
Witnesses

People v. Maynard, 80 Misc. 2d 279 - NY:
Supreme Court, New York 1974

1970

Robert Crist (T334-426), Cross X

Lewis M. Steel '63

ROBERT CRIST - CROSS X _ ASK FOR MATERIALS INCLUDING
(da) Jobs, family, etc. COMPOSITE AND DISCRPTION ON FLYER.

a. You were on a weekend leave the night of April 2-3, 1967?

b. When did leave begin. time place. How did you get to Cornwall. Did you get paid before going on leave? How much?

c. What did you did when you go home to Cornwall. Who did you see. Did you have a girlfriend. How long had you been in the service. When had you had your last leave?

d. Did you go out on the town while you were home in Cornwall. Go to any of the local bars or taverns. What did you do Saturday nite, who did you see, did you party, drink much, get home late.

f. What time did you get up on Sunday? What did you do that day, etc. Who did you see. Where did you have ~~dm~~ Your supper. With whom. When did you expect to get your next leave. Have a ~~b~~ beer or a highball with your dinner. How did you get to the bus station. Did you have a beer waiting for your bus. (doesn't recall 363).

g. What time did you arrive in New York. Where did you go. Were you looking for anyone in particular. How long did you stay in the bar waiting.

h. How much did you have to drink. (drank beer - can't recall how much - did not eat. T364). 365 - 1 beer

i. Where did you go after you decided to leave. What time. (T338 - went to east side - stopped off in a couple of bars. Names of bars?)

ii: did you try to pick up any girls?

k. When did you arrive back at Port Authority (T338- 2:30am)

l. Then you went back to the Marginas Bar to see if any - one was there? x Do you remember whether you had anything else to drink?

m. And you ~~was~~ decided to go to Greenwich Village around 2:30a.m. What did you want to do down there? Did you know the area? Where were you headed?

n. How did you get down. T339. First he says he ~~was~~ took subway, then he says he walked. Then he says he took subway to 14th and walked. Very unclear. Read transcript.

o. discribe what happened next. Check against T343; t371-372. What happened to the sandwich and beer. How far did you run. Were you out of breath and a little messed up looking.

p. What happened when you caught up to the black man? did you hit him? did he fall? Were you excited. Do you normally get anry at people and hit them for insulting you. Were you a little bit high - would that explain your conduct? 371-372

o. Then waht happened. Where did you first see the black man and the white MAN? Point it out on exhibit (344 in front of Purple Onion - 372 - just after he passed Purple Onion).

p. Where did they come from (t344 - they came up - nothing

p. (cont.) in greater detail given here.)
But see p378. " He came up from behind me and off
to the side." Push him here and see what happens.

q. Not sure of street lights. T374. You do remember that
the bars were closed and their lights out, don't you?

r. describe where discussion took place. do you remember
where you were standing. Where they were standing? Did
you stay in the same location. For how long. Now, I take
your/second representation with the second black man took place
in that one area, is that right. And when he moved off
with the white man his white companion, you did not
follow. You remained next to the Purple Onion.

s. Now , do you remember what the Negro looked like?
Would you describe him, to the best of your recollection?
(Descriptions are on pages T344 and T372-379)

T344 -About my height (ask how tall Crist is)
"good build, light skin, not very light skinned,
average skin, I would say."

T372-3 - Negro wearing "dark - quite blue or deep gray
windbreaker or jacket, spring jacket"

T373- didn't see him carrying anything. No hat, no
glasses, clean shaven, didn't notice shirt, jacket
drawn up

T374 jacket waist high. didn't notice zipper or buttons.
saw no bulges.

T376- good build, wasn't fat or skinny, solid.
color - "not a really dark color, not light, medium tone."
"average shaped face" Wasn't pointed chin or wasn't
real narrow eyes, "nothing outstanding like that registered
in my mind."

doesn't remember high or low cheek bones. nothing signif-
icant about nose. Nothing significant about ears.
didn't notice whether he had any marks or scars.

T377: didn't have really long hair - neat and trimmed.
kinky.

didn't notice whether he had long side lashes.

