

Donna Ely  
Academy of Court Reporting  
Cleveland, Ohio  
Excerpts of trial State v. Schaeffer  
20 word count (2,006 words)

Q For the record; will you please state your name.

A Vicki Schaeffer.

Q And how are you related to the defendant in / this case?

A The defendant is my husband.

Q You are Mrs. Kurt Schaeffer, the wife of the defendant? How long have / you been married?

A About eleven years.

Q And do you have any children from this marriage?

A Yes, I have four children / with Kurt Schaeffer, all girls, the youngest now is only a year old and the oldest is eight.

Q And tell / us a little about your marriage.

A My marriage went smoothly at first. Kurt was a good father and had a / good job working in construction. About three years ago he started his own construction business with Larry Hansen, his best / friend

Q And what was or is the name of the construction company that they were partners in?

A The company was / called S & H Construction Company.

Q And were you involved in the business at all?

A In order to save money, / I worked in the office as secretary.

Q Then the three of you were often in the office together?

A Yes.

Q What / was your relationship with Larry?

A At first he was just my husband's friend, but later on- - .I mean- - .well- - . it / became something different.

Q During this period, when Larry and your husband were running this construction company, did your married life / change at all? That is, did you have any problems?

A Oh, you mean Kurt's gambling? That started earlier.

Q That started / before Larry Hanson and your husband went into the construction business?

A Yes.

Q How long before your husband and Larry Hanson / went into the construction business did you notice that your husband had a gambling problem?

A I don't really know, see / it started off slowly at first and then Kurt began to gamble, heavily. Horses and dog races. And I told / him he ought to stop.

Q And did he stop when you asked him to?

A So he'd stop for a few / days, and then it would get worse than ever. Kurt would bet larger and larger sums, and I tried to / stop him.

Q Did you argue about this gambling?

A We argued about it and our whole life changed; Kurt would lose / his temper and yell at me. He became a different man, touchy and irritable, and although he promised to stop / gambling, he never did.

Q When you realized that he was not going to stop gambling, what if anything, did you / do?

A Finally I had to ask him for a divorce.

Q Did he agree?

A Not at first, but he finally gave / in and moved out of the house.

Q Then what?

A He promised he'd join Gamblers Anonymous if I'd take him back. / But I couldn't. Matters had gone too far and I - - I was - - in love with Larry.

Q Was your husband aware / of it?

A I don't know. I couldn't tell him. I couldn't hurt him that much.

Q Now I'd like to go / back to the night before Larry was killed. Do you recall that night?

A I hardly remember anything. It's all blacked / out, it was such a terrible, horrible nightmare.

Q Do you understand, Mrs. Schaeffer, that since you are legally married to / Kurt Schaeffer, you do not have to testify against him if you don't want to?

A Yes, I understand. I want / to testify.

Q You had a conversation with your husband in your home early on the morning of June 25<sup>th</sup> / of last year. What was it about?

A He accused me of being out all night with Larry, and I told / him it was none of his business where I was, that I had a right to do what I wanted. /

Q What is the next thing you recall?

A He said he was going to kill me.

Q And what did you say? /

A I don't know. It was awful, I couldn't believe it. I was hysterical, but I finally talked him out of / it.

Q Then what?

A Then he called Larry all kinds of names and said he was going to kill him.

Q You / hate the defendant, don't you, Mrs. Schaeffer?

A Yes, I hate him. Hate - - hate- - hate. He killed the only man I / ever loved.

Q You say you lived with your husband for eleven years and bore him four children, and yet, you / never loved him? Now, Mrs. Schaeffer, isn't it true that you told police investigators the morning after the murder that / you couldn't remember anything that was said on the morning of June 25<sup>th</sup> between you and your husband?

A Yes. I / mean, I guess so. I forgot about that at first, I was so upset over Larry's death. They tell me / I tried to kill myself. That's why they put me in the hospital.

Q How long were you there, Mrs. Schaeffer? /

A They said I tried to throw myself down the canyon.

Q How long were you in the hospital?

A I think it / was five weeks.

Q And how much time passed before you remembered this threat made by your husband to kill Larry? /

A I don't know.

Q Was it after you were out of the hospital?

A Yes.

Q Actually you were out of the hospital / a week when you first mentioned this threat. You hadn't remembered it until then, right?

A You know what I'm going / to say. Yes, yes, yes.

Q Just one or two more questions. Did you tell your husband when he was leaving / that night that Hanson was a better lover than he ever was?

A I don't know. I don't recall.

Q Try to / recall. "Larry's a better lover than you ever were." Is it possible you said it?

A. I don't know.

Q Probable?

A Anything / is probable.

Q All right. Is it probable you said it?

A I may have said it, I could have said it, / I don't recall.

Q Would you please state your name for the record.

A Adelheid Hoffman.

Q And how are you related to / the defendant in this case?

