an easy situation for you. The defendant has
6 testified about an incident of rape in Switzerland which
7 occurred as I understand it from her when she was ten years
8 of age. Have you ever discussed with her this incident and
9 did she say it was rape?

10 A If the incident to which you refer is
11 the one that I recall, this incident was first brought to
12 my attention by my mother some time ago, several years
13 ago, and the story that my mother told me was that
14 there was an incident of indecent exposure at the school
15 known as St. George's in Switzerland and that this
16 occurred on the periphery of the school grounds. There
17 was a fence, a man on the other side of the fence, and he
18 simply exposed himself to Elizabeth.

19 Q Did you at some point discuss this with
20 Elizabeth herself?

21 A I did.

22 Q And tell us about that, please.

23 A That occurred in Colorado.

24 Q And that would have been the ski trip that
25 we've heard about in March of '85 then.

1 A Correct.

2 Q Okay.

3 A That occurred on one of the rides up on a
4 chair lift; I was trying to reach out to Elizabeth, and
5 one of the things that I wanted to hear about was what was
6 her story on this incident. And I asked her, and what she
7 told me was essentially the same thing, that there had
8 been a man who indecently exposed himself on the other
9 side of a fence at St. George's.

10 And the other part of that was that she
11 told me that she was not supposed to in fact be on that
12 part of the school grounds. In other words, it was part
13 of the school grounds but it was off limits to the
14 students.

15 Q But when she was questioned she made no
16 indication to you that she'd been raped.

17 A No.

18 Q Dr. Haysom, you of course attended the
19 funeral of your parents, and perhaps I could stop right
20 there. Did you consider both Mr. and Mrs. Haysom to be
21 your parents; though Mr. Haysom wasn't your natural
22 father, did you consider him in terms of your father?

23 A Yes, I did.

24 Q And he obviously adopted you at some point.

25 A He did, sir.

1 Q As a result, the name Haysom. You had the
2 occasion I would assume at the funeral of your parents to
3 take note of the conduct of Elizabeth Haysom there at the
4 funeral, the time immediately preceding and the time
5 immediately thereafter. Could you describe how she acted
6 at that time, please.

7 A Well when I--you know, when you first get
8 news of your parents being killed, it was Dr. Massie who
9 called me in Houston, you know, your mind goes numb. My
10 first thought though was for Elizabeth, did she know, how
11 were we going to break this to her. And it was--you know,
12 both having talked about it over the phone, we decided
13 that it would be wise for the Massies to go in person and
14 break the news to Elizabeth.

15 And then I booked a flight and flew up to
16 Lynchburg, I saw Elizabeth, I think it was Thursday. The
17 murders were discovered on Wednesday. And initially we
18 met at the Massie home and she was tearful, we hugged, you
19 know, she seemed distressed, grief struck as I was; that
20 was the initial meeting. I can go on.

21 Q But did she under these circumstances and
22 during this period of time act as you would expect her to
23 act; in other words, act appropriately under those
24 circumstances, those being the death of her parents?

25 A The thing that struck me as odd, going on

1 after that, was that she soon had with her two friends
2 from the University of Virginia. Those two friends were
3 Jens Soering and Christine Kemp. I can't remember exactly
4 when they arrived here.

5 And what struck me as odd was that she
6 sequestered herself with these two away from the family.
7 The rest of us were staying at the Radisson Hotel, we
8 were grouped together, we were talking together. And
9 certainly she kept up, I mean she kept in touch, you know,
10 she kept in contact, but I found it a bit odd that she
11 didn't integrate herself more into the family and stayed
12 with these two, had these two young friends of hers who
13 really she had not known that long, but for a few months
14 really.

15 Q Instead of her own family.

16 A Instead of her own family, yes.

17 Q Dr. Haysom, obviously at some point it
18 became necessary to make arrangements to clean the house
19 where this tragedy occurred. Elizabeth Haysom testified
20 that she went there and participated in the cleaning of
21 the house because you asked her to, is that true?

22 A I didn't require that Elizabeth be in the
23 house at all.

24 Q How did it come about, maybe I should
25 approach it that way. How did it come about that the

1 house was cleaned and that Elizabeth was present during
2 that process?

3 A Well this was on a second trip several
4 weeks after the murders had been discovered, once the
5 sheriff turned over the property and the house back to the
6 family. Verian and I arrived here in Lynchburg and were
7 joined by Elizabeth, and we needed to clean up the house.

8 Before we did that, we were escorted
9 through the house by some of the investigators with an eye
10 for perhaps being able to make some observations that
11 might help the investigation.

12 The day after that, I think it was a
13 weekend, it was a Sunday I think, I can't remember the
14 exact sequence. But in any event, Verian was there, I was
15 there, I had already presumed in my own mind that we
16 were going to have commercial cleaners go in there and
17 clean the place up. And I mentioned my plans to
18 Elizabeth, we were in the Massie home at the time, and I
19 said we need to go ahead and get this place cleaned up and
20 get some commercial cleaners.

21 Elizabeth's response was well why don't we
22 just go out and get some buckets and scrubbing brushes.
23 And you know, I was aghast and shaken by that. I'm a
24 physician, I'm used to seeing a lot of blood, I've seen
25 more than my share, and here's my twenty year old sister

1 suggesting something that really astonished me.

