

1. Time/Date Dictated 12:15P 11-1-82	2. Case Number 82-07-25720
4. Location KOEHNE PARK	5. Date Offense Report 7-13-82

3. Offense or Incident: CAPITAL MURDER

6. Victim or Complainant (Last Name First): BANKS, KENNETH

Address: 2804 SAVANNAH COURT

Qty. Description (Size, Color, Model, Style, Material, Condition, Serial No.)

PROPERTY	Value Stolen	Value Rec.

8. Arr. Want Canc
 With. Susp. Writ/Arr. No. _____ Name (Last, First, Middle) _____ Address _____

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

H F 9-28-64 ESPARZA, LYDIA 204 FLOWER CREEK, WAXAHACHIE, TX

9. Arr. Want Canc
 With. Susp. Writ/Arr. No. _____ Name (Last, First, Middle) _____ Address _____

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

W F SANTOS, JANA THOMPSON 426 GRAND, ph/214-937-0394

10. Abandoned Used in Offense Parked at PD Year Make Model Name Body Type Color(s)

Stolen Stored Vict's Veh Towed Canc

Lic. Yr-State-Number _____ V.I.N. _____ Identifying Marks-Condition-Missing Parts _____

Owner _____ Address _____ DA 07099 Est. Value _____

On Friday, 10-15-82, DET. SALINAS and I went to Waxahachie, Texas to talk with a hispanic female that was supposed to have been with JIM MONTGOMERY and RAYLENE RICE in Waxahachie prior to them leaving to Waco. This information was received from Texas Ranger BILL GUNN, and Capt CHARLES SULLENS of the Waxahachie PD. When we arrived at the Waxahachie PD, CAPT. CHARLES SULLENS did tell us that the hispanic female that was said to have been with JIM MONTGOMERY and RAYLENE RICE on 7-13-82, was LYDIA ESPARZA. By going to 204 Flower Street, we found LYDIA ESPARZA was at the Dept. of Human Resources, in Waxahachie, trying to obtain some aid for her and her child. DET. SALINAS and I were able to finally get in touch with LYDIA ESPARZA and we began talking to her at approximately 12 noon, and talked to her until 3 or 3:30P, on 10-15-82.

In that conversation with LYDIA ESPARZA, she told DET. SALINAS and I that she did know both JILL MONTGOMERY and RAYLENE RICE. However, she knew RAYLENE better than she knew JILL. She told us that on 7-13-82, that she called over to her good friends house, being JANA THOMPSON SANTOS, and due to the fact that LYDIA ESPARZA was having trouble at home, asked JANA THOMPSON SANTOS to come to her house so that she could talk with her.

LYDIA ESPARZA said that JANA THOMPSON and JILL MONTGOMERY came to her house between 10/10:30A on 7-13-82. LYDIA got into the car with JANA THOMPSON and JILL MONTGOMERY and drove to where RAYLENE worked, at which time JILL MONTGOMERY got out of the car and went in to talk to RAYLENE. Shortly thereafter, JILL MONTGOMERY came out and got in the car with JANA THOMPSON SANTOS and LYDIA ESPARZA. Shortly thereafter, JILL and JANA took LYDIA home. JILL did tell LYDIA ESPARZA that she would return at a later time.

LYDIA ESPARZA said that she was with JILL and JANA for only approximately 30-45 minutes. The story at this point did become very confused due to the fact that LYDIA ESPARZA did say that JANA got out of the car and into her mothers white Cordoba, and that JILL and RAYLENE did drive LYDIA home to 204 Flower Street, at which time JILL and RAYLENE said that they would be back later. Her story did change slightly as to who took her home, either being JILL MONTGOMERY or JANA THOMPSON or JILL MONTGOMERY and RAYLENE RICE.