T378: head held high

T380: Estimated 19-20

t. Now it was during this period that you got your best
look at this Negro whom you were arguing with, isn't that
correct. In other you remember what he looked like from
seeing him on W3rd st. You didn't get to see the person
under as favorable conditions thereafter.

u. When you testify that you saw this same person again
on 4th st before and during the shooting, you are aware
that the lighting was worse where the shooting
took place are you not. And you were further, and inside
a car, and looking through a window, isn't that right?

p20
G.J.
Dark complexion
Jacket light
Shade.

ROBERT CRIST CROSS X P.3

v. Now at some time after the shooting you gave a description to the police, did you not. Who did you give it to?

How many times did you give descriptions? Where?

On what dates or during what periods of time?

Did you see any of the police officers take any notes as you gave out descriptions. Who.

x. At a certain point you met a police artist did you not, and you gave him a description of the Negro you saw?

Did you not.

And you actually watched while he did a sketch, did you not.

And you saw the finished product, did you not - in the form of a police flyer. And you read the descriptive material which was attached to the composite. And I take it you thought the description and composite were accurate to the best of your recollection?

y. Introduce the composite flyer and have the witness read. Then question in light of the description which he has given in court.

to be completed -
do descriptions
of white, take
through entire
incident, in state
of shock, etc.

ROBERT CRIST CROSS X P.4

z. Now the white whom you saw you saw with the Negro in front of the Purple Onion, would you describe him?

T344 - "the white I don't remember much about."

T372 - looked at the white but didn't take much notice of him. "He was shorter than I was , that is the only thing I noticed." didn't notice what he was wearing.
How old was he?

aa. Did you give the police any description of the white?

to ~~was~~ whom?

T381 - 5' 9" - medium build

bb. Now you say that in front of the P.O. you has some words the the Negro whom you believed to 19-20 years old? What did he say to you and what did you say to him. What can you remember of that conversation. And how long do you estimate that it lasted.

T345 - shouldn't have been picking on smaller man 5-10 min.

cc. Christ,s voice raised (t345)
arguing (T346) foul language (346) no blows 346

Yet later Crist says T346 - good english - no slurs.
was

Who ~~was~~ using the foul language - you or him - or both?
entitled to know the full truth?

dd. Now as I understand your testimony, the white asked the black to leave, and at at certain point they did so - they walked west toward 6th and left you standing there - the incident was closed. And then the Marine drove up, is that correct.

If not what is correct . See T348 - Marine asked Crist what happened, then asked Negro what happened, then offered to drive Crist to Port Authority.

ee. What happened next. Traffic conditions - How fast did Marine drive? traffic lights.

ff. Did Kroll tell you what he was going to do? Did you ask him? Well you must have realized that he was going to start a fight? and did you try to stop or tell him you weren't interested in getting into another fight

Robert Crist cross X P.5

wre
ff. Now where ~~was~~ the black and the white when you turned into 4th st. T349 - app 50 ft in.

gg. take Crist through killing.
doesn't remember anything being said between the Negro and the deceased. T350. Crist's eyes on Sgt 352-3.

gg. After the shot, what did you do? For how long?
30-45 seconds (T354) Could it have been a shorter period of time?

hh. T355 looked at Kroll -went for cop

Did you check to see if he was alive?
First aid

Did you attempt to call from the telephone booth on the corner for help.

T355 - in state of shock - T356 drove wildly.

ii. When you referred to yourself in a state of shock, what did you mean. Did you feel at all the effects of the achohol which you had been consumeing . Press here.

jj. Saw gun through rear window (402)

kk. At time of shooting didn't notice anyone else in area. (403) Doesn't believe anyone else actually saw the shooting (416)

ll. After the incident reassigned to NY(392) Assumed he would stay as long as he was helpful on case 393
T393 6 days a week first few weeks. 30 times to 6th Precint afterwards. T394 - 20 times to D.A.'s office.

T410. Now the ~~horc~~ brown bag about which you have testified, you never saw either the black or the white carrying it did you. (T410) - first time bag was seen was when ~~x~~ we wen t looking for it.

~~Ex~~

~~xxxxxxxxxx~~

Statements to Fehles.

Came a time in stationhouse as before. Crist said to him in essence. "What happened." Fehles believed Crist was confused, upset, disoriented.