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	3 4 5	COMMONWEALTH OF PENNSYLVANIA  CORONER'S INQUEST
	6 7	COMMONWEALTH OF PENNSYLVANIA  Vs.
	8	TEQUILLA FIELDS &
	9	LACHAN RUSSELL,
	10 11	Defendants.
	5	TRANSCRIPT of stenographic notes of testimony taken and proceedings had in the above-entitled CORONER'S HEARING before Timothy G. Uhrich, Esquire, Deputy Coroner at the Office of the Coroner, 542 Fourth Avenue, Pittsburgh, PA 15219, on Friday, February 25, 2005, starting at 2:16 p.m.
<ul><li>20</li><li>21</li><li>22</li><li>23</li></ul>		COPY
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2 APPEARANCES: Page 2 1 2 Edward J. Borkowski, Esquire 2 2 2 Edward J. Borkowski, Esquire 3 3 P. R.O. C. E. D.I.N. G. S. Senior Assistant pistrict Attorney 4 4 MR. UMICH: Good Affersoon. My mane 4 MR. UMICH: Good Affersoon. My mane 5 Assistant District Attorney 5 office 6 Allegheey Country District Attorney 6 Allegheey Country District Attorney 7 Office 7 Coll Courthouse 8 Prittsburgh, Pa. 15219-2489 7 7 7 7 Month 19 The Commonwealth 8 Month 19 The Commonwealth 9 Month 19 The Commonwealth 9 Month 19 The Commonwealth 9 Month 19 The Commonwealth 19 MR. UMICH: This S. Appearing on behalf of Defendant Tequilia Fields 20 MR. UMICH: This S. Appearing on behalf of the Defendant Tequilia Fields 20 MR. UMICH: This S. Appearing on behalf of the Defendant Tequilia Fields 20 MR. UMICH: This S. Appearing on behalf of the Defendant Tequilia Fields 20 MR. UMICH: This S. Appearing the Commonwealth 20 MR. UMICH: Thi			
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the immediate cause of death as smoke inhalation. Page 6 The postmortem examination for Montelle Thornhill 7 The manner of death is listed as undetermined was performed by Dr. Shakir who gave the immediate 2 is signed by T. Imajo, M.D. Associate Patholo cause of death as smoke inhalation. The 3 and Joshua A. Perper, M.D., LL.B., M.Sc., Core certification of identification was made by will all those who have been subpoenaed 1 Sharon Fields, the grandmother of the deceased. 5 testify or who will testify in this proceeding 7 Mr. Hudak and Mr. Lewis, do we have a 6 please stand to be sworn. 8 stipulation or stipulations, I should say, for the (THEREUPON, various and sundry q for the chain of custody of the deceased for the 8 10 certification of identifications and for the use witnesses were first duly g of the protocols in this proceeding? 11 Sworn.) 10 MR. UHRICH: You may proceed. 12 MR. LEWIS: Yes, sir. 11 MR. BORKOWSKI: Judge, before we begin 13 MR. HUDAK: We do, Your Honor. 12 calling witnesses, I would bring to your attent 14 MR. UHRICH: Protocol of the deceased, 13 15 Montelle Thornhill, found at case No. A90-1953 14 One is there is a stipulation entered into 16 with anatomic diagnoses as follows: 15 the parties that Miss DiGiovanni will read into 17 I. Smoke inhalation (carbon monoxide 16 18 59 percent saturation, cyanide: 0.078 milligram 17 Secondly, there are interlocking statements. 19 18 The detectives have had adequate time to 20 II. Pulmonary congestion and edema, 19 Bruton-ize those statements, Consequently we will 21 moderate, bilateral. 20 make every effort to redact them during the course 22 III. Burns, superficial and deep, covering 21 of the testimony itself. Insofar as there would 23 90 percent of total body surface. 22 be a slip up, we'd ask you to entertain them only 23 for their purposes as each defendant has provided 1 The opinion is that Montelle Thornhill, it Page 7 2 lists as a two-year old black male, died as a 1 and as provided by the Rules of Evidence. 3 result of smoke inhalation. I think we need to Page 9 MR. UHRICH: You may proceed. possibly check the age on that. MR. HUDAK: 'Your Honor, I'd move to MR. BORKOWSKI: I have two years. sequester. MR. UHRICH: It's two years? We have two 5 MR. UHRICH: Let's do the stips first. months listed here. Okay. The opinion is that MS. DiGIOVANNI: Your Honor, the first 8 Montelle Thornhill, a two-year old black male died stipulation would be as to the ownership of the 9 as a result of smoke inhalation. The manner of 8 dog, Fay-Lou, that was burned in connection with 10 death at this point is listed as undetermined and 9 this fire, and ownership of the dog would be to 11 it is signed by A. Shakir, M.D., Associate 10 Miss Minnie Bivens, B-I-V-E-N-S. 12 Pathologist and Joshua A. Perper, M.D., LL.B, 11 MR. UHRICH: All right. 13 M.Sc. Coroner. 12 MS. DiGIOVANNI: The second stipulation, Your 14 Protocol on the deceased, Charita Thornhill, 13 Honor, would be to the testimony of Mary Kay 15 is found in case No. A90-1954 with anatomic 14 Perrott who at the time was an arson investigator, 16 diagnoses as follows: 15 and we have a stipulation as to her qualifications 17 I. Smoke inhalation in the airway. 16 as an expert in arson investigation. 18 II. Acute carbon monoxide intoxication (80 17 MR. UHRICH: Okay. 19 percent blood saturation). 18 MS. DiGIOVANNI: Your Honor, the Commonwealth 20 III. Visceral congestion. 19 calls --21 The opinion is that Charita Thornhill, a 20 MR. UHRICH: We still have a sequestration 22 three-year old black female, died as a result of 21 motion, so all those who have been subpoenaed to 23 smoke inhalation and carbon monoxide intoxication. 22 testify, other than I believe Detective Rush, will 23 remain as the case agent. Anyone else who is

Carried and American September 2 (1) and 20 (1) and 10 (1) and 10 (1)

going to testify or who will testify in the 1 Page 10 proceeding, you are sequestered to the hallway The origin of the fire was the front porch, where Assistant Chief Brown is standing. most specifically on a couch under the large front MARY KAY PERROTT, the witness herein, called window. as a witness on behalf of the Commonwealth, having And from that point of origin were you abl. been first duly sworn, testified as follows: determine where the fire and how the fire spread? DIRECT EXAMINATION 6 Yes. The fire spread up through the window. 8 BY MS. DIGIOVANNI The structure was built with a balloon construction. 9 would you state your name, please, and spell 0 The fire was then able to travel up through the your last name for the record. 10 structure as well as in through the window, into the 11 Mary Kay Perrott, P-E-R-R-O-T-T. first floor area, in and up the steps. Sort of in a 10 12 0 How are you employed? chimney effect to the second floor. 11 13 As a City of Pittsburgh police officer. А 12 You say balloon construction, can you descri 14 Were you employed in that capacity on July 11 0 for the court what type of structure this was? 13 15 of 1990? 14 This was a home, a large older home and 16 A Yes, I was. balloon construction is, the superstructure underneath 15 17 What division or department were you employed 0 the wood is placed in such a manner that there are 16 18 with at that time? straight shots from the ground floor, from the 17 19 Fire arson investigation. foundation, through to the roof, almost like little 18 20 For how long had you been employed in arson chimneys. It's a style of construction and it's found 19 21 investigation? in many, many of the older homes. 20 22 At that point approximately two and a half 21 And the front of this home, is that where the 23 years. 22 porch was? 23 Yes, ma'am. 1 And during that time period, approximately how many fires had you investigated or helped to investigate 2 You indicated there was a front window. the cause and origin of? 3 Page 13 that a picture type window? Somewhere between 100 and 200. 3 Yes, ma'am, it was a large picture type On July 11 of 1990 were you called as part of a window with side portions that actually opened, and team to investigate the cause and origin of a fire that they opened out. had occurred at 7053 Apple Street in the City of And what effect would the opening of these Pittsburgh, Allegheny County? windows have on the fire that was on the porch? 9 Yes, I was. The fire was drawn in through those windows 10 Can you tell the court how you go about and the fire extinguishing also helped to push the fire 9 determining cause and origin of a fire? 11 in through those windows. 10 12 Once you arrive on the scene, you make a 11 And describe how the fire extinguishing on the 13 determination as to how safe the area is, and then you 12 front porch would do that? begin a systematic evaluation of the areas that have 14 13 The water hitting the flames will actually been damaged by the fire as well as the areas that have 15 push the flames further, although the flames had a 14 not been damaged. By evaluating the areas that have 16 pretty good start. This assisted in pushing it in 15 17 been damaged, you make a step by step on not only where through the window (indicating) and up through the 16 the fire started, but how the fire progressed. 18 17 19 Did you do that in this case? 18 Did you and your fellow arson investigators 20 Yes, ma'am, we did. find that that, in fact, is what happened in this case, 19 21 Can you tell the court what findings you and as far as the fire being drawn in from the porch, inside 20 your other arson investigators made with respect to the 22 21 23 origin of this fire? 22 Yes, it was drawn from the porch into the medical production and the second control of control of control to the control of the control of productions and control of the control of th 23 structure.

```
And what amount of damage resulted from the
         1
                                                                               product which would serve as an accelerant to the fire?
         2
             fire?
                                                                            2
         3
                                                                                         Yes, ma'am.
                       I don't understand the question.
                                                                           3
                                                                                         Now, the testimony you provided here today an
                       was the house completely destroyed, partially
                                                                               the opinion you have provided as to the cause and origin
            destroyed? Can you describe the amount of damage to the
        5
                                                                               of this fire, do you hold those opinions to a reasonable
            house as you saw it?
                                                                               degree of scientific certainty?
                      There was a large amount of fire damage. It
            was not completely destroyed. We were able to take
                                                                           7
                                                                                        Yes, ma'am.
            samples and work through the structure.
                                                                                        Ma'am, as a general proposition, can you
                                                                              describe for the court how smake from a fire such as thi
      10
                      Can you describe for the court what other
                                                                              that would start outside on the porch area and travel
           measures you took to determine, after determining the
      11
                                                                              through a balloon type construction home, how that smoke
           origin, what measures you took to determine the cause of
      12
                                                                              would travel and what effect that would have on the
      13
           the fire?
                                                                         13
                                                                              structure itself?
      14
                    All of the natural and accidental causes were
               Α
          looked at in an attempt to rule those out.
                                                                        14
     15
                                                                                       The smoke would have been drawn up through
                                                                             the structure, but it was also reported to us that the
                                                                        15
     16
                    What types of causes would they be and how did
                                                                             front door had been opened, which would act as a
     17
          you rule them out?
                                                                        16
                                                                             chimney. This would draw much as your chimney in your
                                                                        17
     18
                    For example, electrical would be an
                                                                            fireplace draws the air up towards the highest point,
          accidental cause. If there had been an electrical
     19
                                                                        18
         outlet in that area and we could have shown that it had
                                                                            which would have been the roof. So it was drawn
                                                                       19
     20
                                                                            through the balloon construction, through the interior
         been overloaded and that that had led to the starting
                                                                       20
    21
                                                                            structure up the steps in a similar manner to a
         of the fire, but that was not the case.
                                                                       21
    22
    23
                                                                       22
                   A natural cause would be something like
                                                                            chimney.
