

One man's vow 294 ends in solution of teen murders



**KENT
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WACO — Ghastly photos of the kind stacked on the desk will unpin your civilized underpinnings. There are hundreds of them in four stacks, pictures of the crime scene, the clues and the tortured, murdered teen-agers.

To know that mothers and fathers of the three victims saw these bloody depictions of the violence is joltingly sad. To witness these photos is to force back a sob or swallow a cry for vengeance.

Sheriff's Investigator Truman Simons of McLennan County doesn't review the photos. Simons, 43, knows them all. He was present when they were taken. His memories of the dead kids are vivid and forever red.

He wanted me to see the photos for a reason. Teeth prints were useful in the case. Scientific techniques — forensic odontology — can convert photos of bite marks on a victim together with a suspect's dental impressions into admissible evidence.

Through the measurements of photogrammetry, bite wounds provide a mirror image of the distinctive dental weapons of the biter.

Another reason for Simons' digging out the photos was perhaps to lend immediacy to a murder case now 52 months old. Moreover, these cruel photos explain his obsession. It has driven him through lost nights and dog-tired days since the killings.

The grisly photos of the victims justify or account for Simons' behavior on the night of July 14, 1982, when the corpses were found by two



The Dallas Morning News: Kent Biffle

Sheriff's Investigator Truman Simons points to the place where the bodies of three murdered teen-agers were found.

fishermen in Speegleville Park on the shores of Lake Waco. The victims had been dead for about 24 hours.

After combing the scene with other investigators, Simons had knelt by each murder victim — Jill Montgomery, Raylene Rice, and Kenneth Franks. He vowed: "Whoever did this to you is going to pay for it."

Simons was then a patrol sergeant with 17 years of experience in the Waco Police Department. He was tough as a slapjack and he thought he had seen everything. But the memory of those kids wouldn't leave him alone.

He embarked on one of the strangest trails of
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Lone investigator follows long trail to murder's solution

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determined sleuthing in the annals of Texas crime.

As a patrol sergeant, Simons wasn't directly assigned to the murders. Nevertheless, he tracked the investigation, routinely reading reports filed by the 14 men who were designated to work the case.

The murders grabbed widespread news coverage. During the first 48 hours after the bodies were discovered — critical ones in any murder investigation — Waco police averaged 50 telephoned tips an hour. These came mainly from well-meaning citizens who wanted to help. Investigators ran up dozens of blind alleys.

The cops were stumped. The two girls from Waxahachie and the boy from Waco had been killed by a person or persons unknown.

The news media were soon enticed away by other breaking stories, and lawmen returned to more promising, less puzzling cases.

One night about two months after the murders, Simons, looking over the shoulder of a detective, saw another meaningless report being prepared. He said the detective sent the report to an inactive file.

Shocked that the probe, however frustrating, would be suspended, Simons phoned Waco Police Chief Larry Scott at home. Scott, agreeing that the investigation shouldn't be suspended, listened to Simons' plea.

Simons asked to be assigned to work on the case with the help of

his claim to a police pension and taking a pay cut of \$1,000 a month.

He made the move solely to pursue unhindered his investigation of the Lake Waco murders.

Professionally, it wasn't a step off a curb for a police sergeant — it was a dive off an economic cliff.

Simons became a turnkey for Sheriff Jack Harwell, who assured him that he could work on the Lake Waco murders in his free time. Sheriff's Capt. Dan Weyenberg had persuaded the sheriff that Simons was sane. Weyenberg had once been chief of police in the McLennan County town of Robinson where Simons had grown up.

How Simons spent months gaining the confidence of his chief suspect, an ex-con held in the county jail for an unrelated crime, and how the lawman eventually overcame daunting obstacles to crack the Lake Waco case is the subject of a new book.

Carlton Stowers, who used to cover the Cowboys for *The Dallas Morning News*, tells the story movingly and dramatically — so dramatically that Warner Brothers already has optioned the book for a TV movie.

Billed as "the true story of a triple murder and the determined lawman who would not give up," the book — *Careless Whispers* — was written with the cooperation of Simons, who isn't down for a cent from it. Getting Simons to help on the book was an impressive feat by

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— Truman Simons

Stowers. Simons has always worked without public attention.

Indeed, when Simons talked with me last week, he mentioned it was the first sit-down interview he had given a newspaperman in nearly 20 years of law enforcement work.

Simons' sudden forthrightness is attributable to his wanting the story told as a caution to all teen-agers. But he also wants his account of the controversial investigation in the record.

"There are some cops I have no use for. But there are some really good people at the Waco PD. I'm not bad-mouthing the whole department," he says.

