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STATE OF WISCONSIN

OUTAGAMIE COUNTY

KENNETH A. HUDSON

Case No.: 00-CF-403

Audio CD of Proceedings held in the
above-entitled matter.

ORIGINAL

1 KENNETH HUDSON: What's going on?
2 FEMALE VOICE: Relax. We will tell you
3 everything, the doctor is going to check you out
4 to make sure you're okay, so just lay back and
5 you're hurt and don't move around too much, okay.
6 (Inaudible)
7 (Pause)
8 MALE VOICE: He was talking to that --
9 (Inaudible)
10 VOICE: (Inaudible)
11 (Pause)
12 KENNETH HUDSON: Where am I? Could --
13 (Inaudible)
14 MALE VOICE: Ken. Ken.
15 KENNETH HUDSON: Um.
16 MALE VOICE: Wake up. Wake up. I got
17 some stuff to read to you, okay? What's your
18 name?
19 KENNETH HUDSON: Hmm?
20 MALE VOICE: What's your name?
21 KENNETH HUDSON: Um.
22 MALE VOICE: Tell me your name.
23 KENNETH HUDSON: Um.
24 MALE VOICE: Come on, listen up. Tell me
25 your name.

1 listen to the --

2 KENNETH HUDSON: No way they're gonna
3 stick a needle in me.

4 MALE VOICE: Well, you know, that's --

5 KENNETH HUDSON: I -- I don't want nobody
6 sticking a needle in me.

7 MALE VOICE: Okay. This is John Manion,
8 he's the assistant chief.

9 MALE VOICE: How you doing, Ken?

10 MALE VOICE: And this is Kevin Shepardson
11 over here behind you, and these are two
12 investigators who are going to be working with
13 you on this thing, and, okay, I want to you
14 listen closely to what they have to say, all
15 right?

16 MALE VOICE: How you feeling? How are you
17 feeling?

18 KENNETH HUDSON: I don't know what's going
19 on, here.

20 MALE VOICE: Okay. What I'm going to do
21 is, we're going to talk to you about what
22 happened tonight, okay. Before I do that, I'm
23 going to read you your rights so you understand
24 what your rights are. Okay. So you can just lay
25 back and just listen for a second, it's only

1 going to take a few minutes.

2 You have the right to remain silent, Ken.
3 Anything you say will be used against you in a
4 court of law. You have the right to talk to a
5 lawyer and have him present with you while you
6 are being questioned. If you cannot afford to
7 hire one, one will be appointed to represent you
8 before any questioning if you wish one.

9 You can decide at any time to exercise
10 these rights and not answer any questions or make
11 any statements. If you start answering questions
12 or make any statement, you may stop at any time,
13 okay.

14 Do you understand what I just read to you,
15 Ken?

16 KENNETH HUDSON: Yes.

17 MALE VOICE: Okay. I just want to make
18 sure that you understand those rights, all right?

19 You can just sit there. We're going to
20 make sure first that you're okay. All right.
21 Because it sounds like something happened
22 tonight, and we're going to talk to you about
23 that, but we want to make sure that you're okay,
24 okay? Make sure that you're medically okay.
25 Like you don't have any --

1 KENNETH HUDSON: The only thing is my arm
2 hurts.
3 MALE VOICE: Your arm hurts?
4 KENNETH HUDSON: My wrist.
5 MALE VOICE: Okay. We will have a nurse
6 come in, and she's going to take a look at you
7 and have a doctor take a look and that's called a
8 medical clearance, so we can clear you and get
9 you out of here, okay?
10 Does that sound all right? Does that
11 sound all right?
12 KENNETH HUDSON: Yeah.
13 MALE VOICE: Okay. All right. We'll go
14 get the doctor, and we'll get the nurse, and
15 we'll be back in a minute, okay? Okay. Hang in
16 there.
17 KENNETH HUDSON: My mom. Where's my mom?
18 MALE VOICE: Where's your mom?
19 KENNETH HUDSON: Um-hmm.
20 MALE VOICE: Ah, where is your mom
21 located?
22 KENNETH HUDSON: Has anybody talked to my
23 mom?
24 MALE VOICE: Where does your mom live?
25 KENNETH HUDSON: She is visiting from New

1 York.

2 MALE VOICE: She's visiting from New York?

3 KENNETH HUDSON: She's supposed to be at
4 my house.

5 MALE VOICE: Your house on Vandebroek?

6 KENNETH HUDSON: Yes.

7 MALE VOICE: Okay. Well, we'll get a hold
8 of her.

9 KENNETH HUDSON: Has anybody talked to my
10 mom?

11 MALE VOICE: I'm not sure. There's -- I
12 know there's other officers that have been up
13 there, but we'll check on that, okay.

