

## **Jena Spangler**

We wanted to bring out that Jena did her best to support Billy with this. She truly believes Billy is not capable of the crime and tells the investigators this. Both Larry Swihart and George Pettit gang up on her and even lie to her. They scare her to death and then go talk to Jena's mother. A few days later Jena and her mother left town. We have not heard from her since. If Jena is watching we do want her to know we don't fault her decision to leave and we know she was lied to. She was young and certainly could not be expected to wait for Billy.

- 1 -

Today's date is August 3, 1990, and the time is 11:06 p.m. We are in New Paris Police Department. Present is Jena Spaulding.....Spangler, George Petitt and Larry Swihart.

LS: As I explained to you before, I don't think you was quite truthful with us. And the reason I'm saying that, is because we've got sworn statements that says you was away from the party area. Not gone from the party, with a fella and the statements from that's.....

JS: Don?

LS: No. No.

JS: That's the only person I took a walk down the road with was Don.

LS: Gary Worley.

JS: Gary who?

LS: Gary Worley and there was another girl with you. Both of you. Absolutely.

JS: Who is Gary?

LS: Gary Worley. And another girl. She is now in Tennessee. We also have a statement from a guy.....

JS: Oh....Bub.

LS: I don't know what they call him. Little short haired, curly..... Ya, that's what that one kid called him. We got another statement from another boy, sworn statement, that says you were looking for Billy that night that you were missing him. All upset. That's what it says. That's what the statement says.

JS: I suppose a couple of statements against my statement, isn't worth anything.

LS: No. We don't just go by one persons statement.

JS: I am swearing to you on my life, strike me dead.

LS: What we did, we know when Lesa come up missing. We got a time frame. ½ hour, 45 minutes, when she come up missing. We know she was missing and she wasn't there. Because she was suppose to meet somebody. And when he got there, she wasn't there, cause he was looking for her. We know the last person who was to have seen her. Guess what that person saw? Take a guess. Saw her and Billy walking down the lane, with Billy's arm around her. That we got. Billy walking down the lane with her, Billy's missing. When Billy comes back, he's wet and the pictures show that. Your pictures at home show that. And do you know how I know that it was right at 12:00 when these pictures were taken? Cause Robby Johnson was there and he was the one who was suppose to meet Lesa. And he got there at midnight. And you took a picture of him.

JS: I don't even remember seeing him. That I did it.

LS: No you dont'. You were taking a lot of pictures of a lot of kids.

JS: But, from what Billy and a bunch of other people said, that he got knocked in the water right over by the party.

LS: Who says? Billy says?

JS: Ya.

LS: I'm sure Billy does.

JS: That was the conversation that night.

LS: There's another problem. When Lesa's body was found. Billy says he had a cramp. The guy swimming with him, didn't say that. And the girl that was out in the boat when you left to go see if the dog was there. Didn't say that either. Remember when you went in to see if your dog was tied up. Remember that?

JS: We were all swimming back. The only people who were behind us was Jerry York and Billy.

LS: Yep. The discussion was, that you couldn't see your dog. The dog was tied up at the.....

JS: Cause I.....Ya, I didn't think that I saw him.

LS: And Billy and Jerry went off and went on over to the side. Where's the cramp? There is none.

JS: He yelled to me, he had a cramp.

LS: How come nobody else heard that?

JS: I swear I'm being completely truthful with you.

GP: O.K., let me ask you this. Why would people give us sworn written statements?

JS: I don't know. I cannot give you any reason why.

GP: Why would you cover up for Billy?

JS: I am not covering up for Billy. I'm telling.....

GP: You weren't looking for Billy in the party?

JS: For about a 1/2 hour. Then he popped right up. I swear to you. I walked around in a circle, I walked around in a circle the whole area of the circle. Me and Don, the only time I left the party, I swear on my life, took a five minute walk down the trail, turned around and came back and Billy was there.

GP: You just told us on a recorded statement and we can play it back.

JS: Yes, that is right, we can play it back. I realize that.

GP: That you had never left the party period. Now you were gone..... or that Billy was never gone and you weren't looking for him. And now you said you were looking for him for 1/2 hour.

