Witness: Robert Latham

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Day 1 of 1 for this witness

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Direct Examination by Pat Harris

HARRIS: Good morning.

LATHAM: Good morning.

HARRIS: Previously we've heard from your older brother, John, and you are Jackie's brother also, is that correct?

LATHAM: Yes, I am. I'm the youngest.

HARRIS: You're the youngest? How much younger are you than Jackie?

LATHAM: Almost two years to the date.

HARRIS: We've heard the history a little bit. We had John talk a little bit about the family history, so I won't go back into the tragedies that occurred. But you did in fact, also, the entire family was put in the orphanage at the time of your mother's debilitating illness, is that right?

LATHAM: This is true. I probably spent the most time there at the Nazareth House, the orphanage.

HARRIS: Is that because you were put there at an early age?

LATHAM: Yes, I was put there at the age of three until I was fourteen and,

HARRIS: I think one thing I want the jury to be clear on, I know that we talked a little bit about Jackie at that time, John talk about the orphanage, this wasn't a situation where your mother didn't want you, is that correct?

LATHAM: No, I never felt unloved. I always felt mom wanted us home, but it wasn't possible.

HARRIS: She just couldn't?

LATHAM: She couldn't take care of us. We ended up taking care of her.

HARRIS: The orphanage didn't provide for her to come see you very often, did it?

LATHAM: No. No, there was kind of a, let's say an evolutionary process in the visiting, the visitation. Seems like it starts just one day a month overnight and then, you know, as the time and your age progresses it would be a weekend or two, you know, but our mother had a very difficult time driving out with scleroderma. She was basically turning into a skeleton.

HARRIS: The, were you in the same place as Jackie, were the two of you housed in the same place, that kind of thing?

LATHAM: Well, the boys and the girls were kept different, you know, on different sides of the school and there was like tennis courts and playground fences between the boys and the girls. They were separated by somewhat of age and boys and girls so,

HARRIS: They kept the boys and girls separate at the school?

LATHAM: Yes, they did, except during mass and the classroom.

HARRIS: What, so basically then you weren't allowed a lot of contact with your sister?

LATHAM: No, we didn't see each other a whole lot. We'd see each other through the fence mainly and maybe say hi. I can remember one particular time when the boys were being I guess rascals, throwing dirt clods at the fence and they were showering it down on the girls and I saw my sister there. I went over to her and, you know, reached through the fence and asked if she was all right. I mean, but it was a good place, you know, there was a lot of care.

HARRIS: You eventually moved back into the household?

LATHAM: Yes, at age 14, leaving Nazareth House, John basically moved out. We had a small house, made room for me. And our mother was still alive then. She died when I was 16, so basically spent, you know, a couple years with her so,

HARRIS: Was Jackie in the household at that time?

LATHAM: Yes, she was.

HARRIS: And what was she doing in the household?

LATHAM: Well, when I could get her, I'd get her to do my ironing. She was being a mom and going to school, going to high school.

HARRIS: So in the absence of your mother's ability to basically do the physical things, Jackie took care of most the physical activities?

LATHAM: She did a lot of them, yeah. She did the shopping, a lot of the shopping. All the housekeeping. We all pitched in. We all learned how to plug in a vacuum cleaner so,

HARRIS: After you left the house you told me, was this a situation where you were well off financially?

LATHAM: Oh, no. No. No, not at all. We, you know, I mean, my mother was basically getting Social Security toward the end. I mean, every dime had been exhausted just getting us through school and getting us basically growing up. She ended up, when she died, you know, after that I got some Social Security through a guardian, but it didn't go very far. I can remember, I can't remember if it was Thanksgiving or Christmas where my sister and I split a TV dinner and sis, making a joke about it, it's good enough with enough ketchup, you know, so, but,

HARRIS: Where did you go, you eventually, what was your profession, is your profession?

LATHAM: I'm a general contractor.