14 KENNETH HUDSON: Sir?

15 MALE VOICE: Yes, sir?

16 KENNETH HUDSON: Could I have a glass of
17 water, please?

18 MALE VOICE: Let me just check with the
19 nurse and we'll get you one, okay?

20 (Pause)

21 (Inaudible)

22 KENNETH HUDSON: What's going on here?

23 FEMALE VOICE: Hey, you want to put me up
24 about another six batches of labels on the Hudson
25 case? Yeah. Thanks. (Inaudible)

1 FEMALE VOICE: Okay. Ken?
2 KENNETH HUDSON: What's going on here?
3 FEMALE VOICE: I'm Cathy from the lab.
4 We need to get a blood sample from you.
5 KENNETH HUDSON: I don't want you to put
6 no needle in me.
7 FEMALE VOICE: Well, we're going to,
8 anyway. (Inaudible)
9 Did you read him the Informing the
10 Accused?
11 VOICE: No.
12 (Inaudible)
13 VOICE: Okay. This is a hospital form.
14 Across the top that -- (Inaudible) --
15 confirmation that yes, you did give your consent
16 to draw blood from you.
17 KENNETH HUDSON: I'm not giving my
18 consent.
19 FEMALE VOICE: That's fine. (Inaudible)
20 I still have to tell you about it anyway.
21 KENNETH HUDSON: I'm petrified of needles.
22 FEMALE VOICE: That's okay. I'll be real
23 careful, but I still have to do this, okay?
24 MALE VOICE: Ken, I'm going to read you a
25 form. It's called Informing the Accused.

1 A law enforcement officer requests a
2 person to take one or more chemical tests under
3 Statute 343.305 shall at the time of the request
4 and prior to administering any such test, inform
5 the person.

6 Number one, you are deemed under
7 Wisconsin's Implied Consent Law to have consented
8 to tests of your breath, blood, or urine for the
9 purpose of determining the presence or quantity
10 of alcohol or other drugs in your blood or
11 breath.

12 If you refuse to submit to any such tests,
13 your operating privilege will be revoked.

14 In addition to the test or tests to
15 which --

16 KENNETH HUDSON: Excuse me, can you read
17 that a little -- (Inaudible)

18 MALE VOICE: If you refuse to submit to
19 any such test, your operating privilege will be
20 revoked as provided under Statute 343.305. You
21 will be revoked if you refuse.

22 Number two, in addition to the test or
23 tests to which you have submitted at the request
24 of a law enforcement officer, you may request the
25 alternate test the department is prepared to

1 administer, or at your own expense, reasonable
2 opportunity to have any qualified person of your
3 own choosing administer a chemical test for the
4 purpose specified under 343.305.

5 Number four, if you take one or more
6 chemical tests and the results of any test
7 indicate a blood alcohol concentration of .10
8 percent or more, in addition to other penalties
9 which may be imposed, your operating privilege
10 will be administratively suspended as provided
11 under 343.305.

12 The statutorily prescribed penalties
13 resulting from a conviction for driving with a
14 BAC of .10 percent or more include a fine or
15 forfeiture, suspension or revocation of driving
16 privileges, points added to your driving record,
17 and a possible jail sentence in the event you are
18 a repeat offender.