2 Verian wasn't there at the time that this
3 was said. I think he was here in Lynchburg, I think he
4 was discussing something with perhaps our attorney, I
5 can't recall exactly. But I had a telephone conversation
6 with him and I said to Verian, I said you know, we need to
7 clean the place up and Elizabeth suggested that we go in
8 and scrub this place up ourselves. And I'm thinking
9 that--I think she had made some mention of saving some
10 money, you know, not going out and getting commercial
11 cleaners.

12 And I told him, I said V, if this is what
13 you want to do, I will do it, I'll carry my end, but I
14 really think that we ought to have commercial cleaners
15 come in and clean the place up. And he said yes, of
16 course, sure, and that's what we did.

17 Q After the commercial cleaners had been
18 there, were there some problems that the job wasn't
19 satisfactorily done, do you know about that, and Elizabeth
20 went in anyway?

21 A Well she went back and cleaned the door on
22 the house, scrubbed it down herself, I was aware of that.

23 Q Scrubbed the door?

24 A I believe so, the door frame to the house.
25 Excuse me, that was the door screen, there was a screen

1 door to the house that was taken off by the investigators
2 after it had been cleaned by Elizabeth.

3 Q Then again repeating my question, if she
4 testified that she went to the house, participated in the
5 cleaning of the house because you asked her to, then that
6 would be an untrue statement, wouldn't it?

7 A That's her perception of probably what I
8 said. And I do not recall specifically requiring her
9 presence to clean up the house.

10 Q Dr. Haysom, you've mentioned Verian Haysom,
11 your brother, was his feelings about the disposition of
12 this case. He was not allowed of course to make any
13 specific comments, specific statements as to sentence, but
14 he did make some statements concerning his general
15 feelings regarding disposition, and at this time I would
16 like to ask you as a brother that same question.

17 A With regard to a sentence?

18 Q Or just the disposition of this case, the
19 sentence, yes.

20 A Well, you know, I think that this evolves
21 upon one thing and that is, is Elizabeth remorseful, and
22 it's my judgment that she is not. And the reasons for
23 that is that she continues I think to tell untrue
24 statements, give twists, spins to pieces of information,
25 data, that are favorable to her but that are not true. I

1 think that she has lied to me in the past and, frankly,
2 continues to lie.

3 I personally am not satisfied with the
4 explanation that her guilty plea provided. I think
5 Elizabeth was in the house at the time of the crime and I
6 have reasons for that, too.

7 MR. UPDIKE: Thank you, Dr. Haysom.

8 If you would answer any questions Mr. Davis
9 or defense counsel may have.

10

11 CROSS EXAMINATION

12 BY MR. DAVIS:

13 Q Dr. Haysom, concerning--you've been in
14 Bedford now for what, three days?

15 A Yes, sir.

16 Q And I believe you're staying with the Annie
17 Massie family, is that correct?

18 A Yes, sir.

19 Q And you stayed with them earlier, is that
20 correct?

21 A Yes, sir.

22 Q And in fact you and Annie Massie share the
23 belief that Elizabeth was present in Lynchburg or Bedford
24 County when this happened.

25 A That Elizabeth was at the scene of the

1 crime?

2 Q Yes.

3 A I think that you ought to address that to
4 Annie Massie, sir.

5 Q Well sir--

6 A I don't know exactly what Annie Massie
7 thinks.

8 Q Now were Ms. Massie's children here
9 yesterday in the courtroom?

10 A I believe they were.

11 Q Did you discuss with them last night the
12 testimony that took place in the courtroom?

13 A No, sir.

14 Q No mention was ever made of that?

15 A Well I knew they were, I think here in the
16 courtroom. Will went back I believe--I think he went back
17 last night. We didn't have much opportunity to discuss
18 that.

19 Q So your answer is no, nothing was discussed.

20 A We have talked about Elizabeth in general
21 terms, but nothing with regard to any information that was
22 mentioned yesterday.

23 Q Now the incident of indecent exposure that
24 you're talking about as opposed to Elizabeth's story of a
25 rape, as a physician, you are aware that women, and

1 particularly young ladies, are sensitive to the issue of
2 rape.

3 A Yes, sir.

4 Q And discussing that?

5 A Yes, sir.

6 Q And in fact, there is by and large a great
7 denial of rape or a refusal to admit that a rape has
8 occurred, isn't that correct?

9 A There could be, sir.

10 Q Now how old are you in relation to
11 Elizabeth?

12 A I'm thirty-four.

13 Q You're thirty-four and Elizabeth is twenty-
14 three, so there's eleven years difference.

15 A Yes, sir.

16 Q How much time did you spend with Elizabeth
17 in her first ten years?

18 A I spent, to my way of thinking, a fair bit
19 of time with Elizabeth, particularly when she was a baby.
20 I can remember changing her, I was her godfather.

21 Q Up until during her first twenty-one years,
22 how long were you there, ten years?

23 A No, I mean it's not as though you're there
24 and then you're gone, I mean it's sort of a continuing
25 process. The time that we were--we went to Luxembourg

1 together, she was still a baby, a child. And then we went
2 to Canada together and I was staying at home a good deal
3 of that time, going to a day school rather than a boarding
4 school in Canada.

