

1 WILLIAM DEAN SITMAN,

2 having been first duly sworn by the Court to tell the  
3 truth, the whole truth, and nothing but the truth,  
4 was examined and testified as follows:

5  
6 DIRECT EXAMINATION

7 BY MR. PONTON:

8 Q. Please state your name.

9 A. William Dean Sitman.

10 THE COURT: What was the last name?

11 A. Sitman, S I T M A N.

12 Q. (BY MR. PONTON) Where do you live?

13 A. Taylor, Texas.

14 Q. And how long have you lived in Taylor?

15 A. Right at 25 years.

16 Q. What county is Taylor, Texas, in?

17 A. Williamson County.

18 Q. Did there come a time, Mr. Sitman, when you  
19 became an inmate of the Williamson County jail?

20 A. Yes, sir.

21 Q. Would that have been during 1984 and 1985?

22 A. Yes, sir.

23 Q. What -- Why were you there in jail?

24 A. For a DWI offense.

25 Q. And approximately what were the dates of

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1 your incarceration at the Williamson County jail?

2 A. November the 29th, '64, until October the  
3 10th, '85.

4 Q. During all the time that you were at the --  
5 Let me ask you this.

6 Do you recognize Henry Lee Lucas here in the  
7 courtroom?

8 A. Yes, sir.

9 Q. Would you please point him out to the Court?

10 A. Right there.

11 Q. Is he the gentleman seated by himself at  
12 that table with the blue coat on?

13 A. Yes, sir.

14 MR. PONTON: Let the record reflect the  
15 witness has identified the defendant, Your Honor.

16 THE COURT: It will so reflect.

17 Q. (BY MR. PONTON) During the time that you  
18 were incarcerated for DWI at the Williamson County  
19 jail, was Henry Lee Lucas also an inmate there?

20 A. Yes, sir.

21 Q. What was your status at the jail, Mr. Sitman?

22 A. I was a mechanic at precinct 1. I worked on  
23 the police cars.

24 Q. Were you a trusty there?

25 A. Yes, sir.

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1 Q. And would you leave during the day to go  
2 work on the police cars?

3 A. Yes, sir.

4 Q. And when you would return in the evening,  
5 would you be given the privileges that all the other  
6 trusties had there at the Williamson County jail?

7 A. Yes, sir.

8 Q. Who was the sheriff of Williamson County at  
9 that time?

10 A. Sheriff Jim Boutwell.

11 Q. Do you have any other convictions or charges  
12 pending against you now?

13 A. Yes, sir. I have a DWI in Travis County  
14 right now.

15 Q. And have you been sentenced on that?

16 A. Yes, sir.

17 Q. And what is your sentence on that?

18 A. Three and a half years, TDC.

19 Q. TDC?

20 A. Yes, sir.

21 Q. And you're going to be going there soon. Is  
22 that correct?

23 A. Yes, sir. Final sentencing date is the 20th  
24 of this month.

25 Q. At the time that you were an inmate of the

1 Williamson County jail, were you able to observe  
2 Henry Lee Lucas in his cell there at the time that  
3 Henry Lucas was there?

4 A. Yes, sir, I seen him at times.

5 Q. And would you be able to observe his cell  
6 there at the Williamson County jail?

7 A. Sometimes.

8 Q. And did his jail cell contain a television  
9 set?

10 A. Yes, sir.

11 Q. With cable attachment?

12 A. Yes, sir.

13 Q. Color TV?

14 A. Well, I don't know if it was color or not.

15 Q. Radio?

16 A. Well, I'm still not sure about the radio.

17 Q. Paintings?

18 A. Yes, sir.

19 Q. He would have sometimes 20 or 30 paintings  
20 the size of that poster in the corner stacked around  
21 his cell, wouldn't he?

22 A. Well, I don't know how big they were, but he  
23 had paintings.

24 Q. They would be -- Some of them would be large?

25 A. Yes.

1 Q. Would they be canvas type paintings?  
2 A. Yes.  
3 Q. Was Mr. Lucas a trusty there?  
4 A. No, sir.  
5 Q. He was not?  
6 A. No, sir.  
7 Q. Now, what type of -- Would you see Mr. Lucas  
8 being given privileges there around the jail that  
9 other regular nontrusty jail inmates received?  
10 A. Nontrusty?  
11 Q. Yes.  
12 A. Yes, sir.  
13 Q. Did you notice any special food privileges  
14 Mr. Lucas was given while he was there such as being  
15 able to order food, take-out food and things of that  
16 nature?  
17 A. Well, I have seen food brought in.  
18 Q. On an almost daily basis for him or several  
19 times a week?  
20 A. Well, I guess so. You know, I never did see  
21 it that much. I wasn't around that much.  
22 Q. Well, for instance, when you would help  
23 clean up there in the walkway outside his cell, would  
24 you notice leavings from take-out food there?  
25 MR. JEWKES: Pardon me, Your Honor.. I'm

1 going to object on the grounds that this line of  
2 questioning is going outside of the scope and purpose  
3 of this hearing as to the voluntariness of the  
4 confession. Moreover, it's cumulative evidence. I  
5 believe it's already been established by a number of  
6 witnesses that Mr. Lucas had several privileges.

