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IN THE CIRCUIT COURT OF ADAMS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VERSUS CAUSE NO. 02-KR-0141

JEFFERY HAVARD DEFENDANT

* * * * *

TRANSCRIPT OF A VIDEO TAPED STATEMENT OF JEFFERY HAVARD
TAKEN AT THE ADAMS COUNTY, MISSISSIPPI, JAIL ON THE 23RD
DAY OF FEBRUARY, 2002, IN THE ABOVE STYLED AND NUMBERED
CAUSE.

* * * * *

Present and taping the statement were Deputy John Manley
and Deputy Frank Smith.

* * * * *

Melanie G. Murray
Official Court Reporter
9 Primrose Lane
Natchez, MS 39120

EXHIBIT
"F"

1 BY DEPUTY MANLEY: The time according to my
2 telephone is 9:06 p.m. I'm Deputy John Manley. In
3 the room with me is Deputy Frank Smith, and we're
4 talking with a Jeffery Havard.

5 BY DEPUTY MANLEY:

6 Q. Jeff, would you give us your full name.

7 A. Jeffery Keith Havard.

8 Q. How old are you, Jeff?

9 A. Twenty-three.

10 Q. Where do you live at?

11 A. I live 33 Montgomery Road.

12 Q. Okay. Jeff, myself and Deputy Smith had talked
13 with you earlier; is that correct?

14 A. Yes, sir.

15 Q. When we talked to you, did we advise you of your
16 rights?

17 A. Yes, sir.

18 Q. Okay. I am going to show you this advice of
19 rights form. Is that your signature there?

20 A. Yes, sir. It is.

21 Q. Okay. And you gave us a written statement; is
22 that correct?

23 A. Correct.

24 Q. Okay. I show you a statement. Is that the one
25 that you gave us?

26 A. That's the one I just wrote.

27 Q. The one you just wrote. And that's your
28 signature at the end of it; is that correct?

29 A. Yes, sir.

1 Q. All right. Jeff, we advised you that we were
2 going to put this on video tape; is that correct?

3 (Defendant nods head affirmatively.)

4 Q. And you know you're being filmed. You're being
5 on video tape.

6 (Defendant nods head affirmatively.)

7 Q. We're going to talk to you, Jeff, about what we
8 had just got through talking about, and for the purpose of
9 the video tape, I want to re-advise you of your rights.

10 Okay. You're at Adams County jail. Once again, today's
11 date is February the 23, 2002. The time is currently 9:07
12 p.m. All right. Jeff, before we ask you any questions,
13 you must understand your rights. You have the right to
14 remain silent. Anything you say can be used against you
15 in court. You have a right to talk to a lawyer for advice
16 before we ask any questions and have him with you during
17 questioning. If you cannot afford a lawyer, one will be
18 appointed for you before any question if you wish. If you
19 decide to answer questions now without a lawyer present,
20 you still have the right to stop answering at any time.
21 You also have a right to stop answering at any time until
22 you talk to a lawyer. Do you understand those, Jeff?

23 A. Yes, sir.

24 Q. Okay. With these rights in mind, are you
25 willing to talk with us?

26 A. Yes, sir.

27 Q. Okay. I need to have you sign off on that for
28 me.

29 (Defendant signs document.)

1 Q. Okay. I am going to witness the form. The
2 time is currently 9:08 p.m. And I'll get Deputy Smith to
3 witness on it. Okay. Are you being forced to give a
4 statement?

5 A. No. I offered to.

6 Q. You're doing it freely and voluntarily. We're
7 doing this at your request; is that correct?

8 A. Right.

9 Q. And you asked to speak to us; is that correct?

10 A. That's right.

11 Q. All right. Jeff, we talked to you about an
12 incident that occurred this past Thursday night, being
13 February 21st. Okay. An incident involving an infant
14 child; is that correct?

15 (The defendant nods head affirmatively.)