LYDIA ESPARZA then said that shortly after 12 noon on 7-13-82, RAYLENE and JILL did come by LYDIA's house and pick her up in RAYLENE's car. She said that they drove around, went and got

Unfounded Suspended

12. Officer Making Report: BAIER, Badge 334 Reviewed By _____ Date _____

Cl. by Arr. Excep. Cl. _____ Clerk _____ Sergeant _____

3. Offense or Incident
CAPITAL MURDER

4. Location
KOEHNE PARK

5. Date Offense Reported
7-13-82

Victim or Complainant (Last Name First)

Address

FRANKS, KENNETH

2804 SAVANNAH COURT

7. Qty. Description (Size, Color, Model, Style, Material, Condition, Serial No.)

Value Stolen

Value

PROPERTY

8. Arr. Want Canc

Name (Last, First, Middle)

Address

Witn. Susp. Writ/Arr. No.

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

PERSONS

9. Arr. Want Canc

Name (Last, First, Middle)

Address

Witn. Susp. Writ/Arr. No.

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

DA 07100

10. Abandoned Used in Offense Parked at PD

Year Make

Model Name

Body Type

Color(s)

Stolen Stored Vict's Veh Towed Canc

Lic. Yr-State-Number

V.I.N.

Identifying Marks-Condition-Missing Parts

VEHICLE

Owner

Address

Est. Value

Page 2--

went and got some gas at a Dwarf's store which is similar to a 7-11 or Zippy type store in Waxahachie, and saw two white males at Safeway Store in Valley Mills. However, LYDIA cannot describe the two white males, and that JILL MONTGOMERY and RAYLENE RICE did smoke one hand cigarette that was marihuana.

As they were driving around, LYDIA did state that then went towards Ennis, and that during the conversation it was mentioned that they were going to go to Waco to pick up JILL MONTGOMERY check. LYDIA ESPARZA said that at first she was going to go, and then she remembered that she had a young child to take care of and while they were enroute to Ennis, she changed her mind about going to Waco, at which time RAYLENE RICE and JILL MONTGOMERY returned to 204 Flower Street, where LYDIA got out of the vehicle and went to the house.

DET. SALINAS and I did discuss the story with each other and found that there were some discrepancies in it due to the fact that JANA THOMPSON SANTOS was at her mothers house, JAN THOMPSON, along with JILL MONTGOMERY, until approximately noon on 7-13-82.

At approximately 3:30P, 10-15-82, DET. SALINAS and I did go by JANA THOMPSONS house, being 426 Grand. When we arrived, JANA THOMPSON did say that she had just received a call from LYDIA ESPARZA, asking JANA THOMPSON SANTOS to lie to us, and tell us that she had been with LYDIA that morning. JANA THOMPSON SANTOS did tell us that she had not been with LYDIA that morning. JANA SANTOS said that she went to her mothers house, being JAN THOMPSON, at 100 Dartmouth shortly after 7A, 7-13-82, and stayed until approximately 4P, 7-13-82. JANA SANTOS said that JILL MONTGOMERY, whom she is a cousin to, came by JANA THOMPSONS house at 100 Dartmouth early in the morning, approximately 9:30-10A, and stayed until 11:30-11:45A. At that time, JILL MONTGOMERY was to drive her mothers car, NANCY SHAW, to Walmart on Farris Avenue in Waxahachie, where she was to leave it. The reason the vehicle was left at Walmart is that MRS. SHAW is in a car pool, and her place of employment in Dallas, and that the people in Waxahachie that go to work with her car pool leave their cars parked at Walmart on Farris. JILL MONTGOMERY did tell JANA that she was going to Waco with JILL MONTGOMERY, and that they were going to go to the City Hall to pick up JILLS check, as well as the Methodist Home. While we were there we did tell JANA THOMPSON SANTOS of the story that LYDIA ESPARZA told us.

BAIER

334

11. Unfounded Suspended
 Cl. by Arr. Excep. Cl.

12. Officer Making Report

Badge

Reviewed By

Date

INDEX

Clerk

Sergeant

BAIER

334

3. Offense or Incident CAPITAL MURDER 4. Location KOEHNE PARK 5. Date Offense Reported 7-13-82

Victim or Complainant (Last Name First) FRANKS, KENNETH Address 2804 SAVANNAH COURT

Table with 3 columns: Description (Size, Color, Model, Style, Material, Condition, Serial No.), Value Stolen, Value Paid. Includes vertical label 'PROPERTY'.