5 It was only when I went away to the
6 university that I began to see less of her because I was
7 at the university.

8 Q How old would she have been then?

9 A That would have been about when she was
10 eight.

11 Q So from age eight you went to college, or
12 to the university.

13 A Approximately; maybe it was as early as
14 seven.

15 Q And then of course you went into med
16 school.

17 A Uh-huh.

18 Q So from age eight forward you really had
19 very little contact with Elizabeth there in the home
20 environment.

21 A I was back for holidays and so on, yes, sir,
22 but--

23 Q On an intermittent basis.

24 A I saw as much of her as I saw of my other
25 brothers and sisters.

1 Q Yes, sir, I understand that. Dr. Haysom,
2 you understand that the prosecution has stated
3 unequivocally in its presentation of evidence, it's never
4 suggested and in fact as far as I know in the four or five
5 days I've been here in the evidence and the people that
6 I've talked to, in no way believe that Elizabeth was at
7 your parents' home on the day or the night that these
8 murders took place, you realize that?

9 A I respectfully and unequivocally disagree
10 with the prosecution's theory on that, and I have reasons
11 and I will go into those reasons if you like, sir.

12 Q No, sir, you've answered my question, thank
13 you very much.

14 THE COURT: Any further questions of
15 this witness?

16 REDIRECT EXAMINATION

17 BY MR. UPDIKE:

18 Q Dr. Haysom, just one question about the
19 discussion, as far as the discussion that you had in March
20 of '85 with Elizabeth Haysom about that incident. Of
21 course the following month, April 15th to be specific,
22 '85, she would have been twenty-one years of age then,
23 wasn't she. I mean she wasn't some child at that point,
24 she was nearly twenty-one years of age at the time of that
25 discussion.

1 A Which discussion?

2 Q I'm sorry, the discussion on the ski trip
3 to Colorado, March of '85, concerning the incident in
4 Switzerland.

5 A It was before her twenty-first birthday,
6 she was twenty years old.

7 MR. UPDIKE: Thank you very much, no
8 further questions.

9 (Witness stood aside.)

10 STUART ARTHUR HARRINGTON, was called
11 as a witness and having been duly sworn was examined and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. UPDIKE:

15 Q State your name for us, please.

16 A Stuart Arthur Harrington.

17 Q And your profession is what?

18 A I'm a lieutenant colonel, Military
19 Intelligence, United States Army.

20 Q And where are you presently stationed?

21 A I'm currently assigned to Fort Meade,
22 Maryland where I command a counter intelligence
23 detachment.

24 Q Lieutenant Harrington--Colonel Harrington,
25 when you first met Elizabeth Haysom, that would have been

1 in the summer of 1983 I believe, is that correct, in
2 Berlin?

3 A That would have been on the 26th of
4 October, 1983 in West Berlin.

5 Q At the end of the summer.

6 A That's correct.

7 Q And Colonel Harrington, we've had quite a
8 bit of testimony concerning that and I really don't intend
9 to go into it in any detail, but if you wouldn't mind just
10 briefly for us, because of the hour of the day, summarize
11 the circumstances under which you encountered Elizabeth
12 Haysom, please.

13 A I will do that.

14 Q Thank you.

15 A I had been asked by my commander, but as a
16 personal favor, to be on the lookout for Elizabeth and her
17 girlfriend Melissa who had been missing for some time
18 since they left Wickham Abbey. I had put the word out
19 amongst a number of contacts I had in Berlin to notify me
20 if girls fitting their description showed up.

21 They did at the British Consulate on the
22 25th of October I believe. I was notified and took steps
23 then to arrange for an interview with Elizabeth.

24 Prior to interviewing with her, I called
25 her mother in Lynchburg, because I had the phone number,

1 told her mother who I was, that I may have the opportunity
2 to see her daughter later in the day and asked her mother
3 if her mother could tell me anything that I could use to
4 help me gain Elizabeth's confidence so that I could help
5 to take care of Elizabeth, and whatever help that she
6 needed and ultimately repatriate her to her family.

7 Mrs. Haysom was naturally quite exulted
8 because she had been worried for some months. She told me
9 to tell Elizabeth that all the bills that had been run up
10 as a result of the trip, the unplanned trip around Europe
11 had been paid, that she was not a fugitive, that her
12 brother Julian with whom she had a very close
13 relationship would be in London soon and that I could
14 tell Elizabeth that and that would perhaps make her feel a
15 little bit more at ease.

16 Q Was there a Melissa Clark with Elizabeth at
17 that time that you first saw her?

18 A Yes, the two girls had shown up at the
19 British Consulate together. It had been a night--the
20 night before had been very cold, they were out of money,
21 had had a bad run-in at the place where they were staying
22 in West Berlin which was essentially a commune-like
23 occupied house, they had a bad time of it.

24 I was told by the consular officials that
25 they were in bad shape, it looked like drugs, other

1 problems, so that I should be ready if I did see Elizabeth
2 because she would certainly not look like the photographs
3 that I had of her. So she showed up with Melissa Clark.

4 Q Colonel Harrington, at some later date you
5 typed out a letter to Mrs. Haysom detailing your
6 understanding of the circumstances that led Elizabeth
7 Haysom to your doorstep so to speak and your knowledge of
8 what had happened to her, and that letter has been
9 introduced and the Court has it at this time.

10 So rather than asking you to go through all
11 those details, would it be accurate in summary to say that
12 you invited Ms. Haysom and Ms. Clark into your home, they
13 stayed there some what, eight or nine days, something of
14 that nature, and that after you made the contacts that you
15 did with the family, you were responsible for making
16 arrangements to get the two of them to England to make the
17 connection with Julian Haysom. Would that basically be a
18 very summarized fashion?

19 A That's an accurate summary. The job was to
20 first of all get them healthy, to try and assist in
21 making--creating the conditions whereby the girls would
22 voluntarily get on an airplane and go back to England.
23 They did stay eight days with me. It was a pretty
24 interesting, intense eight days.

