

TURNER_STINETT_McGEE

Tracy Turner

Tracy Turner was a trustee in the Roanoke County Jail when Earl Bramblett was arrested and brought back from Spartansburg, SC. He overheard some discussion about Bramblett and thought he may get into a drug treatment program and some time knocked off his sentence if he could help the police. He was looking at twenty-seven years in the penitentiary. He called the Vinton Police Department.

Barry Keese, the State Police Investigator, came to the jail to see him. Turner told Keese he would help them if he could get his trustee status back and into a drug treatment program. Turner lost trustee status because of some infraction. Keese told Turner to let him know what he could find out and he was a friend of the sheriff, they would work something out..

In the next eight or nine visits, Turner gave back most of the details about the crime and evidence that Keese told him his previous visit. Sometimes Turner would relate the information minutes later. Some was recorder by Keese, some not. As the Bramblett trial got closer Turner was visited by Commonwealth Attorney Burkart and assistant Commonwealth Attorney Randy Leach with Keese. Leach told Turner to make notes what Bramblett said and date them to look authentic. All knew that Turner did not have notes. He was told by Leach to make them look like they were made at different times and use different pens and pencils and refer to them when he gave his testimony. This is what he did in court and it worked well.

I wrote Turner at the prison after his trial asking to meet with him. He wrote back the procedure I would have to go through. Meanwhile, I told Lindsey's secretary about my scheduled meeting and she said Jennifer Givens, Bramblett's other attorney, and she might get more due to their gender. They met Turner and he said he contacted his attorney because he wanted to recant his testimony. She had forgotten. His conscience had been bothering him, and he was afraid he may have helped kill an innocent man. He gave an affidavit telling of his meetings and the conversation about the notes, why he did it and why he was recanting his testimony.

He told of the jail letting him attend a public auction for an entire day without a guard as one of the benefits for his help. He had a possible twenty-seven year sentence and was roaming around free.

After his affidavit, Keese wanted to meet with him but was refused.

AFFIDAVIT OF TRACY TURNER

I, Tracy Turner, of Rustburg Correctional Unit, Camp 9, do hereby state the following:

1. I testified for the Commonwealth in the capital murder trial of Earl C. Bramblett in 1997. In large part, my testimony in that trial was false.
2. I was contacted by lawyers working on Bramblett's state habeas appeal about my testimony in Bramblett's case. I was also warned of the possible implications of coming forward with information now that is different than that to which I testified. I was told by Bramblett's lawyers that if I wanted advice about perjury or any other charges, I must seek that advice from another lawyer.
3. I decided to provide Bramblett's counsel with the information contained in this affidavit without seeking the advice of counsel regarding the implications of doing so.
3. I was incarcerated in the Roanoke County jail in 1996 for numerous offenses. When I arrived at the jail, I became a trustee. However, I soon lost my trustee status because the police found a pack of cigarettes in my suit coat pocket during one of my court appearances. I thought the whole incident was very strange because the cigarettes that were found in my suit coat pocket were Durals. My mother brought me the suit from home. I do not smoke, and while my mother smokes, she smokes only Salem menthols. The Durals found in my coat were regulars. I reached into my coat pocket while in court and realized that they were inside and immediately gave them to a deputy. I was then charged with possessing contraband and was sent up to the fifth floor where Bramblett was housed.
4. While I was there, I met Earl Bramblett. We started talking about his case, including what the defense was going to present, as well as what the prosecution was trying to allege.
5. In one conversation, Bramblett told me that he was worried that police had found some shells and that the prosecution was going to try to imply that these were used in the Hodges' murders.
6. I then called the Vinton police and spoke with Sergeant Vaught about the fact that Bramblett had mentioned something about the shells found by the police. I knew the crime took place in Vinton. Sgt. Vaught was the arresting officer in my case.

