

Fri., June 25, 1982

(Central Valley)

THE SUN—B-3

Convicted killer testifies in Summers trial

By RICHARD BROOKS

Sun Staff Writer

CHINO — A man convicted of killing an Oregon deputy testified Thursday in the trial of murder-kidnap defendant Roy Summers, but he didn't say much.

Richard V. Emery, who is serving a prison sentence in Oregon for firing 14 bullets into a deputy sheriff there, gave two reasons for failing to fully answer many questions: He has a bad memory and is fearful of being labeled a "snitch" by other prisoners.

After Emery left the courtroom, Superior Court Judge William Pitt Hyde let the jury hear a recital of Emery's testimony at a preliminary hearing in October 1980. During the 1980 hearing, Emery said he and Summers had been cellmates in Oregon and that Summers secretly told of murdering his ex-wife, Beverly Wise, and kidnapping two of her young children.

Emery had claimed that Summers told him the crimes grew out of a family quarrel and that he took the children to Elko, Nev.

Summers, 41, could be imprisoned for life if he is convicted of fatally stabbing Wise and abducting the youngsters, Brandi Jondell Summers and her half-sister, Tiffani Wise.

The crimes were committed March 30, 1977, at the victims' home on Alto Drive in the Del Rosa section of San Bernardino.

Summers is Brandi's father. Brandi had cystic fibrosis and was 5 years old when she disappeared with her 2-year-old half-sister. Both children are still missing.

Deputy District Attorney Michael Smith is trying to prove that Summers murdered the woman out of hatred and kidnapped the children because they witnessed the slaying.

Emery had been scheduled to testify Wednesday, but he resisted

by helping to raise a ruckus in a holding cell behind the courtroom.

On Wednesday, he quietly took the witness stand, but answered most questions with, "I don't know. I can't recall. That's a long time ago."

However, he did answer a few questions about himself.

He told the jury that in the middle of his own murder trial (in which he faced a 25-year maximum sentence), he was permitted to plead guilty to manslaughter. As a result, he said, he will be eligible for parole after he has served five years.

In the reading of the preliminary hearing transcript, Summers' lawyer — Timothy Guhin — zeroed in on the plea bargain and

Inland empire

central valley edition

some related areas, asking what deals Emery had requested or received. Emery generally resisted the implication that he had an ulterior motive for testifying against Summers.

"You're pretty sure Roy is guilty," Guhin challenged, at one point.

"There's no doubt in my mind," Emery replied, according to the transcript.

The trial is scheduled to resume Monday.

Cuts . . .

(Continued from B-1)

creases he might be entitled to

Murder-for-hire hearing is set