

James McArthur on Caril Fugate Case

I received a telephone call from Judge Harry Spencer who was a judge of the district court in Lincoln in January of 1958. In that telephone call, he told me that he was appointing me as the attorney for Caril Ann Fugate, a fourteen year old girl who was being held as a prisoner, and actually, confined in the Lincoln State Hospital, which was a mental institution for the reason that as a fourteen year old, it would be unlawful to put her in jail where people were usually held pending trial for serious crimes.

This was possibly the first time that there had been a series of murders for no very apparent reason which were unconnected, so far as the victims were concerned, but which followed a pattern indicating that they were committed by the same person or persons.

The mother and step father and three year old half sister of Caril Ann Fugate were murdered in the family home in north Lincoln by being shot, stabbed, and beaten. The bodies were placed in an old shack in the back of the house and covered with an old rug. A few miles away, a young man and his girlfriend, Robert Jenson and Carol King, were seized and taken to an old abandoned storm cave on the sight of a former country school. They were shot and dumped in

this old cave, and a few rocks and pieces of lumber thrown over the door of the cave.

Both Charles Starkweather and Caril Fugate waved extradition and were returned to Lincoln, Nebraska and were charged with the murder of Robert Jenson and Carole King. And Charles Starkweather was in the county jail, and Carol King, uh, Caril Ann Fugate was being held in the Lincoln State Hospital as a prisoner.

Charles Starkweather was 19 years old, he was uneducated, extremely near sighted, rather small for his years and had been employed as a helper on a garbage truck, but had no significant record of any kind up until that time. This was the situation when I received the telephone call that I was appointed to defend Caril Ann Fugate.

In order to understand the problems presented in this case, in making a defense, and in fact investigation the case, it is necessary to remember that these events happened before the great reforms in the handling of criminal cases and in criminal justice made by the Earl Warren court, that is the Supreme court of the United States and which required all federal and State courts (TAPE CHANGE) to change their procedures. And, to actually, according to accused persons, the rights guaranteed in the constitution.

In 1958 it was common practice to hold an accused person incommunicado to prevent such person from talking to an attorney, or in fact, anyone else for that matter until the law enforcement people, both prosecutors and police, had questioned the suspects all they wanted to. There was no such thing as the right to the assistance or the advice of an attorney or the protection of search warrants. And

the result frequently was, and certainly in the Fugate case was, that before the prisoner saw a friendly face, the police and her accusers had built up a formidable case by extremely questionable means.

When I talked to Caril Ann Fugate for the first time, she had been repeatedly been questioned by various police officers and the county attorney and his deputy. The statements had been typed up, including long question and answer sessions. And of course I knew from experience with other cases that these statements would be extremely vast, and of dubious value in assessing what really happened. And of course, when the subject was a fourteen year old child, I knew perfectly well the officers could get anything at all into her statement, and she would be completely powerless to do anything about it.

When I first saw Caril Ann Fugate, she was very frightened and stewed (??). She weighed about 85 pounds. She was an 8th grade student, and of course at that time, an orphan, since her mother and step father and baby sister were dead. After doing my best to put her at ease, I established a sufficient degree of confidence that she was willing to tell me her story which was rather simple and straight forward. She had known Charles Starkweather for some time, and had gone with him a few times, but they had broken up simply because she did not particularly like him.

He was something of a braggart, and rather crude in his ways. And she had not seen him for some weeks prior to that day in January of 1958, when she came home from school, got off the school bus at her front door, and when she opened the door she was confronted by Charles Starkweather and a gun. Her family was no where in sight, but he told her they were all right, but under his control. There was no evidence of anything being wrong in the house, as far as a struggle taking place.

Charles Starkweather held her there several days, and she became more frightened as time went on. He tied her up, threatened various things, and when the police came calling, he managed to put them off, and she became convinced that Charlie Starkweather could just about do as he pleased. He finally left the house and took her along on this long, bizarre journey of bloodshed and violence in which she said she was constantly in fear of her life, and several times attempted to get messages to people, when they were close enough, without success. And that while she did not see most of the murders, she was close by under circumstances where she could not get away, nor were there other people close enough that she could make any contact. She became more and more tired until she could barely walk, and finally in Wyoming, when the police closed in, she broke away.