25 They had come out of some pretty bad

1 circumstances, and I of course was worried because I had
2 them essentially as volunteers in my home, as my guests.
3 I was worried that they might leave and disappear into the
4 underground in Berlin in which case I was worried about
5 their safety, as to whether they would even survive it.

6 We spent a lot of time together. The first
7 few days were tense. The longer they stayed and recovered
8 their health and I got to know Elizabeth, we had what
9 ultimately turned out to be a relatively pleasant visit.

10 Q And it was all a voluntary thing. I mean
11 you didn't have them in any type of military custody or
12 anything of that nature.

13 A Absolutely not. Elizabeth and I made a
14 deal. I said I am not going to force you to stay with me,
15 you're a free person, you can leave any time, nor will I
16 force you back into contact with your family. I only ask
17 that while you're guests in my home, mindful that I have
18 three small children, that you conduct yourself like the
19 lady that you are, above all, no drugs, and we'll take it
20 one day at a time. And her answer was, "Both of us?",
21 because she was concerned about Melissa, and I said of
22 course; I couldn't help one and ignore the other.

23 And she said may I talk it over with
24 Melissa, and I said of course. They talked it over and
25 she came back in and she said we've decided to accept your

1 offer and we'll take it one day at a time.

2 Q And did you when speaking with Mrs. Haysom,
3 the mother of the defendant, and when writing to her,
4 advise her of all the circumstances with Melissa Clark,
5 the drug abuse and things of that nature and provide her
6 with suggestions as to how to make it easier for Elizabeth
7 to come back into the home here in Virginia?

8 A Yes, I did. It was clear to me from my
9 talks with Elizabeth that she was a confused kid. She had
10 serious problems about what she perceived to be a too well
11 arranged family life, perceived her mother as someone who
12 arranged everything for her to a degree where at the age
13 of nineteen she wasn't comfortable with it.

14 It was also clear that she had an image of
15 herself as a European and didn't regard Lynchburg as the
16 sort of place where she wanted to pursue her education.

17 And it was also clear, although Elizabeth
18 didn't tell me this, but it was clear that she had a very
19 close intimate relationship with Melissa and that going
20 back to Lynchburg would probably have meant a separation
21 from Melissa. And while it was too uncomfortable for her
22 to lay that on the table to me, and I could understand
23 that, that was also clearly a motivation.

24 Q And did you receive correspondence, and I
25 might add that it's been introduced and I could go over

1 there and get it, you got correspondence back from
2 Mrs. Haysom to the effect that she appreciated your
3 advice, and did you get the indication that she was doing
4 her utmost to follow along with what you were suggesting
5 thusfar?

6 A It was evident to me that the whole family
7 had essentially mobilized to do everything they could to
8 reintegrate Elizabeth back into the main stream of the
9 family and to do their very best to pull together to
10 create the conditions for Elizabeth that would ensure that
11 they wouldn't wake up one day and find her gone again.

12 Her brother Julian for example came to
13 London, her father ultimately came to London to ensure
14 that she got back home. Subsequently Julian found his way
15 to Lynchburg, he was at the time looking for a job, and I
16 remember quite vividly that Julian settled in Lynchburg
17 and that Mrs. Haysom was happy because Julian could help
18 reintegrate Elizabeth because they had a close
19 relationship.

20 Q But the entire family was trying to be
21 supportive and welcome Elizabeth home basically, is that
22 the impression that you got?

23 A I was very gratified that of the two
24 possibilities, one of which would be that the whole family
25 would throw this up to Elizabeth and make it very hard on

1 her, look what you did and how could you have done this to
2 us, that the approach was one of let's pull together and
3 make it easy on her.

4 Q I don't mean to embarrass you, but I
5 believe that you received an accommodation, didn't you, as
6 a result of your work and efforts that you did concerning
7 Elizabeth and Ms. Melissa Clark and getting them back to
8 their parents, is that correct?

9 A My wife received a certificate of
10 appreciation from my commander for what she did. Mind
11 you, when the girls came to us, Elizabeth had a Mohawk
12 hairdo with a pink punk bit; the girls were in pretty bad
13 shape and there were a lot of families that might have
14 been worried about their valuables under those conditions.
15 And my boss felt that my wife had performed above and
16 beyond the call, gave her a certificate, and indeed he did
17 give me a humanitarian medal for the humanitarian action
18 of--and I wasn't catching the KGB like I was supposed to,
19 I was policing out runaways.

20 Q I see. Now as we get on into 1984, you had
21 the occasion to visit the Haysom home and see Mrs. Haysom
22 and Elizabeth together after Elizabeth had made her way
23 back home, didn't you?

24 A Yes. I had been invited, standing
25 invitation, any time I was ever within reach of Lynchburg,

1 to drop in. In the spring of 1984 I had occasion to be in
2 North Carolina, home on leave, and since I was within a
3 short day's drive or half a day's drive of Lynchburg, I
4 did come up and spend a day with the Haysom family.

5 Q And could you describe just briefly, I mean
6 how things were going between Mrs. Haysom and Elizabeth at
7 that point?

8 A Sure. I was of course apprehensive. I had
9 been communicating by letter with both Elizabeth and her
10 mother, the indications were that the two of them were
11 adjusting to one another, that Elizabeth was getting
12 along, I knew she was in a business school and doing quite
13 well. But nonetheless, I wanted to see with my own eyes
14 how things were going.