6. I believe it was the next day that Barry Keesee of the Virginia State Police came to see me. This visit was the first of approximately 8 or 9 interviews between Keesee and me. I have drawn a map which is attached to this affidavit indicating where in the jail our meetings took place.
7. I contacted the police because I was trying to help myself, and because this crime involved two children, I felt no reservations about going to the police. I was hoping to get into a drug treatment program at a prison in West Virginia and to get my time in prison diverted by doing so. If I completed such a program, than my time would be suspended. I was also looking to regain my trustee status while in the Roanoke County jail. An inmate on trustee status in Roanoke County gets day for day time even under the new law. This means that you get a lot of time off your original sentence. I wanted this very badly because I did not want to go back to prison. I wanted to get on with my life. Since I was 19 years old, I have spent most of my days incarcerated.
8. While I had been using drugs during my incarceration prior to late 1996, I was not using any drugs after I returned to Raonoke County jail in 1996.
9. During my first meeting with Keesee, I told him that I wanted to get my trustee status back. He told me that he would probably do that for me - that Sheriff Holt was a good friend of his. It was also during this first meeting that I told Keesee that Bramblett indicated that he was worried that the police were trying to connect some shells to the crime. Bramblett did not say where the police had found the shells. Then Keesee said something like, "what, those .22 shells found in Bramblett's truck?" This was the first I had ever heard about the .22 shells being found in Bramblett's truck. During this first meeting, Keesee also told me that he believed that Bramblett was responsible for the disappearances of two other girls in the late seventies. When speaking about these other girls, Keesee said that Bramblett was a child molester. Keesee ended the meeting by telling me to just keep talking to Bramblett and to be careful not to spook him.
10. During each of my meetings with Keesee, he brought a tape recorder. He did not turn it on every time. On the occasions that he did use it, we would talk for a while off tape and then he would turn it on just to get a few statements from me. During these meetings, Keesee was providing me with information that the police or the prosecutors had found or were trying to allege.

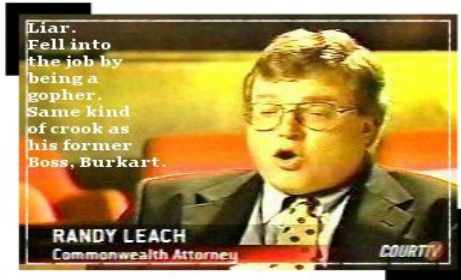
11. I do not believe that Keesee ever asked me to take notes of my conversations with Bramblett and I never took any notes of these conversations.
12. During my subsequent meetings with Keesee, I learned more information about Bramblett and the crimes he allegedly committed. The meetings generally went something like this: I would first tell Keesee any statements Bramblett had recently made to me about his case. These statements never contained any inculpatory information. Keesee would then provide some information that I did not already know. I would then, later in that same meeting or in the next meeting, come back with a new story (often times about the very same incident) incorporating the information provided by Keesee. I reported that Bramblett had told me the information that I had actually only learned from Keesee. This is generally how things worked, and this is the way that Keesee got me to say things which he could tape-record and which became the basis for my testimony at trial.
13. For instance, in one meeting I reported that I was looking at a magazine in the pod. I believe the magazine was a Redbook or some other fashion magazine. Several of us, including Bramblett, were looking at the magazine and were commenting on the beautiful women in the magazine. This is all I told Keesee about this incident because that was all that had occurred. Keesee then stated that Bramblett liked little girls and I believe he said something like, "Keep an eye out to see if he cuts out pictures of little girls in magazines." Bramblett never did any such thing as far as I know. So, in a later meeting I came back to Keesee and changed the magazine story to reflect the information Keesee gave me and it was clear to me that Keesee was very happy about this new story.
14. Contrary to my testimony, Bramblett never asked me to come into his cell to talk about his addiction to little girls. He never told me he liked little girls or that he had any addictions.
15. Contrary to my testimony, Bramblett never told me that he got caught with one of the Hodges' girls and then choked the life out of her mother. He never said that he then went upstairs and took care of business with the father and the two girls. Bramblett never said anything to me to indicate, expressly or implicitly, that he had anything to do with any of the Hodges' deaths. I think I actually heard this information from another inmate who had read something in the papers about the victims' causes of death
16. I told this murder confession story to Keesee because I felt pressured to come up with some additional information. I had recently broached the subject of my desire to be placed in the drug treatment program with

KEESSEE. I DON'T REMEMBER EVER WE EVER IN ANY WAY WE EVER WOULD BE
could discuss the possibility of getting me get into the program.