8. Arr. Want Canc. Name (Last, First, Middle) Address. Includes checkboxes for Writn., Susp., Writn/Arr. No.

9. Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other. Includes checkboxes for Arr., Want, Canc., Writn., Susp., Writn/Arr. No. and DA 07101.

10. Abandoned Used in Offense Parked at PD Year Make Model Name Body Type Color(s). Includes checkboxes for Stolen, Stored, Vict's Veh, Towed, Canc. and fields for Lic. Yr-State-Number, V.I.N., Identifying Marks-Condition-Missing Parts, Owner, Address, Est. Value.

Page 3--

and she said that she would be in contact with LYDIA ESPARZA over the next several days and that she would try to find out why she was lying.

We also talked with Officers of the Waxahachie PD that knew LYDIA ESPARZA and they did agree to assist us in the investigation in an attempt to find out why LYDIA was not telling the truth in reference to her association with JILL and RAYLENE on the morning on 7-13-82. This was done due to the rapport that several of the officers at the Waxahachie PD said that they had with LYDIA and that they could probably get the truth from her.

On Tuesday, 10-26-82, DET. SALINAS and I did go back to the Waxahachie PD. We did contact the PD Detectives who were going to aid us. However, they said that they had been unable to get in touch with LYDIA, due to the fact that they were tied up on investigations. At approximately 1P, 10-26-82, DET. SALINAS and I did go by 426 Grand where we did talk to JANA SANTOS again and she did tell us that she had not had any contact with LYDIA and could not understand why she was lying.

At approximately 2:30P, 10-26-82, DET. SALINAS and I did contact LYDIA at her house at 204 Flower Street, where we did transport her back to the Police Dept and interview her again. Her story did change slightly from the original story that she told us. However, the only change was that she said that she did believe that she might not have talked to JILL, RAYLENE and JANA until after 12 noon.

While interviewing her I did have her go completely over the story again, and she kept pretty close to the story that she gave us originally. After getting the story down again, DET. SALINAS and I did confront her with the several lies that we had been able to prove, and at which time she broke down and said that she had not been with JILL or RAYLENE or JANA on 7-13-82, and that she did see JILL and RAYLENE while she was at the 7-11 on Ferris Avenue, The 7-11 is by Win Donut on Ferris Avenue. She said that it was around lunchtime and that she did not make any contact with them, and that they were passing by in a vehicle, which she could not give a description of, and that she did not believe anyone else was in the car. She said that she waved at them and that they waved back. She said that she was by herself, and did not have anyone here to verify the story.

11. PS Unfounded [] Suggested [] 12. Officer Making Report BAIER Badge 334 Reviewed By Date INDEX Clerk Sergeant

WACO POLICE DEPT

CONTINUATION/FOLLOW-UP REPORT

1. Time/Date Dictated 12:15P 11-1-82 2. Case Number 82-07-25720

3. Offense or Incident CAPITAL MURDER 4. Location KOEHNE PARK 5. Date Offense Reported 7-13-82

6. Victim or Complainant (Last Name First) FRANKS, KENNETH Address 2804 SAVANNAH COURT

7. Qty. Description (Size, Color, Model, Style, Material, Condition, Serial No.) Value Stolen Value R

8. Arr. Want Canc Name (Last, First, Middle) Address Writn. Susp. Writn/Arr. No.

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

9. Arr. Want Canc Name (Last, First, Middle) Address Writn. Susp. Writn/Arr. No.

Race Sex Age/DOB Height Weight Hair Eyes Clothing-Distinctive Marks-Other

10. Abandoned Used in Offense Parked at PD Year Make Model Name Body Type Color(s) Stolen Stored Vict's Ven Towed Canc

Lic. Yr-State-Number V.I.N. Identifying Marks-Condition-Missing Parts

Owner Address Est. Value

Page 4-- As of this time, we have been unable to determine exactly why LYDIA ESPARZA was not telling the truth in reference to her association with RAYLENE RICE and JILL MONTGOMERY other than than the fact that she might have told the story to someone and then she did not expect us follow up on it.

DA 07102

JC 4:55P 10-1-82 1. Unfounded Suspended 12. Officer Making Report BAIER Badge 334 Reviewed By Date INDEX Clerk Sergeant