                                                                       23
                                                                                     And, in fact, did you see evidence in the
        spontaneous combustion or a lightning strike. Those
                                                                           structure after the fire was extinguished of smoke damage
        items were also ruled out.
                                                                           on the second and third floors and interior in general of
    3
                  So all natural and accidental causes were ruled
        out?
                                                                           the structure?
    5
                                                                                    Yes, ma'am, there was a large amount of smoke
                                                                               Α
                  Yes, ma'am.
                  what determination did you make as far as the
                                                                          damage.
                                                                      6
       cause of this fire?
                                                                                    MS. DiGIOVANNI: Thank you. Offer for cross.
                                                                                    MR. UHRICH: Mr. Lewis, would you like to
                 The cause of this fire was incendiary. It
       was caused by someone actually doing something to bring
                                                                               start?
       the flame to that point, to the area.
                                                                      9
  10
                                                                                           CROSS-EXAMINATION
                                                                     10
  11
                 In addition to ruling out the natural and
                                                                         BY MR. LEWIS
      accidental causes, did you have any evidence as far as
                                                                    11
                                                                                   Yes. Officer, did you fill out a report and
 12
                                                                         include your statements regarding what happened 15 years
 13
      the incendiary nature of the fire?
                                                                    12
                                                                    13
 14
                It was also an accelerated fire in that we
      took samples from the couch that was underneath the
 15
                                                                    14
                                                                                   There is a report that was completed by the
                                                                         lead investigator, which was Ronald Rudolph. He has
     window. Actually some handbag that was on the couch,
                                                                    15
 16
     and it had been reported to us that at the time that
                                                                    16
17
                                                                         since retired.
     the fire was first discovered that the dog had also
                                                                   17
18
                                                                                  Do you have that report in your hands right
     been on that couch. We had the dog's body taken to the
19
                                                                   18
                                                                        now?
     Coroner's Office, and they were able to locate samples
                                                                   19
20
                                                                                  Yes, sir, I do.
     on the dog that were consistent with a kerosene type
                                                                   20
                                                                                  Did you review it immediately before taking the
21
                                                                   21
                                                                        stand here today?
22
     product.
                                                                  22
              And is the kerosene type product the type of
                                                                  23
                                                                                 MR. LEWIS: Your Honor, may we take a moment
```

and the second s

1 and review that report? Page 18 MS. DiGIOVANNI: Your Honor, I would object the carcass was important to you in 1990, important 1 to that at this point. That's clearly a matter 3 enough for you to have included information about it in 4 for discovery post-formal arraignment stage of your prior report? 5 proceeding. She hasn't referred to it during her Yes, there is information concerning the dog. 6 testimony whatsoever. Did you interview or speak to Tequilla Fields MR. UHRICH: That's a standard... let me say at the time? 8 this, Mr. Lewis: I can't order them to turn over 9 the report to you. Obviously, if the District And did you ever interview Tequilla Fields from 10 Attorney wants to do that at this point, because that time until today? it is basically a discovery issue, unless she read 11 10 Α 12 it and used it in her testimony; then I believe 11 Did you ever interview Lachan Russell at that Q 13 you have the, obviously, you would have the 12 time? 14 opportunity at this point to review that. But I, 13 А 15 having reviewed it prior to testimony doesn't 14 Have you ever interviewed her from that time 0 16 qualify it as discoverable to you at this point. 15 until today? 17 It would only be if they extend you that courtesy. 16 18 BY MR. LEWIS: 17 MR. LEWIS: Thank you, that's all I have. 19 Let me ask it a different way: You did reduce 18 MR. UHRICH: Mr. Hudak. some of your statements here today regarding information 20 19 CROSS-EXAMINATION which you gave statements about at the time of the 21 20 BY MR. HUDAK report, is that correct, statements or information you 22 21 Is it officer or detective? testified here today about? 23 22 It's actually sergeant now. 23 Okay. Sergeant Perrott, you said that you 1 Page 19 You gave statements to the reporting officer at Q ruled out accidental cause, is that correct? Page 21 the time the report was prepared, is that correct? That's correct. Yes, we collaborated on it. But I want to go step by step, if I may, Yes. And some of your statements are included through some of the things you said. in that report you reviewed, is that right? 6 You said that it was important to the spread of this fire that the front window, that's the large Yes, sir. 6 And, of course, by looking at that report and 7 window, was open, correct? reading your prior statements, that refreshed your q 8 No, the sides on the window were open. It recollection as to what you're going to testify to here 10 was a large window that had like solid glass in the 9 11 today, is that correct? middle and portions of it on the sides that opened out. 10 12 Yes, somewhat. 11 And you said that was important that they were 13 Now, as to those statements you made at the open to the spread of the fire, correct? 12 prior time, at any time did you say or make, issue any 14 13 That would be important, yes. opinion as to a dog or a carcass of a dog that was found 15 14 Now, did you obtain any information that 16 on the premises? anybody had opened those side windows for any reason 15 17 Α other than the natural temperature in July of 1990? 16 18 Could you tell us what you said about that dog? 0 17 Personally, no. 19 A Then or now? 18 Now, you said that the front door also was 20 ٥ Then. 19 open, correct? 21 I don't recall what I might have said about 20 Yes, we received information. 22 the dog in 1990. 21 Did you obtain the information that somebody 23 Do you know if the statements you made about had deliberately opened that front door in order to 22 23 direct the spread of that fire?

I'm not certain I'm understanding your Page 22 2 question. of the dog and they determined that there had been some 3 Did the front door being open have anything to kerosene put on the dog, correct? 0 do with the direction in which the fire spread? Yes, he had kerosene on his fur. Yes Now, in your investigation, did you find Do you have any information in your kerosene anywhere else in the house? investigation up until today here that anybody Α No. deliberately opened that door with the plan of spreading Now, your investigation did lead to a the fire in a particular direction? 9 conclusion that that dog with keropane poured on it and 10 presumably burning, that dog had gone onto the couch that 11 Now, you said that if we go step by step that was on the front porch, correct? the fire spread to the window, those opened side windows, 12 11 At some point he had -- he had kerosene on 13 him and the couch had kerosene on it. 12 14 Α Yes 13 So, is it your conclusion from the 15 And then you said it spread to the structure, 0 investigation here that the dog caused the couch to catch 14 16 correct? 15 17 А 16 Yes. I can't say that the dog caused the couch to 18 And you said then it spread onto the first catch on fire. The couch had been on fire and the fire 17 19 floor, correct? spread from the couch into the house. 18 20 The porch was adjacent to the first floor, 19 Okay. Do you have anything in the course of 21 Ves your investigation of the last 15 years to indicate that 20 22 And then the fire spread up to the second any person set the couch on fire as opposed to the dog 21 23 floor, correct? 22 setting the couch on fire? 23 You're asking me if I believe the dog set the It spread, yes, to the second and third Page 23 2 floors. couch on fire? Page 25 Now, am I correct that in the investigation you That's right. I'm not saying the dog intended check if there was any type of flammable liquid or any to set the couch on fire, but I'm asking you you've been type of substance that would further the spread of that investigating this for 15 years, correct? fire up to the second floor, correct? 6 5 I haven't. It has been 15 years since. And you're an arson expert, correct? In other words, did you check to see if, for Yes. instance, somebody had poured gasoline all through the Now, let's ask this more fundamentally. Is it house up to the second floor? 10 possible for a flaming animal who's been doused in 9 11 Yes, there was no indication there was kerosene and is burning who jumps onto a couch, is it 10 12 anything like that. possible that the couch would then catch on fire? 11 13 And, did you check that there was any poured 12 In the scenarios you've described, yes, it's gasoline or poured substance to spread the direction of 14 possible the couch would catch on fire. 13 the fire from the couch inside the house? 14 Now, in the course of your investigation, from 16 Α what you're able to bring to this inquest today, do you Nο 15 17 Q So, you ruled out accidental causes, correct? have any information that a human being set the couch on 16 18 fire, other than the dog setting the couch on fire, which Yes. 17 19 Am I correct that what you learned was that a 18 you just said would be possible? 20 dog -- this is really painful, this is bad -- a dog is 19 I have no direct information on how the dog deliberately set on fire, correct? 21 caught on fire or the couch caught on fire. 20 I did not receive that information myself. 21 Okay. I'm not trying to be difficult with you, But, the Coroner's Office did the examination but it sounds like what you're saying -- tell me if I'm 22 correct -- it sounds like what you're saying is probably

22

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somebody had to set the dog on fire. The dog didn't set
                                                                   Page 26
              himself on fire, unless it's a suicidal dog, right,
                                                                                                                                     Pag
              because he was a Buddhist monk dog? But assuming, let's
                                                                                                DIRECT EXAMINATION
             say, probably some person set the dog on fire, correct?
                                                                                BY MS. DIGIOVANNI
                       Some person set the fire, whether the dog was
                                                                            4
                                                                                         Sir, could you please state your name and spel
                                                                                     0
             first set on fire or the couch, I can't specifically
                                                                           5
                                                                               your last name?
             state. I can tell you that there was an intentional
                                                                           6
                                                                                         Detective J. R. Smith, S-M-I-T-H.
             act that started the fire.
                                                                                         How are you employed?
        9
                      Now, you do think that's important to the
                 O
                                                                                         Pittsburgh Police.
            determination of this case, though, correct?
       10
                                                                                        In what division, sir?
       11
                      That someone committed an act that started
                                                                          10
                                                                                        Homicide.
       12
            the fire?
                                                                                        And were you employed in that capacity in
      13
                                                                         12
                                                                              February of this year?
                 Q
                      Right.
      14
                                                                         13
                     Yes, that is important.
      15
                     Now, we want to know if somebody just set a dog
                                                                         14
                                                                                       In that capacity were you and your partner,
           on fire, which is in itself a terrible act, and then the
      16
                                                                        15
                                                                             Detective Rush, assigned to investigate the homicide of
      17
           dog accidentally set the house on fire.
                                                                             Charita and Montelle Thornhill, which had occurred on
     18
                     Am I correct that you're not able to make
                                                                        17
                                                                             July 11, 1990?
     19
          that determination?
                                                                        18
     20
                    That is correct, I could not interview a dog.
                                                                        19
                                                                                      And in connection with that investigation into
     21
                                                                             those two deaths did you interview Lachan Russell?
                    MR. HUDAK: Okay, thank you.
                                                                       20
     22
                   MR. UHRICH: Is that it, Mr. Hudak?
                                                                       21
                                                                                 А
    23
                                                                       22
                   MR. HUDAK: Yes.
                                                                                      Is Lachan Russell in court today?
                                                                                 0
                                                                       23
                                                                                      Yes.
                    MR. UHRICH: Miss DiGiovanni, anything
              further on redirect?
                                                                       1
                                                                                     Could you identify her, please?
                                                                                                                                Page 29
                   MS. DiGIOVANNI: No redirect, Your Honor.
                                                                                     She's wearing a cream colored sweater.
              Thank you.
                                                                                     Thank you.
                   MR. UHRICH: Mr. Lewis, any recross on Mr.
                                                                                    MS. DiGIOVANNI: Your Honor, may the record
             Hudak's cross?
                                                                               reflect the identification of Miss Russell?
                                                                      6
                  MR. LEWIS: No.
                                                                                    MR. UHRICH: The record will reflect the
   8
                  MR. UHRICH: All right, Sergeant, you may
                                                                               identification of Defendant Lachan Russell by the
   9
                                                                      8
             step down.
