

1 the child to the hospital?

2 A We take the child to the hospital to a doctor
3 immediately.

4 Q That's all I have. Thank you.

5 RECROSS-EXAMINATION

6 BY MR. NESS:

7 Q Did the doctor clearly tell Mrs. Bailey about
8 Mr. Hake not having access to the child?

9 A Yes. He felt it would be dangerous for Aleta to
10 be along with Mr. Hake, and that Aleta needed to be pro-
11 tected.

12 Q The mother said she would do that?

13 A Yes.

14 Q That's all.

15 MR. SMITH: May she be excused?

16 MR. NESS: Maybe if she would stay around for a
17 little bit.

18 TANYA KUHN CALLED AND SWORN

19 DIRECT EXAMINATION

20 BY MR. SMITH:

21 Q What is your name please?

22 A Tanya Kuhn.

23 Q By whom are you employed?

24 A York County Children and Youth Services.

25 Q Mrs. Kuhn, the Aleta Bailey case was assigned to

1 you after February 4, 1982?

2 A Yes.

3 Q Did you visit at the home of Jo Ellen Bailey at
4 any time after February 4, 1982?

5 A Yes, February 12, 1982.

6 Q And at that time, did you have an opportunity to
7 see Aleta?

8 A Yes, I did.

9 Q And did you examine the child at that time?

10 A I did not ask to examine her, but at one point
11 Jo Ellen pulled up the back of her shirt so that I could
12 see that there were no marks on the child.

13 Q Jo Ellen showed you the child had no marks back
14 there, is that what you are saying?

15 A Yes.

16 Q Did the child make any complaint to you of any-
17 thing at that time?

18 A No.

19 Q Did you visit at the home any time after that?

20 A No, I had an appointment scheduled when I left
21 that day for the following Friday, the 19th of February.

22 Q The child was deceased on the 18th.

23 A Yes.

24 Q That's all I have.

25

CROSS-EXAMINATION

1 BY MR. NESS:

2 Q Mrs. Kuhn, I'm not sure I follow your testimony.
3 You said the mother pulled up part of the child's shirt to
4 look at the child's back and there were no marks there?

5 A Yes.

6 Q Well, you are not telling this jury that this
7 child had no marks on her, are you?

8 A I noticed a small red mark on her face that day.

9 Q That mark had not been there earlier, had it,
10 from your recollection?

11 A No, not to my knowledge.

12 Q When you were out there, the mother was somewhat
13 combative with you, wasn't she?

14 A To a certain extent.

15 Q She was defensive?

16 A Yes, to some questions.

17 Q Did she make the statement, "I have not laid a
18 hand on her since you have gotten involved"?

19 A Yes.

20 Q She said this when you looked at the child and saw
21 the mark on the child's face?

22 A Yes.

23 Q How did she explain this mark?

24 A I asked Aleta first, and she said she fell.

25 Q She fell?

1 A Yes.

2 Q Did the child seem well-coordinated?

3 A Yes.

4 Q Reasonably healthy?

5 A Yes.

6 Q Where was the mark located?

7 A Right here on the side (indicating).

8 Q Then what did the mother say?

9 A Jo Ellen said that she fell.

10 Q Did she give any details?

11 A She just said they had been visiting up at the
12 Jay Haven Day Care Center and Aleta was playing and fell.

13 Q I take it that was documented by the Jay Haven
14 Day Care Center?

15 A No, it wasn't; not by me.

16 Q Did she tell you that she had whacked the child
17 and the child had been knocked to the couch?

18 A No.

19 Q Did she tell you she had been spending the night
20 with Mr. Hake down at the farm in Spring Grove?

21 A No.

22 Q Did she tell you she hadn't been?

23 A I asked to make an appointment to talk to Mr.
24 Hake, since he was still going to have some involvement
25 with Aleta, and Jo Ellen said, "Well, I'm not sure where he

1 lives, and I don't know his phone number."

2 Q She did not know where he lived?

3 A She said, "I'm not sure where he lives. Somewhere
4 in Spring Grove."

5 Q Did she tell you she had known Elizabeth Ettinger
6 and that was a friend of hers?

7 A No, she did not.

8 Q Weren't you somewhat puzzled when you came there
9 on that occasion as to why she was kind of defensive and
10 combative with you? You had never seen her before, had you?

11 A No.

12 Q That's all.

13 REDIRECT EXAMINATION

14 BY MR. SMITH:

15 Q Ma'am, how was she combative?

16 A When I would say certain things, like about the
17 parenting skills class, and she would say, "Well, I already
18 told Bev that." And to another question, "I already told
19 Bev I would go." Another question -- "Well, I already told
20 Bev that."

21 Q So, this was something she had already talked to
22 Mrs. Mackereth about.

23 A Yes.

24 Q And that she would go to the place?

25 A Yes, Jo Ellen said that she would go but that

1 Larry couldn't because of his employment.

2 MR. SMITH: I think this is all I have of this
3 witness at this time.

4 RE-CROSS-EXAMINATION

5 BY MR. NESS:

6 Q Mrs. Kuhn, wasn't there any attempt to involve
7 the father in any of this business with parenting classes?
8 The child had a living father in the Military Service.

9 A Are you speaking in reference to Cameron?

10 Q Yes.

11 A I never had any contact with him during my in-
12 volvement.

13 Q The mother talked about "Larry this" and "Larry
14 that"; didn't she talk about any participation the father
15 would have in the protection and raising of this child?

16 A She had just said that Cameron had left her; he
17 had left her with car payments, and a trailer payment, and
18 really in a financial stress situation, and that he really
19 didn't care about Aleta at all.

20 Q That's all.

21 STEPHEN CRIDER CALLED AND SWORN

22 DIRECT EXAMINATION

23 BY MR. SMITH:

24 Q State your name for the record please.

25 A Officer Stephen Crider.