16 Q. What I would like to have you do, Jeff, is just
17 tell us in your own words what occurred that night.

18 A. Starting out, Becky had left and was leaving to
19 go to the store. I give her some money. We were low on
20 groceries, and we wanted some DVD's to watch movies that
21 night. It may have been about 8:05, 8:10 p.m. I am not
22 exactly sure. She wanted me to feed the baby to start off
23 with so she could go on and go, but I kept goofing off and
24 gathering dishes and clothes up to be washed and put it in
25 the laundry. So she went on and fed the baby and put her
26 medicine in, I think, with the banana. I think she ate
27 bananas that night. She gave her -- she fed her and
28 everything in her little infant swing. After she had fed
29 her and everything, she kind of -- she cleaned her up and

1 everything after eating. Told me that she was fixing to
2 go to the store -- fixing to go do what I wanted her to
3 do, go to the store. She left. I still was putting
4 dishes together and everything in the sink -- you know --
5 to get them ready. About five minutes or so or maybe more
6 after she had left, the baby started crying. I didn't
7 know what was wrong with her. I let her cry for a few
8 minutes -- you know -- doing what I was doing. I picked
9 her up, and brought her back in the bedroom, thinking she
10 might need a diaper change or something like that. I took
11 the diaper off and noticed that she hadn't -- you know --
12 she hadn't used the bathroom. She was completely dry and
13 clean. About that time, she kind of spit up and her nose
14 was running. So I decided I might as well just give her a
15 bath and see if she would go on and go to bed. I gave her
16 a bath. Put her in the bathtub. Started splashing around
17 playing, just normal -- what normal infants do. After I
18 -- when I went to pick her up out of the tub to dry her
19 off, she slipped out of my hand, and her leg hit the lid
20 on the toilet bowl, and I think her head hit the tank.
21 She made contact. As soon as she made contact, I grabbed
22 her with my left arm. I caught her with it, and I stood
23 -- when I got her up, I stood up out of the tub and held
24 her against me -- was going to hold her against me when I
25 dropped her but she was slippery. I dropped her, and she
26 just kind of gasped for air like I had scared her, or I
27 don't know what happened. So I took her and I shook her.
28 I didn't shake her hard. I don't think I did. I shook
29 her back and forth from the side like this, sideways, and

1 twisted her like that. (Defendant demonstrates.) Shook
2 her side -- you know -- twisted her like that, shaking
3 her. She started crying again. So I said okay. She's
4 all right. I put her on my shoulder and patted her butt,
5 telling her I was sorry. I am sorry. I didn't mean to --
6 you know -- drop you and all this. I brought her back
7 into the bedroom to change her. She spit up some more. I
8 guess -- right there on the bed linen on her sheet. I
9 don't know how it -- in my room or whatever, but she spit
10 up on it. I cleaned her up a little bit more and put some
11 lavender on -- bed time lotion on her, some lavender.
12 After that, I put a diaper on her. I wiped her down with
13 a wipe and everything, just wiped her like you're supposed
14 to and everything. Went to put a diaper on her and one of
15 the sticky sides come off. So I took that diaper and put
16 it off to the side and went and got another diaper out of
17 her bedroom. I mean, out of the living room because her
18 diaper bag was sitting in the living room on the couch.
19 Got that out of there. Put her another diaper on, and
20 put her back in her bed. She wasn't really crying or
21 anything.

22 Q. Okay. Continue.

23 A. After that, I continued doing what I was doing,
24 and she spit up on the bed. So I got all the bed linens
25 and everything off the bed and clothing, put it all down
26 in the laundry -- down by the laundry, down the little
27 hallway down there. Becky had come back in proably a
28 minute or two after I had laid her down. Just long enough
29 for her music to play out. She's got a little wind-up

