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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
McLEAN COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff,)
) McLean County Case
-vs-) No. 98 CF 962
)
MISOOK NOWLIN,)
Defendant.)

115-10 HEARING

EXCERPTS OF REPORT OF PROCEEDINGS (testimony of
Aissa Frasier) at the hearing before the HONORABLE G.
MICHAEL PRALL, on the 23rd day of February, 1999.

APPEARANCES:

Mr. John Prior,
ASSISTANT STATES ATTORNEY,
On behalf of the Plaintiff.

Mr. Keith Davis,
ATTORNEY AT LAW,
On behalf of the Defendant.

Kathy L. Fulks, CSR
Official Reporter
509 Law & Justice Center
Bloomington, IL 61701
(309) 888-5251
License# 084-002020

1 (Witness sworn)

2
3 AISSA FRASIER,
4 called as a witness on behalf of the People herein,
5 having been first duly sworn, was examined and testified
6 as follows:

7
8 DIRECT EXAMINATION

9 BY MR. PRIOR:

10
11 THE COURT: You may proceed.

12 Q. Thank you, Your Honor. Please state your name
13 and spell your name.

14 A. My name is Aissa, A-I-S-S-A, Frasier,
15 F-R-A-S-I-E-R.

16 Q. And Mrs. Frasier, what is your occupation?

17 A. I'm the principal at Heyworth Grade School.

18 Q. Do you know Michelle Nowlin?

19 A. Yes, I do.

20 Q. And how do you know Michelle?

21 A. Michelle's been a student at that school since
22 I've been principal there. I've been there two years.

23 Q. Last year. What grade is she in now?

24 A. She's in fourth grade.

1 Q. Okay. Directing your attention to early
2 September of last year, did you have an occasion to see
3 Michelle?

4 A. Yes, I did.

5 Q. And do you remember what day it was?

6 A. Okay. Can I go through my notes?

7 THE COURT: Any objection?

8 MR. DAVIS: No.

9 THE COURT: Yes, you may.

10 A. I saw Michelle on the third of September.

11 Q. And where did you see her?

12 A. She came to my office.

13 Q. Do you remember what time it was?

14 A. It was early afternoon.

15 Q. And how did this meeting come, come about between
16 you and Michelle?

17 A. I had been told by my secretary that Michelle had
18 wanted to see me the day before, and I hadn't gotten to
19 her. I had my name on a little note pad in my office
20 waiting to talk to her, and then she found time with
21 them, within the day and came to my office to see me.

22 Q. Okay, excuse me. I might have asked this. What
23 time was the appointment?

24 A. She showed up. It was after her lunch time. I

1 would say it was between one and two, 2:30-ish. I
2 wasn't specific on the time.

3 Q. And was there -- was there anybody else in the
4 office besides yourself and Michelle?

5 A. No. There's an outer office that my secretaries
6 were there, and then she stepped into my office.

7 Q. And what did she say when she went into your
8 office?

9 A. She informed me that she had had some, had had an
10 incident in which she had some bruising. I asked her to
11 show that to me. She explained to me a little bit about
12 that she had been hit with -- she said a wooden object.
13 I didn't recall at the time what it was specifically.
14 And she had marks that I had seen on her legs.

15 Q. In response to you, were they from questions that
16 you had asked her, or did she just --

17 A. No. She just -- she just gave me that
18 information. Michelle's comfortable in speaking with
19 me. She talked to me several times last year where the
20 students pretty much walk up and give me information or
21 tell me things that they think they need to tell me.

22 Q. Did you see the bruises on her body?

23 A. Yes, I saw the bruises on her leg.

24 Q. Would you describe what they looked like and

1 where they were located?

2 A. She had a bruise on her thigh that was several
3 inches long, maybe three inches long or so, an inch,
4 inch and a half wide. It was apparent that it had been
5 there for a while. She's rather tanned, and so it was
6 difficult to say how deep the bruise was.

