

Sgt. ROBERTSON stated that Mr. HARTNELL was heavily sedated but was able to give a verbal statement pertaining to the attack at Lake Berryessa. The interview was taped and reads as follows:

"INTERVIEW OF JOHN ROBERTSON, DET/SGT., NAPA COUNTY SHERIFF'S DEPARTMENT, WITH BRYAN CALVIN HARTNELL (NSO CASE #105907) AT QUEEN OF THE VALLEY HOSPITAL ON SUNDAY, SEPTEMBER 28, 1969 (TRANSCRIBED FROM TAPE RECORDING BY M. FEURLE):"

"J.R. Can you give me this fellow's description and tell me what happened?

"B.H. So many people have been asking me... I hope...

"J.R. Well sometimes when we're repetitious, - I know it happens to me, I tell the same thing over and over and over, and sometimes I might vary a little, and if you do...

"B.H. Shall I just start out and tell you what happened?

"J.R. I don't want to tire you out.

"B.H. I just don't want this to happen again to anybody... Of course he might have his reasons, - I don't know...

"J.R. Okay. Go right ahead. Start right from the beginning. What happened?

"B.H. Okay. This girl came out from school, - I used to go with her two years ago, and she's now going to another school, and she came up to visit some friends and we were having dinner at the school cafeteria, and I said, 'Well, are you doing anything special this afternoon?' and she said, 'Why?', and I said, 'I don't know. We could go out and either go for a walk, go to San Francisco, or, you know, just...', 'cause we used to be good friends. We used to have a good friendship. And so it got too late by the time we got around to what we were going to do. We had to stop in St. Helena for a couple items and then we had to cart a couple kids home and stuff, and by the time we finally got around to it, it was getting late, and I thought going to San Francisco 'd rush you, you know, because by the time we got back for worship...

And so we went out to Berryessa, and there was this one place I used to go out... we used to all the time, you know... and I couldn't find it. And so I figured Ah, forget it, and this looks like as good a place as any. So I parked the car, - there were no other cars there. I had a Kharman Ghia, '56, white, with a black vinyl top, and it's in pretty

(Interview of HARTNELL cont'd.)

"good-looking shape. But we parked there on the road's edge and we talked Oh it must be about a quarter of a mile to down to the place where we went. We had... (unintelligible) ... peninsula, - it's an an island I guess during the wetter season. You can see where it was levee... And so that looked like a lot... there was a big spreading tree up there. There were two of them, really, - one was a little bigger than the other. We took the one that was out on the point.

"It was really beautiful out there. We were sitting on top... I lay down on my back and she lay down on her stomach beside me, you know, kind of resting her head on my shoulder, and we were talking, you know, kind of reminiscing about old times, and stuff. And I heard these rustling leaves, and I said, 'You have your specs on. Why don't you see what the deal is over there?' And she says, 'Oh, it's some man.' And I said, 'Is he alone?' and she said, 'Yeah... (unintelligible)... and she says, 'Well he just stepped behind the tree.' And I said, 'What's the idea of that? To take a leak?' You know, 'cause that's the only thing I could think of, - just step behind a tree. And so I says, 'Well, keep looking and tell me what happens,' - and she squeezed my arm and says, 'Oh my God, he's got a gun!'

"And so he came out, and of course still actually I wasn't... There's some things you really wouldn't mind having happen, just for the experience of it. You know I thought, Well I only got fifty cents on me. It's worth all of that having it happen. I didn't think about another angle. So I talked to him, you know. I said, 'Well listen, Mac,' (you know I'm in the sociologist field, you know, I'm pre-law, with history and psych.) You know I've read about the criminal mind and everything, you know. I thought well maybe the guy really does need help, you know. I says, 'There's no strings attached.' I says, 'I don't have any money right now but if you need help that badly I can help you out in another way maybe.' And he says, 'Nah.. time's running short,' he says, ' 'cause I just got out of...' - some prison in Montana, I don't know what the name of it is. Feathers? Do you know what the name of it is? I'll see if it sounds familiar. Fern or Feathers? It's some double name, like Fern Lock or something...'

"J.R. It's Lodge..

(Interview of HARTNELL cont'd.)