A I'm his sister-in-law.

Q Okay. Now, in your own words please tell us what / you remember about the night before Mr. Larry Hansen was shot and killed?

A I was babysitting for Vicki that evening / and I was sleeping on the couch downstairs. The children's room was upstairs and they were sleeping.

Q You were babysitting / for Vicki Schaeffer?

A Yes. Earlier in the evening Vicki went out to meet Larry Hanson.

Q Okay. When did you have / contact with the defendant that evening?

A At about 2:00 a.m. I woke up to find Kurt Schaeffer standing / beside me. He wanted to know where Vicki was.

Q Can you tell me what he was like at that time; / was he calm, was he upset?

A He was upset and he said he'd make her feel sorry, she had no / right to do this to him.

Q Did he say how he was going to make her feel sorry?

A He said / he was going to kill her and Larry and then kill himself.

Q What did you do then?

A I was shocked. / We talked. Talked for a long time. After a while he calmed down and said he'd forget everything if only / he could get her back. Then the phone rang.

Q Who was it?

A It was Vicki, and she said she was / coming home. I started to tell her that Kurt was here, but he grabbed the phone. He asked where the / - - she was, but she hung up on him. Then without saying anything he turned around and left the house.

Q Then / what?

A A few minutes later Vicki came home and went upstairs to her bedroom, without even speaking to me. I / lay down and tried to get some sleep, but Kurt came back. He walked right past me as if he / didn't even see me and rushed upstairs, and I could hear them talking.

Q What did they say?

A I couldn't hear / their words, but they were yelling at each other, and after a while Kurt came down. He came down the / stairs slowly, and Vicki came to the top of

the stairs and shouted something. After he left, I heard Vicki / talking to Larry on the phone and telling him that Kurt was on his way to the office.

Q You and / Kurt were good friends. You knew that he loved Vicki very much, and you tried to bring about a reconciliation. / Is that right?

A Yes.

Q You didn't like Larry?

A I had no feeling one way or the other about Larry.

Q You / could tell Kurt was very upset that night?

A Oh yes. Especially when he left the last time. He was shaking. /

Q Out of control?

A Yes. You could say that.

Q In a heat of passion?

A Yes.

Q State your name for the record, / please.

A My name is Kurt Schaeffer.

Q Can you tell me about your relationship with the deceased?

A We were friends, we / were best friends for many years. About three years ago we decided to go into business together, and we were / building it up.

Q Okay. Now tell me about the gun. Did you have a permit for it?

A No.

Q Then you / bought it illegally?

A No. I found it in a junk pile, about two years ago. It was an old gun / and I took it. It was rusty and I didn't know whether it would work, but I cleaned it and / oiled it and saw that it would operate.

Q And what did you do with the gun?

A I kept it under / my mattress, to protect my family.

Q Now, Mr. Schaeffer, I'd like to get to the day this tragedy occurred. Where / were you that night?

A I went to a meeting of Gamblers Anonymous. I felt I was making progress, and I / wanted to tell my wife, so I went to her house, only she wasn't there, but her sister Addie was, / and the kids were sleeping upstairs. Addie and I talked.

Q You heard her say you talked of killing your wife / and Larry, then yourself, didn't you? Is that true?

A If she said it, I guess it's true. I don't know - - /

Q But then isn't it also true that you calmed down and put aside those thoughts of killing? All right, just / tell us what happened next?

A The phone rang. Addie answered, but I knew it was Vicki and I grabbed it. / I tried to talk to her but she hung up on me. So I left.

Q Where did you go then? /

A I figured they were at Larry's place, so I drove out that way. Then I saw our truck, the red / one, coming the other way. Larry was driving. There was somebody with him. I thought it was Vicki, so I / turned around and went back to the house. The truck was gone but I knew Vicki was inside, so I / went back in.

Q You talked to Vicki then?

A Yes. I told her I had to have her back. I said / things - - I don't remember. I was upset - - but she - - she looked at me as if she'd never seen me before / - - she said she was in love with Larry and they wanted the divorce. I can't remember - -

Q Can you go on? /

A Go ahead.

Q Do you remember her saying Larry was a better lover than you?

A No - - -I mean - - yes. I - - -she / couldn't.

Q You don't want to remember that, do you? Did she say it?

A Yes.

Q What happened after you left the / house?

A I went to the office. I was hoping Larry wouldn't be there. I just wanted to kill myself. But / when I walked in and saw Larry there grinning at me and saying he wanted to talk to me, and / then I don't know, I shot him. I tried to shoot myself, only the gun jammed. That's all I can / remember.

Q What were your intentions while you were driving around that night, while you were at the house, after you / left Vicki?

A I don't know.

Q When, at what point, did you get the gun?

A I don't remember. I'm sorry sir. / But it's all a jumble in my mind. I want to tell the truth. I - - I did it. It was / wrong I deserve to be punished.