

1 DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND
2 NOTHING BUT THE TRUTH, TESTIFIED AS FOLLOWS, TO-WIT:)

3 DIRECT EXAMINATION

4 BY MS. DICKEY:

5 Q. Would you state your name for the record?

6 A. Robert Marble.

7 Q. And you are the minister of the United Methodist Church --

8 A. Yes, ma'am, at Concord.

9 Q. -- at Concord?

10 A. Uh-huh.

11 Q. If I may point out to the Court, or ask you, you are here
12 under subpoena, are you not?

13 A. Yes, ma'am.

14 Q. And you're here with the permission of the bishop of the
15 United Methodist Conference?

16 A. Yes, ma'am.

17 Q. And you're here with your district director, Chester
18 Jones.

19 A. That is correct.

20 Q. You're not here on a voluntary basis.

21 A. No.

22 Q. Because you're under subpoena.

23 A. That's right.

24 Q. And you're the minister of the church that the Stocks
25 family belonged to, Concord Methodist Church at Furlow, are you

1 not?

2 A. Yes, ma'am.

3 Q. And you knew the Stocks family for a number of years.

4 A. Since I've been the pastor. Since Ninety.

5 Q. Since Nineteen Ninety?

6 A. (Nods affirmatively)

7 Q. You had occasion, a short period of time before Barbara
8 Stocks died, to have a conversation with her about Heath, did
9 you not?

10 A. Yes, I did.

11 Q. And in that conversation, she told you that she knew that
12 Heath and Jack Walls had a sexual relationship, did she not?

13 A. That is correct.

14 Q. She came to you again shortly after Christmas and again on
15 January the Eighth to talk to you, did she not?

16 A. That is correct.

17 Q. I'm sorry. January the Eighth, Nineteen Ninety-Seven.

18 A. Correct.

19 Q. The substance of those conversations was what?

20 A. The substance of the conversations the first time was that
21 she told me of their relationship. The second time was right
22 after Christmas in the first part of Ninety-Seven, she came in
23 in total fear of what she had seen and the confrontation with
24 Heath.

25 The night of the Eighth of January, which was a very

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1 sleety, rainy night, as Chester will remember, Barbara and
2 Heather were at the church. The bishop was there making her
3 rounds. And it was that evening Barbara said to me, "We need
4 to talk."

5 And I said, "I am available whenever. Let me know."

6 And she says, "I will get back to you."

7 Q. And did she?

8 A. She never got back. No, she did not.

9 Q. And she died nine days later.

10 A. That is correct.

11 Q. You subsequently had conversations with Heath Stocks at
12 the jail --

13 A. Yes.

14 Q. -- and at the state hospital.

15 A. That is correct.

16 Q. And in those conversations, what did he tell you about his
17 relationship or about what Jack Walls had told him?

18 A. He didn't tell me anything about their relationship other
19 than the fact when I asked him, "Heath, why?"

20 He said, "Jack told me to do it," on both occasions.

21 Q. To do what?

22 A. To kill his family.

23 Q. He told you that?

24 A. That is correct.

25 Q. At the jail?

1 A. At the Lonoke County jail and also at the state hospital
2 in Little Rock.

3 Q. And until today, you were under the privilege -- the
4 confidential privilege, and that is why that you have not --

5 A. That is correct.

6 Q. -- come forth?

7 A. That is correct.

8 Q. Thank you, Reverend Marble.

9 CROSS-EXAMINATION

10 BY MR. ALEXANDER:

11 Q. When Mrs. Stocks died, you weren't under any confidential
12 privilege, were you?

13 A. Not with Mrs. Stocks, no. I was under a confidential
14 privilege with Heath. And until he signed that letter that's
15 there, I did not repeat anything of any conversation between
16 Heath and myself.

17 Q. When you talked to Mrs. Stocks, did you not tell her that
18 she should call the police or call D.H.S. or do anything to --

19 A. Yes.

20 Q. -- help out the family?

21 A. Yes, we did. And she --

22 Q. Did she call them? Did you call them?

23 A. I did not, because I only had, at that time, her statement
24 to me. I did not have proof.

25 Q. And when did you first talk to Heath and he divulged that

1 to you?