JS: Where...I mean.....The period of time, that I walked around the party, where he had gotten out of my sight. I took the five minute walk and came back.

GP: Why were you upset about that?

JS: I was not upset. I don't know who said that, I was not crying, I was not upset. I swear on my life.

GP: Why would he be the last one seen walking off with Lesa down the lane?

JS: I don't know. I've never heard that. I never heard that before.

GP: You're hearing it right now. ?

JS: O.K. I'm hearing it right now.

LS: Sworn statement. He walked off with her.

JS: I'm swearing this statement too. O.K.

GP: It's important because.....

JS: I know it's important and I realize this.

GP: It's important to you.

JS: I know. Becuase.....

LS: We're investigating the matter. And it could very well be what happened out there didn't mean to happen. O.K. That could very well be. But, it could very well be that it was meant to happen. You just by chance happen to to be living with a fella who, from all the statements and all the people we've talked to, was missing the same time she was, was last seen with her. Found the body, touched the body.....

GP: Has lied to us.

LS: Has lied to us.

GP: You've lied to us.

JS: I have not lied to you. About what?

GP: Your statement right in here.

-4

JS: O.K. Yes, but I told you, if I have things a little bit mixed up, forgive me. But somebody was murdered.

GP: That's why it's most important for you tell absolutely, actual facts.

JS: I am telling you everything I know, to the best of my knowledge.

GP: But you've changed the story since you've been here.

JS: How?

GP: Initially that you didn't look for Billy. You were together the whole time. That's what you told us in a written statement.

JS: I said that I was missing him for a little while. If you guys didn't write that down.

LS: We did write that down, for no more than 30 minutes.

JS: Isn't that what I'm saying right now?

GP: When we asked you if you were looking for Billy, and you said no.

JS: Well.....If you're at a party with someone that you love and they get out of your sight for a few minutes and...Where's Billy....Ya.... and a bunch of people were standing around.....Have you seen Billy and a bunch of people were standing around.....What's that?

GP: Do you understand what the word complicity means?

JS: No. I don't know what it is.

LS: Aiding and abetting. Helping, concealing.

JS: Aiding and abetting. And that is explained.....

LS: If I know George done something and I attempt to conceal it.....

GP: Or don't answer questions when you're asked them.

JS: I'm sorry, but I'm not concealing anything for Billy. I will look you square in your eye and tell you, I am not holding anything back. I am telling you the complete truth. I don't know anything about it. At all.

GP: Has Billy acted strange lately?

JS: No he has not.

GP: Are you and him getting along?

JS: Yes.

LS: Is it unusual for him to stay over at his folks house. He did the

other night.

JS: He's at home with me, every night.

LS: What was his truck doing over here?

JS: His truck was over here? What night? I work until about 8.....  
I work until 8:00.....Was this past dark?

GP: Ya. This was the next morning. Early in the morning.

JS: Well.....O.K. you can ask his father about that. Because he got  
up before dark and went over there and went up to Greenville with his father  
to look for a job.

GP: Just asking.

JS: Well....I'm sorry if.....I'm sorry if I'm feeling harsh  
and....But, this is all a surprise to me too. Whatever you're telling me,  
if it's true, I'm sorry, I do not know anything about this.

LS: The reason we took you away from there, because I wanted to give  
you the opportunity to talk when Billy's not around.

GP: Are you scared of Billy?

JS: No, I'm not.

GP: Has he assaulted you before?

JS: Smacked me when I've smacked him first?

GP: You're assaulting to him?

JS: He's probably hit me.....Smacked me, never punched me, maybe 4  
times in the past 3 years.

GP: Jena, you know, I'm just asking you questions. Trying to get  
answers from you.

JS: He has never beat me up, no. We have our fights just like any  
other people. We get mouthy, just like any other person when they are drunk  
or whatever.

GP: Does it bother you when he flirts around with other girls?

JS: Not really.

GP: Not at all?

JS: Sometimes it gets on my nerves, Ya.

LS: Did it bother you that he flirted with Lesa?

JS: No.