19 Number five, will you submit to an
20 evidentiary chemical test of your blood?

21 KENNETH HUDSON: I want to talk to a
22 lawyer. I --

23 MALE VOICE: Do you -- yes or no question,
24 Ken, do you want a blood test, yes or no?

25 KENNETH HUDSON: No. I -- I don't.

1 MALE VOICE: Okay. That's all I want to
2 know.
3 KENNETH HUDSON: I'm petrified of needles.
4 MALE VOICE: That's all I want to know.
5 FEMALE VOICE: I'm going to let you guys
6 get -- (Inaudible) -- before I start putting --
7 (Inaudible)
8 MALE VOICE: Okay.
9 FEMALE VOICE: I'll get him out of the
10 chair.
11 (Inaudible)
12 MALE VOICE: This goes with your property,
13 it's what I just read to you, it's a copy saying
14 that you refused to take the test.
15 (Inaudible)
16 MALE VOICE: You want me to find out for
17 you?
18 FEMALE VOICE: (Inaudible) -- off of here.
19 (Inaudible)
20 MALE VOICE: Okay.
21 FEMALE VOICE: As far as -- (Inaudible)
22 The medical one.
23 FEMALE VOICE: Right away, and as well as
24 the urine.
25 (Inaudible)

1 KENNETH HUDSON: Do I have a right to
2 have an attorney?
3 MALE VOICE: What is that?
4 MALE VOICE: Pardon?
5 MALE VOICE: What is that?
6 MALE VOICE: It's. Ah, I don't know.
7 (Inaudible)
8 KENNETH HUDSON: Can I have something to
9 drink, please?
10 FEMALE VOICE: Not right now.
11 As we explained what's in --
12 (Inaudible) -- and the other would be checked --
13 (Inaudible)
14 FEMALE VOICE: I do need -- (Inaudible)
15 MALE VOICE: They informed you that --
16 (Inaudible) -- you can draw the blood --
17 (Inaudible) to take the blood, it won't be --
18 (Inaudible)
19 FEMALE VOICE: You still have to fill out
20 that form, because that's the form --
21 MALE VOICE: For the hospital.
22 FEMALE VOICE: No.
23 FEMALE VOICE: This is the form that
24 company as the specimen tells the state --
25 (Inaudible)

1 MALE VOICE: Right. Right.

2 FEMALE VOICE: So this one -- this is
3 (Inaudible) -- for us -- (Inaudible) This is the
4 one that has to be filled out. (Inaudible)

5 MALE VOICE: Okay.
6 (Inaudible)

7 FEMALE VOICE: Okay, Ken. I'm going to
8 have to draw some blood. I have to draw a lot of
9 tubes, but what I'm going to be doing is using a
10 real small, a real small needle, okay, so as long
11 as you don't move and fight a lot, it won't
12 bother you, do you understand that? And we're
13 going to get it one way or the other, so I'd
14 rather have it not bother you, okay. So as long
15 as you hold still.

16 KENNETH HUDSON: Don't -- what's going on?
17 Don't I have a right to talk to an attorney?
18 What's going on here?

19 MALE VOICE: Not at this point here, okay.
20 We're going to have to draw some blood.

21 FEMALE VOICE: See what you got on this
22 side, all right. I'll let you know what I'm
23 doing each step. Just putting the tourniquet
24 around and tightening it up.

25 KENNETH HUDSON: I don't have a right at

1 this time -- what's going on?

2 MALE VOICE: Do you remember when we read
3 the search warrant to you, remember when Sgt.
4 Patschke read that to you, he informed you
5 that --

6 FEMALE VOICE: This is something that just
7 cleans, it goes on your skin.

8 MALE VOICE: By order of the judge, we
9 have to take some blood from you. Okay. That's
10 what we're doing right now.

11 KENNETH HUDSON: I don't understand what's
12 going on.

13 FEMALE VOICE: Okay. These are just
14 cotton balls, here. Now, what I'm going to do,
15 is I'm going to put a little needle just
16 underneath your skin, here. And if you like, I
17 can have them hold your arm for you. All right.
18 But I have to draw the blood.

19 KENNETH HUDSON: I don't like needles.

20 FEMALE VOICE: That's okay. I'll be real
21 easy on you. All right. I'm going to take it
22 real easy on you. You have to hold still for me.

23 (Inaudible)

24 KENNETH HUDSON: Don't hold my arm. I
25 don't like this at all.

1 FEMALE VOICE: Okay.

2 KENNETH HUDSON: Don't hurt my wrist,
3 though.

4 FEMALE VOICE: That's all you got to do,
5 is just hold still and don't look.

6 KENNETH HUDSON: I'm petrified of needles.
7 Ah.

8 FEMALE VOICE: That's the worst. That's
9 the worst. You're doing real good. (Inaudible)
10 As long as you hold nice and still. Okay. Real
11 good.