1 thing on the bed. Just as soon as that quit playing,
2 Becky come in the door. I told her -- I said I gave her a
3 bath. She's fine. I didn't tell her that I dropped her.
4 I don't know why. I was scared that she would bitch at me
5 or fuss at me or I had hurt her. I didn't know. I didn't
6 say anything about it. She come in. She went in the room
7 and checked on her, and everything was all right. So I
8 thought everything was all right. And she left to go back
9 -- she left because she didn't get the DVD's like
10 originally planned. So she left again, the second time.
11 She left. She was gone maybe twenty minutes, and this
12 time I was taking the clothes off the bed and putting them
13 in the back, straightening up the kitchen. I was going to
14 put the groceries up, but I never did. The next thing I
15 know, I got something to drink or snack on something real
16 quick, and I went to the bathroom to do number two. While
17 I was in bathroom, right as soon as I was finishing up,
18 Becky come in and to let me know she was back she kind of
19 knocked on the wall and wondering what I was doing, and I
20 told her I am taking a shit. And after that, not five
21 seconds later, she started screaming. Chloe, she's not
22 breathing. She's not breathing. By the time I come out
23 of the bathroom, I didn't know what was going on. I was
24 frantic. Thoughts had come back like, God, I hurt her. I
25 hurt her. Then we got in the car and drove to Community
26 Hospital as fast as we could.

27 Q. So the first time -- when you referred to Becky,
28 who are you referring to?

29 A. My girlfriend. Chloe's mother.

1 Q. How long had she been living with you?

2 A. In the trailer there?

3 Q. Uh-hum.

4 A. Maybe going on three weeks to a month.

5 Q. And y'all had known each other for how long?

6 A. Maybe two and a half, three months.

7 Q. She had just recently moved in with you. Is
8 that what you said?

9 A. I had lived with her first of all. I was
10 working offshore. We were working fourteen and seven, and
11 we kind of met. We kind of met one night whenever I was
12 home over -- you know -- my seven days off. That's how we
13 met, but I went back offshore, and a friend of mine called
14 me on my cell phone to let me know that this girl liked me
15 or whatever, and we planned on meeting each other. When I
16 come in, ever since then, we've been together day after
17 day.

18 Q. Okay. She had only been living in your trailer
19 about three weeks?

20 A. About three weeks. I lived with her over in a
21 guy named Robert's house on Itasca for like a month, about
22 a month and a half. Five, six weeks.

23 Q. All right. So when you say Becky went to the
24 store the first time, that's Becky Britt; is that correct?

25 A. Right.

26 Q. Who all was at the trailer at that time?

27 A. It was Chloe, me, and Becky.

28 Q. It was just the three of you?

29 A. Just the three there that night.

1 Q. Just you, her, and the baby.

2 (The defendant nods head affirmatively.)

3 Q. All right. And you say she left going to the
4 grocery store?

5 A. Right.

6 Q. And the baby was where?

7 A. In the swing.

8 Q. And where was the swing at?

9 A. On the left side of the trailer. You come in
10 through the back -- that's the way we always come in the
11 side door. It's against the couch over on the side,
12 facing the TV. She had turned her around looking at the
13 TV after she had left.

14 Q. So the Swing was in the living room area; is
15 that correct?

16 A. Right, right.

17 Q. Okay. And when she left and the baby was in the
18 swing, was the baby asleep?

19 A. I can't really say for sure she was, but I
20 imagine. She wasn't making any noise or anything. So I
21 imagine that she was asleep or she was content. I didn't
22 really pay close, close attention to it.

23 Q. Y'all had fed her. You went ahead and gave her
24 medicine; is that correct?

25 A. Right.

26 Q. What were y'all giving her medicine for?

27 A. She had been sick. I think she's had like flu-
28 type symptoms. She's had an ear infection. It's just
29 normal flu symptoms, I guess. Just sick.

1 Q. Okay. So I believe you said that after she had
2 been gone for about maybe five minutes, the baby started
3 crying; is that correct?

4 A. Yeah. She wasn't like screaming or -- you
5 know -- it didn't sound like a real, real emergency, but I
6 wanted to go ahead and take care of it so I could have her
7 put in the bed and asleep by the time Becky got back
8 thinking that she would have the groceries and DVD. I was
9 going to make Rotel dip and sit down and watch a movie.