15 I was concerned about Elizabeth, had become
16 fond of her and felt that we had an investment in
17 Elizabeth and I wanted to see how things were going.

18 So I did arrive in Lynchburg around midday
19 and spent an evening there and had dinner, and recall that
20 by the time I left the following day that I had a pretty
21 good feeling about how things were going.

22 Q And that feeling was what, please?

23 A Well it was one that as opposed to the
24 worst case scenario, which would have been the situation
25 of the summer of '83 was being thrown up to her all the

1 time and she was being berated or otherwise treated like
2 someone who had disgraced the family name and brought
3 great agony to her parents--

4 Q That was not occurring then?

5 A No. What I discerned was that her mother
6 was quite, quite worried, was if you will doing a very
7 delicate ballet dance because she sensed that Elizabeth
8 needed understanding and was afraid really, and told me
9 not only during the visit but in a letter, that she was
10 afraid that this was such a delicate adjustment problem.

11 And so what we had was her mother saying to
12 me when I said how are things going, she said they're
13 going as well as can be expected, it is a very delicate
14 thing, I see signs of progress, we can talk together, but I
15 think that it's so delicate it would be a good idea that
16 we not talk about it, that we don't raise it during your
17 visit. And I said of course, I agree with you, and I
18 didn't intend to anyway.

19 Later I spoke with Elizabeth, we walked
20 down the creek line below the home, and I asked Elizabeth
21 how things were going. And she told me that as well as
22 could be expected, but that she was still lonesome and
23 homesick for Europe.

24 Q Homesick for Europe.

25 A Homesick for Europe, she missed Europe.

1 She felt that that's where her heart was, that that's where
2 she wanted to be, and as she had felt during her time in
3 Berlin, she simply felt that Lynchburg was a touch too
4 close to home.

5 Q You were notified by Elizabeth herself by
6 way of a letter of the murder of her parents of course,
7 weren't you, and would that be the letter itself?

8 A That appears to be a copy of the letter,
9 yes.

10 Q A copy of the letter, excuse me. I think
11 that I provided defense counsel a copy of it. It's a very
12 brief letter; if I could ask that you just quickly read it
13 for us, please, and I'd like to introduce it.

14 A It's dated the 4th--or the 12th of April,
15 1985 and it says, "Dear Stu: I have had several letters
16 on their way to you, but they always seem to remain on my
17 desk. The delay is no longer apparent. It is with great
18 hostility and anger I write, not against you, but the
19 brutality and savagery of America.

20 "My parents were butchered in their home at
21 the end of March and only in America would the police
22 harass the youngest daughter as a prime suspect because
23 her parents did not give her a car. I'm sorry you never
24 met my father, he was a great man. With love and respect,
25 Elizabeth."

1 Q And that's signed April the 12th then, is
2 that correct?

3 A That's correct.

4 (LETTER MARKED COMMONWEALTH'S
5 EXHIBIT NO. 3.)

6 BY MR. UPDIKE: (continuing)

7 Q And after receiving this letter in the
8 summer of '85, did you have occasion to see Elizabeth and
9 Jens Soering together there in Europe?

10 A Yes, I did.

11 Q And what was it, they came by your place
12 there in Berlin?

13 A Well I had always told Elizabeth and
14 Melissa that our door was open, and both of them had told
15 me when they left that they would come back to Berlin. So
16 when the phone rang and Elizabeth announced that she was
17 in Berlin, I wasn't really surprised.

18 I asked her if she was coming by to stay
19 with us and she said no, she had a friend. And I said
20 well, you can both stay with us, and she said well we have
21 a place. And I said well would you come out for dinner
22 and she said we'd love to, so they came for dinner.

23 Q And rather than asking you to go into a lot
24 of detail as to what happened and so forth, if I could
25 just ask you your impressions of--and your observations as

1 to how the two of them were getting along and how they
2 acted towards one another, this being Elizabeth Haysom and
3 Jens Soering, in October of 1985.

4 A June.

5 Q June.

6 A Mind you, we were somewhat--my wife and I
7 were somewhat apprehensive again in this case because of
8 the tragedy that had occurred, and you know, how do you
9 handle the visit. Nonetheless, they came, we whipped up a
10 dinner, sat in the living room, talked, and I decided that
11 I would simply not mention the tragedy unless it were
12 surfaced.

13 They came, my impressions were that they
14 were--first of all, the question was would she be with a
15 boy or a girl, because she had had the last time she
16 visited us an affair going with Melissa and we knew that.

17 Q And it turned out to be Jens and so forth.

18 A And it turned out to be a boy, so I kind of
19 winked at my wife and I said, you know, that's good news.

20 Q But did they seem to get along pretty well,
21 were they happy under those circumstances? I mean this
22 was as you say June of '85.

23 A They were deeply in love by all appearances
24 and were like a couple on a honeymoon, and that was my
25 impression.

1 Q How did that strike you as far as them
2 being in love and happy under those circumstances of it
3 just being two months after the murder of her parents?

4 A Well I commented to my wife after they left
5 that it was funny to see them so happy and yet--and the
6 fact that there had never been a mention of the tragedy,
7 and then I explained it to my wife by the fact that surely
8 this was an attempt to escape from the ugliness of the
9 tragedy first, and secondly it wasn't appropriate for us
10 to raise it and since they didn't raise it, I didn't, but
11 it was strange that they seemed so happy, to me.

12 Q Did you describe it in a letter at one
13 point as being indecently happy, a description of how the
14 two of them were to one another?

