

RE: Case 06-2255 Pat Hughes (murder)

STATEMENT OF ROBBIE JOHNSON

Taken in interview room 104, Marshall City Police Headquarters, Marshall City, May 25, 2006, 8:27 AM.

PRESENT: Wil Langelier

Assistant State's Attorney of Thompson County, State of Marshall

Officer Terry Daniels
Star No. 252
Detective T.J. Hoffman
Star No. 625

Robbie Johnson

Marshall City Police Department

State's Attorney Langelier: We are now recording. Okay. Today is May 25, 2006. We are in room 104, Marshall City Police Headquarters. Present are Officer Daniels, Robbie Johnson, Detective T. J. Hoffman, and myself, Assistant State's Attorney Wil Langelier.

Q. Okay, first you have been advised that you are a witness to the death of one Bubba Davis. You were advised that you can have an attorney present if you ask, and you do not have to give a statement if you do not wish, is that correct?

A. Yes.

Q. Okay, how old are you?

A. 20.

Q. Where and with whom do you live?

A. 4515 N. Beacon, on the second floor, with Pat.

Q. Who is Pat?

A. Pat's sort of my guardian.

Q. What do you mean by "sort of"?

A. Well, my father is Pat's uncle. We're cousins. Half cousins. Pat took me in a couple of years ago. My father was putting so much pressure on me, mostly because my mother was drinking all the time and Dad was working a lot of short-term jobs in construction. I was going to run away, maybe join the military, because I was almost 18, you know. I asked Pat if I could move in, like temporarily, until I could finish the third year of high school. My dad raised all kinds of hell, but Pat took me in. Later that summer, Pat was breaking off a relationship and wanted to move, so I asked if that meant I had to move back home and Pat said no. We would find another place, and I could have my own room. That's when Bubba said he would go halves with Pat – you know, share the rent.

Q. What happened then?

A. Pat found this place on Beacon; right near the high school and close to the college I go to now. We moved in. Bubba stayed in Pat's room, and I had a small room of my own. That was October 2004.

Q. Okay, do you work or go to school, or both?

A. I just finished my first year at Spiro Agnew College.

Q. What are you studying?

A. Computer science and graphic design. Right now I'm taking courses in writing, world history, and desktop publishing.

Q. Grades OK?

A. Yeah. All A's and B's. I'm on the Dean's list – both semesters.

Q. Sounds good. Do you have a job?

A. I work 20 hours a week at Starbucks. I get a free pound of coffee every month.

Q. Okay, were you at home at the apartment on Beacon the night of May 23, 2006?

A. Yes.

Q. Who else was home?

A. Me and Pat. Bubba came later. About 9:30.

Q. That's P.M.?

A. Right.

Q. And Bubba lived there?

A. Yes. Well, sort of. I mean I don't know anymore whether he had moved out. A lot of his stuff is there, but he stayed less and less. Like, he might just come for dinner, then leave. At first he stayed a lot. But he didn't do much around the place. Sometimes he would fix things. I don't really understand the relationship between Pat and Bubba.

Q. Okay, but Bubba was there the other night. What happened when Bubba came there?

A. Here's what happened: Pat and me, Pat and I are watching TV; I am taking a break from reading. Bubba shows up, like he does sometimes. Bubba lets himself in with a key. He seems angry like for no reason. As soon as he comes in he says to me, "So, what do you do, just sit around and watch TV all the time?" Bubba was always doing that. If I am reading, Bubba says, "What do you do, just sit around and read all day?" If I am taking a nap, it's "What do you do, sleep all day?" Bubba is like my dad, always on my case. One time I left a cup of coffee on a table – I had not finished drinking it. Bubba grabbed it and threw it into the sink. He broke the cup, he threw it so hard. He yells at me, "You shouldn't leave dirty dishes out. Don't you ever clean up?" I tried staying in my room with the door closed. If Bubba came in and saw the door closed, it was "Hey, how come you always have that door closed?" I hated that stuff. I was glad when Bubba was not around. I study at school as much as possible. I would have moved back home except that was no better and would have screwed up my job. It was too far away. So anyway, last night -- Pat got angry. Pat tells Bubba if he's going to start trouble he can't stay. Bubba says, "I live here." Pat says, "Really? Listen, you moron. You owe me rent, big time." Bubba says "I ain't going nowhere." So they both start arguing - loudly. I didn't want to get in the middle of the argument so I started to go back to my room.