7 Q. Okay. Did you see any other bruise besides that
8 one?

9 A. Later, I saw bruises when we went with the, when
10 we spoke with the investigator the following day.

11 Q. And that would be the fourth of September, is
12 that correct?

13 A. I believe that that was the fourth.

14 Q. And could you describe those bruises that you saw
15 on the fourth of September?

16 A. They were similar to the other bruise. I didn't
17 pay great attention to it because I was witnessing in
18 the room that the investigator was looking at the
19 bruises and marking on a chart and acknowledging those,
20 and so I was trying to stay out of the way for her to do
21 that.

22 Q. That conversation you had with Michelle on the
23 third of September, was that the only time you spoke
24 with her concerning the origin of her bruising?

1 A. No. Michelle came to me the next morning before
2 the investigator had come, and she told me she had a
3 secret to tell me.

4 Q. What did she say?

5 A. At that point, she told me that she was concerned
6 that she had, that her mother had put her hand over her
7 mouth, and she couldn't breathe. She elaborated to
8 say -- because I had asked her, you couldn't breathe,
9 and she said no, and she showed me with her hand over
10 her mouth with her, holding her nose, and had stated
11 that her mother had told her that she needed to behave
12 or the same thing that happened to her sister would
13 happen to her.

14 Q. Do you know who her sister was?

15 A. She had told me the day before that her sister
16 had died, and she -- I said I didn't know you had a
17 sister, and she had elaborated that it was the, the
18 man's daughter who her mother lived with, and she called
19 her her sister and that she was about three, and that
20 she had died this summer, and I was somewhat taken aback
21 by that conversation as well as the abuse the day
22 before, and then she came on the fourth and elaborated
23 the rest of the information to me.

24 Q. Is that the only two conversations that you had

1 with her concerning the bruise?

2 A. Concerning the bruises, yes. Michelle came to me
3 after Christmas break again telling me she had a secret,
4 and that she had seen her mother. So she had -- she
5 gives me bits and pieces of information a little bit at
6 a time.

7 Q. No further questions, Your Honor.

8 THE COURT: Mr. Davis.

9

10 CROSS EXAMINATION

11 BY MR. DAVIS:

12

13 Q. Okay. So you were, you recall two conversations
14 with Michelle, one on September third, and one on
15 September fourth, is that correct?

16 A. Yes.

17 Q. Okay. And on September third, Michelle told you
18 that she had been struck with an object?

19 A. Yes.

20 Q. A wooden object, I think you described it?

21 A. Yes.

22 Q. Did she say why?

23 A. I don't recall that I asked her why. She had
24 just, had elaborated that it was punishment. I didn't

1 get into specifics other than I saw that there was a
2 mark on her, and that she had said it was given as
3 punishment.

4 Q. How many bruises did you see on Michelle's
5 person?

6 A. On that day, I saw the, the bruise on her leg.
7 The following day, I had seen two bruises.

8 Q. Okay. And when you saw the bruise on September
9 third?

10 A. M-hm.

11 Q. Was anybody else present?

12 A. The secretaries were in the office. My door was
13 shut when I looked at her. I didn't -- I don't recall
14 acknowledging for them to look at that.

15 Q. When was it that the DCFS investigator was
16 present and was making the chart that you described?

17 A. That was the following day she had come out.

18 Q. On September fourth?

19 A. Uh-huh. I'm trying to recall what day of the
20 week, how that actually ran as far as the week went.

21 Q. Is there anything in your file that would refresh
22 your recollection?

23 A. No.

24 Q. If there is, please go ahead and look at it.

1 A. Okay. I didn't keep specific notes because I had
2 made the call in, and they said that the investigator
3 was going to come out. I know that I spoke with her on
4 the phone, and I believe it was the next day because
5 normally, it's within 24 hours that they're out, so I
6 was pretty certain it was the next day that she was out.

7 Q. Okay. When you were with the investigator the
8 next day, and she made her diagram, did she ask you to
9 sign that diagram?

10 A. I believe she did.

11 Q. Let me show you -- let me show you what's been
12 marked for identification as Defendant's Exhibit number
13 one and ask you if you recognize it?

14 A. M-hm.

15 Q. You have to answer out loud.

16 A. Yes, I do.

17 Q. Is that in fact a diagram we just got done
18 talking about?

19 A. Yes, it is.

20 Q. Did you write out any notes or written statements
21 in connection with this case, ma'am?

22 A. No. I initially, on my, on my folder, had
23 initially just listed some things that were issues
24 because when DCFS intervenes, I usually do not get

1 involved in that. I do my CANTS report that I send in
2 to them and let it go.

