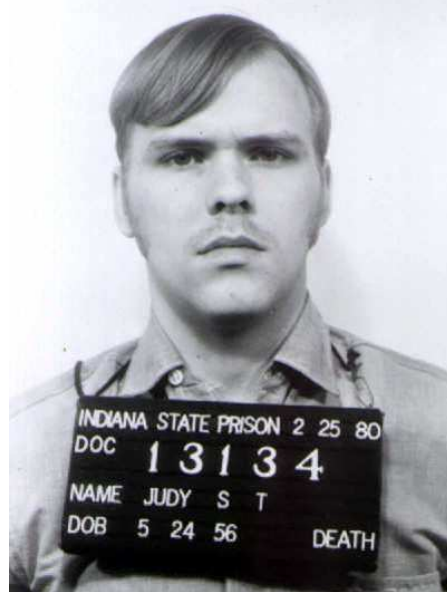


## Steven Timothy Judy - “You’d better put me to death”.



Steven Judy



Steven's mug shot

### Background.

Steven Judy was born on May 24th, 1956 in Indianapolis, Indiana to Vernon Eugene and Myrtle Louella Judy who married in 1954. He had a troubled early childhood growing up in a broken home where he frequently witnessed violence. His dad, Vernon, was in and out of jail and his mother brought her boyfriends home on a regular basis. By twelve, Steven was shoplifting and experimenting with alcohol and sex.

At age 13, he tricked his way into the Indianapolis apartment of Carol Emig on the pretext of selling Boy Scout tickets. He attempted to rape and kill Carol, stabbing her 42 times until the knife broke, before finally fracturing her skull with a hatchet and cutting off one of her fingers. He returned home covered in blood and told his sister that he had been attacked. She called the police to whom he confessed. He was taken to a juvenile center and later to Indiana's Central State Hospital, which had special facilities for juveniles with mental problems.

In January 1972, at 15 years old, Steven was fostered out to Robert and Mary Carr and their family in Indianapolis. Here he would live for about a year until Mary caught him making an obscene phone call. Mary remonstrated with him but Steven decided to leave and stole their new car which he crashed in Illinois.

In July 1975, Steven assaulted Susan McFadgen. Fortunately passers by heard her cries for help before she could be raped and killed. Steven served less than two years in prison for this and on release went back to live with the Carr's. Pamela Barger would be his next victim in April 1977. He got into her car in a parking lot, threatened her with a knife and kidnapped her. Fortunately she was finally able to escape and give the police a good description of her attacker. Steven was duly arrested and spent several months in jail prior to trial. Unfortunately there was a hung jury, although he did spend some time in prison for violating his parole.

His next criminal episode occurred in November 1978 by which time he had graduated to armed robbery. The store clerk's son arrived to collect his mother from work just as Steven and his accomplices drove off and got the car's description and license plate leading to arrest shortly afterwards. The Carr's later bonded him out of jail a week before the murders.

### The murders.

On the morning of Saturday, April 28, 1979, three men out hunting for wild mushrooms discovered a woman's almost naked body at White Lick Creek, near State Road 67 and Mooresville in Morgan County Indiana and immediately called the police.



Terry's body in White Lick Creek.

Detectives working the scene soon made three more sad discoveries, the bodies of three young children in the waters of the creek. Preliminary examination showed that the woman had been strangled and raped and that the children had drowned. Police discovered a bank book in which they found the victim's full name and address in Indianapolis. She was mother of three, 22 year old Terry Lee Chasteen who lived in Indianapolis with her boyfriend with Jack Lane. The police contacted Jack and asked to come and identify the bodies. He was horrified at the news and explained that Terry had been driving his red 1978 Ford Granada that morning. On the way to White Lick Creek, on I465, Jack spotted his car abandoned on the Interstate. The police towed it away for further examination.

Forensic examination revealed that Terry had been tied up with strips of her own clothing, raped and finally strangled. The children had all died of asphyxia due to drowning. Terry had been taking her children to the baby sitters before going to work on that Saturday morning. The children were identified as Misty Ann Zollers, aged 5, Stephen Michael Chasteen, 4 and Mark Louis Chasteen just 2 years old.



Terry Lee Chasteen



Stephen, Misty and Mark



Terry and the kids in happier times



A 1978 Ford Granada, similar to the one Terry was driving

### **Arrest.**

At the time of the crime Steven was driving a distinctively painted red and silver gray truck which had been seen by several witnesses in White Lick Creek area. One of these people remembered seeing a similar truck at a construction site. The truck was traced back to Robert Carr. One witness described seeing the truck and a blond haired young man looking under the hood of what proved to be Terry's red Ford. Another saw a man and a young woman in the red and gray truck. Yet another saw a blond haired young man carrying a child under one arm, holding a child shaped bundle with the other and with a third child walking in front. A later witness saw Steven alone in the truck near the murder scene.