LS: It didn't bother you?

JS: No. It doesn't bother me when he flirts with any of these girls around town here.

GP: How about when he flirts with Elizabeth?

JS: Elizabeth? I have nothing to say about her. No it didn't bother me when we were friends. But she said some things to my face that were untrue because I knew where his whereabouts were.

GP: He told you where he was at?

JS: No. His brother told me where he was at, cause he was with his brother. With many other New Paris boys in the Redfront. And then he picked me up from work directly after.

LS: I don't know nothing about that and I'm not interested.

GP: How long did you look for Bill that night?

JS: Like I said, within.....me walking around that whole area which you know is a pretty large area, mingling and talking to people, taking a five minute walk with Don Sutton, which is the only walk I took besides going to pee.

LS: Why would this gentleman.....Why would Gary tell us <sup>a</sup> story?

JS: I don't know. Maybe because he's friends with Elizabeth Helton and Liz doesn't quite have too much for me.

GP: There was another girl with him.

JS: Lori? Do you have a statement from her? The one that went to Tennessee.

LS: That's her. Lori. No, but we are going to contact her.

JS: I hope you do.

LS: Do you have her phone number?

JS: No. I don't know anything about her. She was there, I knew her from staying up at Debbie's.

LS: That's the girl, Lori. I can't understand why Gary would say that if it wasn't true. Does that make sense to you?

GP: Would Billy be upset if he knew that you were off with Gary for an hour?

JS: No.

GP: He wouldn't be?

JS: No. We have a open relationship. We tell each other everything. We try not to be jealous of each other, cause that's what tears up a relationship. We try to trust each other and take each others word for it.

GP: When you found, after he had been gone for, 30 minutes you say, maybe longer than 30 minutes or just 30 minutes? You give us a time of what you think.

JS: 30 minutes, that I noticed that he was gone.

GP: When you found him, where was he?

JS: He was running down the middle of the crowd.

GP: And what was he doing then?

JS: Talking to people.

GP: Who was he talking with?

JS: I don't know. There was a bunch of people there.

GP: Was he wet?

JS: Yes he was wet. I asked him how he got wet.

GP: But he wasn't wet 30 minutes before that?

JS: No.

LS: How did he get wet?

JS: He said that they were all wrestling around over by the water and he fell in. Right over there....Right there at that one tree. And I do remember what you talked about now. I do remember. I took a walk with Gary, and now honest to god, I just now remembered this. And Tom too. I don't know if he told you about Tom. Big Tom. He's from around here and Lori. And yes I did have a blanket, but we were only gone, not a hour, I'm sorry, and that's why I didn't remember it. We drank a beer and we went and sat down, we got up and we left.

LS: What kind of blanket did you have?

JS: A white blanket with polka dots on it. Pastel polka dots.

GP: Was that your blanket?

JS: Yes it is.

LS: You said they was wrestling around and fell in the water. Who was they?

JS: A bunch of guys.

LS: Do you know any of them?

JS: There was one truck parked over by the one tree as you pull in the driveway this way, there's a tree over here, right before all the thick weeds start back here. There was a truck that had like a bed on the back of it and there was a bunch of guys standing around there. And I remember Kevin... inaudible.....sittin in the back of the truck. Couple of girls in the back of the truck.

LS: Did anybody else fall in the water?

JS: Not that I know of.

LS: We'll check them things out. If there was a fight and Billy fell in the water there. Then that explains why he was wet. Right?

JS: Yes.

LS: But you see what we're looking at?

JS: Yes I do. I do understand what you guys are saying. I do.

LS: Everything looks right at Billy.

JS: I know.

LS: And that's why I want to give you the opportunity to say, Well, maybe he was gone and maybe he did do that. But, I don't know nothing about it. And I was just saying.....

JS: But I swear.....To my knowledge and did remember that just then about the walk, O.K. Cause I remember Big Tom. Um, to my knowledge, I swear, on my life, god strike me dead right here, I only think it was about a half hour.

GP: We don't care about that. You know what doesn't make sense about that. We got the same guy who told us that he saw Billy walk off. He came back from the same direction, he wasn't wet when he left with Lesa and when he came back, by himself walking from the same direction, he was wet.