2 A. Over here in the Lonoke County jail after he had been
3 incarcerated a day or so after he'd been brought back from
4 Arkadelphia.

5 Q. Before he went to trial.

6 A. That is correct.

7 Q. And did you try to talk him into talking to his lawyer
8 about it?

9 A. I tried, but every time we got to talking about it, he
10 would break down and sob, and sob for quite a while. And we
11 could never get him to --

12 Q. And when you went to the state hospital and visited him,
13 did you talk to him about it there?

14 A. We did --

15 Q. Did you try to get him --

16 A. -- and he sobbed again.

17 Q. Did you know he was over there to try to determine if he
18 was crazy or not?

19 A. That is correct.

20 Q. And you felt like this confidentiality you had was so
21 important that you'd see him rot in jail for the rest of his
22 life?

23 A. He told me -- I have no -- I cannot release confidentially
24 of any parishioner until that parishioner releases me of that
25 covenant. I can't tell it.

1 Q. Do you really, Preacher, as a preacher, think that your
2 confidentially to him is so important that you'd let him go to
3 prison for the rest of his life, and not say a word, and you're
4 going to get punished for it?

5 A. I can't tell it.

6 Q. How can you sleep at night knowing he's down there and you
7 could have done something to help?

8 A. Well, it's one of those things we have to do.

9 REDIRECT EXAMINATION

10 BY MS. DICKEY:

11 Q. It has not been easy, Reverend Marble, for you, the last
12 year, to sleep at night, has it?

13 A. No, it has not.

14 Q. You have had to put back together a congregation that has
15 been torn apart by these murders.

16 A. That is correct.

17 Q. And has your focus not been on the healing that you have
18 tried to --

19 A. I have a congregation that needs a tremendous amount of
20 healing, and it's a tough job right now.

21 Q. In fact, in addition to the bishop and the district
22 superintendent and understanding what subpoena -- the duty you
23 were under under subpoena, you also had to go to some of your
24 parishioners -- or some of the people in your church because
25 this has been so painful for you to have to --

1 A. That is correct.

2 Q. -- face coming forward.

3 A. We had a meeting last evening, as a matter of fact.

4 Q. Thank you.

5 THE COURT: You may step down.

6 THE WITNESS: Thank you.

7 THE COURT: All right. Ladies and gentlemen,
8 it's ten minutes until one o'clock.

9 MS. DICKEY: May he be excused? Reverend
10 Marble, please?

11 THE COURT: Yes, unless y'all know of any reason
12 to keep him.

13 MR. ALEXANDER: (Nods negatively)

14 THE COURT: You're free to go, Mr. Marble.

15 THE WITNESS: Thank you.

16 THE COURT: All right. Be back here at fifteen
17 till two ready to proceed, and we'll take a lunch
18 break.

19 (WHEREUPON, COURT WAS IN RECESS, AND AT 1:53
20 P.M., COURT RECONVENED)

21 MR. ALEXANDER: Judge, could we approach real
22 quick?

23 THE COURT: Yes, sir.

24 (AT THE BENCH)

25 MR. ALEXANDER: Judge, the only thing we'd ask

1 is, earlier, we'd asked one of Ms. Dickey's
2 assistants if we could call Edgar Thompson out of
3 order since he's here in the courthouse.

4 MS. DICKEY: I would rather we finish. We only
5 have one more family. He could come back later on
6 this afternoon.

7 THE COURT: They only have one more family.

8 MS. DICKEY: It's the Knox family. Yes, sir.
9 That's two victims.

10 MR. ALLEN: Your Honor, Mr. Thompson's testimony
11 would take about two minutes. It's only one
12 question.

13 MR. ALEXANDER: If you're going to -- if
14 you're -- he'll probably wait. Whatever she wants to
15 do. It doesn't matter. I have no problem.

16 THE COURT: Sure.

17 MS. DICKEY: Thank you.

18 (BENCH CONFERENCE CONCLUDED)

19 THE COURT: Call your next witness.

20 MS. DENNIS: ██████████ ██████████

21 (WHEREUPON, ██████████ ██████████, HAVING FIRST BEEN DULY
22 SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING
23 BUT THE TRUTH, TESTIFIED AS FOLLOWS, TO-WIT:)

24 THE COURT: Proceed.

25 MS. DENNIS: Thank you.