10 Q. The baby was crying.
11 (The defendant nods head affirmatively.)

12 Q. You got the baby and you went where once the
13 baby started crying?

14 A. I picked her up. I stopped by her diaper bag
15 which is right there by the -- on the love seat which is
16 on the other side of the living room from where the baby
17 swing is. Looked in her diaper bag, got her a diaper out
18 because I thought that's what was wrong with her. I took
19 her to the back to my bedroom, the master bedroom, Becky
20 and I's bedroom.

21 Q. And at that point, you were going to change her.

22 A. Right.

23 Q. Okay.

24 BY DEPUTY SMITH:

25 Q. Were you upset about any of this? I mean, were
26 you aggravated the baby kept crying?

27 A. No. It didn't aggravate me. I just didn't know
28 why -- what she was crying about.

29 Q. Did it kind of frustrate you, though?

1 A. No. Not really. It didn't frustrate me no more
2 than normal. Just baby crying. It didn't bother me.

3 BY DEPUTY MANLEY:

4 Q. So you got the infant tub -- well, you started
5 to change the diaper. You realized that she did not need
6 a diaper change; is that correct?

7 (The defendant nods head affirmatively.)

8 A. Yes, it is --

9 Q. And you put her in the infant tub or the
10 bathtub. Which one did you put her in?

11 A. Put her in her infant tub in the big bathtub.

12 Q. Okay. And you were bathing her?

13 A. Right.

14 Q. Had you ever bathed her before?

15 A. No. I have never bathed her before.

16 Q. You've never bathed --

17 A. I've been in there. I've seen it done. I've
18 seen her bathed by her mother countless times.

19 Q. Okay. All right. And then you picked her up;
20 is that correct?

21 (The defendant nods head affirmatively.)

22 Q. And when you picked her up, she slipped out of
23 your hands.

24 (The defendant nods head affirmatively.)

25 Q. I believe I understood you to say that she hit
26 the -- her leg hit the toilet lid and her head hit the
27 toilet bowl; is that correct?

28 A. Yes, sir.

29 Q. How high off the ground was she when she slipped

1 out of your hands?

2 A. Where she hit the toilet, she was probably about
3 this high above it. (Defendant demonstrates.) Maybe
4 three feet above it because I had stood up to get her out
5 of it -- out of the tub. When I did, I had her in between
6 the toilet and the tub. Just probably about a foot and a
7 half section. She fell kind of down in between that after
8 I had picked her up.

9 Q. Her head hit the toilet bowl.

10 BY DEPUTY SMITH:

11 Q. What part of her head hit the toilet?

12 A. Her head. Her upper body hit the tank, hit the
13 porcelain tank, and I know her leg for sure hit the bowl,
14 hit the lid. And at the same time that she had hit, the
15 same time she had hit -- I mean as soon as she had hit
16 like this, I had caught her. As soon as she hit, she just
17 gasped for air like it scared her or like it put her into
18 shock or something.

19 BY DEPUTY MANLEY:

20 Q. And you shook her?

21 (The defendant nods head affirmatively.)

22 Q. Okay. How hard did you shake her?

23 A. I don't think I shook her hard at all.

24 Q. But you did shake her. You shook her several
25 times; is that correct?

26 (Defendant nods head affirmatively.)

27 A. I shook her because I was scared I had hurt her.

28 Q. Okay.

29 A. I thought I hurt her bad when I dropped her --

1 BY DEPUTY SMITH:

2 Q. Can you show us how hard you shook her?

3 A. When I got her, I think I shook her about like
4 that, and I twisted her back and forth like this to get
5 her to look. (Defendant demonstrates.) I had her head
6 supported with my fingers like this, my two middle fingers
7 up under her arms, supporting her head.

8 BY DEPUTY MANLEY:

9 Q. All right. At that point, she began crying. Is
10 that what I understood --

11 A. Right.

12 Q. So you walked out of the bathroom, and you laid
13 her on your bed?

14 A. Right.

15 Q. Okay.

16 A. I panicked when I dropped her.

17 Q. I think you told me earlier that you saw some
18 blood; is that correct?

19 (The defendant nods head affirmatively.)

