

Beckham - Voir Dire

(Whereupon, the instrument above
(referred to was received in evidence
(as Defendant's Exhibit "No. 1", and a
(copy of the same appears in this
(record at the page shown in the Index
(hereof.

THE COURT: Call your next witness.

Who is going to be the next witness?

MR. BUTLER: Daryl Beckham.

THE COURT: Who, now?

MR. BUTLER: Daryl Beckham.

THE COURT: Daryl Beckham.

Mr. Beckham, if you will, come right around
here.

Have you already been sworn as a witness?

THE WITNESS: Yes, sir.

THE COURT: All right. Just have a seat.

MR. HUNT: Are we ready, Your Honor?

THE COURT: Yes, sir.

DARYL W. BECKHAM

called as a witness on behalf of the State of Texas, and having
been previously sworn, testified as follows, to-wit:

VOIR DIRE EXAMINATION
(OUT OF THE PRESENCE OF THE JURY)

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BY MR. HUNT:

Q Mr. Beckham, my name is Russell Hunt, I have some questions

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that I want to ask you. It's my understanding -- first of all, state your name for the record.

A Daryl W. Beckham.

Q Okay. Mr. Beckham, my understanding is, that you are going to testify for the State, as to some alleged statements that were made to you by David Wayne Spence, is that correct?

A Yes, sir.

Q Can you tell me how many statements were allegedly made by David Spence?

A We talked about it several different times.

Q Okay. Over a period of how long?

A About a month and a half.

Q Okay.

A Or a month.

Q I'm sorry, I didn't...

A A month or a month and a half.

Q Okay. This month and a half was from what time until what time?

A About the middle of January until the last of February, or the first -- about the last of February or the first of March.

Q Of 1983?

A Right.

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Q And did these conversations take place in McLennan County Jail?

A Yes, sir, they did.

Q Okay. Prior to your first conversation with David Spence, were you aware of any kind of -- well, first of all, were you aware that David Spence was a suspect in the Lake Waco murders?

A No, sir.

Q Not heard that from anyone?

A No, sir.

Q Okay. Can we break it down, as far as days of conversations? Or are you going to have to lump it altogether and say, I can't remember which day what conversation took place?

A It would be hard for me to space it out, as to a certain date, or a certain date of that nature.

Q Okay. Did you, at any time, while you were locked in McLennan County Jail, did you talk to Truman Simons about the lake murders?

A Yes, sir, I did.

Q When was that conversation?

A It was in February of '83.

Q Okay. So, it was sometime during this time period that you had conversations with David Spence, is that right?

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A It was after I had talked with David Spence already.

Q Okay. During that conversation with Truman Simons, were you made aware that David Spence was a suspect in the lake murders?

A Yes, sir.

Q Did Truman Simons ask you what David Spence had told you about the lake murders?

A He didn't ask me what David had told me, he asked me did I know anything about it.

Q Okay. Did you respond to that with, yes, I have talked to David Spence about it?

A I told him that David had told me some stuff about it.

Q Okay. Did you relate that information on to Truman Simons?

A Yes, sir.

Q And were you made aware, at that time, that Truman Simons considered David Spence to be a suspect in the lake murders?

A Yes, sir.

Q Did Truman Simons indicate to you that he would be interested in any other information that David Spence would tell you about the lake murders?

A No, sir.

Q He didn't say anything about it?

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2 A No, sir.

3 Q Did any other police officer say that they would be
4 interested in that information, if you acquired more
5 information about David Spence?

6 A No, sir.

7 Q Prior to talking to David Spence, did you talk to any
8 police officers at all about the lake murders?

9 A No, sir, I did not.

10 Q Were you aware that, if someone could gather information
11 about the lake murders, that information might be able
12 to help them in the charges that had been brought against
13 them?

14 A No, sir.

15 Q Never heard that before?

16 A I have heard of it on TV. But at that time, I had already
17 received my time. I received my time in December,

18 Q In December?

19 A Yes, sir. I was already sentenced, at that time.

20 Q Okay. So, that, you are telling the Court that no police
21 officer told you that he was interested in any of that
22 information, is that correct?