JS: I don't know what to say.

GP: Jena, I have concerns about your safety.

JS: My mother is with me. Lives in that house too.

LS: Is that the lady that was over there?

JS: No. My mom was at work.

GP: We're concerned about your safety Jena.

LS: That's why we're doing what we're doing. Billy's away from you.....

JS: He has never done anything to me that.....

LS: Do you know anything about Billy's past?

JS: Oh yes. I know it all.

GP: What was he in trouble in Florida for, when you guys came up here?

JS: Because of Frank Bond. O.K.

GP: Explain to us what.....

JS: Frank.....We lived on a island, one mile by two one-half miles, I've lived there for 15 years. There's one junkyard on the island. Frank and this other guy Derek, which I know did it, went and ripped off a bunch of real high priced car engine pieces and stuff. And brought them.....First they were at a different guys house and the guy got nervous about it. And then they brought em, I seen them bring em and I seen them bring these other tires that Frank put on his truck to the house and I didn't know they were stolen. I didn't know, cause they wouldn't have been there.

GP: O.K. We don't need the long description. Just.....

JS: But, anyway Frank and bragged about it and we live in a small community....It's like this town, except there's no auto parts, there was water all around us. It got back to the law. And Frank was.....

GP: What about Maryland, do you know anything about Maryland?

JS: They got in trouble there.

GP: Did he tell you why?

JS: No.

GP: Did he tell you that he was charged initially with two counts of felonious assault with attempt to kil... or murder, I think was the word?

JS: With a shotgun?

GP: I dont' know all the.....

JS: Pulled on a guy...?

GP: I don't know all the details.

LS: Not yet. We're sending for that stuff.

JS: I know there was something that went on there with a shotgun and some guy.

GP: Did he get arrested for that?

JS: Yes.

GP: Jena, I'm not trying to talk you in or out of anything, I'm not trying to intimidate you.

JS: I'm telling you everthing I know. I am.

GP: Jena, the thing about it is, Billy was gone. Do you know he was gone? We saw people who saw him walk off with Lesa. We have people that saw him when he came back. He was dry when he left, wet when he came back. Lesa's dead.

JS: What can I say.

LS: What time was it when you took your walk and then came back and walked around looking for him?

JS: I don't know.

LS: Before the fight?

JS: Yep.

GP: How long before the fight, do you think?

JS: Oh, geez, I really don't know. An hour or so. Hour and half. It was awhile before the fight. Cause we hadn't been there real long.

GP: What have you and Billy talked about on this?

JS: On this? It's a crying shame that.....I liked Lesa a lot.

GP: Somebody didn't.

JS: I liked Lesa a whole lot. And Billy liked her a whole lot too. From seeing her in the parking lot and seeing her around town, because you know we're here everyday. From seeing her all the time, we talked to her aunt. Went to that Motly Crue concert with her. We had a good time.

GP: We're not saying somebody intended to go out and do it. We're saying that something happened to her though.

JS: Ya. Something happened to her.

GP: Something serious happened to her. Serious enough that the end result was that Lesa is dead.

JS: I mean, I not going to say that Billy is not capable of killing someone. Because anyone is capable of killing.....Any man, you could, you could, you're big enough to kill a girl. I'm not going to say that. But I don't think it's in Billy's h.....or in his mind. At all. I'm been with him for nearly 3 years now. I'm real good with kids, I babysit a lot of kids.

GP: Is Billy faithful to you?

JS: Yes.

GP: Completely?

JS: Yes. That relish about Liz is rubbish.

LS: If Billy was interested in having a relationship with you and you told him no. How would he react?

JS: What do you mean, I'm sorry.

LS: If Billy wanted to go to bed with you and you told him no you didn't want to. How would he react to that?

GP: If he feels like having sex and you don't, what happens?

JS: He gets a little bit upset, feels a little bit rejected. But it's nothing that he gives me the cold shoulder for hours and hours and hours. Gets a kiss and then we roll over and we go to sleep.

LS: If you hit him, does he hit you?