20 Q. Where did you see the blood at?

21 A. She had like -- it was kind of like coming out
22 of her nose. Like her nose had been running all day, and
23 she had like a little bit on her cheek. I thought maybe
24 it had come out of her nose. Maybe it happened when she
25 hit the toilet or something. I freaked out about it. And
26 she had another little spot right here on her right side.

27 Q. Did you see any blood in her mouth?

28 A. No.

29 Q. Okay. And you laid her on the bed and you did

1 what?

2 A. Laid her on the bed to finish drying her off.
3 I had put her in a towel by then that I had laid out on
4 the bowl, the toilet bowl.

5 Q. What color was that towel by the way; do you
6 remember?

7 A. A burgundy color, kind of like a Crimson Tide
8 color.

9 Q. Okay.

10 A. It wasn't red, and it wasn't really -- I
11 guess you would call it burgundy.

12 Q. All right. You laid her on the bed, and what
13 happened?

14 A. She just sat there just like normal, crying.
15 She spit up some more on the blanket that she had laid out
16 there. She spit up a little bit more, and it was a lot of
17 her food, and I noticed something kind of red in it, and I
18 thought it was her medicine. So I just wiped her and I
19 didn't think nothing of it. I think I got some in her
20 hair. Still some in her hair where she had spit up.

21 Q. At what point did you rub her down with lotion?

22 A. After I cleaned her back up -- after I cleaned
23 her up, I took lavender lotion and rubbed her back down --
24 rubbed her down with lavender lotion.

25 Q. This was after you dropped her is what you're
26 talking about?

27 (The defendant nods head affirmatively.)

28 A. Yes, sir.

29 BY DEPUTY SMITH:

1 Q. Tell us what you did when you rubbed her down.
2 How did you rub her down?

3 A. I took -- I took the lavender lotion and I put
4 some in my hand, rubbed it together, started on her head.
5 Wiped it all in her hair and everything and wiped it all
6 down her neck and in behind her ears. Got down to her
7 stomach, got all the way down to her midsection, to her
8 waist, and I took both her legs and pulled both her legs
9 over like you change a diaper. I wiped all down in
10 between her legs and everything to get her clean to make
11 sure she was fully covered by the lotion.

12 BY DEPUTY MANLEY:

13 Q. All right. At that point, you put another
14 diaper on her and you got her dressed?

15 A. I put a diaper on her, and I guess I pulled too
16 hard over -- you know the little sticky thing come off
17 that sticks and binds them together. So I took it off the
18 side and went and got another diaper out of the diaper
19 bag, and put it on her. I didn't pull it as tight this
20 time because I figure I would tear it too.

21 Q. Something I forgot to ask you. While you were
22 giving Chloe a bath, did you take a bath also?

23 A. No. No.

24 Q. You're positive of that?

25 A. Positive.

26 BY DEPUTY SMITH:

27 Q. What were you wearing while you were doing this?

28 A. I had on a pair of Levi's jeans. I had on my
29 boxers, a pair of Levi's jeans, and a pair of socks. That

1 was it.

2 BY DEPUTY MANLEY:

3 Q. All right. So when you put the diaper on her,
4 the first diaper, the strap or the strip broke and you got
5 another diaper; is that correct?

6 A. Yes, sir.

7 Q. You put that diaper on her. Did you -- what
8 kind of clothes did you put on her?

9 A. What kind of clothes?

10 Q. Yes.

11 A. I can't remember. I just -- she just had a
12 diaper on her and like a night shirt. I had a few of them
13 that I had laid out there. She had like a purple one that
14 was laid out there, and like a -- the one that she's got
15 on. The one that she had on was a white one. I think the
16 purple was already dirty or the white one was. I can't
17 remember what color exactly I put on her. I think I put
18 the white one on her. That's when I cleaned all her
19 spit up and stuff with. Wiped her head -- you know -- off
20 the side of her neck and stuff.