                                                                               witness.
  10
                                                                      9
                         (witness excused.)
                                                                                   MS. DiGIOVANNI: Thank you.
  11
                 MS. DiGIOVANNI: Your Honor, the Commonwealth
                                                                    10
                                                                         BY MS. DIGIOVANNI:
 12
            calls Detective Smith.
                                                                    11
                                                                                   Sir, where did this interview take place?
 13
                 MR. UHRICH: Mr. Hudak, the sergeant, is she
                                                                                   The Homicide Office Interview Room.
 14
            leaving or is she just sequestering? Once she's
                                                                    13
                                                                                  And on what day did that occur?
 15
           testified do you have any objection to her
                                                                   14
                                                                                  February 14.
 16
           remaining in the room?
                                                                   15
                                                                             0
                                                                                  2005?
17
                                                                   16
                MR. HUDAK: NO.
18
                MR. UHRICH: She can come back in if she
                                                                   17
                                                                                  Prior to interviewing Miss Russell did you give
                                                                             Q
19
                                                                   18
           wants.
                                                                        her her Miranda rights?
20
                J. R. SMITH, the witness herein, called as a
                                                                  19
21
          witness on behalf of the Commonwealth, having been
                                                                  20
                                                                                 And did you use the standard City of Pittsburgh
          first duly sworn, testified as follows:
                                                                       pre-interrogation warning form?
                                                                  21
                                                                  22
                                                                                 Yes.
                                                                  23
                                                                                 Did you go over those rights with Miss Russell
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individually?
                                                                     Page 30
                          Yes.
                                                                                  o'clock in the afternoon when the conversation began.
                         Did she respond to those rights and indicate
                                                                                 And they spoke of how they were going to get rid of th
               she would speak with you regarding the death of Charita
                                                                                 dog, and they came up with they would set it on fire.
               and Montelle Thornhill?
                                                                                           Did Miss Russell tell you why she and her
                    Α
                         Yes
                                                                                 friend were making this plan to get rid of the dog?
                                                                             5
           7
                         Can you tell the court what Miss Russell said
                                                                            6
                                                                                          Yes. Lachan said that her friend was having
              to you in connection with the fire that occurred at Apple
          8
                                                                                trouble with her grandmother, her friend's grandmother
                                                                            7
              Street on July 11 of 1990?
          9
                                                                                because she was a strict type and they always were
         10
                        Originally she said that she didn't know how
                                                                            9
                                                                                having conflicts.
              the fire had started. She said that she and her friend
         11
                                                                           10
                                                                                         Okay. And did Lachan Russell tell you whose
             told the police that they didn't know back in 1990 and
        12
                                                                          11
                                                                               dog this was?
             that she continued to stick with the story. She then
        13
                                                                          12
                                                                                         She said that it was her friend's
             went on to say what had happened.
        14
                                                                               grandmother's dog and the dog's name was Fay.
                                                                          13
        15
                       Did she tell you that the original story that
                                                                          14
                                                                                        And so this is now July 10 and this discussion
            she and her friend did not know how the fire started was,
       16
                                                                              is going between Miss Russell and her friend. Can you
                                                                         15
       17
            in fact, false?
                                                                              continue from there about the plan that was being made
                                                                         16
       18
                      Yes.
                                                                         17
                                                                              about the dog?
       19
                      And did she then agree to tell you what
                                                                         18
                                                                                       Lachan explained that they spoke of that
       20
           actually happened, according to the Defendant, Lachan
                                                                             plan, then they eventually went to her friend's
                                                                        19
      21
           Russell?
                                                                        20
                                                                             mother's house who lived on Borough Street in the Hill
      22
                Α
                     Yes.
                                                                        21
                                                                             District. Lachan explained that her friend, Lachan,
      23
                     What did Lachan Russell tell you regarding the
                                                                             and her friend's two children all went to the house.
                                                                        22
                                                                            Now, she said that they stayed at the friend's mother's
                                                                       23
          origin of this fire?
                                                               Page 31
                   MR. HUDAK: Your Honor, if I may, I'm
                                                                            house and drank beer. She said that she and her friend
                                                                        1
      3
              assuming, again, this statement is carefully
                                                                           and her friend's kids eventually took a bus back to
              Bruton-ized.
                                                                           Apple Street, which would have been the last bus
                   MR. UHRICH: I would suspect it is.
                                                                           running back to Apple Street, and then they walked to
                  MS. DiGIOVANNI: That's correct, Your Honor.
                                                                       5
                                                                           her friend's grandmother's house.
                  MR. HUDAK: I still wanted to say something
                                                                                     Now, by the time Miss Russell and her friend
             that violates that.
                                                                          and the two children get back to the house on Apple
    9
                  MR. UHRICH: Well, even if he does, the
                                                                          Street, this being the last bus, was it then past
   10
            jury's gone home for the day, so I parse those
                                                                      9
                                                                          midnight to where you're now on July 11, 1990?
  11
            things out.
                                                                     10
                                                                                    Yes.
  12
                 MR. HUDAK: Okay.
                                                                    11
                                                                                    What happens once they get back in the
  13
                 MR. UHRICH: We've done it both ways here,
                                                                         neighborhood of Apple Street and into that actual
                                                                    12
  14
            but I can sort that out.
                                                                    13
                                                                         residence?
 15
                MS. DiGIOVANNI: Thank you.
                                                                    14
                                                                                   well, on the bus ride, Lachan explained that
 16
      BY MS. DIGIOVANNI:
                                                                        her friend continually spoke about lighting the dog on
                                                                   15
 17
                Detective, can you tell the court, please, what
                                                                        fire when they get to the house, how they'll light the
                                                                   16
      Lachan Russell told you regarding this fire.
 18
                                                                   17
                                                                        dog on fire and kill the dog.
19
               Lachan stated that she and her friend were
                                                                   18
                                                                                  The four of them, Lachan, her friend and her
     over her friend's house and had a conversation
20
                                                                       friend's two children then walked to the house is what
                                                                  19
     regarding killing her friend's dog. She said that she
21
                                                                       Lachan explained to me. And they were let in the house
                                                                  20
    and her friend were at her friend's grandmother's and
22
                                                                  21
                                                                       by her friend's grandmother, and Lachan said that she
23
    it was, it was July 10, 1990, around three or four
                                                                       stayed downstairs in the living room area when her
                                                                  22
                                                                       friend was upstairs tending to the children for
                                                                 23
```

approximately 45 minutes. Page 34 What happens once Lachan Russell's friend came her purse, which she had borrowed from her mother, and 1 back down from tending to the children? Were the then they both ran down the steps to Apple Street to children them remaining upstairs? the city steps, which were across Apple Street, which 5 would have led to Lang and Upland Street where they Yes. So, Lachan Russell's friend comes back went halfway down those steps and turned around and sa downstairs, and what happens from that point, according 7 that the house was on fire, the front of the house. to Miss Russell? 7 The house, in addition to the dog at this 9 At that point Lachan explained to me that 8 point? they both exited the house. There was a vestibule. 10 9 There's the main door to exit the house and then 11 10 And what happened from that point? there's another set of doors that would lead out onto 12 11 Lachan explained that she and her friend ran the front porch. And that front porch, that's the way 13 back up the city steps to Apple Street, across Apple 12 you would exit down Apple Street; that front porch led 14 Street, ran up the house steps. She saw her friend's 13 to some stairs down on Apple Street. 15 grandmother coming down the steps, exiting the house, 14 16 They said when they exited the second set of which was now engulfed in flames. Lachan explained 15 doors, Lachan explained that her friend pulled out a 17 16 that she went to the side door and eventually that side container containing what she explained to be either 18 door glass window blew out and cut her elbow causing 17 kerosene or lighter fluid and started dousing Fay, the 19 what she showed me to be a scar today on one of her 18 20 dog. elbows. She said that she could not enter through that 19 21 Now, at this point the dog was where, right 20 door. She ran to the back of the house and either saw 22 there on the front porch? or heard her friend's brother on the second or third 21 23 Yes, the dog was tied up on the front porch, floor at the window, and she told him to jump. 22 23 And, in fact, did her friend's brother then and it had a rope which was explained to me as being a rope long enough to reach about halfway down the steps jump from the second or third floor? Page 37 to Apple Street, and there was approximately 37 steps. 3 He was -- he did fall from the second or So, according to Miss Russell, her friend third floor, yes. begins to douse the animal with this liquid? 5 Whether he jumped or was forced out from the 0 6 5 fire? Kerosene or lighter fluid? 0 6 8 7 Α Yes. Did she tell you what her friend's brother's Q g What happens from that point? Q 8 name was? 10 Lachan explained that she watched her friend 9 Α douse the dog Fay with the accelerant that she 11 10 What was that name? explained to be kerosene or lighter fluid. She 12 11 She called him Dre'. Andre'. explained that it was in a white container with a red 13 12 And once Andre' came out of the house, did she pour spout or red cap. Lachan explained that she told 14 tell you what happened at that point? 13 her friend that she was crazy for what she was doing, 15 14 Yes. She explained that at that point there and she stood and watched her friend then go into her were no fire equipment there, but an ambulance arrived 15 pocket, pull out a pack of matches; and Lachan and the ambulance took away Andre'. She stated that explained that there were some words. She used some she and Andre' were boyfriend/girlfriend also. She 17 profanities on saying how she was crazy like that, and said that Andre' was taken away by ambulance and that then she lit the match and put it onto the dog. Lachan she met up with her friend on Apple Street. 19 explained that the dog then went up in a fireball. 20 And did she and her friend then have a discussion regarding what had happened? what happened once the dog ignited? 21 Lachan said the dog ignited. She had dropped 22 Yes. Lachan explained that she and her friend agreed upon to never tell anybody on how the 23

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	The second secon
1 Q Yes.	Page 42
and explain to lack-	ure 1 went?
1 ner triend or	from what she explained to me was
MR. UHRICH: You can state someone.	And I suspect she told was a
A That we had somebody in here regarding th	
1 -	and her Jacket (indicating), is that rights
And after you told .	I explained that the Last
8 in there regarding this case, did you tell her this 9 someone had accused her on the	Trom about her body sha
9 someone had accused her or at least blamed her for 10 criminal conduct?	the lander her jacket or under her shirt on f
11 A No.	
	So her friend went income
Q Did you say that they suggested that Lacha	
14 A No.	13
1,5	1
15 Q Did she tell you that Tequilla or did she	tell 15 fluid, according to the second
16 you that her friend wanted to kill her family dog?	16 according to the statement, is that riches
110	112
19 A Fifteen years old.	And after she did then
20 Q How old was Tequilla?	the dog was outside, the friend lit the dog on fire, is that right?
21 A Eighteen years old.	120
Q Did she tell years	A Yes.
Q Did she tell you that her friend was angry a her grandmother?	Q And your investigation indicates that the dog
	23
	A Yes.
1 A Yes. Page 2 Q And when you said before that the	243
2 Q And when you said before that there was a 3 dispute between them, you did it.	2 43 1 Q And that it indeed an indeed and it
Page  2 Q And when you said before that there was a  3 dispute between them, you didn't mean there was any  4 dispute between Lachan Russoll	2 porch and that was what you found
Page Q And when you said before that there was a dispute between them, you didn't mean there was any dispute between Lachan Russell and her friend's grandmother, did you?	2 porch and that was what you found
Page Q And when you said before that there was a dispute between them, you didn't mean there was any dispute between Lachan Russell and her friend's grandmother, did you?  A No.	Page 4  1 Q And that it indeed caught on fire outside the 2 porch and that was what you found out and that's what you 3 believe today, is that right? 4. A Yes.
