

By Mr. Fierro:

No objection.

(Commonwealth's Exhibit No. 115 admitted into evidence.)

JACK HILL, being duly sworn according to law,  
testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name?

A. Jack Hill.

Q. Your occupation, Mr. Hill?

A. Laborer at Avco.

Q. Mr. Hill, returning to the 19th of October,  
did you have occasion to be at work on that day?

A. Yes, I did.

Q. Did you come home in the late afternoon?

A. I came home a little after 4:00.

Q. Would you describe what you recall happening  
on that day after that time, after you got home?

A. Well, my wife and I were sitting at the kitchen  
table, we had coffee and we was going over what we were going to  
get at the grocery store for the week, and I don't recall my  
wife making a phone call, but my daughter had one, oh, my  
daughter asked Jackie to make a phone call to Hubbards  
to find out if Jennifer left.

By Mr. Fierro:

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Let's go over that question, please.

Jack Hill.

By Mr. Ertel:

Q. Describe what happened from the time you returned home which you said was sometime a little after four?

A. Right.

Q. Describe what happened, as you recall it?

A. We were sitting at the table drinking coffee, going over what we were going to get at the grocery store, and my daughter had called Hubbards to find out if Jennie had left.

Q. Were you there when that call was made?

A. Yes, Sir.

Q. All right?

A. My wife was getting ready to go to the store to get some groceries, and when she had left, I called Hubbards to find out, I was getting concerned, and I had called Hubbards to find out if Jennie was still there, or whether she was on her way home.

Q. Who did you talk to?

A. Kim answered the phone.

Q. Did you recognize his voice?

A. Yes, it did.

Q. Can you tell us approximately what time it was?

A. Around 5:00.

Q. What was the conversation, as you recall it?

A. I asked if Jennie had left, and he had called his Mom to ask her what time she had left.

Q. Did you hear a buffer running?

A. No, I did not.

Jack never talked to Ruth on 670.  
Phone on Oct 19<sup>th</sup>!

Jack Hill.

Q. What happened after that?

A. Ruthie came to the phone and said that Jennie, she had seen Jennie leave, and that was about all that was said, then I went out. My wife had left to go to the store, before she went to the store she had circled around a couple of blocks away from home to see if she could find....

By Mr. Pierro:

We object to this.

By Mr. Ertel:

Q. You can't testify what your wife did not in your presence, did your wife return home?

A. Not at that time, no, I left the house, started walking Central Avenue to see if I could find Jennie. I run into my wife and daughter, I got in the car and my wife asked me what we should do, and I said, "Well, let's ride around a little bit.", so we started riding.

Q. Did you get out at any time?

A. No.

Q. Did you run into anyone that you recall?

A. Not that I recall, at that time I didn't.

Q. What happened after that?

A. We come back home to see if Jennie had showed up while we were gone, and she had not, so then I jumped back in the car and was riding around some more, and I think that, well, I don't know whether my wife called the Police at that time or not, I couldn't say for sure.

Q. Where did you go?

Jack Hill.

A. I rode Southern Avenue, the side streets, Central Avenue looking for my daughter.

Q. Did you see Kim Hubbard, to your recollection?

A. No, I didn't.

Q. What time did you stop searching, if you did?

A. It was later on in the night when I stopped looking.

Q. I am sorry, I didn't catch that?

A. I said it was later on in the night when I stopped looking.

Q. I show you marked as Commonwealth's Exhibit No. 48, and ask you if you can identify that?

A. Yes, Sir, that is my daughter.

Q. Did you identify your daughter after this incident?

A. Yes, I did.

Q. Did you identify her at the morgue as the girl in question?

A. Right.

Q. Which daughter is that?

A. Jennifer Hill.

Q. No further questions.

By The Court:

Mr. Ertel.

CROSS EXAMINATION

By Mr. Fierro:

Q. Mr. Hill, do you know what your daughter was wearing on October 19th, or did you leave for work before she got dressed?

Jack Hill.

*How did Jack know in her testimony Jennifer was working on the 19th*

A. I took my daughter to the Hubbards the day before.

Q. I am talking about October 19th, do you know what she was wearing on October 19th?

A. No, I don't, she was not at home.

Q. Well, the point is you didn't see her on October 19th at all, did you?

A. No, I didn't.

Q. I believe you left work at 3:30 that day, didn't you?

A. Yes, Sir.

Q. You got home, you say you got there a little after 4:00?

A. Right.

Q. Now, Mr. Barto, the Police Officer, who generally sit here, testified earlier this afternoon that while he was interviewing you that you told him that you called the Hubbard house and that you spoke to Kim Lee Hubbard, and that it was somewhere between 4:45 and 5:00 P.M., would that be correct?