HARRIS: And you eventually moved on to that. Did you, after a time period go overseas?

LATHAM: I didn't go overseas, I, well, I went to Saipan, an island in the Pacific with my wife. She was a speech pathologist at the time and there was a position in Saipan and we had the kids and we didn't want to pass up the opportunity to live on a tropical island so,

HARRIS: You say the kids, how many children do you have?

LATHAM: I have four.

HARRIS: And what are their names?

LATHAM: Leeta, Abraham, Kelly and Michael.

HARRIS: Now you eventually came back to the U.S. from the Navy?

LATHAM: Yes, we spent five years, almost six.

HARRIS: So what I want to talk to you about then is the time period after you came back. And we've heard from John about the reconnection in the family, how did you see it from your angle with Jackie sort of reconnecting all the family?

LATHAM: Pretty much the same way. Jacquelyn was the heartbeat of the family and she would call and coordinate, you know, getting us reservations down in San Diego and just, she would coordinate mainly with John's return. He would come down and do some business, get out of the cold of Alaska for a while and it was usually during February, March time so we'd all get together and hang out. Saw Scott there many times, Laci.

HARRIS: Before you went into that you said she was the heartbeat of the family, what do you mean by that, what does that say to you?

LATHAM: Well, sis is always, I refer to her as wacky-acky-Jackie. She's always fun loving and focused on getting people together, the family together, I mean.

HARRIS: When you were, before you went to live in Saipan you did have some opportunity to interact with Scott, is that right?

LATHAM: At that, yeah, actually, I went to Scott's at the hospital when he was born. Did see him a few times as a young man. I actually moved out of town and with some distance and was involved in a business that seemed to go into the weekends a lot so I didn't get down to San Diego too much, but on occasion we would get down and visit.

HARRIS: As a young man, when you saw him as a young man, what struck you about him?

LATHAM: He was always very nice and seemed very respectable and respective to his family, both Lee, Jackie, everybody. Always, you know, he always greeted everybody with a smile. He was quiet, somewhat like myself I would say, a bit reserved, but always nice.

HARRIS: Then later on you reconnected when you came back and you had a chance to see him as he grew into a young man in his early 20s and so forth, is that correct?

LATHAM: Yes.

HARRIS: When you saw him later on as a young man what impressed you about him then?

LATHAM: He was very industrious. He was always taking care of business and, oh, hard working and good sense of humor. Quiet sense of humor.

HARRIS: Is he somebody you just enjoyed being around?

LATHAM: Oh, absolutely. Yeah, he was very easy to be around.

HARRIS: How about your kids, how did they feel about being around him?

LATHAM: Well, when they got to know him they really liked him and they thought it was really great to have such a great cousin. He was just a little older and they all enjoyed him.

HARRIS: You mentioned to me the thing that struck you is he always tried very hard to please his parents.

LATHAM: He did.

HARRIS: Do you still see that in him?

LATHAM: Yes.

HARRIS: Is that a trait that you felt like has gone from the time he was very young until the time you see him now?

LATHAM: It's been a consistent trait.

HARRIS: Ever see him rebel or anything as a teenager or talk back to his parents?

LATHAM: No, he's always been very respectful.

HARRIS: Do you feel like that there is hope for Scott if he is allowed to live in jail, hope that he could have a positive influence on others?

LATHAM: Yes, I do.

HARRIS: Why?

LATHAM: Well, first of all, I think the verdict is a mistake and that he's, in time things will change.

HARRIS: But why do you think he can be a positive influence in jail?

LATHAM: Because he is a positive person. He will look, you know, develop an attitude of trying to make it work, make it real, make it good.

HARRIS: Will this affect you if he's put to death?

LATHAM: Absolutely.

HARRIS: In what way?

LATHAM: It will affect our entire family. And, like I said, I believe it's a mistake and I wouldn't want that mistake to be on other people.

HARRIS: That's all I have. Thank you.