"B.H. Oh yeah, yeah, - Lodge. At least we know we're together on that.

"J.R. Mountain Lodge Prison, or something of that nature...

"B.H. Yeah. You know he said he broke out and had to kill a guard getting out. And I said, 'Well, man, I mean actually I don't mean to call your bluff or anything, but wouldn't you rather be stuck on a stealing charge than a threat of homicide? you know? And he says, 'Well just don't start playing hero on me.' You know, 'Don't try to grab the gun,' 'cause I didn't really figure the gun was loaded. I always thought it would be empty. I've heard a lot of times that this is what they do just as a bluff, but I decided not to call his bluff after he really, you know... I told him, 'You know you're really wasting your time with me. I've got a billfold and this much change and that's it.' And he said, he told the girl, 'Go tie him up. I'd feel much better if you were tied up.' And she tied a couple of loose knots on me, so I made it look kind of tight... (unintelligible)... you know, just for a second, and he said 'Go ahead.' And I whispered to her, 'You know I think I can get that gun.' And I said, 'Do you mind?' and she got kind of fearful about it, so I figured since there's two lives involved, not just mine, I won't do it.

"So I let her tie me up on the wrists again, and he tied her up, - terribly tight, you know, real... (unintelligible) ... put his gun away, and we were talking and all, - bantering, you know, basically. I was thinking, anything I can do to help, by the way just to keep the conversation going... Suddenly he was taking it all seriously, you know... So I was starting out and finally he said, 'Okay, lay down. I've got her tied up', you know... He strung a rope between our ankles in the rear, so we were like this, you know, on our stomachs, tied...

"J.R. You both facing the ground...

"B.H. Right. And, oh, this was before. I got sort of ahead. So anyway, he said, 'Get down,' and I said, 'Oh come on! Don't make me lay down! We could be here all night! We could freeze to death!' I said that a couple, three times, and he said, 'GET DOWN! RIGHT NOW!' He got a little pushed off at me. So I got down and then he finished tying her up and clonked her down, - and then he goes... Sswhooosh (a sound with his mouth)... (unintelligible)

(Interview of HARTNELL cont'd.)

"And so I said, 'Do you have bullets in there?' And so he pulled out the clip and showed me that he did. The bullets were about this long, I can remember, and about this fat, and they had the regular red cap on it, about this long. Maybe that doesn't give you any better description of the gun or not. I don't know. And it came out of the heel, the grip, you know. It slipped out from the bottom.

"And now, to backtrack a bit. I was really trying to see what he looked like, you know. He had on pleated pants, these old type of suit pants, you know, and they were either black or dark blue, I can't remember now. And I can't remember what he was wearing for shoes. But he had on this cotton coat. You've seen the kind, that you just turn the collar up once, there's a zipper down the front, you know. They're real light, super-thin, you know...

"J.R. Kind of a windbreaker...

"B.H. Yeah, like a windbreaker. And it's got this blue, this little collar, sometimes the guys wear them standing up, you know.

"J.R. What color was that?

"B.H. That was dark blue. And I don't know. Maybe he had something in his pouch. I just took it as being a... as being a... you know, he was stout 'cause he looked kind of heavy. I think he was weighing two and a quarter, two fifty, somewhere in there. And I got kind of a look at his hair. His voice... I can remember... almost like I'd heard it before. You know there's some drawls that a lot of people have similar. And... almost as if I'd heard it before... couldn't think where.

"I gave that one up, I just gave it up on that angle. I looked through his hair. I kind of looked like it was combed, you know, like this.. it was a brownish, you know, dark brown hair.

"And this mask he had on. It was ingeniously devised. It was... he had four corners at the top, like the top of a paper sack... black. It came down, came down, with the front panel about to here, and a kind of a thing that came over the shoulders, you know, and then the same thing down the back, straight down. And in the front he had a circle with a symmetrical cross in the middle. You know what I mean by a symmetrical cross?

(Interview of HARTNELL cont'd.)

"J.R. - Um hum (affirmative).

"B.H. The ends of the cross hung out about this far on each of the... you know, where it came out. The circle was this much... like this... and then it was like this, you see... hung out on the end, over the edge of the circle.