A. No, it was around 5:00 when I called up there.

Q. Why do you say 5:00? *- Deena stated*

A. Because my Mother-in-law got home from work *4:45 - Both her & mother locked at clock* right around 5:00, and I was on the phone when she came in the door.

Q. Do you know what time your Mother-in-law came home from work that day?

A. I just said she came home.

Q. What?

Jack Hill.

— A. I just said she came home at that time when I was on the phone and it was around 5:00.

— Q. Did you look at the clock?

— A. Not exactly, because she gets home around 5:00 just about all of the time.

— Q. Doesn't she ever get home before 5:00?

— A. She might, but not that much more than 5:00.

— Q. Well, are you saying, Mr. Hill, that if you made the statement to Officer Barto that you told him 4:45 to 5:00, then he was mistaken in the way he heard you?

— A. Possibly.

— Q. Of course, you know that time becomes very important in this matter, don't you?

— A. Yes.

— Q. Sure it does, and you know that 15 minutes becomes important in this matter, don't you?

— A. Yes.

— Q. But you are telling this Jury it was 5:00 even though you never looked at the clock, isn't that correct?

— A. I said it was around 5:00.

— Q. How about five minutes to five?

— A. It could have been, but it was around 5:00 when I called up there.

— Q. How about ten minutes to five, could it have been then?

— A. I am not sure.

— Q. Mr. Hill, I don't know if you did, and I don't want to say that you would have done anything wrong, but you were

Jack Hill.

not in this room when your wife testified, were you?

A. Yes, I was.

Q. Okay. Did you hear all of your wife's testimony? Were you sitting here and heard it all?

A. Yes, I was sitting here.

Q. Did you hear your wife testify that "Jack called at 4:45 P.M."?

By Mr. Ertel:

I object, I think she said 4:45 to 4:50.

By Mr. Pierro:

I am asking the question, let him answer.

By Mr. Ertel:

I object.

By The Court:

The Court's recollection is she testified 4:45 to 4:50.

By Mr. Pierro:

I have 4:45, but I will make it 4:45 to 4:50, I will add the other five minutes.

Q. Did you hear your wife testify that you called between 4:45 and 4:50?

A. If I did, I don't recall what time she said.

Q. In any case, you didn't look at a clock to determine the time, did you?

A. No.

Q. You are not saying that your wife was wrong about the time she said that you called, are you?

Jack Hill.

By Mr. Ertel:

I object.

By The Court:

The objection is sustained.

By Mr. Fierro:

\_\_\_\_\_ Q. Do you know what time your daughter called the Hubbards?

\_\_\_\_\_ A. No, I don't.

\_\_\_\_\_ Q. Do you have an idea of what time she called the Hubbards?

\_\_\_\_\_ A. No.

\_\_\_\_\_ Q. You were there, weren't you?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Were you there when your wife called the Hubbards?

\_\_\_\_\_ A. No, I had not gotten home from work yet.

\_\_\_\_\_ Q. Didn't you sometime that evening, you and your wife, that is, weren't both of you sometime that evening walking west on West Central Avenue towards the Hubbard house and come to, well, the next corner where they live, I think is Clinton, right?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Weren't you walking there with your wife?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. And is that Clinton Street as you approach the Hubbard house from going from east to west?

\_\_\_\_\_ A. I think it is.

\_\_\_\_\_ Q. And on that corner, one of those four corners, didn't you talk to Mrs. Hubbard and Ruthie?



Jack Hill.

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Did you see Kim?

\_\_\_\_\_ A. No, I didn't.

\_\_\_\_\_ Q. Did you see Kim anyother time that day or night?

\_\_\_\_\_ A. No, I didn't.

\_\_\_\_\_ Q. All you know is that you talked to him by telephone, and you do recognize his voice, don't you?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. And you knew it was him somewhere between quarter of five and 5:00, you knew it was Kim who answered the phone, isn't that right?

\_\_\_\_\_ A. Yes.

*that* \_\_\_\_\_ Q. You saw Kim the next day too, didn't you, at your house?

A. Did I see him at my house?

Q. Yes?

A. No, I didn't.

Q. Well, I am not going to ask you if you heard he was there, but you didn't see him, were you there when Kim, his Mother, and Kim's girlfriend, and his sister brought some food to your house, were you there?

A. No.

Q. You were out somewhere?

A. Right.

\_\_\_\_\_ Q. Howard Street, where Mrs. Nevel said she saw your daughter at 4:30, is about, well it is about two blocks from Market Street, isn't it? If I am wrong, say so?