Detectives visited the Carr household where they found the truck identified by the witnesses and confirmed that it belonged to Robert who told them he had lent it to his foster son Steven Judy on the Friday night and he hadn't returned it until after 8 am on the Saturday morning. Given his earlier transgressions, Steven Judy was hardly an unfamiliar name to the police. Steven was not at the Carr's home at this time but returned later and was arrested. He denied any involvement in the murders and claimed to have been with a girlfriend, an alibi which she at first corroborated.

### **Trial.**

There were the usual committal hearings prior to the actual trial that opened January 1st, 1980 before Morgan County Superior Court Special Judge Jeffrey V. Boles. The prosecutors were G. Thomas Gray and Stephen A. Oliver and Steven L. Harris was the defender.

Steven entered a plea of not guilty by reason of insanity.

Some 56 witnesses testified for the prosecution, and a great deal of forensic evidence was presented. However the prosecution's star witness was none other than the defendant, Steven himself.

He told the court how he had taken his girlfriend home in the early hours of Saturday morning April 28, 1979, and not feeling tired had driven around Indianapolis until at about 6.30 am. he spotted an attractive young woman in a red car on I465 near the 1-70 West interchange. He got along side her and pointed to the rear wheel of the car and motioned for her to stop, which sadly she did. The two vehicles pulled over on the shoulder and Steven got out and told Terry she had a loose wheel which he offered to fix. She believed him and he got tools from the truck. He raised the car's hood and removed a wire from the ignition system, so that when he finished the "repair" Terry was unable to start the car. Steven then offered her and the children a lift. Once he had them in the truck they were basically at his mercy. He drove them to White Lick Creek where he led them down to the water's edge. He sent the children off to play and ordered Terry to undress and lie on the ground for him. He then raped her. Terry screamed out so Steven gagged her with strip of

material torn from her dress and bound her with further strips and strangled her before throwing her into the creek. The three children ran back to the scene, having heard their mother's screams. Steven described the scene thus : "it all seems so unreal like my head was in a barrel". He now proceeded to bodily throw each of the terrified youngsters into the water. Glancing back before he left the scene he saw one of them trying to stand up in the freezing cold water.

Carol Emig testified about Steven's attack on her when he was 13 and showed the court her left hand, missing most of the index finger.

Two court appointed psychiatrists, Dr. John Kooiker and Dr. Larry Davis, had examined Steven in jail and in their opinions, he had an antisocial personality disorder but was legally sane at the time of the murders.

The only defense presented at the trial was a plea of insanity at the time of the commission of the offenses by psychologist Dr. Cathy Spath Widom. She testified that Steven had chronic emotional problems and described him as having an antisocial personality disorder. She was of the opinion that he was legally insane. She referred in her testimony to records covering a period of fourteen years.

The case went to the jury of nine men and three women who dismissed the insanity defense and found Steven guilty on all four counts of first degree murder on February 2nd, 1980. The sentencing phase of the trial was held immediately after the verdict was reached and Steven ordered his counsel not to present any mitigating evidence. He told the court "I honestly want you to give me the death penalty because one day I may get out," he said to Boles. "If you don't want another death hanging over your head, I think that's the only thing you can do." The jury gave a unanimous recommendation for death.

John Sappington was the jury foreman, described the bizarre scene in court as Steven threatened the jurors and the judge that he would come after them if the didn't give him the death penalty.

"He (Steven) looked at me, and he said, 'I know where you live, and I know you have a daughter.' Sappington asked his fellow jurors whether they wanted to discuss the evidence or take an immediate vote. They opted for the latter. Sappington told them "Let's sit here for a while, so it doesn't look so bad." We had some coffee, and then called for the bailiff to tell them that we had reached a decision."



This photo was taken during an interview immediately after Steven received the death sentence. From the left to right - Judy McKinsey, assistant defense attorney, Steven and principal defense attorney, Steven Harris.

On February 25th, 1980, Judge Boles formally sentenced Steven Timothy Judy to death by electrocution and he was then transferred to death row at the Indiana State Prison in Michigan City.



Steven enjoyed being in the lime light of the television cameras. To himself he was a "star," and he loved talking to reporters and being the center of attention.

Steven persuaded the Indiana Supreme Court to allow him to waive his mandatory appeal. On January 30th, 1981, the five judges upheld the murder convictions by a 5 - 0 vote and affirmed the death sentence by a 4 - 1 vote.