"And he had clip-on sunglasses... it was hard to tell. You know, the sunglasses you clip on when you're wearing glasses, eyeglasses. He had those clipped on. I'm pretty sure... I don't think he had glasses, though. I think he just had these clipped on to his suit... you know, that little mask.

"And I don't know how tall he was. Maybe 5-8 or maybe 5-10, 6 feet, somewhere in there. I'm a very poor judge of height because of my height. I have no meaning, you know. It's always down, you know. It can never be up...

"And so I saw him put away his gun, and I was turning to say something to Celia, and all of a sudden I felt my back... just... no, I think I saw him pull it out.. I don't remember... I think I saw him whip out his knife and just start stabbing me in the back... CHOMP, CHOMP, CHOMP, CHOMP! I was just (makes a gutteral sound)...you know that kind of a sound... and Celia turned to see why I was (repeats gutteral sound), you know, and she just about fainted. She went hysterical... (unintelligible) ... and when he finally stopped... I mean he went over and... The doctor says there's six in the back, six wounds on my back. You ought to confirm that. One I've got went clear through the lung. I've got it draining. I did drain a couple pints of blood out as soon as I got here. I lost an awful lot of blood, I guess.

"We were down... I mean it was absolutely no question in my mind... when a person gets stabbed as many times as we did... we were going to die. I mean there'd be no reason to question it. But somehow I, you know, started (unintelligible)... I just knew there was too much I had to live for. I mean really it does happen... about getting depressed and everything... when you're young you always think about these things... you know you think about it... and when you've got someone forcing your hand, - oh well, there was a lot of things I had to do. And what really kept me going... you know my parents are pretty Christian. I haven't been too much of a Christian myself... but if you believe in the principle you ask God to help you. Another thing, - What was my only strength was knowing two things. One, that I did not want to die, and two, that I felt that whatever was

(Interview of HARTNELL cont'd.)

"going to be was going to be, but I was going to try my damnedest to stay alive. And so, like I say, - before I left her I kissed her, and I said, 'Well,' I says, 'I'm gonna try to get help.'

"There was a boat kept circling around out there in the lake and we started yelling at it and finally it came within about 100 yards of the shore and turned off its motor and stayed there watching us for about fifteen minutes, and we were just screaming hysterically, trying to get their attention, you know, to come over here. Oh, I don't know, I guess they were afraid that the guy might be there in the bushes and they were liable to get choked or something. So finally he came up a little closer. I didn't have my glasses on... I was just swaying, you know... and I had gotten one of her hands free before they came, and so I kept trying to get her to untie me, and she couldn't, she was too weak, she said.

"So finally I just kept hollering and hollering, and she said, 'Turn around and let's see if I can do it again.' She finally got it. My hands and my feet were just pure numbness... they're still numb but I'm sure that will go 'way. But I finally got... (unintelligible)... untie her so she could kind of relax out. 'Cause it was a terrible position, you know, upon our stomachs... (unintelligible)...

"And so I started to go for help. I finally got myself fairly reconciled. I wasn't too worried about dying, if that was what was going to happen, but I knew I had to keep pushing on. I had to force myself into staying alive because it was... I could just see myself... you know, all sort of waves would come over... I just (coughing sound)... (unintelligible)... 'Well, you're not gonna give up this easy', you know. And, like I say, I just kept believing that God would do everything the best, if the thing was gonna happen, but I couldn't see any reason why my dying would be the best good. So I just played along with that.

" I just started to walk toward the road... everything blacked out on me... my visual... my mind was never blacked out, but my visual was. So I lay down... My eyes started to come open... I just saw a haze of trees, you know. In a little while I got up and went another twenty feet, and then the same thing happened... (unintelligible)... and sat down. Next thing I went clear... (unintelligible)... the road, and by that time I just fell... I just... I was trying so hard to go far I just went too far. Finally I heard this pickup

(Interview of HARTNELL cont'd.)

"coming... I was just laying alongside the road, and that's where this guy picked me up.

