

Wednesday, November 10, 1993

STATE/LOCAL

The Lincoln Star Page 27

Officer says he overheard Bjorklund admit role in death

By Bruce Weible
of The Lincoln Star

Tuesday's appearance by Timothy Kennett as a witness in the murder trial of Roger Bjorklund heralded the start of the final portion of the prosecution's case — the part considered its heart.

Many of the 10 prosecution witnesses who have preceded the Lincoln police officer in the Lancaster County District Court trial have been intended to support testimony by him and other law officers about statements Bjorklund made about the case.

ADDITIONAL testimony about the statements — which have been described by the prosecution but never fully disclosed publicly — is scheduled for today.

Kennett testified that while guarding Bjorklund at police headquarters on Dec. 4 he overheard a telephone conversation in which Bjorklund admitted culpability in the Candice Harms case.

Bjorklund and co-defendant Scott Barney are both charged with first-degree murder in the slaying of Harms, 18, of Lincoln.

Kennett said that after being interviewed by Detective Greg Sorensen, Bjorklund was allowed to make telephone calls from an interview room. Kennett sat in the small room while he placed the calls.

ON THE SECOND call Bjorklund apparently reached an answering machine and left a message.

"He said some things were going to come out about him and Scott. That he was tired of lying and wanted to tell the truth — that he and Scott were responsible for what happened to Candice Harms," Kennett said.

"He said he and Scott were equally responsible for what had happened to Candice Harms. That he had been praying because he wanted to go to heaven," Kennett said.

After placing two more telephone calls, Bjorklund spoke to someone and asked to speak with his wife. A moment later he began speaking again, apparently to his wife Shannon, Kennett said.

Kennett testified that Bjorklund said he had something to tell her, that he was tired of lying and that he still loved her.

"HE SAID HE couldn't handle it any longer," Kennett said. Bjorklund said he had decided to speak with a detective after praying to God.

Bjorklund said he and Scott had planned a robbery for one night, but that their plans fell through. Bjorklund stated, "they both still felt like doing something crazy," and encountered Harms shortly after.

Kennett testified.

"You know how crazy Scott can get," Kennett quoted Bjorklund as saying.

Kennett said Bjorklund then gave an account of the rape of Harms and said that he had wanted to disclose his involvement earlier, but that Scott had threatened to kill his children and the person to whom Bjorklund was speaking, apparently his wife, if he discussed the matter.

"HE THEN SAID what he did was wrong — that he deserved to die," Kennett said.

The telephone conversation and more than a dozen other statements Bjorklund made about the case, most of them to police detectives, were among the issues contested during pretrial hearings in August and September.

Bjorklund Trial

Day 11
Tuesday, Nov. 9, 1993

Witnesses:
Mark Burey (State Patrol ballistics expert)
Timothy Kennett (police officer)
Linda Brackley (State Patrol fingerprint expert)
Barney Myers (police detective)
Michael Allen (State Patrol evidence analyst)

Notes:
Officer Kennett describes telephone conversation in which he overheard Roger Bjorklund say he and Scott Barney were responsible for what happened to slaying victim Candice Harms.

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HOWEVER, prosecutors have said they plan to use only three of the statements.

Chief Deputy County Attorney John Colborn said Kennett's account of the telephone conversation is considered a part of a statement Bjorklund made on Dec. 4.

Colborn said prosecutors anticipate calling Sorensen to the stand today for further testimony about statements made by Bjorklund, Sorensen and police Sgt. Sandra Myers were involved in the interview of Bjorklund on Dec. 4, May 25, and June 1 that prosecutors plan to present as evidence.

Also testifying Tuesday was Mark Bohaty, a ballistics expert with the Nebraska State Patrol's crime lab.

BOHATY testified that tests he performed indicated a shell casing found at a site southeast of Lincoln was fired by a .38-caliber semi-automatic handgun found in Pawnee Lake.

Prosecutors have alleged Harms was slain at the site.

They have attempted to link the semi-automatic handgun to Barney Bohaty also said a shell casing found in Bjorklund's home was fired by a .38-caliber revolver found in the lake.

Bjorklund trial 'field trip' attracts media's attention

From staff and wire reports

First-degree murder defendant Roger Bjorklund, who says he bought a shovel long after it was used to bury victim Candice Harms, apparently identified the house where he claims he bought it during a Tuesday morning "field trip" in southeast Lincoln.

Lancaster County Sheriff Tom Cassidy said five of his deputies in three rapid cars drove Bjorklund down South 98th Street between 7 and 8 a.m. Tuesday. They were followed by several members of the electronic media.

"It was a convoy — sheriff's vehicles and the news media," Cassidy said. "I can never remember anything like this before."

Cassidy said he would have preferred making the trip in private, but he had no choice after Lancaster County District Judge Donald Endicott approved the outing during open court Monday afternoon.

"I turned on the TV and saw on the evening news that this would be happening," Cassidy said. "Everybody in Lancaster County and most of Nebraska knew about it."

"The media had the building staked out before first light," Cassidy said the tour was completed without incident. He refused to comment on whether Bjorklund had pointed a house.

Later, Deputy Public Defender Richard Goss said investigators were focusing on a particular house following Bjorklund's trip. They had not confirmed the sale of the shovel from that address, however.

An FBI expert testified Monday that dirt from the shovel pointed toward Bjorklund's garage matched dirt from the shallow grave in which Harms' body was found. The defense claims Bjorklund brought the shovel well after Sept. 22, 1992, the day Harms was kidnapped, raped and shot to death.

Kotchwar said Ballewperger based his lawsuit on the requirement that sheriffs keep a list of deputies updated and on file in the county clerk's office. The list had not been filed, and Ballewperger claimed Martin and Kotchwar were thus unauthorized to perform the duties of lawful officers.

Kotchwar said he has been a sheriff's deputy in Otoe County in southwest Nebraska for nine years and Martin has been a deputy for about seven years.

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