7 THE COURT: Well, I'm going to overrule it.  
8 I'm going to let him go on.

9 MR. PONTON: I'll try to be brief, Your  
10 Honor.

11 THE COURT: Please do.

12 Q. (BY MR. PONTON) Did you ever notice Mr.  
13 Lucas having pizza boxes and Sonic hamburger sacks  
14 and other things of that nature outside of his cell?

15 A. Yes, sir.

16 Q. On numerous times?

17 A. A couple of times. I didn't count them.

18 Q. And did you ever notice that Mr. Lucas would  
19 get special privileges from the kitchen there at the  
20 Williamson County jail?

21 A. Yes, sir.

22 Q. Would they make him the kind of food that he  
23 might request, a sandwich or special kind of bacon or  
24 anything like that?

25 A. Well, yes, sir. Like if he came in late,

1           wherever they go -- I didn't know where they went,  
2           but the cook, he would go down and make him a  
3           sandwich or whatever.

4           Q.     You lived with that cook, didn't you?

5           A.     Yes, sir.

6           Q.     What was his name?

7           A.     Al Bailey.

8           Q.     Did Mr. Bailey ever discuss with you how he  
9           would have to cook special things for Mr. Lucas?

10          A.     Just the bacon was all, you know, like  
11          breakfast. That's all I know about.

12          Q.     Did Mr. Lucas have a certain way he liked  
13          his bacon?

14          A.     I'm not for sure if it was -- if he wanted  
15          it crisp or he wanted it raw, but it was one of the  
16          two.

17          Q.     But would this cook, your roommate, have to  
18          cook Mr. Lucas' bacon the way Mr. Lucas wanted it?

19          A.     Yes, sir.

20          Q.     Did he do that for any of the other inmates  
21          at the jail?

22          A.     No.

23          Q.     Would you observe Mr. Lucas being allowed  
24          visitors such as Sister Clemmie?

25          A.     Yes, sir.

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1 Q. On a daily basis?

2 A. Yes, sir.

3 Q. Would she be allowed to come in late at  
4 night to bring him food or other things?

5 A. Yes, sir.

6 Q. Would other jail inmates have that kind of  
7 privilege?

8 A. No, sir.

9 Q. Can you think of any other nontrusty inmate  
10 who was present at the jail while you were there that  
11 got the kind of privileges that Henry Lucas got?

12 A. No.

13 Q. He was the celebrity of the jail, wasn't he?

14 A. I suppose so.

15 Q. Isn't that the way you-all sort of felt  
16 about it?

17 A. Yeah, I guess.

18 MR. PONTON: We pass the witness, Your Honor.

19 MR. JEWKES: Your Honor, I don't believe we  
20 have any questions of this witness.

21 THE COURT: All right.

22 May this witness be excused?

23 MR. PONTON: He may, Your Honor.

24 THE COURT: Thank you, Mr. Sitman.

25 A. You're welcome.

1 THE COURT: All right. Well, it's almost  
2 noon. We will be back at 1:30. Who is going to be  
3 your next witness, just for --

4 MR. PONTON: I think Dr. -- a Dr. Benold  
5 from Williamson County.

6 THE COURT: All right.

7 (A lunch recess was taken.)

8 THE COURT: All right, sir, raise your right  
9 hand.

10  
11 DR. STEVEN D. BENOLD,  
12 having been duly sworn by the Court to tell the  
13 truth, the whole truth, and nothing but the truth,  
14 was examined and testified as follows:

15  
16 DIRECT EXAMINATION

17 BY MR. PONTON:

18 Q. Would you please state your name.

19 A. Steven Douglas Benold.

20 Q. And how are you employed?

21 THE COURT: Wait a minute. Spell that last  
22 name.

23 A. B, as in boy, E N O L D.

24 THE COURT: Thank you.

25 Q. (BY MR. PONTON) Sir, how are you employed?

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