Q. Well, were you able to see everything?

A. Well almost everything. At first they were arguing right in the living room. Then, for a couple of minutes they went into Pat's bedroom. I could hear everything that's going on. Then they came back out of the bedroom and were still arguing. Pat headed for the kitchen. Bubba follows Pat's telling Bubba to leave, and Bubba says, "I ain't going nowhere, it's raining outside." Then Bubba turned and started in on me. Bubba's saying he's got just as much a right to be here as anybody. Says he's got a better right than me. He says I am a leech. A dead-beat. I should move, and if I want to stay I owe him a little respect. Then he leers over at me. I didn't know what that was about.

Q. You really hated Bubba when he did that didn't you? What happened next?

A. Yeah, I guess I hated him. So, as I was starting to say, it seemed like it was getting really bad. Bubba was in Pat's face. Then the owner, Paris started banging on the front door. The whole neighborhood must have heard the arguing. I did not open the door. Paris shouted, "I'm going around." I am by the front door. I turn and I see Pat going to the kitchen, and Bubba right on Pat's heels, just barking at Pat. So I followed behind them. That's when Bubba took a swing on me. So I jump a couple of steps back. Then Bubba hit Pat in the chest. Twice. Pat went backwards and crashed against the sink. Then Bubba grabbed a kabob stick. And...

Q. Bubba grabbed a what?

A. You know a kabob stick – a long metal shish kabob stick. A barbeque skewer.

Q. What's that?

A. A long piece of metal, with a loop at the one end, and a sharp point at the other end, that you use to grill shish kabobs.

Q. You use these?

A. No. See, Bubba got me into selling things on Ebay. Well he wanted to sell certain types of things that I wasn't into. But, then that got me to thinking. I see stuff on the street and in the garbage all the time that is sellable. So I don't deal with Bubba. But whenever I see someone else's junk that I think I can sell, I get it and sell it. So last week I saw my neighbor tossing out a bunch of these sticks and asked him what they were. He said they were shish kabob sticks that he never used. So I took them, brought them home, cleaned them, and was getting ready to sell them. That's why they were in the dish rack next to the sink.

Q. Okay, so then what happened?

A. So, Bubba takes a kabob stick and holds it pointed at Pat. Pat grabs Bubba's hand, and does this kind of martial arts twist and push, and Bubba cries out and loses hold of the stick. Then Pat gets the stick, and the next thing I know, Bubba is saying, "I'm hurt," or something.

Q. How long was this...this kabob stick?

A. I don't know. About 10 inches. It should be in the kitchen. There's a bunch of them in the dish rack.

Q. Okay, so you saw Pat stab Bubba?

A. I guess. I really didn't see it. I saw Bubba coming towards Pat, then I heard Bubba say, like a little scream, "Hey!" or "I'm hurt." It happened fast. Bubba backed off, and Pat had the ... the stick was still in Pat's hand.

Q. Do you know what happened to that...that kabob stick?

A. Nope.

Q. Did you see Pat do anything with the stick?

A. No. Drop it, maybe.

Q. Okay so what happened after Pat stabbed Bubba.

A. It got crazy. Bubba fell on the floor. Pat turns on the water in the sink. Paris is now at the back door yelling. I hear a voice shouting, "Police. Open up!" and pounding on the door. This Officer Hoffman pushes in. I'm thinking, "How did Hoffman get here?"

Q. Did you know this Officer Hoffman before that day?

A. Yes. Hoffman and Bubba both tried to get me involved in that internet stuff.

Q. What happened after Detective Hoffman came on the scene?

A. Hoffman goes to the kitchen and tells Pat to go to the front room then tells Paris to stay on the porch. Hoffman is in the kitchen looking it over when more cops come in shouting, pushing me around. Pat says, "I stabbed him, but he did it to himself." Pat was shaking. Hoffman flashed a police badge – a detective's badge, so the three cops all, like, settle down and Hoffman is like in charge. It was really hectic. Hoffman was saying don't go in the kitchen because of the evidence. And Pat was trying to get back to see Bubba, but the cops all said no. Then Pat is asking, yelling, "Is he going to be OK? Is he dead?" and Hoffman said, "Yes – he's dead." Hoffman's hand was on Bubba's neck. Feeling no pulse, I guess. Hoffman says, "Get a wagon here. We need an autopsy." Then Hoffman tells the other officers to arrest Pat, with handcuffs. They took Pat out.