Page  2	Page 4  1 Q And that it indeed caught on fire outside the 2 porch and that was what you found out and that's what you 3 believe today, is that right? 4. A Yes. 5 Q And the dog was tied up outside
2 Q And when you said before that there was a 3 dispute between them, you didn't mean there was any 4 dispute between Lachan Russell and her friend's 5 grandmother, did you? 6 A No. 7 Q Nobody ever suggested that, is that right? 8 A That's correct.	Page 4  1
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2 Q And when you said before that there was a 3 dispute between them, you didn't mean there was any 4 dispute between Lachan Russell and her friend's 5 grandmother, did you? 6 A No. 7 Q Nobody ever suggested that, is that right? 8 A That's correct. 9 Q And she also told you, did she not, that her 1 friend had called her grandmother crazy and that her 2 dog on fire, isn't that what she said? 3 A Yes.	Page 4  1
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And you've heard the arson investigator tell us
           1
               today that the origin of this fire was outside, is that
                                                                                          MR. UHRICH: Sustained.
                                                                                          MR. LEWIS: Because as the officer knows in
                        No, I didn't hear that, but I read that in
                                                                                     his probable cause affidavit, there is not, the
          5
              the reports.
                                                                                     word plan by Lachan Russell has never been...
                       MR. UHRICH: He was sequestered, Mr. Lewis.
                                                                            5
                                                                                         MR. HUDAK: I'm just suggesting --
          7
                       MR. LEWIS: I'm sorry. That's all the
                                                                            6
                                                                                         MR. LEWIS: well, you're assuming a fact not
         Я
                  questions I have.
                                                                                     in evidence.
         9
                       MR. UHRICH: Mr. Hudak. do you have any
                                                                                         MR. HUDAK: Okay.
        10
                  questions?
                                                                                        MR. UHRICH: Objection sustained.
        11
                      MR. HUDAK: A few. Thank you, Your Honor.
                                                                               BY MR. HUDAK:
       12
                                                                          11
                                                                                        And I don't move to admit that there is such a
                              CROSS-EXAMINATION
       13
                                                                              fact. I'm just saying if there is, am I correct about
            BY MR. HUDAK:
                                                                          12
       14
                                                                              this. Did my client, did Lachan Russell ever tell you
                      Detective, how long did the interview with
       15
            Lachan Russell take?
                                                                              that my client intended to kill her children?
                                                                         14
       16
                     She was in approximately five hours.
                                                                         15
       17
                     And so I take it that it took you and your
                                                                         16
                                                                                       Did Lachan Russell ever tell you that her
      18
           partner, Detective Rush, a long time to convince her to
                                                                             friend intended to burn down her own home?
                                                                        17
           provide the information that you were seeking?
      19
                                                                        18
      20
                    It was a fairly short time when she gave what
                                                                        19
                                                                                      Did Lachan Russell tell you that the burning of
                                                                                  0
          she said to be the true story.
     21
                                                                             the house and killing of her children was ever anything
                                                                        20
     22
                                                                            more than an accident resulting from the dog?
                    And that true story, I take it, came towards
                                                                        21
          the end of the five hours, not towards the beginning,
                                                                       22
                                                                                 Α
                                                                                      No.
                                                                       23
                                                                                     MR. HUDAK: That's all I have.
     1
         correct?
                                                              Page 47
     2
                                                                       1
                                                                                     MR. LEWIS: Excuse me, Your Honor, I may have
                   So at the beginning of the five hours she told
                                                                       2
                                                                                missed a question.
        you the information and you just kept her there for an
                                                                       3
                                                                                     MR. UHRICH: Let's do this. Do you have any
        additional four and a half hours or so?
                                                                                redirect?
                  Yeah, in the beginning of the interview she
                                                                                    MS. DÍGIOVANNI: NO, YOUR HONOR.
        pretty much stuck with the story that she said in 1990,
                                                                                    MR. UHRICH: You're going to get the
        only several minutes later, it was only several minutes
                                                                               opportunity, obviously, then, to cross or recross
       later when she said what I had just testified to.
   9
                                                                               on his cross.
  10
                 Now, during the interview of Lachan Russell,
                                                                                           RECROSS-EXAMINATION
  11
       did she indicate to you that her friend had planned
                                                                    10
                                                                         BY MR. LEWIS:
       anything to direct the dog to go into the house?
  12
                                                                    11
                                                                                   Just to make the record clear, I've read the
  13
                                                                         affidavit, the probable cause that you filed to charge
                                                                    12
  14
                                                                         Lachan Russell today, and I'm sure you prepared this and
                And did Lachan Russell tell you that her friend
                                                                    13
      had planned anything to direct the spread of the fire
 15
                                                                         signed it, is that right, Detective Smith?
                                                                   14
 16
      into the house?
                                                                   15
                                                                                  That's right.
17
                                                                   16
               No.
                                                                                  There's no reference in there to any plan that
1.8
                In fact, based on your investigation, it was
                                                                        Lachan Russell made with her friend, is that right?
                                                                   17
19
     the opposite of that, as Mr. Lewis just said, that the
                                                                   18
                                                                                  I would have to reread it.
     plan was to keep the dog tied up outside, correct? Maybe
20
                                                                  19
                                                                                  I'll give it to you.
     you didn't say that.
                                                                  20
                                                                                 I don't see any reference to a plan.
22
              MR. LEWIS: I'd object to that and I'd object
                                                                  21
                                                                                 MR. LEWIS: Thank you, Your Honor. That's
23
         to the fifth reference to a plan.
                                                                  22
                                                                  23
                                                                                MR. UHRICH: Anything else?
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				The state of the second of the
	1 MS. DiGIOVANNI: Your Honor, I have no	Page 5		
i	2 further questions for the	r age J	1	iela
	further questions for the detective regarding	ıg	2	it's been reduced to writing in any way. And
	3 Lachan Russell. I will call him later in re 4 to Miss Fields.	gards	3	TES her statement
í				to it here to took
ĺ	6 MR. UHRICH: Do you want to step down?		4	remember or understand what he said.
(	(" chess excused )		5	MR. UHRICH: And you can do that on cross
,	MS. DiGIOVANNI: Your Honor, Commonwealt	L	6	believe. believe.
	Canorari,		7	MR. LEWIS . Do
ł	DALE CANOFARI, the witness		8	MR. LEWIS: Do you have the statements? ( you have the writing?
	The Came	d as	9	and it iting?
	1 SWULD Forests	ng	10	MR. UHRICH: Well, I don't think you need
	I VINCLI FYAMTNA	}	11	- GIOVANNI: We're talki
	13 BY MS. DIGIOVANNI		12	3 2500( 22
	14 Q Sir, state your name and	- 1	13	MR. UHRICH: There's no report that was
	Q Sir, state your name and spell your last  Dale w. Canofari, C-A-N-O-F-A-R-I.	name.	14	11115 WdS & Statomers
	16 Q How are you employed?		15	
	17 A City of Pitter		16	, idita unuer any militar
	A City of Pittsburgh Police officer currently assigned to the Homicide Division.	, [	.7	
i	1 10	, ,		MR. LEWIS: Yes, I agree with that. If
- 1	Q In that capacity did you have the occasion	$\frac{1}{1}$		- "" ciring that is taken s
- 1	20 interview a Lachan Russell in connection with a fata	1 10 1		and reduced to writing, notes or whatever of this conversation.
	133 " "PP'E SLEEPT ON 7/11/10	1 .		Conversation.
- 1	22	21		MR. UHRICH: You'd like to know it.
- 1	Q When did that occur, sir?	22		MR. LEWIS: I'd Ishan
<u> </u>		23		MR. LEWIS: I'd like to know it. If
	1			Ms. DiGiovanni would allow me to see it.
$\parallel$	Pa	ge 51		
- 1	Q And was that into	1		MR. IHRTCH.
- 1		to 2		MR. UHRICH: Well, once again, I can't if
- 1	43.	3		d) [O Whether and
- 1 -	Q And was that at the same	4		the notes or refreshing be
6	out shortly after Detective same ti	me, 5		" S COTTS LESTIMONU +
7	Miss Russell?	6	`	" not in a position to de al
8	A Afterwards.	7		
9		8		DIGIOVANNI;
10	Q And can you tell the court what information	- 1	Q	or the court what wice a
11	Miss Russell provided to you regarding the origin of the fire on Apple Street?	e   10	state f	or the court what Miss Russell told you in
12		110	onnect	this fire on Apple State
13	Sile provided ma with the			MR. UHRICH: One second, if I may, when,
~ -	to Apple Street to visit a friend. While visiting her	12	aga	tin, was this, Detective?
14		13		THE WITNESS
14	Grandwark, her friend was having a problem with her	1 23		
14 15	grandmother and other family more	14	arr	THE WITNESS: Last week, the day that she was ested.
14 15 16	grandmother and other family member and her friend became quite upset.	- 1	arr	· · · · · · · · · · · · · · · · · · ·
14 15 16 17	grandmother and other family member and her friend became quite upset.  MR. LEWIS: EXCUSE MR. Value of the second	14	arr	MR. UHRICH: That would be and
14 15 16 17	grandmother and other family member and her friend became quite upset.  MR. LEWIS: Excuse me, Your Honor, is this statement reduced to writing a Company.	14 15 16	A	MR. UHRICH: That would be around the 14th?
14 15 16 17 18	grandmother and other family member and her friend became quite upset.  MR. LEWIS: Excuse me, Your Honor, is this statement reduced to writing of the defendant, because if it's a statement of	14 15 16 17 an	A d she i	MR. UHRICH: That would be around the 14th?  Yes. I spoke with her after Detective Smith.