15 A I believe I used those words, although I'm
16 not sure of the context. But yes, to Mrs. Massie, I wrote
17 her.

18 MR. UPDIKE: Thank you very much,
19 Colonel Harrington. If you'd answer any
20 questions defense counsel may have.

21 CROSS EXAMINATION

22 BY MR. DAVIS:

23 Q Colonel Harrington, I believe when
24 Elizabeth and Melissa were discovered really by you, you
25 had mentioned that in fact it was apparent that at least

1 Elizabeth was suffering from drug abuse.

2 A That's correct. The British consular
3 officials told me that in their judgment the girls were
4 both on drugs of some sort, and indeed, a doctor had seen
5 Elizabeth because she was hemorrhaging and the doctor had
6 so stated. And the girls told me that they were on drugs.

7 Q And I believe you also stated that you
8 verified that Elizabeth was having trouble at home,
9 trouble with her mother, trouble wanting to be in Europe
10 when in fact she was in Bedford County and that sort of
11 thing?

12 A Essentially the drill was that Elizabeth
13 was quite unhappy because Lynchburg was in Virginia and
14 not Europe, and she saw her future in Europe and she felt
15 that Lynchburg was too close to home.

16 She didn't of course tell me the other
17 motive, which never came out on the table, which I knew,
18 which was that she had the affair going with Melissa. And
19 Lynchburg would of course involve separation from Melissa.
20 But I understood why she wouldn't be comfortable with
21 telling me that.

22 Q Did you--to go back to my question, did it
23 come out and did you verify that she was having trouble at
24 home or with her parents?

25 A Yes. As I said, primarily her problem was

1 that she regarded her mother as over--the word I used to
2 her mother to describe it on the telephone was that she
3 had a love resentment relationship with her mother. She
4 on the one hand would tell me when pressed to the wall
5 that she loved her mother and even tell amusing anecdotes
6 about her mother, but then she would tell me how her mother
7 arranged her social life and arranged things for her and
8 that she felt she didn't have the opportunity to be an
9 individual, and as a result she was uncomfortable.

10 Q That would have been in 1983?

11 A That was in October of 1983.

12 Q Now did I understand you to say that in
13 your opinion she had difficulty perceiving who she was in
14 relation to all of this?

15 A No, I don't believe I said that, but I
16 think that unquestionably Elizabeth had a serious identity
17 problem in that she on the one hand saw herself as an
18 intellectual, a student, one who wanted to surround
19 herself with the beauties and the culture of Europe on the
20 one hand, and yet subject to the fact that she didn't have
21 the resources to do that and therefore an Echols
22 Scholarship at the University of Virginia, which I tried
23 to convince her was a wonderful opportunity that someone
24 like myself would have given my right arm for, to her was
25 seen as something undesirable.

1 Q This identity problem that you have
2 suggested, have you ever had any training in psychiatry or
3 psychology or that sort of thing; could you very clearly
4 state that, have you had any?

5 A Other than my undergraduate major in
6 English and political science and psychology courses, no.
7 But for four years, from 1975 to 1979, I was a professor
8 of military science at the University of South Florida and
9 I counseled students in the age group of nineteen
10 repeatedly to the point where by 1979 I was selected as
11 the outstanding professor of military science in the
12 country, and one of the reasons was because of my success
13 in relating to and dealing with young people. So I do
14 feel I've had some experience in dealing with young
15 people.

16 Q So then it should come as no surprise to me
17 that your analysis of how you saw Elizabeth Haysom in 1983
18 is very similar to what's in this report and what
19 Dr. Showalter stated an hour ago.

20 A Since I have been excluded and don't know
21 what the doctor said, I don't--you know, I take you at
22 your word. I merely always felt that Elizabeth, because
23 of her words, her letters, her self--just had an image of
24 herself, that she was impatient, she wanted to have the
25 freedom of a grownup but she was still nineteen.

1 And no matter how hard I tried to convince
2 her that she should be patient and that her day would come
3 and that she had wonderful opportunities ahead of her, she
4 herself remained convinced that she was a very unlucky
5 person because she didn't have control of her own destiny
6 at the age of nineteen.

7 MR. DAVIS: I think you've said it
8 all. Thank you.

9 (Witness stood aside.)

10 RICHARD HAYSOM, was called as a
11 witness and having been duly sworn was examined and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. UPDIKE:

15 Q State your name, please.

16 A My name is Richard Haysom.

17 Q And where do you live?

18 A I live in Calgary, Alberta.

19 Q And your profession is what?

20 A I'm an architect.

21 Q And your relationship with the defendant
22 Elizabeth Haysom is what, please?

23 A She is my sister.

24 Q And as far as your ages, how much older are
25 you than she is?

1 A I'm ten years older than her.

2 Q And during your younger years when you were
3 at home and she was there, were you all pretty close?

4 A I was particularly close to Elizabeth. I
5 helped, I spent a lot of time bringing her up for the
6 first twelve years of her life. I was the closest to her
7 in age and probably spent more time with her than anyone
8 else.

9 Q Now Mr. Haysom, I had intended--I have kept
10 you outside the courtroom for quite some time and I
11 apologize because I had intended to ask you more
12 questions. But under the circumstances, if I could just
13 ask you one question at this point and this being that you
14 being a brother, and Mr. Haysom would have been your step-
15 father, is that correct?

16 A That's correct.

17 Q And Mrs. Haysom of course your natural
18 mother, but you considered Mr. Haysom you father as well,
19 is that correct?