My investigation was followed and mainly cooperated what Caril Fugate told me, and certainly exposed some ,um, actions by the law enforcement authorities that were illegal, even by the standards of that day. I went to Wyoming, and talked to the Sheriff who made the capture and his wife, and they told me that CAF was just simply hysterical, and unable to talk coherently while there. I found that she had been induced to sign a waiver of extradition in which she expressly released all law enforcement people of any liability. I also talked to the state patrol officer who was first on the scene who actually stopped Charles Starkweather at the scene of the last murder, and he also cooperated pretty much as to the events that happened there.

I went over the statements taken from Caril Fugate and I could find evidence that these statements were simply manipulated by the people taking them. At no time did Caril say anything in the statements which incriminated her. In fact, at all times she insisted that she was a prisoner herself and unable to escape. But the statements were managed in such a way that they were given grossly false impressions of what happened.

A good illustration, in one of the statements taken by the Deputy County Attorney, Caril Fugate related in detail what happened in a murder in which she told me she had not

even seen. The Deputy Attorney asked her how she knew these things, that she was telling, and she said, "Well, you told me that yourself yesterday." It became quiet apparent that the procedure followed in taking Caril's statement was to ask her about all the events in detail in the absence of a reporter to take notes, and then to go over it several times, and then finally call in the shorthand reporter, and by leaving out certain questions, a very misleading and incriminating statement could be obtained. And the person giving the statement would not realize what was happening, because to such a person it was simply just repeating parts which had just been gone over repeatedly. The finished statement could be made to look about any way the questioner wanted it to look.

I discovered other things in the course of my investigation. For example, Caril told me about writing a note while she was in captivity and putting it in her pocket, hoping she could pass it to somebody. The Sheriff in Wyoming and his wife both told me about this note, and it was turned over to the law enforcement people. Something happened to the note, and it never could be obtained from the state.

Another circumstance which was very important was that I was able to determine with absolute certainty, that at the time Caril Ann Fugate's family was murdered, she was in

school. The time of the murders was established pretty accurately. The teacher in the school, and the bus driver, and other students verified the fact that Caril was in the school, and could not possibly be present when her family was murdered. This circumstance had particular significance because the newspapers, the radio, the TV reports constantly referred to the murder of Caril Fugate's family occurred in her presence and with her participation. This was continued and encouraged by the law enforcement people even after it was established beyond a doubt that such could not possibly be the case. This sort of thing merely illustrates what happened to build up a tremendous prejudice which rendered the trial little more than a farce.

I felt that the only possibility in a defense was to bring out every single fact possible so that anyone who examined the full record could not avoid defending the truth and could not help but seeing what had actually happened to this girl, although the hope of an acquittal at that time and under those conditions, was out of the question. The uh, state of the law, and the state of law enforcement, particularly in cases which received great public notice and in which there was a lot of adverse publicity, is well illustrated in the Fugate Matter.

At that time there was a statute in Nebraska which provided in most simple terms that when any person at the

age of 16 was involved in the case in which such a child was accused of a crime, the court must transfer the case to the juvenile court. No discretion was allowed, and no exceptions were provided under the simple, unmistakable meaning of that statute.. The Caril Ann Fugate case must be transferred to the juvenile court. The Dean of the Law School at the University of Nebraska came to me and said he would like to assist in trying to get the case transferred to the juvenile court because a failure by the court to do so would be in gross violation of the statute and a violation of the constitutional rights of Caril Fugate. I told him I welcomed his help, and we would certainly do my best, but my experience in such cases was that either the law nor the constitution would receive much notice in any of the courts of Nebraska in the Fugate case. After trials on this matter in the County Court, the District Court, and the Supreme Court of Nebraska, we got a final decision from the Supreme Court of Nebraska that the Csril Ann Fugate case would not be transferred to the Juvenile Court because it was not a case. There was no way logic could support this decision, but of course it had wide public support, and the result was that the case was not transferred to the juvenile court.