14 15 16 17 18 19	grandmother and other family member and her friend became quite upset.  MR. LEWIS: Excuse me, Your Honor, is this statement reduced to writing of the defendant, because if it's a statement of  MS. DIGIOVANNI: Your Honor	14 15 16 17 and 18 wi	A d she i th anot	MR. UHRICH: That would be around the 14th?  Yes. I spoke with her after Detective Smith, nformed me that her friend was quite angry
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14 15	grandmother and other family member and her friend became quite upset.  MR. LEWIS: Excuse me, Your Honor, is this statement reduced to writing of the defendant, because if it's a statement of  MS. DiGIOVANNI: Your Honor, this isn't an oral interview that Detective Grants	14 15 16 17 an 18 wis 19 to 20 hou	A d she i th anot go to i se. Bu	MR. UHRICH: That would be around the 14th?  Yes. I spoke with her after Detective Smith, informed me that her friend was quite angry ther family member, and they left the residence the Hill District to another family member's
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14 15 16 17 18 19 20 11 2	grandmother and other family member and her friend became quite upset.  MR. LEWIS: Excuse me, Your Honor, is this statement reduced to writing of the defendant, because if it's a statement of  MS. DIGIOVANNI: Your Honor, this isn't an oral interview that Detective Canofari had with the defendant.  MR. LEWIS: Excuse me, I'm just asking if	14 15 16 17 an 18 wi 19 to 20 hou 21 said 22 had	A  d she i  th anoth  go to i  se. Bu  d she w  a dog	MR. UHRICH: That would be around the 14th?  Yes. I spoke with her after Detective Smith, informed me that her friend was quite angry ther family member, and they left the residence the Hill District to another family member's at prior to doing this she was so mad, she as going to fuck the dog up. She said they in amed fay and she was
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than she did. Page 54 2 when you say she, do you mean Miss Russell told give it to me. I said what? She said, well, the her that her friend was going to do this? 3 Container I put in the purse. I handed it to her Lachan said her friend that lived on Apple her friend took it out, took it from her. At that Street was going to do this. Lachan said she smelled the liquid on her hand and And at that point Lachan and her friend leave was in her purse. It must have opened in her purs Apple Street and go to the Hill District? 7 the cleaning solvent she had given her. She gave 8 They go to the Hill District for three or her friend. Her friend vigorously shook the bottle four hours. They're there with the two children. 9 8 the dog up and down, up and down, and then took a  $\mathfrak n$ 10 Whose children are they? out of her pocket, struck the match and threw it on 9 11 They're her friend's children. They go there 10 maybe four hours, they take a bus back to Apple Street, 12 11 Lachan said she was walking away at this get off the bus, the Lincoln bus, walk up Apple Street, 13 time. She just got to the edge of the porch, and he 12 and when they came in the residence, Lachan said her 14 friend came after her, but then for some reason the 13 friend's grandmother began yelling at her about having 15 came down towards them and then ran back up on the 14 the kids out so late, just yelling and screaming at her 16 porch, and the door opened to the house. She said tl 15 about having the kids out so late. Grandma went up the 17 dog started burning a bit more. When it came down it 16 stairs. Lachan said that her friend kept ranting and 18 didn't appear to be on fire, but when it ran back up 17 raving about fucking the dog up, then she said, I'm 19 18 the steps, she could tell it was engulfed in flames. going to burn that fucking dog. And Lachan said she 20 19 MS. DiGIOVANNI: Thank you. Offer for cross tried to calm her down, but she could not calm her 21 20 down. Lachan said they put the children to sleep on 22 CROSS-EXAMINATION 21 BY MR. LEWIS: the second floor, and once that was done, her friend 23 22 Did you reduce -- how long did this Q 23 conversation last with Lachan? didn't calm down. She kept saying, I'm going to burn 1 that fucking dog. Once they were in the living room, 2 1 Everything with the conversation, notes, and her friend handed a container to Lachan and said I'm 3 Page 57 taped statement, maybe less than two hours. going to burn that -- again, she reiterated she's going 3 That was after Detective Smith had her for to burn the dog. When she handed the container to three hours, you then took over and questioned her for Lachan, Lachan took the container and put it in her two more? purse. She described it as a white container with a 6 I didn't question her for that in total. cleaning solvent in it, did not recall the name. She That was everything. Q 9

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5 said it was a little bit smaller, there was a Sprite bottle on the table, a little bit smaller than the 10 Sprite, but thinner. It was a white container with 11 writing on it. She doesn't know what the name was. 12 She took the purse, took the bottle, put it in her 13 purse, Lachan put it in her purse, and when they were 14 just about to leave, they yelled to grandma they were 15 16 going to get cigarettes. 1,7 18

Once outside the residence, this is probably half a minute after she put the container in her purse, they walked outside, they're on the front porch, Lachan said the dog was on the front porch, so, you know, the dog's name she said, of course I do, it's Fay. The dog was, she believed, chained up on a couch, near a couch or on a couch on the front porch. Her friend said,

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what do you mean in total everything? I took notes, she read and signed the notes. A little bit after that she went on tape, she did a taped statement. Do you have those notes here today? No, I don't.

Where are they? My office. 0

Have they been reduced to an official report, 17 those notes? 18 Α 19

Q what do you intend on doing with them?

I said what do you intend on doing with them.

I thought you said when, writing the report and providing it to the District Attorney's Office.

2 any printed form regarding her rights she was under? 3 A Yes, I read her her rights from the 4 Pittsburgh Pre-Interrogation warning Form. She signed 5 her rights and said she'd speak without the presence of 6 an attorney. 7 Q She didn't want an attorney, she wanted to 8 cooperate with you, is that what you're saying? 9 A No, she wanted to talk without an attorney. 10 Q Does that mean she wanted to cooperate with 11 you? 12 A You can take it as that. 13 Q Did you take it as that? 14 A Sure. 15 Q Now, had you been present when Tequilla Fields 16 was interviewed prior to interviewing Lachan Russell? 17 A No, sir, I wasn't. 18 Q Did you know she had been interviewed? 19 A Yes. 20 Q Did you have any notes or copies of notes of 21 that interview available to you when you started to 22 interview Lachan Russell? 23 A No, I didn't. 24 A No. 25 A No. 26 Q Had you reviewed them prior to interviewing 27 Lachan Russell? 3 A Tequilla's notes? 4 Q Yes. 5 A No. 6 Q Had you ever talked with Tequilla yourself 6 Strike. 8 A I have never spoke to Tequilla. 9 A I have never spoke to Tequilla. 10 Russell never mentioned having any plan with anybody to 11 Q She never said that she ever was mad at anybody 11 at Tequilla's household, the grandma, the mother, the dog of the child of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of the content of the kids, anybody, is that stream of t	And she didn't give any indication her fried ded to burn down her home, correct?  Her intention was to burn the dog, as I said.  So, would it be a fair characterization of Russell's statement to you that it was basically that that accidentally turned into a disaster?  I don't know if I can classify it as that or can classify as what she told me she did, her that night. I can't determine, you know, what thinking.  Right. I don't want you to try to do that. I don the information Lachan Russell gave you friend, she didn't want friend.
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A No, sir, I wasn't.  18	Right. I don't want you to try to do that.  If on the information Lachan Russell gave you
18	friend, she did to
20  Q Did you have any notes or copies of notes of 21 that interview available to you when you started to 22 interview Lachan Russell? 23  A No, I didn't.  24  Q And you reviewed them prior to interviewing 25  Lachan Russell? 26  A No. 27  A No. 28  A Tequilla's notes? 29  Q Yes. 20  A No. 20  And you ever talked with Tequilla yourself 20  A No. 21  A No. 22  Burn	friend, she did to
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22 interview Lachan Russell?  A No, I didn't.  1 Q And you reviewed them prior to interviewing 2 Lachan Russell?  3 A Tequilla's notes? 4 Q Yes. 5 A No. 6 Q Had you ever talked with Tequilla yourself 7 personally prior to interviewing Lachan? A I have never spoke to Tequilla. Q In these five hours of questioning, Lachan Russell never mentioned having any plan with anybody to do anything, did she? A No. Q She never said that she ever was mad at anybody A at Tequilla's household, the grandma, the mother, the dog A no the kids, anybody, is that sixty and the started to the dog of the child 21 A A 22 burn 23 Q burn 23 Q  1 A 22 burn 23 Q  1 A 22 can vigoror 2 Can vigoror 3 just go on 4 the front p 5 MM 6 Strike. 7 MR 8 Honor. 10 secondha 11 went, ot 12 to the dog 14 MR.	more than -
1 Q And you reviewed them prior to interviewing 1 A 2 can vigoror 3 just go on 4 the front p 5 A No. 6 Q Had you ever talked with Tequilla yourself 6 strike. 7 Personally prior to interviewing Lachan? 8 I have never spoke to Tequilla. 9 Q In these five hours of questioning, Lachan Russell never mentioned having any plan with anybody to 4 A No. 9 Q She never said that she ever was mad at anybody 14 MR. or the kids, anybody, is that eights.	- Luan a true accident
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1 Q And you reviewed them prior to interviewing 2 Lachan Russell? 3 A Tequilla's notes? 4 Q Yes. 5 A No. 6 Q Had you ever talked with Tequilla yourself 6 Strike. 7 personally prior to interviewing Lachan? 8 A I have never spoke to Tequilla. 9 Q In these five hours of questioning, Lachan 10 Russell never mentioned having any plan with anybody to 11 do anything, did she? 12 A No. 13 Q She never said that she ever was mad at anybody 4 at Tequilla's household, the grandma, the mother, the dog 5 AR. 6 Or the kids, anybody, is that sides.	Burn the dog?
7 her upon request and that's about it.  Q She never said that she had any problems in the she know that she had any problems in the she know the she had any problems in the she know the she had any problems in the she know the she had any problems in the she know the she had any problems in the she know the she had any problems in the	. LEWIS: I'd object to that and move to  . UHRICH: As far as?  LEWIS: As far as it's speculative, Your  He has no knowledge either firsthand, and or otherwise as to where the fluid  ther than what's been testified to here as  g.  UHRICH: I think he was testifying based
1 119	
MR. LEWIS: There	this statement?
	hat Lachan rold -
BY MR. HUDAK: 22 MS. O.	hat Lachan told me, yes.
	hat Lachan told me, yes. I not telling me that there was some
and ask Mr.	hat Lachan told me, yes. I not telling me that there was some n to burn the house, are you?
and the state of t	hat Lachan told me, yes.

1		The state of the s
	What Lachan Russell +-2.	Page 62
2	MR. UHRICH: Told him.	,
3	MR. HUDAK: T'TT T'	
4	MR. HUDAK: I'll limit it to that	. Jacobanni:
5		I Dot
6	Q You were not told there was any f	
7	THE HOUSE. CORRESTA	J ~ A rat
8	intentions were to human	1 ° 0 Th
9	UKdV, that's and	1 ' A At al
10	Anything also	the state of the s
11	MS. DIGIOVANNI: NO.	speak with L
12	MR. UHRICH: Mr. Louis	10 A Yes.
1	Mr. Hudak's cross?	n la q And did
13	MR. LEWIS: NO.	I WING WIND VOIL PORT
14	MR. UHRICH: AZZ	Pittsburgh Pre-Interpretation Warning Form providing  with her Miranda rights?
15	MR. UHRICH: All right, Detective, you	ou may 14 13 with her Miranda rights?
16		Yes.
17	(witness excused.)	Q Did Miss Fields agree to
18	MS. DiGIOVANNI: Your Honor, the Comm Calls Detective Smith.	Onwealth  Q Did Miss Fields agree to speak with you in  Apple Street?  Onwealth
19	I Decertive Smith.	Apple states and the origin of the co
20	J.R. SMITH, the witness herein, recall witness on behalf of the Common	
21	witness on behalf of the Commonwealth, havi previously duly sworn, testified	. I dan you toll at
22		ng been 20 Tequilla Fields told you regarding that fire?  A Tequilla stated the court, please, what
23	FURTHER DIRECT EXAMINATION	i lai
		A Tequilla stated that she and her friend came
		up with a plan to kill the family dog, Fay, which belonged to Tequilla's grandmother.
1 BY M	5. DiGIOVANNI	granumother.
2		Page 63
3 the r	Q Detective, could you state your name again	Q What was Teguillal
	A Detain	on for 2 A Minnie Bivens.  Q what was Tequilla's grandmother's name?  A Minnie Bivens.
5 (	Detective J. R. Smith.	3 Q And did Taguilla
	- Cu Lestified	4 that plan was between herself and her friend?  A Yes. She had seen
Annle	achan Russell in connection with the fatal fire	ken   5 A Yes. She had her friend?
	Street on July 11 of 1990, is that correct?  Yes.	A Yes. She had stated, Tequilla had explained
Α		/ Thornhill . Son, named Montall
	In com.	