JS: Not necessarily.

GP: Jena, do you think Billy had anything to do with Lesa's death?

JS: No I do not.

GP: Absolutely nothing.

JS: Absolutely nothing.

GP: After what we've told you. You still think there is absolutely no possibility?

JS: Absolutely nothing. I.....

GP: Absolutely no possibility?

JS: I completely understand you all's point of view, from not knowing him personally and very closely. And I can understand what you mean by all these things pointing to him. But, in my heart.....

GP: Do you understand why we are doing this?

JS: Yes I do. Yes I do.

GP: We're not trying to single out Billy. Billy wasn't the first.....

JS: I know. You're looking at what all the evidence points to.

GP: The only person that any evidence points to whatsoever, at all period, is Billy

LS: What did everybody tell us to start with. That thought it was the Johnsons'.

JS: Ya. I didn't know who. I didn't know who did it. I couldn't say the Johnsons', cause I really don't know the Johnsons'. I couldn't say anybody. I just came up here. January.

LS: But, everything we got goes right to Billy.

JS: Points to Billy.

GP: Every ounce of evidence we have, every ounce.....

LS: And like George told you, we're looking at him, so we're concerned about you. And I felt.....I told George that I felt that you really couldn't talk to us because of the environment you in. Billy was there. I kind of got that feeling.

JS: No. I love Billy to death. But, if I ever thought that he had that coldness in him, I would tell somebody.

GP: We're not trying to hurt you.....

JS: Because I cried for months when that happened to Lesa.

GP: Jena, I'm not trying to hurt your feelings. Do you know what my opinion is? That Billy is capable of that. Everything that we have leads to.

JS: I don't think he's capable in his heart.

GP: You know him better than I do. I don't live with him.

JS: Or in his mind.

GP: But what about if he was drunk or intoxicated or high?

LS: Jena you're in love with him?

JS: Ya. You're right, I am. But, I've been with ..inaudible.....

GP: Jena, would you be terribly upset if I told you that he does lie to you?

JS: Wouldn't anybody? Tell me please.

GP: He does lie to you Jena.

JS: What about please.

GP: About different things.

JS: Could you tell me something. Don't leave me hanging. Because it's.....

GP: We've got sworn statements that he has been to bed with people other than you.

LS: Recently. And there again, I don't know why people would tell us that. We've asked them questions, we want to know.

GP: People are scared of Billy. Why would people tell us that, if it wasn't the truth. I don't think. And we're not trying to hurt you. Believe me. And we're not trying to get you to sway over to our side. Jena he lies to you. About having sex with other girls.

JS: Then tell me who, please.

GP: I'm not going to give you the names, cause then what we have is a situation where we get somebody else hurt.....

JS: No. Because it takes two to tango, and if he.....

GP: What about Billy, when and if he gets out, when he gets out and you tell him that I said so and so told him that. Now have we got a possibility of somebody else being hurt.

JS: O.K.

LS: Did you know that Billy was involved in a ruckus a couple nights ago?

JS: Yes I did. Against his will.

GP: Against his will?

JS: He does not know.....He did not know where the Johnsons' lived. He did not know where he was going.

LS: But, he knew enough to hold the receiver down so they couldn't call the police.

GP: Repeatedly, so they couldn't call the police.

JS: He was called into the house to get Steve out.

GP: But while he was there, he prevented the person from calling the police.

JS: Exactly. The Johnsons' jumped him. Held a gun to his head. And beat him up. If the police were called. The rest of the Johnsons' are going to be notified.

GP: They all know now!

JS: I know that. And they came to town, with guns looking for him.

GP: They are still looking for him.

LS: The safest place for Billy right now, is right where he's at. That's all honesty.

JS: He didn't lay a hand on anyone.

GP: Do you realize that out of all the stuff that's going on, that Billy is in the middle of every bit of it?

JS: Yes.

GP: Lesa was involved in the middle of every bit of it. Except that Lesa isn't around any more. Billy is still in the middle of it. Somebody else is going to get hurt. Believe it or not. I know that you probably think that we are really a bunch of ass holes.