After the wide spread reforms after a series of decisions of the Supreme Court of the United States under Chief Justice Earl Warren, it is difficult for people to

believe before that time, criminal justice was little more than a farce, but I had learned that over many years of experience.

Charlie Starkweather's case was tried first. And I sat through that, which was a lot of learning all that I could that might help trying the Fugate case. Even though Charles Stark was extremely vicious, it also appeared rather obvious that he was far from sane throughout the trial. His attitude was that the County Sheriff and the County Attorney were his best friends, and he referred to them as "his best pals", "his buddies", where as his own attorney was his enemy because he was trying to prove he, Starkweather, was insane, and of course that was an insult to Charles Starkweather.

Starkweather was the most enthusiastic witness against himself, and of course, he was convicted of 1st degree murder, and sentenced to death. He was the last person to be actually executed in the state of Nebraska for a great many years, because within a short time, reforms mandated by the Warren court became effective, and further executions were held up for more than 20 years. However, he was still living, and was the states prime witness against Caril Fugate.

In her trial, there was no witness who claimed to have any personal knowledge or information that Caril Fugate had done anything wrong, except for Charlie Starkweather. He testified at great length, and I questioned him for two days on cross examination and he testified on the affirmative and on the negative with every possible notification both ways on just about every point. He would say Caril was totally innocent and unadvised, without knowledge, and then a few minutes later would say exactly the reverse.

The whole thing was ludicrous of course. But under the atmosphere that prevailed at that time, people from the highest to the lowest believed what they wanted to believe. I was a post(??) many times by people both well meaning and otherwise told me to expect Caril to get the death sentence. I never did believe that. I simply could not believe that even with all the fury and the passion that prevailed, that 12 people would go so far as impose the death sentence, when they had to know, if they would face the facts, that the case was grossly misrepresented by the state.

Caril testified, and her story was never shaken, and it was consistent, and she testified to about the same thing she had told me on the first occasion I had interviewed her. She was found guilty, but she was not sentenced to death. Within a matter of days, I learned that one of the jurors had placed a bet that Caril would get the death penalty. He

had made that be before he was called to serve on that particular case.

TITLE: Omaha Television News Reporter

NAME: Ninette Beaver

BORN: 1926 in Council Bluffs,

1958 PROFILE:

AGE: 32 Years old.

HAIR:

HEIGHT: 5'3.

WEIGHT:

CHARACTERISTICS:

-Outgoing, smart and aggressive she needed to be.

BACKGROUND:

-Attended Creighton University with a major in Sociology, and a minor in Criminology.

-Married in 1947 to Commodore, had two children Mack (9 years old in 1958), and Joannette (8 years old in 1958).

-In 1955 I took over job as print reporter for a local paper in Council Bluffs, purely by accident. Had no Journalism background.

-In 1956 Ninette started reporting for KMTV in Omaha.

°INTERVIEW WITH MRS.NINETTE BEAVER. (Jan.29,1992).

-In 1958 there were no more than 13 people in the news department. Extremely noisy place. The Teletypes were out in the hallway, and when the bells would go off - we'd run out and watch for the new bulletin. In addition to all that noise we had all the police and fire radios going constantly.

-My boss was Floyd Kalber, who was around 35 years old in 1958, and he was both the anchor and news director. He was very stern and serious, and very good-looking. Tall and handsome. He'd been at the station since 1952, and we hit it off pretty quick. We also had Dick Trembath, a short 23 year old reporter with glasses, a good reporter. Jim Roberts, tall and darkhaired, a reporter about 25, and everyone liked him. Jerry Hanson, good at whatever he did and my closest friend at the station. Jerry became the film editor.

-I did not feel I was equal by any means, I mean it was still a man's job..especially in 1958. And yet I still had alot to learn, and I got along with everybody just fine.