Q	connection with that same	
Q Detecti	In connection with that same investigation,	8 were living in Minnie pri
Q Detecti	ve, did you also speak with Tequilla Fields in ion with that same fatal fire?	were living in Minnie Bivens', her grandmother's house
Q Detecti	ion with that same fatal fire?  Yes.	9 were living in Minnie Bivens', her grandmother's house, 10 and she wanted rid of Grandmother's formula and she wanted rid of Grandmother's house,
Q Detecti	ion with that same fatal fire?  Yes.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there
Q Detecti connect A	ion with that same fatal fire?	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with
Q Detecti Connect A Q	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had
Q Detecti Connect A Q A	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her also.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death,
Q Detecti Connect A Q A Q A	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her also.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death,  Q They were going.
Q Detecti Connect A Q A Q A Suit.	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death,  Q They were going.
Q Detecti Connect A Q A Q A Suit.	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail  MS. DiGIOVANNI.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death, but it in a dumpster off of Upland Street.  Q They were going to dispose of this dog together and set the dog on fire together, was that the plan?
Q Detecti Connect A Q A Q A Suit.	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail  MS. DiGIOVANNI: Thank you. Your Honor, may ecord reflect the identify her.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death, put it in a dumpster off of Upland Street.  Q They were going to dispose of this dog together and set the dog on fire together, was that the plan?  A yes.
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Q Detecti Connect  A Q A Suit.  the r Tequi	ion with that same fatal fire?  Yes.  Is Miss Fields in Court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail  MS. DiGIOVANNI: Thank you. Your Honor, may ecord reflect the identification of the side of the side of the side of the side.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death, put it in a dumpster off of Upland Street.  Q They were going to dispose of this dog together and set the dog on fire together, was that the plan?  A Yes.  A Tequilla explained that on July 10, 1990, she
Q Detecti Connect  A Q A Suit.  the r Tequi	ion with that same fatal fire?  Yes.  Is Miss Fields in Court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail  MS. DiGIOVANNI: Thank you. Your Honor, may ecord reflect the identification of the side of the side of the side of the side.	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death, put it in a dumpster off of Upland Street.  Q They were going to dispose of this dog together and set the dog on fire together, was that the plan?  A Yes.  A Tequilla explained that on July 10, 1990, she
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Q Detecti Connect A Q A Suit.  the r Tequi identi witnes	ion with that same fatal fire?  Yes.  Is Miss Fields in court right now?  Yes.  Could you identify her, please?  She is wearing a red Allegheny County jail  MS. DiGIOVANNI: Thank you. Your Honor, may ecord reflect the identification of la Fields.  MR. UHRICH: The record will reflect the fication of Defendant Tequilla Fields by the	were living in Minnie Bivens', her grandmother's house, on Apple Street, her son had allergies to the dog, Fay, and she wanted rid of Fay. She went on to say there were a couple of different plans that she had made with her friend to get rid of the dog. After one had failed, they agreed they would burn the dog to death, put it in a dumpster off of Upland Street.  Q They were going to dispose of this dog together and set the dog on fire together, was that the plan? A yes.  Q And how did this plan get carried out? A Tequilla explained that on July 10, 1990, she and her friend and her two children were in route to mother's house in the Util
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rid of Fay in the past. But on the night of July 10, 1990, they discussed that was going to be the night kerosene from being doused with the fluid. they were going to carry out their plan. Once Tequilla Fields' grandmother let th She stated there was a failed attempt to get women inside, what happened at that point? rid of the dog two to three, possibly four weeks Tequilla explained that she had went upsta possibly prior. They said once the bus dropped off the and put the two children -- well, first, gave them a 5 two of them on Apple Street, they walked up to the bath, gave them both a bath and then put them in bed grandmother's house and decided at that time they were and that her friend had eventually come in the house, going to light the dog on fire. 9 but went no further than the living room. 10 Where were the Thornhill children at that point 9 So her friend was waiting downstairs? 11 in time? 10 12 They were with them walking. Α 11 Once Tequilla Fields put the children to b 13 And so the two adults, that being how long elapsed before she went back downstairs whe 12 Tequilla Fields and her friend, and the two children 14 13 her friend was waiting? returned to the Apple Street address, correct? 15 14 She said it was approximately a half an hour Α 16 15 to an hour. 17 At this point in time is it now July 11 of 16 And what happened at that point? 0 18 1990? 17 She said that they had walked out --19 originally the plan was to catch a jitney, was to light 18 20 Okay. What happens once they arrive back at 0 19 the dog on fire and catch a jitney and leave the area. the Apple Street address? 21 but her grandmother had asked her to go to the store to 20 22 Tequilla explained that when the four of them pick up a couple of things. So she had walked out with 21 got to the front door of her grandmother's house, they 23 her friend. As they went onto the front porch, the 22 plan that they had discussed, the plan that they had 23 had to knock to be let in. She said there was a few 1 minutes that they waited for her grandmother to open discussed was for her friend to untie the dog and 1 the door, and during that time her friend started to 3 Tequilla would go down the steps from the house to pour kerosene all over Fay, the family dog, which was Apple Street, cross the street, go down to the city tied up on the front porch. 5 steps to the top of the city steps and call Fay the What was Tequilla's response to her friend Q dog, and when the dog reached the city steps, at that doing this? time her friend would be there, and they would light Actually Tequilla's response was she was 9 aware that the plan was now being... was starting, and She said that she had given her friend a bag 10 g 11 10 12

her grandmother had come to the door and opened the door. Tequilla explained that she had blocked the view of what her friend was doing behind her with her body by moving over to the right (indicating) so her grandmother wouldn't be able to see her friend pouring the kerosene on Fay. Did Tequilla Fields tell you about actually . . .Q 16

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seeing this kerosene?

Yes. She said that she saw that the dog was soaked. Fay had jumped up on her, actually got her clothing wet with the kerosene. She said when she looked down on the porch she saw that the paw prints of Fay were wet. In other words, every time Fay would take a step, there would be a wet paw print with the 22 23

from inside of her grandmother's house, and after the dog had died, her friend would put the dog in a bag and they would then put it in a dumpster and the dog would be missing.

Did Tequilla Fields tell you when she and her friend left this house whether the door was locked?

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0 What, if she told you, what was the locking mechanism on that front door?

Tequilla explained that the lock was a dead bolt and the key was not kept in the dead bolt itself. You needed the key to get in the house and to get out of the house because her grandmother kept that locked, that front door locked, and she explained that her grandmother had given her the key so she didn't have to

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get up and open the door when they had come back.
                                                                      Page 70
             )
                           Tequilla explained she had locked her door on
                                                                                            Yes. She said that she believes he was
             3
                 her way out.
                                                                                  thrown out by some air forcing him out of the window.
                           Now, once Miss Fields and her friend are
                                                                                  And she believes he didn't jump, but he was forced out
                 outside and they, do they then begin to carry out this
                                                                                  of the house due to the fire.
                plan, as you said?
                                                                                           MS. DiGIOVANNI: Thank you. Offer for cross.
                         Yes. The plan was, from what Tequilla
                                                                             6
                                                                                          MR. UHRICH: Mr. Hudak.
               explained to me, her friend would untie the dog and she
            8
                                                                                          MR. HUDAK: Thank you, Your Honor.
               would call the dog down to the steps. She said that
           9
               she made, Tequilla explained that she had made it down
                                                                                                  CROSS-EXAMINATION
          10
                                                                             9
                                                                                BY MR. HUDAK:
               the steps when her friend stayed on the front porch,
          11
                                                                            10
                                                                                          How long was the interview that you conducted
               and she started calling the dog when she reached the
          12
                                                                           11
                                                                                with my client, Tequilla Fields?
              city steps at Apple Street. She said immediately
         13
                                                                           12
                                                                                         Approximately eight hours.
              following she then noticed that the front porch was on
         14
                                                                           13
                                                                                         Did you interview her on a date previous to
              fire and her friend was coming down the steps.
         15
                                                                          14
                                                                               this date?
        16
                        what happened at that point?
                                                                          15
        17
                       She explained, she told the friend that she
                                                                          16
                                                                                   Q
                                                                                        I mean just recently?
             was supposed to untie the dog. She explained that the
        18
                                                                          17
                                                                                        It was possibly the 9th. I'm not sure, but,
            dog never came and that she messed up the plan, and she
       19
                                                                         18
            was supposed to untie the dog.
       20
                                                                         19
                                                                                       I mean obviously you interviewed 15 years ago,
       21
                      Once Miss Fields indicated that she noticed
                                                                             but on the day you talked to her for eight hours, did you
                                                                         20
            that the house itself was on fire, what did she do?
       22
                                                                             talk to her a day or two before that?
                                                                         21
      23
                     Tequilla explained she had ran up the city
                                                                        22
                                                                                      I didn't interview her 15 years prior. This
                                                                             was the first that I interviewed her regarding this
          steps because when she and her friend met up they were
                                                               Page 71
          halfway down the city steps, which would be in between
                                                                            case, and it was approximately four or five days prior
                                                                        1
          Apple Street and Upland. She said she ran up those
                                                                                                                                 Page 73
         steps, crossed Apple Street, ran up the steps to the
                                                                        3
                                                                                     Now, would I be correct that Tequilla Fields
         house. At that point she had spoken to her grandmother
                                                                           even 15 years later indicated to you extreme remorse,
         who said that Man Man who both, who both Tequilla and
                                                                           almost hysterical remorse over the loss of her children?
         her grandmother referred to Tequilla's son as Man Man.
                                                                       6
        She said Man Man is gone, Andre' has Charita.
                                                                                    But would I be correct that it was absolutely
    9
                  Man Man would be Montelle Thornhill?
                                                                          clear that Tequilla Fields never intended those children
   10
                  Yes, Montelle, and she took that to believe
                                                                          or any humans to die?
   17
        that Man Man was dead, was already gone within the fire
                                                                     10
                                                                                   MS. DiGIOVANNI: I would object again and ask
       and that Andre' had Charita, her daughter.
  12
                                                                     11
                                                                              that the question be confined.
  13
                 Did Miss Fields tell you whether she and her
                                                                    12
                                                                                   MR. UHRICH: That's sustained.
       friend discussed what, if anything, they would tell the
  14
                                                                    13
                                                                                  MR. HUDAK: I'll rephrase.
      investigators about how this fire started?
  15
                                                                    14
                                                                         BY MR. HUDAK:
 16
                Yes, she did.
                                                                    15
                                                                                  would I be correct that Tequilla Fields told
 17
                What did she tell you in reference to that?
                                                                        you that she never intended for any human being to die?
                                                                   16
 18
               Tequilla explained to me that she and her
                                                                   17
     friend made a pact to never tell anybody how that fire
                                                                   18
                                                                                 Now, would I also be correct that
     had started and that she sworn on her children's grave
20
                                                                        Tequilla Fields told you that she never ever intended to
                                                                  19
21
     not to say.
                                                                  20
                                                                       burn down her home?
22
               Did Miss Fields tell you whether or how she saw
                                                                  21
                                                                            Α
                                                                                 Yes.
    her brother Andre' get out of the house?
                                                                 22
                                                                                 And would I also be correct that she told you
                                                                            Q
                                                                 23
                                                                      that, that Tequilla Fields told you that she never did
```

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anything to direct the spread of the fire into the house,
                                                                       Page 74
                                                                                             Yes.
                       А
                           Yes.