23 A Other than what I already knew, right.

24 Q Okay. You're going to have to describe what you mean by
25 what you just said.

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A Okay. When I told them what he had told me, they didn't say anything else about, well, if David tells you anything else, or anything of this nature, or anything of that. The only thing that I did, I volunteered something to try to help David Spence, is the only thing I was trying to do, at that time.

Q Okay.

A I didn't go to Truman Simons and tell him I knew anything about it. Truman Simons was the one, that someone else had told him that I knew something about it.

Q Okay.

A But I didn't volunteer anything.

Q Okay. Then Truman called you down to talk to you about it?

A Yes, sir.

Q Okay. That was the first time you talked to Truman?

A Yes, sir.

Q Okay. And Truman didn't say anything at all to you about getting additional information?

A No, sir.

Q All right.

MR. HUNT: I believe that's all the questions we have, Your Honor, of this witness.

VOIR DIRE EXAMINATION
(OUT OF THE PRESENCE OF THE JURY)

BY THE COURT:

Q So that I can understand, as I understand it, you talked to no police officer? You were in jail, right?

A Yes, sir.

Q Then, -- and during the time you were in jail, you met David Spence?

A Yes, sir.

Q Ya'll had several conversations over this period of time?

A Yes, sir.

Q At least, at some point in time, Truman Simons had you brought out? Or, I guess he had you brought out?

A Yes, sir.

Q And you talked to him?

A Yes, sir.

Q And at that time, you related conversations that you had had with David Spence?

A Yes, sir. That's correct.

Q All right. And, at that time, until you talked to Truman Simons, you had never talked to any other police officers about your knowledge of the lake -- or the purported lake murder cases, is that correct?

A Yes, sir.

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2 Q Is that correct?

3 A Yes, sir. That's correct.

4 Q No one promised you anything, or told you they would do
5 anything, or made any offers whatsoever to you --

6 A No, sir.

7 Q -- is that what you're saying?

8 A They told me they couldn't do anything.

9 Q All right. When did they tell you they couldn't do
10 anything?

11 A Whenever they were doing it there, whenever he was talking
12 with me.

13 Q When Truman Simons was talking with you?

14 A Yes, sir. The thing about it was, he told me, he said --
15 he just said, he heard that I knew something about the
16 Speegleville murders.

17 Q Uh-huh.

18 A And that it was a brutal crime and everything, and that
19 if I knew anything about it, that I wish you would let
20 me know right then, you know, because they would like to
21 try to find out who it was that did it, before anything
22 else happened on the street to anybody else.

23 Q All right. And, at that time, then, did you relate that
24 to Truman?

25 A Yes, sir. Yes, sir, I did.

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Q And you related to him what you had heard prior to that time?

A Yes, sir.

Q Is that right?

A That's right.

Q All right.

THE COURT: Any other questions?

MR. HUNT: We don't have any more.

MR. BUTLER: (Shaking head.)

MR. HUNT: Well, I do have one other area.

THE COURT: All right.

FURTHER VOIR DIRE EXAMINATION
(OUT OF THE PRESENCE OF THE JURY)

BY MR. HUNT:

Q And that is, after you had that conversation with Truman, you did go talk to David and had more conversations with David, is that correct?

A David talked with me, But I didn't go and ask him anything at all.

Q Okay.

A Or anything of this nature. Me and David talked together, we were friends in the cell up there together.

Q Okay.

A Just like neighbors on the street, where we talked every

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day together.

Q Okay. You did talk to him, David related more information about the lake murders, and then at some time after that, you again gave that information to the police officers?

A No, sir. The only thing I gave -- he didn't relate anything else to me, at any other time, that he hadn't already said.

Q That he hadn't said prior to that when you talked to him?

A Right.

Q Okay.

MR. HUNT: That's all we have, Your Honor.

THE COURT: Any other questions?

MR. BUTLER: (Shaking head.)

THE COURT: All right.

Are there any other objections?

MR. HUNT: No, Your Honor.

THE COURT: And what are the objections, then, in reference to this witness.

MR. HUNT: We don't have any objections to this witness testifying.

THE COURT: All right, sir. All right.

If you will, bring the jury back in.

MR. BUTLER: Judge, do you not want to go ahead and do the next one?

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