21 BY DEPUTY SMITH:

22 Q. If you've never given her a bath before by
23 yourself, why all of sudden did you decide it was
24 necessary to give her a bath when all she did was spit
25 up?

26 A. I figured --

27 Q. One time you cleaned her up, and then the time
28 before that, you decided you wanted to give her a bath.

29 A. I figured that lavender lotion, the bedtime

1 lotion would make her go to sleep.

2 Q. Why not just rub her down? Why go give her a
3 bath?

4 A. I didn't want to put lotion on her after being
5 dirty and everything and putting lotion on her on top --
6 I'd rather clean her and then put the lotion on her.

7 Q. But you decided to give her a bath the first
8 time when you were alone with her by yourself?

9 A. I didn't think nothing of it. I didn't think
10 this would happen.

11 Q. Didn't think what would happen?

12 A. What's happened so far. I didn't plan on
13 dropping her. I've seen it done before. I have given my
14 little brother a bath when he was an infant. I mean, I
15 know how to do it. I've been around kids, babies all my
16 life.

17 Q. Earlier you had said when you were putting the
18 diaper on, okay? The first tab broke on the first one,
19 right?

20 A. Right.

21 Q. And you said you had wiped her down in her
22 private area. Okay. Can you tell us how you wiped her
23 down and what you done.

24 A. I just took a normal wipe, just wiped down
25 between her legs like normal. Inside of her -- inside of
26 her buttocks, inside of buttocks to clean her out.

27 Q. And you said earlier that your finger may have
28 slipped or you may have wiped her a little bit too hard?

29 A. It's possible. I was still upset and nervous

1 and shaky.

2 Q. Okay. What do you mean by wiping her too hard?

3 A. Maybe I was too rough with her. Maybe I shook
4 her too hard. I don't know.

5 Q. You say you wiped her too hard. What do you
6 mean by that?

7 A. Maybe I went too far in on her when I was wiping
8 her out, inside of her butt.

9 Q. Was she crying while you were doing that?

10 A. No. She never did cry. She was just kicking
11 around and moving her arms around.

12 Q. How was she kicking her leg around and stuff
13 when you said you had them held back.

14 A. Just, you know, squirming.

15 Q. Was this aggravating you?

16 A. Unh-unh. No.

17 Q. Didn't frustrate you because she kept spitting
18 up?

19 A. No.

20 BY DEPUTY MANLEY:

21 Q. Jeff, did you ever molest the baby --

22 A. No, sir. I didn't --

23 Q. -- in any way?

24 A. No, sir. I didn't.

25 Q. And you're aware that there's allegations of
26 molestation?

27 A. Yes, sir. I am. I know I was the only one
28 home. Becky was gone, and it was just me and the infant
29 there. Me and Chloe.

1 BY MR. SMITH:

2 Q. Well, how do you explain her being damaged in
3 the way she was?

4 A. I can't -- I can't explain it. I don't know
5 how.

6 Q. Do you think you may have done it?

7 A. When I dropped her, I panicked. I thought that
8 I done killed her right then when I dropped her. I
9 thought that I hurt her bad. I was upset. I was frantic.
10 I was shaking her. I may have shaken her too hard. I
11 don't know.

12 Q. How do you explain the damage that was done to
13 her rear end?

14 A. I can't explain it. I don't -- I don't know. I
15 don't know no way to explain it.

16 Q. Do you think you done it?

17 A. I -- honestly, I don't think I did it, no. I
18 don't recollect doing it. I don't remember doing it, no.

19 Q. Earlier you had said that you'd go into -- you
20 have these fits of anger and you don't really remember
21 things. Do you think that you may have had one of those
22 fits of anger?

23 A. Like I said earlier, whenever I dropped her and
24 I picked her back up and she was just dazed like she
25 wasn't breathing or she wasn't moving. I'm sure she was
26 breathing. I just got like a flashback of my childhood,
27 the story I told you earlier about when I was in the tub
28 and I got beat up.