-At home I had a housekeeper. I can remember when I got home on Monday Night(Jan.27), I heard on the radio about the Bartlett murders and called Floyd to see what was going on, and if they needed me in there. I remember us agreeing that they would have found them by morning.

-On Tuesday, Jan.28, I got in early. And at the time it was just Jerry and myself. And then we here that they have Charlie surrounded at Meyer farm, so we think about calling the house itself and seeing if Charlie would pick up...ofcourse we axed that decision pretty quick. Our Dick Trembath and Jim Roberts had raced down there at around 90 mph and they got there in time to get footage of the police firing

tear-gas into the windows. And then after they found Meyer's body and the couple's bodies, that's when the panic set in....and the excitement started for us.

-So after the couple was found in the shed, Floyd told me I better drive down there and get a room at the Lincoln where I would act as a command center. And as I was getting ready to drive down, I worried about driving down myself with Charlie on the loose. So Floyd suggested they fly me down, but then I thought about the drive from the Lincoln airport to the hotel. So we finally decided that I would drive down early tomorrow morning(Wed.).

-So around 11pm Tuesday night, Jerry followed me home to make sure I was safe. And I soon as I got home I quickly called my sister who lived down in Lincoln to see how she was doing.

-By Wednesday morning about two thirds of the staff were down there, so I ended up staying in Omaha. And then around noon the Ward bodies turned up and my adrenalin was sky-high, this was an incredible news story. Though this excitement was mixed with fear for my sister down there, who I would call about every hour. And at that point the phones started ringing constantly. And I remember the network picked up our reports for the Nightly News.

-So around on 6pm on Wed. night I headed down to Lincoln myself, mainly because Floyd wanted me to try and get an interview with the Starkweather family, and I remember that I just called Floyd and told him i couldn't get the interview. I actually lied, because there was no way I was going to knock on there door a few hours after there son has been arrested for killing 11 people.

-So a little later on that night (9pm. Wed.)I stopped by where my sister was working on local talent show for KOLN (Lincoln TV Station) and I told them I wasn't working on the Starkweather story, just something else here in Lincoln. So they end up loaning me there sound camera until noon the next day. So Jerry shows up around midnight that night and he stayed at my sister's place with me.

-Well Thursday morning(Jan.30) we get up around seven and pull up in front of the Starkweather home. So I go up to the house myself and they explain they don't want to interview, and I told them I understood. Then I asked them if I could make a call, and then they offered me a cup of coffee. Within 15 minutes, I waved Jerry inside and we had our interview. I remember Helen Starkweather was a very sweet lady, and Guy was a bit more of a publicity hound. Well after we finished the interview, about 20 to 30 reporters had showed up and were on the front lawn, and I remember the Starkweather's telling them no more interviews. Except I spotted a KOLN reporter (the station from which I borrowed the camera) and persuaded Mrs.Starkweather to let just him in. And when he got in, this reporter just looked at me knowing we had scooped him - but he also knew he was there because of us, so we helped him do an interview and then we left. And those were the only two interviews they gave that day.

-So me and Jerry raced back to Omaha, and were able to have the interview ready for the afternoon broadcast, and the nightly news also picked it up. But what was amazing was the next morning (fri) Dave Garaway on the TODAY SHOW ran over seven minutes of it. Remember this was my first ON-CAMERA interview ever. I could not believe it.

-Scheele was very methodical, very accurate. He had a breeze with Charlie's trial, but Caril's made him loose his temper every now an then because John McArthur was so good.

-Clement Gaughan was intersetting, I remember me and Jerry finding out that Clem was appointed counsel for Charlie. Well we met him at the bar he used to frequent, and we sat on either side of him. And I think I said ;"So we here your representing Charlie..", and he just looked at us and shook his head, and I think he ordered a double. He was a nice guy, but not one of the better attorney's around. And Clem was so dramatic, a great showman...that closing statement he made with the tears running down his face...something else.