20 A That's correct. I had tremendous respect
21 and love for my father, which is very unusual for a
22 step-parent.

23 Q Under those circumstances, without making
24 any specific statements regarding any sentence or
25 anything, do you have any feelings that you wish to

1 express regarding the disposition of this case?

2 A Firstly, I'd like to establish that I'm not
3 here for any vindictive reasoning. I also wish to tell
4 the Court that I still today love very much my sister.
5 But I feel that we have an obligation under the
6 circumstances and under the heinous crime that's been
7 committed here, we have an obligation to society to show
8 the people, to show to society, what the consequences of
9 such a crime are. I therefore would want to see the most
10 severest penalty possible under the charges.

11 MR. UPDIKE: Thank you, Mr. Haysom.
12 If you'd answer any questions Mr. Davis
13 might have.

14 **CROSS EXAMINATION**

15 **BY MR. DAVIS:**

16 Q Mr. Haysom, have you had any contact with
17 Elizabeth since March of 1985, since April of 1985?

18 A No, I haven't--that's been two and a half
19 years, and in those two and a half years since the funeral
20 I have had absolutely no contact with Elizabeth. She has
21 never written to me, she's never spoken to me. This I
22 found very strange. I find the question of her being
23 remorseful unacceptable to me at this stage.

24 Q Do you recall having a message sent to
25 Elizabeth that you did not want to hear from her?

1 A Could you repeat the question, please?
2 Q Do you recall at some point delivering a
3 message or having a message delivered that you did not
4 want to hear from Elizabeth?

5 A I did not want to hear from her?

6 Q Yes, after she was charged.

7 A No.

8 Q You don't recall that?

9 A No, not at all.

10 MR. DAVIS: No further questions.

11 (Witness stood aside.)

12 ANNIE ROBERTSON MASSIE, was called as
13 a witness and having been duly sworn was examined and
14 testified as follows:

15 DIRECT EXAMINATION

16 BY MR. UPDIKE:

17 Q State your name, please.

18 A Annie Robertson Massie.

19 Q And Ms. Massie, we've established through
20 some other evidence and some stipulations I have made I
21 think some of your involvement in the case, but you of
22 course were very good friends of Derrick and Nancy Haysom,
23 is that correct?

24 A That's right.

25 Q And as I stated during the previous

1 hearing, you had a key to their home and you were the one
2 who opened the door on that occasion and saw Mr. Haysom's
3 body lying inside there in the living room.

4 A Yes.

5 Q You being such good friends of Mr. and Mrs.
6 Haysom--and if I could interject that I intended to ask
7 you about some other things, but I think at this point I'd
8 really like to ask you really one question. Being such
9 good friends with Mr. and Mrs. Haysom, were you familiar
10 with the Christmas of 1984 when Elizabeth Haysom, the
11 daughter, made a trip to Yugoslavia I think, some type of
12 ski trip?

13 A Yes, to Sarejevo?

14 Q Yes. And did you discuss that with
15 Mrs. Haysom and were you aware of her feelings about it
16 and her impressions about that trip, whether it was her
17 idea or Elizabeth's idea?

18 A Yes, I did. We talked about it. We were
19 having a family party at Christmas and Nancy really wanted
20 Elizabeth to stay over Christmas because we usually had
21 about 150 families and it was a very comfortable setting
22 for a young person to be with their own parents and yet
23 meet other young people. But Elizabeth wanted to go on
24 the trip and--

25 Q Was that your impression that she wanted to

1 go on the trip?

2 A Oh, yes. And there were other university
3 students that were going, and Nancy weighed which would be
4 the better and finally gave way to Elizabeth's wish to be
5 with her friends.

6 Q Okay. But it was not then a situation of
7 Mrs. Haysom deciding to send Elizabeth away at
8 Christmastime?

9 A Oh, absolutely not. Nancy would have
10 preferred her to stay at home.

11 MR. UPDIKE: Thank you. If you'd
12 answer any questions Mr. Davis may have,
13 please.

14 CROSS EXAMINATION

15 BY MR. DAVIS:

16 Q Ms. Massie, I believe that some of the
17 Haysom family's been staying with you, is that right?

18 A That's right.

19 Q And stayed with you during August as well.

20 A Yes.

21 Q Have you made phone calls to kind of rally
22 some of the Haysom children to Bedford?

23 A I haven't rallied them, they have usually
24 stayed with us and I invited them should they wish to come
25 to stay at our house.

1 Q Have you called and encouraged them to come
2 to the sentencing hearing?

3 A I wrote letters asking--inviting them, I
4 don't think I encouraged. They stayed with us some, some
5 did, for the funeral service.

6 Q I understand that you're upset with
7 Mr. and Mrs. Haysom's deaths and I think everyone is, but
8 haven't you made extraordinary efforts to make sure that
9 everybody's here, to let everybody know what's going to
10 happen?

11 A Our family has always had a unique
12 relationship with the family. Nancy and I were close from
13 childhood, as were our mothers and grandmothers. It was
14 very natural for us to be the rallying point for all the
15 family. There was no one else closer in town than we,

16 Q I see.

17 A And we have done our utmost.

18 Q Right. Do you also share the belief with
19 Howard Haysom that Elizabeth was in Lynchburg or in
20 Bedford County when--

21 A That is correct, I do.

22 Q And I believe that your two children were
23 here yesterday in the courtroom during testimony?

24 A That is right.

25 Q Have you spoken with them about that, about

1 what took place yesterday?