"They weren't in any hurry at all, it didn't seem like, you know, but they finally called an ambulance. About fifteen minutes later it came... (unintelligible)... but I still believe... I've got feeling... starting to get a little pain to come through. But from the minute that knife blade went in, it was nothing but pure shock from there on. I mean I just did not expect it. I didn't expect that he would do that. That was a variable I had completely left out. And I guess he just took off running after we started running. I don't know. I never saw him before and hope not to see him again... at least outside of a courtroom.

"It's hard for me to explain much more. I'm trying to give you a kind of example of his technique. He had some rope cut up in his back pocket. And he had a... well, I thought it was a police automatic because it was in one of these black leather cases, you know...

"J.R. Was it in a smooth case, or did it have a basket weave like..

"B.H. Can I have my glasses? Oh, they're not here. It was a smooth one, though.

"J.R. Did he have this hood down to about the middle of his chest?

"B.H. No, about like... well, I'll show you... Here... his stomach.. You know I could see his... (voice fades away)

"J.R. Okay. You said his hair looked dark brown. How could you see his hair?

"B.H. 'Cause I saw it from where those goggles fit. I looked so closely to find out. And when he turned you know they kind of flittered... I could see his hair. It looked kind of greasy.

"J.R. Now was he as heavy as I am?

"B.H. Well I can't say 'cause he wasn't wearing those type of clothes. They were sloppy clothes, you know. And he just had on this old pair of pleated pants. I don't know... How tall are you?

"J.R. I'm about five eleven.

(Interview of HARTNELL cont'd.)

"B.H. Well, like I say, he was dressed kind of sloppily, you know. His pants real tight up here and his stomach kind of pouched a bit, you know. I don't know... it's hard to say 'cause I can't judge you with being in a suit and all, you know, and him not being professional-looking at all. He could be about the same. It's hard to say. He was so sloppily dressed.

"J.R. Bryan, you also mentioned a drawl. Well not a drawl, an accent.

"B.H. It was just something... I guess his way of talking. It was something I couldn't repeat. It's like a song. Sometimes you know what you're going to say but you just can't sing the melody worth a darn.

"J.R. Did he have a throaty voice or a high pitched?

"B.H. In between. But it was just a unique way of talking.

"J.R. Did he sound like an educated man?

"B.H. Heck no! I don't think so.

"J.R. Did he sound illiterate?

"B.H. No. He didn't sound that way either. He just impressed me as being rather low class. The reason was because of his clothes, you know.

"J.R. Did you lose consciousness when he stabbed you at any time? Did you observe him stab Cecelia?

"B.H. Yeah...

"J.R. What did he say after...

"B.H. He stabbed her a bunch of times in the back. After she turned around, he got her once in the groin and one in the arm I think. He kind of went a little more hog-wild with her than with me. I faked dead... like that... I didn't want him to come back and give me some more.

"J.R. So you were pretty sure he thought you were dead when he finished working on you?

(Interview of HARTNELL cont'd.)

"B.H. I think he kind of thought that. Of course I don't know because we started talking right after he left. It's hard to say... (unintelligible)... I don't think she fainted either.

"J.R. Was she in a lot of pain, did she tell you?

"B.H. Oh yeah. She was more weak at the time... (unintelligible)... from the religious angle. I told her I sure as heck wasn't going to have any deathbed conversion. 'No,' she says... (unintelligible)... I mean it was just like you were gonna die and had a few things to say. But I felt more and more I wasn't losing strength as much... (unintelligible)... that I thought I could cope with...

"J.R. What you did was a courageous thing. It was a terrible thing to have happen to anyone.

"B.H. Well there was nothing we could do. We were kind of at the mercy of him. I mean I wanted to get that gun... (unintelligible)... There was a time I think I could have gotten it...

"J.R. Did it appear to be a .45 to you? An automatic?

"B.H. It was about this long... along the stock... and had a wood edge on it, you know.. on either side...

"J.R. Handles.

"B.H. Yeah...yeah...

"J.R. Did the bullet look anything like that?

"B.H. No. It was kind of like this, only it was gold, and this part here came out along with this and then round the gold, round the blunt end. Not quite that blunt-ended, though.

"J.R. Was it fat? Fatter than this?