Q. Okay, and you did not see if anybody recovered the kabob stick?

A. Nope.

Q. How about the other kabob sticks?

A. Oh, I have those.

Q. Okay. Did you see Bubba hit Pat?

A. Yes. Two, three times.

Q. You saw Bubba hit Pat, correct?

A. Last night?

Q. Yes, last night.

A. Yes. Bubba used his hand. He pushed – in the kitchen, see? – He pushed Pat pretty hard with the flat of his hand. Pat was thrown against the sink.

Q. Where were you?

A. I could see – I was in the big room, maybe ten feet away. I can draw you a map.

Q. Map?

A. Yes. I can draw a floor plan of the apartment. I had to draw it for a class this semester.

Q. Well, we don't have equipment.

A. Give me a piece of paper and a pen. I'll show you.

Q. OK. Let's take a break

[The interview was recessed for a half hour]

Q. Back on the record. OK, Robbie. Pretty good. Very good. Freehand. OK, please sign the floor plan at the bottom.

A. OK [signs].

Q. I'm going to make a photocopy. [Recess]

Q. Back on the record. Robbie please show with your initial "R" where you were when Pat stabbed Bubba. OK, Robbie marked the floor plan with a circled "R". Now show where Pat was, with a "P". Good. Now show where the kabob sticks were – with a "K". OK. I'm marking one "A" and the other one marked "B," okay? Upper left corners.

A. OK.

Q. Did Bubba have his back to you?

A. No – they were both sideways – Bubba was to my left, Pat was to my right. About ten feet away.

Q. When did Bubba hit Pat?

A. Right after they got in the kitchen. Bubba sort of had his back to me and hit Pat in the chest, hard with his left hand or fist. Then Bubba hit harder and Pat spun to the sink. I saw Pat grab the kabob spear from Bubba, and held it to hold off Bubba, and Bubba walked into it. Bubba was really coming at Pat. Bubba came at Pat, then gave a little scream, like “Hey!” and fell on the floor. I think Bubba said, “I’m hurt”, too.

Q. You said Bubba tried to get you to do some Internet sales stuff. What was that?

A. Bubba came to me six months ago and said he had a money plan. He showed me some things...you know like baseball cards and comic books. He wanted to know if they could be duplicated on the computer. I said, probably – the prints were easy, but the paper and inks would not be the same as the original. He said, “Could you come close”? I said, “Sure”. He said that we could make some money on Internet sales if I could do a good job copying baseball cards. We could take old cards and change the paper on top and the back. The cardboard would be authentic – the replaced paper could be made to look like the original. We could get a couple hundred dollars a card, and I’d get a third. So I said I personally couldn’t. Then, a couple of months later, Detective Hoffman comes to me and asks me the same question. Hoffman is doing an investigation, and wants me to help out, to pretend to be a counterfeiter. I said I wasn’t a cop, and to get someone else to help out.

Q. You told me earlier that you knew Hoffman before that night?

A. Yes, as a neighbor. Hoffman lives across the street. Hoffman hangs out with Chris Paris all the time. Hoffman came by our house on a couple of calls, domestic battery stuff, the times that Bubba hit Pat. Hoffman did not make any arrests. Just told them to cool it or we’d end up in jail. That’s how I met Hoffman. Maybe two weeks ago Hoffman came over and told them to cool it or move. Hoffman has been around a lot lately. I think the investigation was looking into what Bubba was trying to do on the Internet.

Q. Okay, just a couple of other things. You were treated well today, right?

A. Yes.

Q. And everything you said was said voluntarily.

A. Yes.

Okay that's it.

Q. Any questions?

A. Will Pat get out tonight?

Q. I don't think so.

A. What am I supposed to do?

Q. Go back home. Just don't go in the kitchen unless the police complete their work. It may take a day.

A. What if it takes longer?

Q. You have family?

A. I can't go back there. No way. No way. I'll have to ... I don't know. Pat's been taking care of me.

Q. Well, I'm sure you'll figure it out. Don't leave town. We may want to interview you some more. And don't talk to the newspapers.

A. I already did.

Q. Oh. Who did you talk to?

A. Charlie Wheeler.

Q. OK. He's OK. But no more interviews please.

A. OK.

Transcribed: Lisa Carol Fremont