-I became good friends with John McArthur during the trial, and I remember always asking John to let us do an interview with her. But he always turned us down. And then about three weeks before her trial, John called me and said they had decided that they would let Caril do an interview. But John said they do it his way, and only one person does the interview. I quickly said you have to let Floyd do it , he's the best, and John paused and said no...your going to do it. And so I was shocked at that, and I was not looking to tell Floyd - I thought he'd be furious, but he wasn't, he just said call them back and get the interview, it doesn't matter who does it - just as long as we get it.

-So the day came for the interview, and it was actually a press conference - only any questions had to go through me, and I would decide what to ask, and the bulk of the questions turned out to be mine anyway. I remember getting there that day and we waited out in a hallway and I met Caril for the first time, and here was this tiny little girl with a new skirt her lawyers bought for her, and she had a nervous smile..and I told her everything would be fine. And then they opened that door - and I could not believe the amount of people and cameras. About 35 reporters and 11 different film cameras, along with several still cameras with flash-bulbs that went off all throughout the interview. And I remember John McArthur explaining the ground rules to the reporters and this reaction from several of them (all men) which was not pleasant. One Omaha Herald reporter said;"If you think I'm gonna let some part-time girl reporter ask my questions, the hell with that!". Well John said it was up to him, and since I was a nervous wreck to begin with that did not help too much. But my biggest shock came when I asked Caril her first question, and she transformed into this mean, cold adult - and not the child I had met moments before (years later she told me she was terrified of the cameras). I know that McArthur was watching and feeling that this was backfiring, but there was nothing he could do. And I was trying to calm her down during the interview, but it didn't help....she was somebody else during that interview.

-Personally, regarding Caril's involvement, I had the most trouble with the fact that she could have possibly escaped on a number of occasions.

-I mean we all felt she may have been guilty of something, but the question was what. But I really felt there was no way she ever killed anybody herself, although Jerry and Floyd both felt she was in on the whole thing.

TITLE: Defense Attorney for Caril Ann Fugate

NAME: John McArthur

BORN: 1910, in Custer County, Nebraska./ Died in 1986.

1958 PROFILE:

AGE: 48 Years old.

HAIR: Receding, Brown.

HEIGHT: 6'2.

WEIGHT: 175lbs.

CHARACTERISTICS:

- Always had half-dollar coin in his left hand which he would flip through his fingers whenever he was concentrating or listening to testimony in the courtroom.
- Very quiet, reserved. He hated the limelight, and tried to avoid being in front of the camera at all times.
- Would never lose his temper, and always remained calm in and out of the courtroom. A very soft, yet deep voice.
- Had interesting court technique of pretending he was not paying attention and then get up to cross-examine and fire off questions to a witness in order to catch them completely off guard.
- While he was available for anyone, his closest friend was his wife.

BACKGROUND:

- Married wife Ruby in 1934. Had six children.
- John was himself born into a family of eight brothers and sisters.
- Served in the army during World War II.

°INTERVIEW WITH MRS.RUBY MCARTHUR. (Jan.17, 1992).

-John was very upset over the way they were treating Caril even before he became her lawyer. He was disgusted by that fact that they kept questioning her without the help of legal counsel.

-John was infuriated when he heard that Sheriff Karnopp and his wife would take turns questioning Caril .

-I can remember very clearly the day he asked if he should represent her. He was shaving on a Saturday morning, and he looked at me and asked ...almost my permission. And ofcourse I told him to do what he thought was right, and ofcourse I'd stand behind him. But I knew once he took the case, he'd be gone for weeks. I mean even if he was home he'd still be working. When John took on a case like that - it consumed him.

-I remember always screening the phone calls for him at home during the Fugate trial. In fact one man who called from Kansas insisted on seeing John, and I explained he'd have to see him at the office. Well one Sunday, John was upstairs, this man from Kansas shows up at our home and demands to see John, and then pushes right past me into the kitchen and thank goodness my oldest boy John Daniel was sitting with several of his friends. Well they were all about 18 or 19 years old and quickly stood up so this guy had no place to go,

and he was then escorted out. I remember he had dropped some papers which were from a psychiatric center in Kansas. Now the next morning he showed up again, and this time I was scared...so I called the police and they picked him up a short time later and sent him back to Kansas.