Still, several Waco cops can be expected to explode when they read Simons' version of how they handled the Lake Waco case.

Stowers traces a bloody trail through a maze of human and subhuman lives to the conclusion of the mystery.

Today two men — David Wayne Spence and Muneer Deeb — are on death row, and two brothers — Gilbert and Tony Melendez — are serving life sentences as a result of Simons' work.

Simons was instrumental in getting statements incriminating Spence from the Melendez brothers, who were present when the murders were committed. The Melendezes were allowed to plea bargain for life sentences.

Two of the victims, Kenneth Franks and Jill Montgomery, had lived for periods at Waco's Methodist Home, an institution for troubled kids. Across the road from the institution was the Rainbow Drive Inn grocery run by Deeb, a Jordanian. The place was a favorite teen-age hangout until it was ruled off limits by the Methodist Home. Deeb had been generous with junk food, marijuana, and proposals of marriage to the girls who came into the failing business.

As Stowers tells the tale, Deeb plotted the death of one of the Methodist Home girls, Gayle Kelley, who had spurned him. He took out a \$20,000 accident policy on her, naming himself as beneficiary. He then hired Spence, a violent bandit and sex criminal, to kill her.

In a drunken case of mistaken identity, Spence stumbled upon Jill Montgomery with Franks and Miss Rice at Koehne Park, a popular gath-

ering spot for young people at Lake Waco. Miss Montgomery resembled Miss Kelley. Spence, accompanied by the other two ex-cons, attacked.

Franks was stabbed 20 times. The girls were stabbed repeatedly and their throats were slashed.

The bodies were hauled in the pickup of Gilbert Melendez to remote Speegleville Park, directly across the lake from Koehne Park.

As a rule, murder for hire is hard to prosecute. But the Lake Waco murders were further complicated by Jill Montgomery's mistaken identity. Deeb never collected the insurance on Gayle Kelley, and Spence was never paid the \$5,000 he'd allegedly been offered. Consequently, cops had no easy trail of money to follow.

Had things gone according to the criminal plan, the murders would probably have been quickly solved. As it was, the case was a complex mess that was solved only through the statements of the Melendez brothers. Convictions — bolstered by the dental evidence against Spence — brought McLennan County District Attorney Vic Feazell to a peak of popularity.

Now facing a re-election race on Nov. 4 while beset by a federal indictment charging racketeering and mail fraud, Feazell may see *Careless Whispers* as a welcome political asset.

Stowers says the book (Taylor Publishing, \$18.95) isn't really about Feazell, who figures only sporadi-

cally in the last half of the story. Stowers says the hero of his book is Simons. In its treatment of Feazell, however, *Careless Whispers* is friendly.

The book will thrust Simons into an unaccustomed spotlight.

What will he do?

The maverick cop-turned-deputy, booted and be-jeaned, smiled through a cloud of cigarette smoke:

"I don't know. I've never been in that position before. As for what I did, I don't think it's that remarkable. Anyone in law enforcement who was dedicated would have done the same."

What about his reduced income?

"Judy and I have never lived beyond our means. We'll get by. I can always go back to working on cars. I used to be a pretty good mechanic. Judy and I do have a responsibility to our little boy. He's four, named Jason. He used to want to be a cop. Now he tells me he wants to be a deputy sheriff."

Will Simons run for sheriff?

"I'm no politician. I can't go around with people I don't like. When I hired on, I told Sheriff Harwell I wanted to work on this case. And after the case is over, I told him, I don't know whether I'll stay or not."

"The sheriff backed me up real strong. I liked the way he treated me. Right now, I'm in law enforcement on a day-to-day basis. I don't know how long I'll stay in it. I'm real discouraged."

one investigator, Sgt. Dennis Baier. Simons told Scott: "Chief, I'd really like a piece of this one."

The chief approved.

Simons and Baier dug into the case, without much regard for the egos of earlier investigators. Feathers were soon ruffled.

By the time Simons began to scratch pay dirt, he says, he had made some enemies within the department. The friction, he recalls, threatened the progress of the investigation. Simons suspected sabotage. For example, he discovered that a call to Crime Stoppers from an informer had been routed around him. As a result, he almost missed an important lead. And he believed that he had missed others. His swarming temper was nearing flash-point.

"I was about ready to start punching faces," he told me.

What he told Judy, his wife, I don't know. They have strong spiritual convictions. But after hearing her husband's description of the problems, she urged him to do what he felt he had to do. And what he did sounds crazy.

He quit the Waco Police Department. He signed on as a jailer at the McLennan County Jail, sacrificing