Steven Harris continued to represent Steven until his execution but accepted that his client did not want to go through years of futile appeals. The ACLU (American Civil Liberties Union) tried to file motions to prevent the execution but these were dismissed. They also petitioned Indiana's Governor, Robert Orr, for clemency which was denied.

### **Execution.**

Steven's would be only the fourth in the USA since the death penalty resumed with the execution of Gary Gilmore in 1977. It would be the first in Indiana for 20 years, utilizing the electric chair constructed in 1913, from lumber from the state's gallows that would be used for a total of 64 executions.

The electrocution was set for just after midnight of Monday, March 9th, 1981.

At 2:30 p.m. on the Sunday Steven showered and got dressed in new prison clothing. He was moved to a holding cell adjacent to the execution chamber at 3:31 p.m. where he ate his last meal of prime ribs, lobster tails, baked potatoes and salad at 8 pm. A request for beer was denied.

Outside the prison some 200 liberal activists held the familiar ritual, the candlelight prayer vigil. At a "Protect the Innocent" rally in a downtown park, Mark Chasteen, Terry's ex husband, told a pro-death penalty crowd that he would "throw the switch" himself. As the hour approached, motorists passing the prison would slow down, blow their horns, and yell, "Burn, Judy!" Mark Chasteen, campaigned for Steven's execution although he did not actually witness it. Afterwards he told reporters he felt relief that it had been carried out.



Indiana's electric chair

Steven Harris recalled that "about a half-hour before the execution, Steven wavered. Steven told me "If you ever have another client who wants the death penalty, tell them not to do it." Then he was cracking jokes again. He said he was going to quit smoking." He asked to call a former girlfriend in Texas and this was allowed. Steven was offered a 10-milligram injection of valium which Harris urged him not to take so he could think clearly, but he wanted it and quickly relaxed after receiving it. Steven and Harris said goodbye in the small holding cell - "We shook hands, he said, 'Thanks, this is the right thing, don't feel bad about it,' and that was it." Harris then took his seat in the viewing room alongside Steven's step-father Robert Carr. They were the only witnesses, as newspaper reporters were not allowed into the execution chamber.

A patch was shaved on the crown of Steven's head and his jeans slit up one leg. At 12.05 am., Steven walked unaided the few paces from the holding cell to the electric chair and was buckled in by four guards. The leg electrode was attached to his calf. The dish shaped leather cap containing the head electrode was fastened in place and at 12.11 am. Steven's last words were "I don't hold no grudges. This is my doing. I am sorry it happened." Warden Jack Duckworth then gave the order for the execution to proceed. An initial charge of 2,300 volts was applied for 10 seconds, followed by a second charge of 500 volts for 20 seconds. Steven died at 12.12 am. and the prison doctor declared him dead 4 1/2 minutes later. He was removed from the chair and body released to the LaPorte County deputy coroner. The official announcement came at 12:20 a.m. when Tom Hanlon, administrative assistant with the Department of Corrections, announced to waiting journalists, "The execution of Steven T. Judy, 24, as ordered by the Morgan County Superior Court, was carried out this morning at the Indiana State Prison, Michigan City, Indiana. Hanlon distributed copies of Gov. Robert Orr's statement in which he stated that "Now that this difficult ordeal is over, I am at peace with myself because I know I have met my responsibilities under the law and because I believe justice has prevailed."

Henry Schwartzchild, who represented the American Civil Liberties Union's effort to prevent the execution, told the group of protesters outside the prison gates "The governor, the attorney general, the clemency commission, the judges and the prosecutors involved all have the invisible mark of Cain upon their foreheads. "Judy's consent to his own execution cannot wipe that stain away, for who would think that our political and legal leaders should follow the wishes of a sick and destructive killer? Like Adolf Eichmann, they say they merely did their duty and like Pilate they say, "The law took its course and the blood is not on our hands. It has been a contemptible spectacle." "The State of Indiana tonight is winning a very sorry victory over us." I suspect that few people, other than those to whom he addressed these remarks, would agree with him. Note the complete lack of any mention of or sympathy for the four totally innocent victims of this appalling crime.

Steven was later buried in at Floral Park cemetery in Indianapolis by the Carr family.



Steven's headstone



Terry's and Misty's headstone

**Comment.**

Although I concur with the outcome of this case, I do wonder whether more could have been done with Steven at an earlier age to get to the bottom of his violent criminal behavior, as he was regularly incarcerated and in the hands of mental health care professionals on several occasions. Perhaps five lives could have been saved. Lots of children grow up in far from ideal homes but mercifully few of them go on to commit the sort of crimes that Steven did. There is no exact figure for the number of rapes he committed but is thought to be between 13 and 15.