-I remember John lost some clients because of his representing Caril, and we both lost some friends who could not understand why on Earth John would defend her. And there were the occasional phone calls from angry people who hated Caril.

-Speaking of Merle Reller, the attorney John shared an office with, I think John was his only real friend. I didn't much like Reller. I think Reller wasted John's time.

-He was worried about Elmer Scheele, because Scheele was one to play tricks in court. And also John knew all the back-up Scheele had as far as assistants, police access and any information they needed from Charlie. Where John had only himself. As far as Scheele was concerned, he would have a bit of a temper...and raise his voice quite a bit in court.

-During the trial John developed a nervous stomach, and didn't eat very well. John was very tense at times, and I think he would let it build up....he would worry alot.

-I don't think he ever took the \$8,000.00 he was given for Caril's trial, I think might have let Reller have it. I think he wanted them to take that money and shove it.

°INTERVIEW WITH JIM MCARTHUR. (Jan.20,1992).

-Son of John McArthur. Took over Caril Ann Fugate's case in early seventies as her attorney.

-I was 15 years old back in 1958. I remember reading about the Bartlett murders in the evening paper. Panic truly set in after the Ward murders, I was home for lunch and heard it over the radio. I know this sounds strange, but it was kind of exciting in a way.

-At the time I had a 7 year old brother (Benjamin), a 13 year old sister (Suzanne), me at 15, my older brothers at 17 (John Daniel) and 21 (Frank), and an older sister at 22 (Linda).

-My dad was at work when he heard about the murders.

-I did not realize that my dad was representing Caril until two weeks later when I received a phone call from some guy saying that they were having a neck-tie party for my dad downtown.

-During Caril's trial I was attending a parochial school and this one Bible teacher I had would attack my father day after day for what my father was doing defending this criminal. He accused my dad of being worse than she was - and he knew that I was his son, but that did not stop him. So finally one day I had enough and I stood up and yelled at him for five minutes straight, and then left the room. And I remember my classmates had supported me, and respected my dad.

-My dad would bring home alot of his work and occasionally sit me down on the stairs and explain the case to me as it developed. I felt very lucky, because he was so involved in the case that we(family) rarely had the opportunity to talk with him.

-One day, about two weeks after he took the case, my dad shocked me by bringing me along to meet Caril at the York Reformatory for Women. My dad told me to ask anything I wanted, and I remember being extremely nervous about the whole thing, and at first things were very awkward - but after a few minutes we were comfortable with each other. And I remember, we were about the same age, that I was not fully convinced about her story - but after that meeting I was satisfied that she was telling the truth.

-I also remember going along with my dad on trips to Bennet and Douglas as he investigated certain aspects of the case.

-Dad's biggest problem was the public feeling towards Caril. He was convinced she was set up from the start, I mean she had everyone on Earth asking her questions....she was never advised of her rights, or even given a chance explain herself.

-By far, some of the most dramatic testimony came from when both my dad and Scheele questioned Charlie at Caril's trial.

-I remember one interesting point in the trial when dad was holding one of Charlie's guns and was near Charlie who instinctively reached for it, I guess to describe what happened, and dad pulled back explaining he couldn't let him hold it.

-Dad's major contention during the trial was that Caril's biggest crime was that she had survived.

-Ten days after the verdict, someone gave information to my dad concerning a juror who had made a bet that Caril would fry before the trial ever started. Well after getting an affidavit from this juror, Walenta, dad tipped off Ninette Beaver at KMTV in Omaha so they could get him on film before Scheele and his boys could get a hold of him, and possibly change his story. Scheele and Fahrbruch arrived just as Ninette finished, and they were not happy.

-I joined my dad in full around 1963 while I was still in school.

-I took over myself around 1968, and started arguing the appeals.

-In 1972 we started on trying on getting her paroled, after running out of appeals for a new trial (we had made about nine legal appeals over the years)

-Remember it was Caril who continued to push for vindication over the years, and if she just switched to asking for a parole she may have been releases alot sooner.