17. While Keesee was very excited about this new confession story, he was concerned because I had apparently mixed up the order in which the victims died. I told Keesee that the father was killed at the same time that the others were killed. Keesee then made some sort of indication to me about the times of death and that the evidence indicated that the father was dead hours before the others. It was clear to me that I had the order of deaths wrong. However, I think we had already taped my statement and Keesee was worried about me changing my story.
18. During the time my meetings with Keesee were going on, I had a hearing scheduled on my pending motion for reconsideration of sentence. My lawyer, Laura Reed, informed me after speaking with Skip Burkhardt that the hearing was moved until sometime after Bramblett's trial was over. Laura Reed told me that nothing was going to happen on my motion for reconsideration until after I testified against Bramblett and his trial was over. My hearing was in fact rescheduled, and it occurred sometime shortly after Bramblett was convicted and sentenced to death.
19. I testified that Bramblett told me that the defense theory was going to be that the murders were the result of a drug hit on the family. When Bramblett was telling me about this defense, however, it was clear that Bramblett actually believed that this was the case. It was not as if Bramblett was trying to fabricate this theory.
20. I also testified that Bramblett and I talked about the fire at the Hodges' home and Bramblett indicated that the fire was started to destroy riflings and hair samples. What I told Keesee, however, was that during our conversations about the possibility of this crime being a drug hit, Bramblett and I talked about how someone participating in the drug hit could start a fire to destroy evidence. When I said this, Keesee said something like, "yeah, that's why he [Bramblett] did it!" All the while, I'm thinking about this drug treatment program and my trustee status, and so then I adopted Keesee's version in my testimony. Keesee knew that I never reported that Bramblett said he set the fire to destroy evidence. Bramblett never said any such thing. Our entire discussion about setting a fire to destroy evidence occurred in the context of Bramblett's belief that this crime was a drug hit.
21. After several months in the same cellblock as Bramblett, I began to think he was getting suspicious because I was asking so many questions and instigating so many conversations with him about his case. I told Keesee

this, and mentioned again (as I had done during almost every meeting I had with Keesee) that I was looking to become a trustee again. He told me that he would talk to Sheriff Holt. I then became a trustee again. My trustee status was something that Keesee was holding over my head. Keesee knew how important it was for me to get that day for day time.

22. I also received other special treatment during the course of my meetings with Keesee. I got to attend a county auction without a guard for the entire day. At that time, my update sheet indicated that I had a 27 year sentence. It was unheard of for anyone to attend an auction or leave the prison grounds by themselves, especially with a sentence like mine. In fact, another sergeant on the night shift at Roanoke County jail got extremely upset when I returned late that afternoon and came through the sallie-port alone. He asked me, "what the hell [I] was doing outside the jail by myself." I told him that I had been at the county auction. He could not believe it and he even called the sheriff. After he made that call, the sergeant never said another word to me about the incident.
23. After I became a trustee, I began cutting hair at the jail. I cut Bramblett's hair. I testified that while I was cutting Bramblett's hair, he told me that he made over 200 hours of tapes just to make people think he was crazy. However, Bramblett did not say this. Bramblett never stated that his defense theory was going to be that he was crazy. What he actually told me during this conversation was that as a result of these 200 hours of tapes, the lawyers thought Bramblett was crazy. Bramblett was not trying to make anyone believe that he was crazy. I reported the conversation as it really occurred to Keesee and that made him very nervous. Keesee did not want any sort of insanity defense in this case. So, I changed my testimony to reflect Keesee's concerns. Keesee knew, however, that my testimony was different than what Bramblett stated during our conversation.
24. Bramblett asked me while I was cutting his hair if I was going to testify against him. He said that a woman in the trustee pod told him that I was going to testify for the Commonwealth. He asked my if it was true and if so, why I would do that. Contrary to my testimony, Bramblett never asked if I was going to testify against him because of all the things he told me. He just asked me the question because he was told that I was going to testify against him and he could not understand why. Bramblett never said anything during this (or any other) conversation to incriminate himself.
25. Contrary to my testimony, I never kept any notes of my conversations with Bramblett. Just before I testified, I met with Randy Leach and Skip Burkhart, the prosecutors on the case. During this meeting, we briefly went over my testimony. Randy Leach told me that it would be a good idea if I went back to my cell and wrote down some notes of my



EVERY CONVERSATION WITH BRAMBLETT AND I ALWAYS MADE NOTES TO BRING IN MY SUIT pocket. Leach wanted me to be prepared for questioning from the defense about how I was able to recall all of my conversations with Bramblett. In response to this questioning, I was supposed to state that I had taken notes of the conversations with Bramblett as they occurred and then I was supposed to pull the notes out of my suit pocket like a sword.