Jack Hill.

By Mr. Ertel:

I object to the question, until we establish where Mrs. Nevel lives.

By Mr. Pierro:

Howard Street is where she lives, she says.

By Mr. Ertel:

I object to that, he may not know.

By The Court:

Q. Do you understand the question, Sir?

A. Yes, I do, I was just trying to picture in my mind exactly where Howard Street was situated.

By Mr. Pierro:

Q. Maybe you don't know, and I am not that familiar, but I thought that Howard Street with reference to Market Street?

A. Howard Street with reference to Market Street, is two blocks between Howard and Market.

Q. What does the map show on that?

By Mr. Ertel:

According to Officer Barto, one block.

By Mr. Pierro:

I will stipulate to that, will you stipulate to that?

By Mr. Ertel:

Whatever the map shows, I will stipulate to.

By Mr. Pierro:

I wanted to ask him some questions about it, but apparently I can't on that one point.

Q. You don't know that Howard Street is one block from

Jack Hill.

Market Street?

\_\_\_\_\_ A. I always get Howard and George mixed up one way or the other.

\_\_\_\_\_ Q. Let's put it this way, just for the moment, I want you to assume that Howard Street is one block from Market Street. Now, as I understand it, and somebody showed it on the map, you live on Hastings Street?

A. Right.

Q. What number?

A. 553.

\_\_\_\_\_ Q. You know where West Central Avenue is?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Now, if you take West Central Avenue and Market Street, that intersection, how far away do you live from that intersection?

\_\_\_\_\_ A. A block and a half.

Q. Now....

By Mr. Ertel:

I will stipulate that Howard Street is one block from Market Street.

By Mr. Pierro:

I agree.

\_\_\_\_\_ Q. Mr. Hill, did you on Saturday, October 20th, go with your wife and Garth to the Hill house...or excuse me, to the Hubbard house?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. While you were there, you sat at the table and had

Jack Hill.

coffee and cake or something?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Didn't you see Kim there that day?

\_\_\_\_\_ A. That day, yes.

\_\_\_\_\_ Q. In fact, didn't he help in serving coffee and cake?

\_\_\_\_\_ A. I don't recall if he did.

\_\_\_\_\_ Q. Now, when you saw him, since you said you recall seeing him, isn't it true he didn't have a shirt on, he was only in his undershirt? *Kim had on No shirt = Kim was bare from the belt up*

\_\_\_\_\_ A. I don't recall.

\_\_\_\_\_ Q. All right, you don't recall that. Do you recall seeing him close enough that you could identify him as being Kim Hubbard?

\_\_\_\_\_ A. Yes.

\_\_\_\_\_ Q. Did you see any marks on his face or hands?

\_\_\_\_\_ A. I didn't look at him that close.

\_\_\_\_\_ Q. All right, no further questions.

By The Court:

Mr. Ertel.

RE-DIRECT EXAMINATION

By Mr. Ertel:

\_\_\_\_\_ Q. Mr. Hubbard... Mr. Hill, I am sorry, do you remember where your other daughter was staying that day?

By Mr. Fierro:

\_\_\_\_\_ We object, it is irrelevant.

Jack Hill.

By The Court:

How is it material?

By Mr. Ertel:

It may or may not be.

By The Court:

You may answer.

By Mr. Ertel:

I will withdraw the question, and it might come up on rebuttal.

By Mr. Ertel:

Q. Have you ever seen your daughter in the Kim Hubbard vehicle?

By The Court:

Which daughter?

By Mr. Ertel:

Q. Jennifer?

A. He brought her home on occasion.

Q. No further questions.

By The Court:

Mr. PIERRE?

By Mr. Ertel:

I have one other question.

Q. Who was with them at that time?

A. Ruthie.

Q. No further questions.

RE-CROSS EXAMINATION

By Mr. Fierro:

Q. You never saw your daughter alone with Kim Lee Hubbard?

A. No.

Q. Now, Mr. Hill, isn't it true that you only ever saw Kim Lee Hubbard bring your daughter home once?

A. I am not sure.

Q. All right, you are not sure, but in any case Ruthie was along, is that correct?

A. Yes.

Q. That is all.

(Excused from witness stand.)

JESSIE BLOOM, being duly sworn according to law, testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name, please?

A. Jessie L. Bloom.

Q. Your occupation?

A. Secretary in an Insurance Office.

Q. What office?

A. Lloyd Strouse Insurance Office.

Q. How long have you been there?

A. 12 years.

Q. Do you know Kim Hubbard?

A. Yes, I did.