3 Q. I guess what I'm asking is, you didn't generate
4 any pieces of paper memorializing conversations and give
5 them to the DCFS investigator, did you?

6 A. Not that I recall.

7 Q. Is this the only document that you can recall
8 that you generated in whole or in part that you gave to
9 the DCFS investigator?

10 A. I can't tell you for sure whether it is or it's
11 not.

12 Q. Okay. You don't recall any others as we sit here
13 today?

14 A. I can't tell you right now.

15 Q. Okay. This is your signature on the lower
16 right-hand corner, is it not?

17 A. Yes, it is.

18 Q. And it's apparently dated September fourth, 98,
19 and the time is 3:20 PM. Does that comport with your
20 recollection of when you saw Michelle and, in the
21 presence of the investigator?

22 A. I think it would have been in the afternoon
23 because it was close to school getting out.

24 Q. This report shows a notation on the stick figures

1 of four bruises, right?

2 A. M-hm.

3 Q. And those bruises correspond to some photographs,
4 which are labeled one, two, three, and four in our case
5 here today, correct?

6 A. Correct.

7 Q. You've seen these photographs before, have you
8 not?

9 A. Yes, I have.

10 Q. These photographs show some of the bruising that
11 you saw on that date, do they not?

12 A. Yes, on the, on the third, I saw it on her leg.
13 On the fourth, the place on her hip. I didn't ask her
14 to divulge anything under her clothing when the, on the
15 day before.

16 Q. I understand. Did Michelle, while Miss Wenger
17 was making out that diagram, Defendant's number one, did
18 she talk about any other bruise, any other sore spots
19 she had on her body, like on her butt or anything like
20 that?

21 A. Not that I recall.

22 Q. Now, you've talked about Michelle talking about a
23 secret?

24 A. M-hm.

1 Q. About, about her mother putting her hand over her
2 mouth.

3 A. Yes, sir.

4 Q. Was that when she was talking about being
5 spanked, or was that in combination with something else?

6 A. She had said that that had happened, that she was
7 lying in her bed, and that that had occurred, that her
8 mother had done that. She didn't give me a time frame
9 as to when that had occurred.

10 Q. Okay. So as you understood it, did that have
11 anything to do with the spanking incident, or was that
12 something entirely different?

13 A. I believe it was a different incident.

14 Q. Did you talk about this with the DCFS
15 investigator?

16 A. Did I let her --

17 Q. The secret?

18 A. I gave her that information when she came as
19 well, that Michelle had sought me out twice.

20 Q. Okay. And so when Michelle talked about the
21 secret the first time, the investigator wasn't present,
22 I take it?

23 A. That's correct.

24 Q. Thank you. I have nothing further.

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THE COURT: Anything further?

MR. PRIOR: Yes, Your Honor.

REDIRECT EXAMINATION

BY MR. PRIOR:

Q. May I approach, Your Honor? Do you -- I'm showing you what's been marked as five for discovery purposes. Do you recognize this?

A. It's a CANTS report.

Q. Did you write this report?

A. No. That's a call in report.

Q. Okay. This is your name here as far as the reporter?

A. Yes.

Q. Is that correct? And then you did report this to DCFS, is that correct?

MR. DAVIS: Objection, for what DCFS --

MR. PRIOR:

Q. The incident. As far as the bruising and --

A. Yes, on the third, I had called.

Q. No further questions, Your Honor.

THE COURT: Anything further?

MR. DAVIS: No.

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THE COURT: Thank you. You're excused.
(Witness excused).

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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT.
MCLEAN COUNTY, ILLINOIS

I, KATHY L. FULKS, an Official Reporter and
Certified Shorthand Reporter for the Eleventh Judicial
Circuit, State of Illinois, do hereby certify that I
reported the foregoing proceedings in shorthand, and the
following is a transcription of those notes taken as
aforesaid.

Official Reporter

License No. 084-002020

Dated this _____ day of
_____, 2012.