                                                                                             And at that point you say or she tells you .
                           And would I also be correct Tequilla Fields
                                                                                   dog's being soaked with kerosene or some kind of
                 told you that she never did anything to direct the dog to
                                                                                  flammable liquid when grandma comes to the door, is th
                 go into the house, correct?
                                                                                  right?
                          Yes.
            8
                                                                                            Yes.
                          MR. HUDAK: That's all I have, thank you.
                                                                                           And she said the kids are still there with
            9
                                 CROSS-EXAMINATION
                                                                                 Lachan and herself, is that right?
           10
                BY MR. LEWIS:
                                                                             9
          11
                                                                                           Yes.
                         Officer, you filed another probable cause
                     0
                                                                            10
               affidavit for the charge against Tequilla Fields, did you
                                                                                          Did she ever tell you in all these eight hours
                                                                                      0
          12
                                                                                 that Lachan Russell had anything against the dog?
                                                                            11
          13
                                                                            12
         14
                   Α
                        Yes.
                                                                           13
                                                                                          Did she ever tell you Lachan Russell ever had
         15
                        And you summed up that Fields stated, she had a
                   0
                                                                                any problem with her mom or with her kids or with her
              plan to kill Fay, the family dog, because her son was
         16
                                                                          15
                                                                               grandmother?
              allergic to it, is that right?
        17
        18
                                                                                    Α
                                                                                         No.
                                                                          17
                                                                                        Did she ever tell you they picked up kerosene
        19
                       That was her motivation to kill it?
                                                                          18
                                                                              before they got to the house?
        20
                      Correct.
                                                                         19
       21
                                                                                   Α
                      That's what she told you. And her plan was to
                                                                         20
                                                                                        And isn't it true, sir, that Lachan Russell was
            put the dog on fire, on the city steps and then throw it
       22
                                                                              15 at the time and I think Miss Fields was 18, three
            in the dumpster because she was mad at her grandma,
       23
                                                                             years older, is that right?
                                                                         22
                                                                        23
                                                                                       Yes.
       1
           right?
                                                               Page 75
                    with the help of her friend, correct.
                                                                        1
                                                                                       MR. LEWIS: That's all the questions I have.
                    In your affidavit I think you say they arrived
                                                                                                                                Page 77
                                                                        2
          there at the house, they being Fields, Russell, and the
                                                                                       MR. UHRICH: Redirect?
         two kids age three and two, is that right?
                                                                                      MS. DiGIOVANNI: No, Your Honor.
                                                                                      MR. UHRICH: Mr. Hudak, anything on recross?
     б
                                                                       5
                                                                                      MR. HUDAK: No, Your Honor.
                   What time of day did they arrive at the house
              Q
                                                                                     MR. UHRICH: All right, Detective, you may
     8
         on the 11th?
    9
                                                                                step down.
                  Sometime around one or 1:30, from what I was
             Α
                                                                       8
   10
        explained.
                                                                                            (witness excused.)
                                                                      9
                                                                                     MS. DiGIOVANNI: Your Honor, the Commonwealth
   11
             0
                  1:30 a.m.?
                                                                     10
   12
                                                                               rests.
                                                                     11
                                                                                    MR. UHRICH: All right. We'll start with
  13
                 And when you filled this affidavit out and got
                                                                              you, Mr. Lewis. Do you have any witnesses or
       this statement, you got a chronological description, did
                                                                    12
  14
                                                                    13
                                                                              defense to present?
 15
      you not?
                                                                    14
                                                                                   MR. LEWIS: I have no witnesses, but I have a
 16
                                                                   15
 12
                                                                              few legal --
                So they arrived at the house at 1:30,
                                                                   16
     1:45 a.m., and at that point I think you say in your
                                                                                  MR. UHRICH: Let me ask that first of
 18
                                                                   17
                                                                             Mr. Hudak. Do you have any defense or any
     affidavit that they can't get in the house because it's
19
                                                                  18
                                                                             witnesses to present?
     locked, is that right?
20
                                                                  19
21
                                                                                  MR. HUDAK: Not at this time, Your Honor.
         Α
               Yes.
                                                                  20
                                                                                 MR. UHRICH: All right, Mr. Lewis, you may
22
              That's what Miss Fields tells you, is that
         0
                                                                 21
                                                                            begin.
    right?
                                                                 22
                                                                                 MR. LEWIS: Your Honor, if I have a Motion to
                                                                 23
                                                                           Dismiss the case against Lachan Russell for a
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Less training this overlence as best, even if you believe the affidances and everything that was said, the intear here to put the digo of five by a since passed for voluntary manifolds and the state of the state o	number of reasons. And the Post To	
believe the afridavist and everything that was said, the intent here to put the dag on fire by any person and that's the blan would at best fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to a misdeneanor under the Crimes code in fise to distinct the control or report dangerous fires certainly is comething that the court could take under advisement at this time, but  Mr. LURIS: Your Monor, tailure to control or report dangerous fires certainly is said in taking it into consideration, even the arstalland advisement at this time, but  Mr. LURIS: Your Monor, who about 3301 (c), which is the fallow, count, which calks about adding in the arson, it will be a given advisement at this time, but  Mr. LURIS: Your Monor, who about 3301 (c), which is the fallow, count, which calks about adding in the arson, it was a fall to the house. She has no motivation of any way whatsoever.  Mr. LURIS: Your Monor, who applied that the time of this act, the only crime that could go be certified, not certified, but directly sent to be a general charge of marder.  Mr. LURIS: They could still bring it back to University could. The could still bring it back to University could. Theoretically they so for that reason, I would ask the case be a general charge of marder.  Mr. LURIS: They could. Theoretically they so for that they?  Mr. LURIS: They could. Theoretically they so most addersion that I'm going to make. I would allow you to angue that the crime of the full statement with respect to that.  Mr. LURIS: It's a Motion to Dismiss, your and seed and the seed of a crime where someone is intending to excite that determination. Higher than we that will all should ask you.  Mr. LURIS: It's a Motion to Di	I de tirst one de l'age /6	
said, the intent her bow the dog on fire by any person, and that's the plan - would at best fise to a misdemeanor under the crises Code in Crucity towards animals.  M. MIRCH: Now about 3301 (a), which is the standard and the set of the court could cake under a commission of report dangerous fires certainly is something that the court could take under a commission of report dangerous fires certainly is something that the court could take under a commission of report dangerous fires certainly is something that the court could take under a care in the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the count of the court could take under a care in the cou	Dest, taking this evidence at hest	
s any person — and charts the plan — would at best of misdeeanor under the Crises code in cruelty towards animals.  Mr. Unitics: now about 3301 (e), which is the sacture of control or report dangerous fires certainly is control or report dangerous fires certainly in the darger of marks.  It defines could in the control or fires certainly they for that could is control or report dangerous firest dangerous fires certainly they for the fire for the fires of could.  Mr. Lexis: They could. Theoretically they for the fires of the could fire certainly fires of the could fire fires of the could fire fires of the could fire certainly fires of the could fire fires of the could f	Oelleve the affidavits and everything 2	ter a -
any person — and that's the plan — would at best of crise to a misdemann under the Crimes Code in cruelty towards animals.  MR. UNIXECH: How about 3301 (e), which is the gramman animal problem.  MR. LEXIS: 3301 (e), vour Honor, failure to control or report dangerous fires certainly is something that the court dake under anivement at this time, but  MR. MERICH: Mow about 3301 (c), which is the gramman animal that the court dake under anivement at this time, but  MR. MERICH: Mow about 3301 (c), which is the gramman animal that the court dake under anivement at this time, but  MR. MERICH: Who about 3301 (c), which is the gramman animal that the court dake under anivement at this time, but  MR. MERICH: Who about 3301 (c), which is the gramman animal that the court of this act, the only crime that could the critical form of this act, the only crime that could the critical Court Division would be surder, would be certified, not corriffed, but directly sent to gramman animal that the court of the gramman animal that is a gramman animal that the court of the gramman animal that is a gramman animal that is gramman animal that is a gramman animal that animal that is a gramman animal that animal	1 " " " " " " " " " " " " " " " " "	.c., a re
fise to a misdeneanor under the Crimes Code in formation in the third argument hence of facts.  M. UMPICH: Mow about 3301 (e), which is the grant of the Court Original table to control or report dangerous fires certainly is something that the court could take under the court of the court o	any person and that a since passed for voluntary	statute -
Crelly towards animals.  A M. DANGER: How about 3301 (e), which is the statement against this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, even the arstatute, at best this is a negligent acc. In taking it into consideration, we defend and statute, at best this is a negligent acc. In the statute, is a statement against this is a negligent acc. In the statute, is a statement against this of in any wy whatsoever.  The best that can be said is. In the time of the statute, is a Juvenile and it the defendant, more and it were an in any any whatsoever.  The best that can be said is. In the time of the should not be carefined to the house, and it the defendant, and you take the time, is a Juvenile, and it was a failure to interpret a case here or statute and the where she is being directed by it is a should not be used to interpret a case here or murder in any way whatsoever.  The best that can be said is. In the t	rise to a misdeman would at best s	slaughte
Sexual mass.  Se	Cruelty toward crimes Code in on the third around	at basis.