29 BY DEPUTY MANLEY:

1 Q. Who did that?

2 A. My stepfather.

3 Q. Your stepfather. And, of course, we have told
4 you about the autopsy and the allegations that have been
5 made at the local hospital like what the doctors observed,
6 and you have no explanation for that?

7 A. No, sir. No, sir. I don't. I admit I may have
8 shaken her too hard, and I'm sorry. I did not mean to
9 shake her that hard. I was just scared. I dropped her.
10 She wasn't paying a -- just like she wasn't even in this
11 world when I dropped her, and I picked her back up, and I
12 shook her, just frantic, scared what would happen if Becky
13 come home and I done hurt her baby.

14 BY DEPUTY MANLEY:

15 Q. When you went to the hospital with Becky and you
16 talked to the doctors and the nurses, you never told them
17 that you dropped the baby or shook the baby; is that
18 correct?

19 A. No, sir.

20 Q. Why not?

21 A. I was scared. I am thinking that maybe I am the
22 reason that she was like she is. Not breathing.

23 Q. And, in fact, I talked with you that night; is
24 that correct?

25 (The defendant nods head affirmatively.)

26 Q. And you did not tell me that that's --

27 (The defendant shakes head negatively.)

28 Q. -- what happened; is that correct?

29 A. No.

1 Q. But today you requested to talk to me?

2 A. Yes, sir.

3 Q. Is that correct?

4 A. Yes, sir.

5 BY MR. SMITH:

6 Q. Were you scared that they were going to find out
7 that she was hurt in other ways?

8 A. No, sir. I had no idea that it was something
9 like that.

10 BY DEPUTY MANLEY: Here you go, Jeff. Jeff.

11 (Deputy Manley hands defendant a paper towel.)

12 A. I was just scared they were going to say she had
13 been shaken or something. I am knowing that I am the one
14 that shook her.

15 BY DEPUTY MANLEY:

16 Q. One other thing, Jeff. After you say you
17 dressed the baby, after you had given her the bath and you
18 saw the blood and you wiped that off of her and you
19 dressed her and put her in her room; is that correct? In
20 her bed.

21 A. Yes, sir.

22 Q. Did you lay her on her back or on her stomach?

23 A. On her stomach.

24 Q. I think you told me earlier that you laid her
25 on her back.

26 A. No, sir. I put her on her stomach.

27 BY DEPUTY SMITH: He said earlier on her back.

28 A. No. I put her on her stomach.

29 Q. So that was a misstatement when you told me

1 that?

2 A. Maybe I said it and didn't mean to. I laid her
3 on her stomach. I never laid her on her back. Becky
4 never wanted -- never wants to lay her in the bed on her
5 back ever. She's scared of the SID -- S-I-D syndrome that
6 babies get.

7 Q. So when you told me on her stomach earlier,
8 that was a misstatement? You didn't mean to say that is
9 what I am saying.

10 A. No. I didn't mean to say lay on her back. I
11 laid her on stomach. That's how I've always placed her in
12 the bed. That's how I've always basically laid her down
13 anywhere she's been besides taking a bath and changing
14 her.

15 BY DEPUTY SMITH:

16 Q. What did you do after you dropped her and
17 finished getting her dressed and everything. You said you
18 put her in the bed and you finished cleaning up. Is that
19 what you were doing?

20 A. After I put her back in her bed, I turned on her
21 little music she keeps -- you know -- that goes on the
22 crib side, the little twist-up thing. Winnie the Pooh
23 thing, I believe. I turned it. Not a minute or two
24 later, I done come out of there. I said, well, damn, the
25 clothes are -- I said, damn. The bed has got mess all
26 over it, and I'm not going to sleep in it -- you know --
27 and Becky is not either. I wanted to wash the clothes
28 while we were watching TV or the DVD's --

29 Q. When you say "mess on the bed," what do you

1 mean by mess? What --

2 A. Where she had spit up.

3 Q. So it was spit up. Was there any blood on the
4 bed?

5 A. I didn't see any blood. No. No.

6 Q. And you continued to clean up, right?

7 (The defendant nods head affirmatively.)