-In 1976, she was presented in front of the board of Pardons & Paroles and she was released. She left within a few days. My dad was actually home that day. I saw him a little later on that day, and we were both very excited and relieved.

-Dad was both disgusted and insulted about the fees given to him, I mean it should have been easily three times the \$8,000.00 he was given. The courts saying that why should they have to pay for Caril's defense, I mean they were saying that it was his fault if he spent all that time on the case - as if dad should just gotten the case over with without a fight.

-I tell you when we went to Douglas to interview Sheriff Heflin and his wife, they were very much in Caril's favor. One big thing we learned on that trip was the fact that Mrs. Heflin found the note Caril had written and sent it back to Lincoln with the other evidence. That note was a plea for help Caril had written and tried to give to someone. Now that was the only piece of evidence that disappeared...the only thing. Lincoln police said they never received it.

TITLE: Lincoln Police Chief

NAME: Joe T. Carroll

BORN: 1910, in Alma, Nebraska. / Died in 1990.

1958 PROFILE:

AGE: 48 Years Old.

HAIR: Balding/Dark Grey.

HEIGHT: 6 foot.

WEIGHT: 210lbs.

CHARACTERISTICS:

- Constantly smoked cigars.
- Athletic, powerful with a crushing handshake.
- Very physical with friends and staff - always a slap on the back when he greeted you. Had a great sense of Humor.
- Strong, booming voice.
- Tough, stubborn Irish. Would take no shit from anybody.
- Ran a tight, disciplined police force who all respected and admired him. He was the boss, and everyone knew it.

BACKGROUND:

- Joined Police in 1930, became Chief of Police in 1941 at 31 years old (the youngest in the country).
- Father was a state sheriff, one brother with the F.B.I., another was detective.
- He was born eighth in family of nine.
- Married wife Marjorie in 1935. Had one son - Joe Carroll Jr.- who was 14 years old in 1958

°INTERVIEW WITH MRS. MARJORIE CARROLL. (Jan.15,1992).

-On Wednesday, Jan.29,1958, she left card game at friends home after news of Ward murders and picked up her son from Junior High. They returned home and Joe Jr. got an old rifle from downstairs and sat at the kitchen table looking out the window - watching for Starkweather.

-Joe Sr. had been up for about 44 hours straight working on the case. Mrs. Carroll did not see him until after Charlie was caught - Wednesday Evening.

-Joe Sr. called her once and told her not to worry. Just keep the house locked up keep Joe Jr. at home.

-Almost everyone would call Joe Sr. "CHIEF".

-Joe Sr. had been the fourth recipient of the "J.EDGAR HOOVER AWARD".

-There had only been seven murders between 1948 and 1958, before Charlie got started.

°INTERVIEW WITH BILL KRIEFEL.

(LINCOLN JOURNAL REPORTER - 1955 thru Present)

-John McArthur came across as more of a Columbo than an F.Lee Bailey. good lawyer, well respected.

-Elmer Scheele was a hard-nosed but fair prosecutor, a policeman's prosecutor. Short-tempered, a bit cold. Great track record.

-Joe Carroll was a damn good cop. He and the department took one hell of a beating after the Starkweather case. They could have been more aggressive, the Lincoln police should have picked up Charlie for questioning.

-Sheriff Merle Karnopp was a good ole boy, a politician - mainly because he had to be. He had to please alot of different people.

-The day the Ward bodies were found it was complete chaos. Sheriff Karnopp engaged in a mass deputization at the court house. Alot of these new deputies looked a bit like Charlie, so people were scared people were going to start shooting each other.

-Chief Carroll and Sheriff Karnopp were at odds with each other after certain actions Karnopp carried out.

-National Guardsmen were armed with sub-machine guns standing in front of the Lincoln bank.

-The security for Charlie during his trial here in Lincoln was incredible, snipers everywhere. They really felt someone was going to take a shot at him, yet they paraded him around to re-enforce the public that he was definitely in custody. And they had more chains on him, I mean it was a show...it was the drama of it.