12 MALE VOICE: No.

13 KENNETH HUDSON: Oh.

14 MALE VOICE: Don't look.

15 FEMALE VOICE: Okay. You're doing fine.
16 Just don't look at it. You're doing good.
17 You're doing real good there.

18 All right. Almost done. You're doing
19 real good. (Inaudible)

20 Just taking the tourniquet off, but we're
21 still not done yet. Getting down to the home
22 stretch. And, it's out. You did real good
23 there, guy. All I'm going to do is just hold it
24 with my finger. Everything is all out. The
25 worst part's over.

1 (Inaudible)
2 FEMALE VOICE: Want me to use your label?
3 FEMALE VOICE: Yeah.
4 FEMALE VOICE: Okay. (Inaudible)
5 KENNETH HUDSON: Can I have a drink of
6 water?
7 FEMALE VOICE: You can go to the bathroom
8 for me.
9 FEMALE VOICE: You want to go and ask them
10 to give you -- (Inaudible)
11 FEMALE VOICE: Yeah. I got some there.
12 Which one you want to do?
13 MALE VOICE: (Inaudible)
14 (Inaudible)
15 FEMALE VOICE: Are you done with this box?
16 MALE VOICE: Yeah.
17 MALE VOICE: Okay.
18 (Inaudible)
19 MALE VOICE: Are you going to be cleaning
20 him up as far as, you know, are you going to be
21 cleaning him up with anything?
22 FEMALE VOICE: Um, before we send him off?
23 MALE VOICE: Okay. That's what I was
24 wondering.
25 FEMALE VOICE: These abrasions over here

1 are real minor.

2 MALE VOICE: Okay. What we can do is take
3 some, like, gauze and do the same thing on a
4 larger scale and clean his leg up, you know, to
5 save it, there. As long as you're not going to,
6 unless you don't think we need it. (Inaudible)

7 I guess I would say, you know, where
8 there's a lot of blood on the leg, that I would
9 swab that up.

10 FEMALE VOICE: You want some four by
11 fours?

12 MALE VOICE: Yeah.

13 MALE VOICE: You don't need the saline,
14 just use the water here.

15 FEMALE VOICE: Okay. We can do that.
16 That's not a problem.

17 MALE VOICE: Okay. Then what we'll do is
18 just put it in the bag like this. (Inaudible)

19 FEMALE VOICE: Okay. This is just a
20 towel, and I'm going to place it over your chest
21 right now.

22 (Inaudible)

23 KENNETH HUDSON: Hey.

24 FEMALE VOICE: Sorry.

25 (Inaudible)

1 MALE VOICE: Just don't move around, okay?
2 KENNETH HUDSON: Why can't I pull my pants
3 up?
4 FEMALE VOICE: Because we're not done yet.
5 MALE VOICE: Yeah.
6 FEMALE VOICE: Go ask them for --
7 (Inaudible)
8 MALE VOICE: (Inaudible)
9 MALE VOICE: The next thing we need to do
10 is put a swab into your penis. Okay. And then
11 I'm going to have you go to the bathroom for me.
12 If you do not go to the bathroom for me, I have
13 to put a tube into your bladder and empty out
14 your bladder. Okay. We're going to need you to
15 go to the bathroom for me twice. One to empty
16 out the bladder, and one another time to --
17 (Inaudible)
18 FEMALE VOICE: Okay? Do you understand,
19 Ken?
20 KENNETH HUDSON: Um-hmm.
21 (Inaudible)
22 KENNETH HUDSON: Whoa. Hey.
23 FEMALE VOICE: (Inaudible) Come on.
24 Relax now.
25 MALE VOICE: (Inaudible)