"B.H. Yeah, I think it was a little fatter. But it was gold, you know. And I didn't see any of this here. There was a part where it crimped... Well, almost like that .22, short, only a lot bigger. It was about like this length, maybe more stubby.

(Interview of HARTNELL cont'd.)

"J.R. Well I'll get a .45 a little later and we can bring it up and let you observe it.

"Let's take the suspect. His hands...

"B.H. I don't remember if they had gloves on or not. I can't remember now. I keep thinking that he had gloves on. I can't figure how he tied us... Let's ask Celia, she probably knows about that.

"J.R. Did he swear? Did he use any profane language or obscenity?

"B.H. I don't think so. If he did it was no more than I was using at the time. I don't think he used any obscenity. He might have used a swear word or something, you know. That wasn't striking to me...

"J.R. Do you have any idea what his motive might have been? Money?

"B.H. Money. He said he was going to go to Mexico and he was flat broke.

"J.R. Did he search you after he...

"B.H. Heck no! Very unprofessional. He didn't even end up taking that loose change and didn't even take my billfold.

"J.R. Why did he stab you when you weren't fighting him off or anything?

"B.H. I couldn't! Even if I'd have wanted to. I was laying on my stomach...

"J.R. So what would have been the purpose of him to stab you, to you think?

"B.H. Well I (unintelligible)...but I think he got rattled... (unintelligible)... very, very nervous. His hands were shaking... (unintelligible)... Are you nervous?

"J.R. I'm just curious. If you could write me that symbol you were telling me about. Do you think you could draw me a picture of that even without your glasses?

"B.H. Um hum (affirmative). (Draws)... kind of like that. I can't see very well...

(Interview of HARTNELL cont'd.)

"J.R. Yes, I see. Okay...

"B.H. ... (unintelligible)... that I could really die...

"J.R. Does this ring a bell?

"B.H. This one here. This is more like it, but I'm not sure. It was distinctly that design. It was thick. More thick marks.

"J.R. Okay. What color was this? Do you recall?

"B.H. Black. And that was white.

"J.R. This was black.

"B.H. No, that was white. It was about this tall.

"J.R. Two and a half, three inches?

"B.H. About four by four... three by three...

"J.R. How do you feel? Am I tiring you out too much?

"B.H. No, I've had a couple shots. It's not hurting me at all.

"J.R. Do you think Cecelia could tell me any more than you have already told me? Add anything?

"B.H. (unintelligible)

"J.R. Did he slap you around? Slap her?

"B.H. (unintelligible)... No.

"J.R. He was a much smaller man than you?

"B.H. Not much. About your height I guess. I don't know.

"J.R. Well you're getting kind of sleepy. I'll ease up on you.

"B.H. Have you gotten any clues at all?

"J.R. Yes, we've got some good clues. Before we get this guy it's going to take a lot of work.

"B.H. Remember he said he was headed for Mexico.

(Interview of HARTNELL cont'd.)

"J.R. He's headed for Mexico?

"B.H. That's what he said.

"J.R. I'll leave you my card. It's right up here. I'm going to go down and talk to your mom and dad.

"B.H. Have the news heard about this at all?

"J.R. Yes.

"B.H. Was there anything in the paper today?

"J.R. No, it wasn't in...

"B.H. The Napa paper?

"J.R. Well there's no Napa paper on Sundays. It's been on the news media...

"B.H. Names? Did they name my name?

"J.R. I don't know, to tell you the truth.

"B.H. The reason I asked is my girl friend lives in Portland and I've got to talk to her before it gets to her...

"J.R. Okay

"B.H. What time is it now?

"J.R. It's one o'clock

"B.H. What are the rates now?

"J.R. Don't you worry about the rates.

"B.H. Well I should probably give her a call...

"J.R. You're looking real good. You've got some color...

"B.H. Is there a phone real close by?

"J.R. I'll get the nurse...

"B.H. 'Cause I'd like to call her now...

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Case INV 1-15-311-F9-5861

(Interview of HARNELL cont'd.)

"J.R. Now if you think of anything that you want to see me about,  
my card's here. You can have the nurse call me. I'm gonna  
be up here quite a bit.

"B.H. You say you have a guard out here?

"J.R. Yes.

(END OF INTERVIEW)"

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