-Guy Starkweather felt there would be a cloud over the family if Charlie was declared insane. He was a piece of work.

-I hung around with a group of guys back in 56', 57', and we would often meet up with Charlie's group. Charlie would stand off by himself and he'd have to be called over to do anything. Charlie just didn't want to socialize...at all. I don't think he was tough at all, he was a coward.

°INTERVIEW WITH PAUL DOUGLAS (Jan.16,1992).

-Worked on Prosecution Team as a Deputy Attorney with Elmer Scheele against Charlie Starkweather and Caril Ann Fugate in 1958.

-Charlie admitted killing everyone except the maid. So we had his testimony and enough evidence to make an easy case against him.

-Scheele took statement from Charlie in the car on the way from Douglas, Wyoming.

-Charlie enjoyed talking to County Attorney Elmer Scheele, Deputy County Attorney Dale Fahrnbruch and myself. He liked us much more than his own defense attorney's Clement Gaughan and William Matschullat.

-I joined Scheele on every murder in Lincoln. It was no big deal when Colvert and the Bartletts were killed, ofcourse we started getting concerned after Jensen and King were found, and things got crazy after the Ward bodies were found. And of all the duties our office had to attend to, I hated to have to go to the autopsies.. they were the worst, I'd always get ill, or duck out before they started.

-During the Starkweather trial - the only thing we were really concerned with was the possibility that the jury might get hung on whether to give him death or life.

-Charlie resisted the insanity plea every step of the way, and it was a terrible case for Gaughan to defend...and he was a good dramatic lawyer, although his assistant Matschullat was sort of a nothing, I don't see why Gaughan even had him there.

-The national exposure was terrible, we hated that. Remember Charlie was the first mass murderer to be tried.

-Scheele was FBI trained, very thorough. Scheele would only spend time on one case at a time - that was it, just one. Me and Dale would take on six or seven at once, hell - we had to.

-The Fugate case was tougher since her age may have prevented her from being tried in an adult court, but we won that ruling in a supreme court decision.

-And then we didn't have a confession from her admitting to anything, but we were able to prove she was not a captive, since she could escaped on several occasions. And that was her defense, that she was a captive.

-You got to remember that the community was %100 against her, and McArthur was no magician - he also had a very rough time.

-John McArthur was sort of like Abraham Lincoln, and came across that way, he was a very effective defense lawyer.

-This is important, you see there was hostility between everyone in our office and Reller, but our office all admired and liked John McArthur. Reller was never a good lawyer, and I think if McArthur had tried this case by himself - it would have been a hell of alot tougher for us to win. We still would have won, but it would be much harder.

-Charlie's testimony was the kicker against Caril, that's what sealed the lid. Our office all wondered who killed the maid since Charlie did not admit to her death, I mean everybody thought ..heh , who did kill the maid.

-Charlie was the one we really wanted overall. Early on we sensed the hostility between Charlie and Caril, and ...well...we brought things to Charlie's attention, such as things Caril was saying about him in order to get him to testify against her. And we could do that, he was our witness.

-Had Caril's trial ended up as a hung jury, we probably would have tried her on the murder of the Ward maid - Lilian Fencl.

-Joe Carroll was one tough cop, a good chief. He would always grab you when he greeted you, shake with one hand - slap you on the back on the other. Big family man, loved his wife and kid.

-Merle Karnopp was a real nice guy. He dealt with the prisoners as far transporting them around, jailing and Lancaster county duties.

-William Fugate , Caril's real father, he wasn't all there. I remember poor McArthur was worried what he might say when he showed up outside the courtroom.

-One great little incident that took place during Charlie's trial took place when some deputies gun went off out in the hallway by accident, and what a noise it made, now ofcourse everyone got scared since there were several death threats against Charlie's life so the police all surrounded Charlie.

-One interesting incident at the execution took place 15 minutes before, when an older doctor who was to pronounce Charlie dead had in fact dropped dead himself of heart attack. Ofcourse the reporters said; "That makes 12".