26. During this same meeting with Burkhart and Leach, I asked them both about getting into the drug treatment program. Burkhart told me not to worry about it, that he would take care of it and that everything would be fine. I also told both of them that I was going to get threatened and possibly harmed by other inmates after I testified. I told them how important it was that I get transferred out of the Virginia prison system, hopefully to the drug treatment program in West Virginia. Burkhart again told me that he would take care of that.
27. I never took any notes of my conversations with Bramblett as they took place. I don't believe I ever told Keesee, Leach or Burkhart that I took any notes of these conversations. I certainly never showed any of them any notes, because there weren't any such notes in existence. It would be very dangerous to keep such notes, especially if I was doing so in preparation to testify against a fellow inmate.
28. After my conversation with Leach and Burkhart, I went back to my cell and wrote down these notes as instructed and back-dated them. I included in these notes all of the information I had obtained from Keesee during our past meetings. Contrary to my testimony, all of the notes were generated at the same time, immediately before I testified. Leach asked me several times if I made the notes after each conversation I had with Bramblett. Leach knew, however, that I didn't have any notes as of the time of our meeting just prior to my testimony.
29. After Bramblett's trial ended, the hearing on my motion for reconsideration finally took place. Mr. Burkhart was the Commonwealth Attorney present at my hearing. He informed the judge that I had helped the Commonwealth in the Bramblett case. I did not get placed in the drug treatment program that I was hoping for. I did, however, get 240 days of misdemeanor time suspended. I remained on trustee status until I was moved from Raonoke County jail several months after Bramblett's trial ended.
30. I testified falsely at trial because I was scared. I didn't want to go back to the penitentiary. I did not want to spend more time incarcerated. I wanted to get on with my life. Regaining my trustee status and getting placed in that drug treatment program would help me reduce my time. For these

Wayne & Judy Stinnett

When the Hodges murders first happened, Judy Stinnett told Bill Brown that Benjamin Carr should be a suspect in the murders. Brown responded that they already had their man. Later the Vinton Police Chief Rick Foutz, was told this by Wayne Stinnett and it was also brushed off.

Ben Carr was a Vietnam veteran with a lot of problems. The most obvious was anger. He had been fired by Norfolk Southern Railroad for using excessive force. He liked to beat up people. He was fired by the City of Roanoke Police Department and the Vinton Police Department for the same. He was convicted of assaulting teenagers when a theater security guard. He was a dangerous person.

He worked at a convenience market and went to work in full combat gear with a firearm. Later, he worked for the post office in Roanoke and was transferred to the Vinton Post Office to get away from a supervisor. Carr and Blaine Hodges were scuba diving rescue volunteers on the same team. The supervisor Carr was having problems with was also transferred to the Vinton Post Office. More problems ensued, not only with the supervisor, but with Blaine Hodges. Carr checked into the Veterans Hospital close by. The supervisor called the VA Hospital and asked to be notified when Carr was released. Carr told the psychiatrist he had killed people for less than what the supervisor said to him. Carr offered to kill someone the Stinnetts had a disagreement with and added, "like the ones over on Virginia Avenue." Ben Carr died in 1996.

Sworn to before me this 15 day of December, 1999.

Dorothy McGee

LaGather Swann
Notary Public

This seventy-two year old lady said she saw the truck the morning of the crime. I talked with her on the phone several times. The first time, she said she would have to check with her friend before she would talk. I called back and she said the friend told her not to talk with me. Other times she would talk awhile and then decide she wasn't going to talk more.

She did tell me she saw the truck in her headlights and it was a red truck, which she then amended to a pinkish red truck. She said the street lights made no difference because it was in her headlights. She said in court it was beat up and dirty.

Randy Leach is now the Commonwealth Attorney of Roanoke County. The people of Roanoke County deserve an honest Commonwealth Attorney. One that doesn't need lying witnesses to win a verdict.



Ben Carr drove a red Bronco and lived on a dirt road in the county.

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