8 Q. Okay. Did it ever occur to you to go back and
9 check on her that she may be hurt?

10 A. By the time that I had got the bed linens out
11 and put them in the hallway down by the washer and dryer,
12 Becky had done come in. And by this time, I think I was
13 back in the -- I was back in the chair, watching T -- you
14 know -- flipping through the channels, and I had just
15 gotten through putting the clothes in there, and I heard
16 her drive up. She come up with all the groceries in her
17 hand, and I told her, I said, "Shh. Don't bother her." I
18 said, "She's in there sleeping." She went in there anyway
19 and walked up to her bed, I guess, and she checked on her.
20 She come back out content. I guess that Chloe was fine.
21 So I didn't think nothing about it. I figured, well,
22 there's nothing wrong. I didn't hurt her.

23 BY DEPUTY MANLEY:

24 Q. Did you tell Becky that you dropped her?

25 A. No, I didn't.

26 Q. Why not?

27 A. I guess right then whenever she come in and
28 checked on her and she was all right, I didn't think to
29 tell her. I didn't think it would hurt if I didn't say

1 nothing. I was scared to tell her. I didn't want her to
2 get mad at me and leave me and just all the above that
3 could happen.

4 BY DEPUTY SMITH:

5 Q. But when you dropped her, you were scared that
6 she was hurt, right? You had concern for her well being,
7 right?

8 (The defendant nods affirmatively.)

9 Q. And then all of sudden, you went to cleaning
10 the house and then she came back home, right?

11 A. Right.

12 Q. And did you go back and check on her after that?

13 A. Becky -- Becky had left. We sat there talking
14 for a few minutes after she had come in and checked on
15 Chloe, and I remember when I put her down -- when I put
16 her in her bed, her head was to the right, facing the wall
17 where I laid her down. Her arm -- if I can remember, her
18 arm -- this arm was like this, and this arm was like this,
19 laying down. (Defendant demonstrates.) Her right arm was
20 up. Becky had left, and I started doing what I was doing.
21 I kept sitting in the chair and watching TV, and I got up
22 one time and went in there and peeked in on her and looked
23 and her head was back to the left. Looked like she had
24 done moved down. The covers was up over her a little bit
25 more. When I laid her down, I put the covers probably
26 about right here on her back. I didn't cover her neck up
27 or anything. Looked like she had done scooted down
28 because she had been crawling, and that's how she had been
29 crawling backwards. It looked like she had done turned

1 her head over, and I figured she's fine.

2 BY MR. SMITH:

3 Q. You just assumed she was okay, right?

4 (The defendant nods head affirmatively.)

5 BY DEPUTY MANLEY:

6 Q. I am going to ask you one more time, Jeff. Did
7 you molest the baby in any way other than dropping her and
8 shaking her?

9 A. No, sir. I did not. No, sir.

10 BY DEPUTY SMITH:

11 Q. And you were the only person in the house other
12 than the baby?

13 A. That's correct. Me and the baby. That's it.

14 Q. How do you explain her being molested?

15 A. I can't explain it. I don't know how. Honestly
16 and truly, I do not know how.

17 BY DEPUTY MANLEY: Okay. You got anything else?

18 BY DEPUTY SMITH: No.

19 BY DEPUTY MANLEY: With that, we'll conclude
20 this statement. Today's date is February the 23rd,
21 2002. The time is currently 9:38 p.m.

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COURT REPORTER'S CERTIFICATE

I, Melanie G. Murray, Official Court Reporter in and for the Sixth Circuit Court District of Mississippi, do hereby certify that the within and foregoing twenty-six (26) pages contain a full, true, and correct transcription of the Adams Sheriff's Department video tape to the best of my skill and ability, of the taped interview had and done in the aforestyled and numbered cause heard in the Circuit Court of Adams County, Mississippi.

I do further certify that my certificate annexed hereto applies only to the original and certified transcript. The undersigned assumes no responsibility for the accuracy of any reproduced copies not made under my control or direction.

WITNESS my signature, this the 9th day of December, 2002.

Melanie G. Murray
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