2 A No, I have not. Our son left because he
3 couldn't stand to hear the way the testimony went
4 yesterday, listening to so many of the lies. He went back
5 after dinner last night.

6 Q Well then he must have told you about what
7 he heard.

8 A That's all he said, that he was leaving
9 because he didn't like the lies.

10 Q Now he didn't live with the Haysoms and
11 Elizabeth, did he?

12 A He didn't live?

13 Q With them.

14 A No.

15 Q And in fact you did not live there, would
16 that be correct?

17 A No.

18 Q Would you agree with what has been assessed
19 here as being a strained relationship between Elizabeth and
20 her mother?

21 A No.

22 Q So Colonel Harrington, who testified about
23 ten minutes ago and said that there was definitely a
24 problem between Elizabeth and her mother that they were
25 trying to work out--

1 A Elizabeth worked--Nancy talked to me often
2 of how she was working with Elizabeth. There was this
3 strain because of the trip.

4 Q There was?

5 A There was the trip. Anyone who leaves
6 their home, leaves their parents and goes on a romp around
7 Europe, it was an agonizing summer, we were with them in
8 Nova Scotia with our children and I knew that there was a
9 problem if she had left. But I could see how Nancy worked
10 over it and I wouldn't think it was a strain; she was a
11 caring mother.

12 And I don't--your phraseology, I think
13 we're on the same wave length.

14 Q So your first answer though was no, there
15 was no strained relationship, but now since
16 Colonel Harrington perceived it, you can say yes, there
17 was a strained relationship.

18 A I don't think I would like to say a
19 strained relationship. I think everyone has problems that
20 you work out with children, but I don't think it was a
21 strained relationship because I think that Nancy cared
22 about Elizabeth and I'm sure vice versa; they worked with
23 each other. But they all had--there were times that
24 parents don't see eye to eye with children.

25 Q All right Ms. Massie, to move on, there was

1 an implication made by the prosecution concerning some
2 photographs which I don't want to bring up, but it was
3 implied that Mrs. Haysom did not take nude photographs of
4 Elizabeth. Do you know that in fact she did take those
5 photographs?

6 A I was shown some nude photographs that were
7 taken I assumed after we had been down to an art--a figure
8 drawing workshop. I have some nude photographs as well.

9 Q Of any of your children?

10 A No, but it would be very easy for me to
11 see, as most artists do their families, it would be very
12 easy for me to see that you might ask a member of your
13 family to pose. In fact, my art friends were appalled at
14 the inference.

15 Q The only question I had was did
16 Mrs. Haysom take the photographs of Elizabeth?

17 A You know, it appeared, they were in
18 Elizabeth's bedroom, I assume she would. My husband and I
19 found it very natural that this would be so.

20 Q And Ms. Massie, you are aware that the
21 Commonwealth has accepted Elizabeth's plea as being an
22 accessory before the fact and in fact that has been all
23 the evidence that's been presented as to that effect.

24 A I'm aware of that.

25 MR. DAVIS: No further questions.

1 (Witness stood aside.)

2 MR. UPDIKE: We have no further
3 evidence, Your Honor. The only other thing
4 that we have is that there was one brother,
5 Julian Haysom, who wrote a letter to the
6 attention of the Court, I have provided
7 counsel with a copy of it.

8 From my review of it, it really
9 doesn't get into the evidence itself, it's
10 just a description by Mr. Julian Haysom of
11 the family situation that he would like
12 brought to the attention of the Court, and I
13 would just ask if defense counsel had any
14 objections to me introducing it.

15 MR. DAVIS: Judge, in reciprocity, we
16 only object based on the Commonwealth's
17 objection to our earlier request to get a
18 letter in. It's signed, it's in typed
19 print, we have no idea who he is other than
20 by the statement or the signature that's on
21 the letter.

22 MR. UPDIKE: It's my recollection,
23 Your Honor, that in response to that
24 objection the ruling was that the letter
25 was admitted and that the ruling was that

1 the strict rules of evidence would be
2 relaxed in this case at the sentencing
3 hearing under these circumstances.

4 THE COURT: That was my understanding.

5 MR. DAVIS: Judge, and we would have a
6 letter that we'd like to introduce from
7 Fiona Haysom under those same lax rules of
8 evidence.

9 THE COURT: Show a copy to him.

10 MR. UPDIKE: This is not to the Court.

11 MR. DAVIS: It's a letter to
12 Mr. Jones, Judge, the same as the letter
13 the Court let in--

14 MR. UPDIKE: I withdraw my request,
15 Your Honor. I haven't even read the
16 letter, but I withdraw my request.

17 THE COURT: All right. Is there any
18 other evidence from the Commonwealth?

19 MR. UPDIKE: No, sir.

20 THE COURT: Is there any other
21 evidence from the defense?

22 MR. DAVIS: No, sir.

23 THE COURT: All right. Now we are not
24 going to hear closing arguments now. To do
25 so would be to restrict each attorney as to

1
2 time and frankly, I need all the help I can
3 get on this very difficult case.

4 We will recess now, we will come back
5 not at 9:30 but at 10:00 tomorrow morning
6 at which time I will allow each side to
7 make closing arguments, and then I intend
8 to rule tomorrow morning and sentence
9 tomorrow morning following the closing
10 arguments. Are there any questions? Let's
11 recess court.

12 (Whereupon court was adjourned to be
13 reconvened on October 7, 1987.)
14
15
16
17
18
19
20
21
22
23
24
25