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16 arson?  17 MR. LEWIS: Your Honor, even assuming that 18 Lachan Russell, age 15 at the time, is a juvenile, 19 at the time of this act, the only crime that could 20 be certified, not certified, but directly sent to 21 the criminal Court Division would be murder, would 22 be a general charge of murder. 23 So for that reason, I would ask the Case be 24 years old and well out of the jurisdiction of any 25 Juvenile Court proceeding. 26 MR. LEWIS: They could. Theoretically they 27 MR. LEWIS: They could. Theoretically they 28 MR. UHRICH: But still, you understand that's 29 not a decision that I'm going to make, I would 21 allow you to argue that. If you want to make a location that I'm going to make, I would 28 make that determination, higher than I who will make that determination, higher than me that will make that determination, higher than I who will make that determination, higher than would ask you to look at this Notion to Dismiss and I would ask you look at this Motion to Dismiss and I would ask you look at this Affavit, and it clearly is a case 21 me with the part of the charged here. Two, she is at a place and time where she is being directed by it several could to the house. She has no motivation to people itse, miss rields statement is obviously self-serving.  MR. LEWIS: I hope not. My client's statement in and of itself does not prove anything the scene of a crime with respect to that.  MR.	MR. UHRICH: How at	
16 arson?  17 MR. LEWIS: Your Honor, even assuming that 18 Lachan Russell, age 15 at the time, is a juvenile, 19 at the time of this act, the only crime that could 20 be certified, not certified, but directly sent to 21 the criminal Court Division would be murder, would 22 be a general charge of murder. 23 So for that reason, I would ask the Case be 24 years old and well out of the jurisdiction of any 25 Juvenile Court proceeding. 26 MR. LEWIS: They could. Theoretically they 27 MR. LEWIS: They could. Theoretically they 28 MR. UHRICH: But still, you understand that's 29 not a decision that I'm going to make, I would 21 allow you to argue that. If you want to make a location that I'm going to make, I would 28 make that determination, higher than I who will make that determination, higher than me that will make that determination, higher than I who will make that determination, higher than would ask you to look at this Notion to Dismiss and I would ask you look at this Motion to Dismiss and I would ask you look at this Affavit, and it clearly is a case 21 me with the part of the charged here. Two, she is at a place and time where she is being directed by it several could to the house. She has no motivation to people itse, miss rields statement is obviously self-serving.  MR. LEWIS: I hope not. My client's statement in and of itself does not prove anything the scene of a crime with respect to that.  MR.	felony count, which tall	and you ]
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MR. UHRICH: Sure.  MR. LEWIS: I'll give you a copy.  MR. UHRICH: Thank you.  MR. LEWIS: Thank you.  MR. LEWIS: Thank you. Your Honor, you may look at this Motion to Dismiss and I would ask you at best, even accepting the face.  MR. UHRICH: Sure.  Statement that she gave to Detective Canofari that she had the bottle of kerosene, she put it in her who set the fire, okay. So when I make my  I'm winnowing in on that will help me for the determination of the face.	MR. LEWIS: It's a Motion 14	
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MR. LEWIS: I'll give you a copy.  MR. UHRICH: Thank you.  MR. LEWIS: Thank you.  MR. LEWIS: Thank you.  Your Honor, you may to look at the affidavit, and it clearly is a Case at best, even accepting the face.  MR. LEWIS: I'll give you a copy.  18  19  20  40  Statement that she gave to Detective Canofari that she handed it back to her friend determination, that's actually the key fact that determination.	MR. UNDICH. Consider	ring [
MR. UHRICH: Thank you.  MR. LEWIS: Thank you. Your Honor, you may look at this Motion to Dismiss and I would ask you at best, even accepting the face.  MR. UHRICH: Thank you.  18 19 20 20 21 21 22 31 38 48 39 48 48 48 49 30 31 31 31 32 32 33 34 34 35 36 36 37 38 38 38 38 48 48 48 48 48 48 48 48 48 48 48 48 48	MR. LEWIS: I'll give statement that she gave to post-	he lå
MR. LEWIS: Thank you. Your Honor, you may look at this Motion to Dismiss and I would ask you at best, even accepting the face.  MR. LEWIS: Thank you. Your Honor, you may look at the affidavit, and it clearly is a case 22 I'm winnowing in on that will help me in the face.  Jacket and then she handed it back to her friend determination, that's actually the key fact that determination.	MR. UHRICH: Thank you. She had the bottle of kerosens	that [
look at this Motion to Dismiss and I would ask you at best, even accepting the face.  Your Honor, you may to look at the affidavit, and it clearly is a case 22 details a control of the face.  Who set the fire, okay. So when I make my I'm winnowing in on that's actually the key fact that details a control of the face.	MR. LEWIS: Thank	her 🖟
to look at the affidavit, and it clearly is a Case 22  At best, even accepting the face.	look at this way Your Honor, you may who set the fire old to her frie	nd 🏳
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The fact that th	at best over airidavit, and it clearly is a great I'm winnowing in an all the key fact the	nt li
too, I recognize the arguments you hear and a second too.	Total determine the fact that	Ę
the arguments you hear and ac	The people of this. And a	Įš
	too, I recognize and I want to say this	Е

course, when Mr. Hudak is finished and the Commonwealth is finished and you have your chance That's what he signed under oath. to respond, I'll make a decision, but I want to So I would ask the court to take into say initially that a decision to dismiss based on, consideration that the Commonwealth has prese. as I said before, if I hold this against your two varying versions of the kerosene or client, if I do, I think it's a decision that's accelerant, whatever it might be, and it shoul not made at this level. And I recognize your 6 noted that at all times it was in the possessi 8 arguments, and they conceivably could bring of Tequilla. Never something that was brought 9 something against her as they've done in other 8 to the scene by my client. But I also would a: 10 jurisdictions under the juvenile act, but again, 9 you, even looking at that warrant at it's best 11 that's nothing that I can handle at this level. 10 MR. UHRICH: I'm not looking at the warran 12 MR. LEWIS: I agree, but I think it's 11 today. 13 important for you in weighing whether the 12 MR. LEWIS: Looking at the testimony as be 14 Commonwealth has brought a case which deserves 13 we do not have a charge of general murder in th-15 your stamp of approval on the basis of probable 14 16 cause is to look at the written, the written 15 MR. UHRICH: I think everyone would agree i 17 statement, affidavit where it says Tequilla pulled 16 I rule I'm not ruling on degrees, but I don't 18 out a white bottle of charcoal fluid from under think you're looking at intent at this, at best 17 19 her clothing. 18 it's second degree, if it goes. So the notions c 20 MR. UHRICH: I understand, but that only got 19 intent while they're raised in questions and 21 them the warrant. That got them the warrant. 20 argument, it's still at best a second degree; and 22 MR. LEWIS: I agree. 21 again, I don't do degrees here. 23 MR. UHRICH: Obviously there may be a 22 MR. LEWIS: I understand. 23 MR. UHRICH: Mr. Hudak. 1 conflict that you may want to resolve at some Page 83 2 further proceeding if it's held, but again, I'm 1 MR. HUDAK: I think, Your Honor, that I don't 3 bound by what is testified here today and that was Page 85 2 admit that either Tequilla Fields or Lachan by Detective Canofari, who I have to tell you was 3 Russell burned the dog. I'm not admitting that. 5 not a signatory to the warrant. I think that in itself is a horrendous act, but 6 MR. LEWIS: Nor has he brought anything 5 even if one of them did, I think it's a sick act reduced to writing, nor does it comport with the that accidentally turned disastrous and should be Я other... 7 MR. UHRICH: But it meets the hearsay MR. UHRICH: Miss DiGiovanni? 10 exception. 9 MS. DiGIOVANNI: Thank you. Your Honor, with 1.1 MR. LEWIS: It meets the hearsay exception. 10 respect to, first to Miss Russell, I think, Your 12 I'm say if the Commonwealth offers two varying 11 Honor is correct in saying that the most 13 versions of the crime, and I think Detective Smith 12 significant testimony was provided by Detective 14 testified from the warrant that Tequilla went 13 Canofari insofar as Miss Russell's statement that 15 upstairs, came down, came out of the house 14 she took the flammable liquid, held it and then 16 ·(indicating), had the canister and sprayed the 15 gave it back to her friend. It's important to 17 16 look at that statement, not in an isolated way, 18 MR. UHRICH: But he testified to what each --17 but in context with what she told not only 19 he has no personal knowledge of anything that 18 Detective Canofari, but also Detective Smith. 20 happened in this. He can only testify to what 19 MR. UHRICH: That's a fact, and maybe I 21 each of your respective clients told him in an 20 stated, I mean, I'm taking everything they testify 22 interview. 21 to, obviously, but I'm saying when I'm looking at 23 MR. LEWIS: I agree, and that's what he did. 22 a specific point, that's the point that I'm

MS. DiGIOVANNI: Yes. Page 86 MR. UHRICH: Not to the exclusion of the evidence as testified to that the Common everything else. 2 has made out at least a prima facie case, and MS. DiGIOVANNI: Exactly, exactly, when you stress these are all prima facie cases. Thes look at that act that miss Russell admitted to, probable cause determinations. They are not 6 knowing when she took that lighter fluid, what the trials where proof is required beyond a reaso 7 intent was of her friend to set the dog on fire, 6 doubt. These are prima facie findings. And I 8 the association between these two women and the upon the evidence as testified to that it is  $\mathfrak n$ 9 participation that miss Russell then provided to 8 finding that the Commonwealth has made out a p 10 her friend. 9 facie case against the accused, Tequilla Field 11 with regard to both defendants, Your Honor, 10 She shall be remanded to custody of the warden 12 and the argument that this case at best rises to 11 Allegheny County Jail and the matter is held fo 13 the level of negligence or manslaughter, I would 12 14 disagree strongly with that. I think that this 13 with respect to the case against Lachan 15 squarely fits within the second degree murder 14 Russell, again, Mr. Lewis, I do recognize the 16 statute. You have clearly what is an intentional 15 arguments that you do make. Mr. Lewis, I do 17 fire which is set upon the property of another, 16 recognize the arguments that you do make. 18 which directly causes the death of the two victims 17 However, the arguments are best served by the 19 in this case, and that squarely fits within second Court of Common Pleas, and I do notice that --20 degree murder, Your Honor. and, obviously, I don't think there's going to b 21 MR. UHRICH: Mr. Lewis, anything you want to 20 an objection from the Commonwealth. Apparently 22 add2 21 your client has made bond in this matter and is MR. LEWIS: Your Honor, I would only --22 there going to be -- and, again, I believe I can 23 at this point revoke if I need to, but I would 1 MR. UHRICH: You argued well. Page 87 2 MR. LEWIS: Thank you, Your Honor. I think 1 suspect that you're not looking for revocation at 3 it is clearly your ability to look at what is 2 presented here. Her age, the type of -- and I'm 3 MS. DiGIOVANNI: No, Your Honor. 5 not arguing degrees. I'm saying at best, if you 4 MR. UHRICH: So given that fact, I may have took the testimony, at best, Your Honor, it would been persuaded one way if a liberty had been taken be involuntary manslaughter at best. 6 away from her on this, but I think because she is 8 MR. UHRICH: That very well may be. 7 on bond, I think there's still enough for me to 9 Mr. Hudak? 8 find at least a prima facie case based on the fact 10 MR. HUDAK: Nothing further, Your Honor. under the arson statute, there's a 3301 (c) and 11 MR. UHRICH: First of all, it is my finding 10 that's the aiding in this, whether it falls down 12 that the deceased -- and bear with me one second 11 to 3301 (e) at some point and becomes a 13 here -- the deceased, Montelle Thornhill, died as 12 misdemeanor issue, juvenile issue, I think those 14 a result of smoke inhalation. The manner of 13 are matters that need to be resolved by the Court 15 death, which had been pending the investigation, 14 of Common pleas, but it's still not enough to 16 is now listed as homicide. It is my finding that 15 allow me to dismiss this case, so I hope you 17 the deceased, Charita Thornhill, died as the 16 understand that, okay? 18 result of smoke inhalation, and the manner of 17 So it is my finding that the Commonwealth has 19 death, which had been pending investigation, is 18 made out a prima facie case, and, again, it's 20 now listed as homicide. 19 criminal homicide. I'm not determining any 21 With respect to the manner of the 20 degrees here against Lachan Russell, as the 22 Commonwealth of Pennsylvania versus 21 indication is she is -- the matter is held for 23 Tequilla Fields, it's my finding that based upon 22 court, but as I understand there's no objection to 23 her bond continuing, and I believe at this point,

The second second

even though, they would have to do a petition in Page 90 front of the Court of Common Pleas. All right. Let me ask you this: Everyone must remain seated at this point, but I believe -we're going to have to ask everyone to remain seated in the courtroom until Miss Fields is removed from the floor by the deputies, at which time I'm going to ask you to leave the area and the building and the courtroom as quickly as 9 possible after the conclusion of the hearing. If 10 11 you do not you'll be moved along. So your 12 cooperation in that will be greatly appreciated. 13 Hearing nothing further, this matter is concluded. Thank you. 15 (THEREUPON, proceedings 16 concluded at 4:00 p.m.) 17 18 19 20 21 22 23 Page 91 COURT REPORTER'S CERTIFICATE I hereby certify that I, Donna M. McMullen, RMR, Notary Public, reported in stenotype the record of proceedings in the above-entitled matter, and that this copy is a full, true, and accurate transcript of my said stenotype notes. 10 11 12 13 Court Reporter, RMR 14 15 dated: March 3rd, 2005 16 17 18 19 20 21 22 23