1 KENNETH HUDSON: What's going on, here?
2 FEMALE VOICE: This is a little swab I'm
3 going to put into your penis.
4 KENNETH HUDSON: Does that hurt?
5 FEMALE VOICE: (Inaudible)
6 Okay. Try to relax for me, Ken.
7 KENNETH HUDSON: Oh.
8 FEMALE VOICE: Try to relax.
9 KENNETH HUDSON: Ah. Ah.
10 FEMALE VOICE: Okay.
11 MALE VOICE: Never mind. She's done
12 already.
13 (Inaudible)
14 FEMALE VOICE: The four by fours.
15 (Inaudible)
16 FEMALE VOICE: Okay. Ken. Got to give you
17 a chance to empty your bladder.
18 MALE VOICE: Okay.
19 KENNETH HUDSON: Pretty hard trying to go
20 in front of everybody.
21 FEMALE VOICE: I understand that.
22 (Inaudible)
23 KENNETH HUDSON: How much do you need?
24 FEMALE VOICE: I need you to empty your
25 bladder. Okay. And in a half hour or so, I'm

1 going to -- (Inaudible)
2 KENNETH HUDSON: How can I go if I don't
3 have anything to drink?
4 FEMALE VOICE: (Inaudible)
5 KENNETH HUDSON: What is this?
6 FEMALE VOICE: I'm going to scrape your
7 finger nail.
8 KENNETH HUDSON: Oh.
9 (Inaudible)
10 KENNETH HUDSON: Can I have something to
11 drink?
12 FEMALE VOICE: (Inaudible)
13 MALE VOICE: Okay.
14 (Inaudible)
15 KENNETH HUDSON: Can I have one more,
16 please?
17 FEMALE VOICE: Sure.
18 (Inaudible)
19 FEMALE VOICE: (Inaudible)
20 MALE VOICE: That box would be fine.
21 Yeah. Probably just package container.
22 (Inaudible)
23 MALE VOICE: Dave was asking, he saw
24 transport -- (Inaudible)
25 MALE VOICE: Yeah.

1 (Inaudible)
2 KENNETH HUDSON: Can I have a drink of
3 water?
4 FEMALE VOICE: Yes, you can.
5 (Inaudible)
6 MALE VOICE: Probably.
7 (Inaudible)
8 KENNETH HUDSON: Can I have another glass
9 of water?
10 FEMALE VOICE: Um-hmm.
11 KENNETH HUDSON: (Inaudible)
12 (Inaudible)
13 MALE VOICE: You want to use your --
14 KENNETH HUDSON: (Inaudible)
15 FEMALE VOICE: Well, if you can't go --
16 (Inaudible) -- plastic tube and put it up through
17 your penis into your bladder.
18 KENNETH HUDSON: (Inaudible)
19 MALE VOICE: Glass of water. It's good
20 for you. Especially right now.
21 (Pause)
22 (Inaudible)
23 MALE VOICE: How you doing? All right?
24 KENNETH HUDSON: (Inaudible)
25 MALE VOICE: The elbow does? You know how

1 that happened?

2 KENNETH HUDSON: (Inaudible)

3 MALE VOICE: When was that, you mean
4 earlier tonight?

5 KENNETH HUDSON: (Inaudible)

6 MALE VOICE: (Inaudible) Sounds like you
7 were arrested and put on the ground by then.
8 Nobody hurt you in any other way?

9 KENNETH HUDSON: (Inaudible)

10 MALE VOICE: Okay. Why did they arrest
11 you, do you know, do you know why?

12 KENNETH HUDSON: Because I was running
13 from the police, I guess.

14 MALE VOICE: In your car?

15 KENNETH HUDSON: In my truck.

16 MALE VOICE: In your truck? Okay. Well,
17 we're just about done here, so we'll get you out
18 of here, okay?

19 KENNETH HUDSON: Where are we going?

20 MALE VOICE: I don't know yet. We're
21 going to figure that out.

22 KENNETH HUDSON: Anybody contact my
23 mother?

24 MALE VOICE: Yeah.

25 (Inaudible)

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MALE VOICE: Still there visiting.
(Whereupon the CD audio was completed)

1 STATE OF WISCONSIN)
2 COUNTY OF OCONTO) SS

3

4 I, NANSI CASPER, do hereby certify that I
5 am a stenographic reporter; that I was provided three
6 audio CDs of the proceedings in the above entitled
7 matter, and that I recorded the same in shorthand; that
8 the above and foregoing is a true, correct and exact
9 copy, in longhand, of my shorthand notes taken of said
10 three audio CDs of said proceedings.

11 Dated this 29th day of January, 2007.


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Nansi Casper, Court Reporter

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