JS: No I don't.

GP: But we're trying to prevent somebody else from getting hurt. I'm telling you what, somebody is going to get shot, killed, hurt, stabbed, something. This is getting completely out of control here. And you know what, we can't hardly do anything. We are trying to do everything we can to prevent it. But, I don't know how we can. If Billy hadn't been in jail tonight, probably somebody could have got hurt tonight.

JS: Why do you say that?

GP: Because the Johnsons'.....

??

LS: There's been a car load of Johnsons' in town all night tonight.

GP: Ask Dennis. The Johnsons' are in town, looking for Billy. They are switching cars.

JS: So why don't they go after Steve. Steve is the one that beat them up.

GP: They're looking for Steve too.

LS: Anybody that took part there. They are looking for. Think real hard.

JS: I don't know what to do. I'm telling you everything. I've told you everything. If I thought.....Even if you guys hadn't confirmed me and hadn't arrested him. If I thought for one second that he did that. I would tell you. O.K. Yes I love him and yes I've been with him for 3 years. But I am not that type of person.

LS: Well, I just got the feeling.....

JS: I came from a good home and I know the difference between right and wrong.

LS: I got the feeling over there, that you just really couldn't talk to us because of where you was at. That's the feeling I got.

JS: No.

LS: Then I misread you.

JS: I was not holding anything out on you. I wasn't. What I just remembered about taking that walk with Tom and then I did just remember that.

GP: Jena, is there.....Was there ever a time, from the time that you found out that Lesa dead. Was there ever a time that you wondered about where Billy was at. Where Lesa was at, cause neither one of them was there? Did it ever enter your head? Did you ever think about that?

JS: I would never had tied them together, no.

GP: There was only 3 people that came up missing from that party. Lesa, Billy and Eric. Eric did not leave the party for any period of time that we can determine. Until after the fight. Lesa was gone long before the fight. The only other person that was at the party, was staying at the party, was involved in the whole production of the party, was Billy. And he was the only other one who came up missing. He came up missing. When he left he was dry, when he came back, he was wet. We found Lesa floating in the lake. We got a person that saw Billy and Lesa walk away from the party and Billy had his arm around her. Wasn't anybody else there. He came back in the same direction that he had walked away from. 30-45 minutes later.

LS: If you think you are going to have any problems, get a hold of us O.K.

JS: O.K.

LS: That's the only thing I can ask, cause I don't want anybody to get hurt. O.K.

JS: Sorry. I'm telling you everything I know.

LS: That's O.K. I'm going to tell you what the warrant is for tonight. It's for complicity to assault and trespassing at the Johnsons'. That's what the warrant is for.

JS: O.K. This is not about.....He did not get arrested..... Why did you do that to me.....(unidentified person: what did they do to you?) Well, they didn't do anything. They just.....How could you upset me like this. (unidentified person: why was there a warrant sworn for him so fast. When I went and filed fucking charges against the bastard and got a gun in face. You guys didn't do nothing. Three people talking at once, could n't pick up conversation correctly.)

LS: David, David, I'm not the prosecutor. I'm not the one who issues the warrants. O.K. I don't issue the warrants. The prosecuting attorney does.

JS: I'm sorry. You told me that everything that you said was true to me. Everything that you said.

LS: Everything I told you is exactly the truth.

JS: O.K. Just.....

THERE WAS TWO FIGHTS

LS: You're the one who thought that, I didn't. I didn't tell you that. Did I.

JS: You just threw that at me, and I think that he's been arrested for murder. Because of what you're talking to me about.

LS: But I never told you that, did I?

JS: No you didn't.

LS: He's going to have another charge filed on him and that's resisting arrest.

JS: I know. I know.

LS: I give him every opportunity in the world.....

JS: Will you guys go get my mom.

LS: You can go, go ahead. Scott and I are going to Eaton and I.....

LS: It's trespassing, complicity to assault and resisting.

JS: What complicity to assault? Just not stopping it?

LS: complicity means to aid and abete. Helping. Assist.

Larry Swihart, Investigator  
George Petitt, Deputy

Preble County Sheriff Department