

Volume VIII- Ottis Toole File
File 27
STATEMENT- Spencer Bennett
11/04/83

**SUPPLEMENT REPORT
HOLLYWOOD POLICE DEPARTMENT**

1. ARRESTEE, COMPLAINANT, DRIVER #1. VICTIM WALSH, ADAM	2. ARREST NO.	3. COMPLAINT NO. 81-56073
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8. OFFENSE OR CHARGE STATEMENT OF SPENCER C. BENNETT			12. FURTHER POLICE ACTION & REPORT REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO		13. VALUE OF PROPERTY RECOVERED \$
INSTRUCTIONS FOR FOLLOW-UP OR SUPPLEMENTAL USAGE.			UNDER NARRATIVE, RECORD ALL DEVELOPMENTS IN THE CASE SUBSEQUENT TO LAST REPORT. DESCRIBE AND RECORD VALUE OF ANY PROPERTY RECOVERED. NAMES AND ARREST NUMBERS OF ANY PERSONS ARRESTED. EXPLAIN ANY OFFENSE CLASSIFICATION CHANGE. CLEARLY SHOW DISPOSITION OF RECOVERED PROPERTY AND INVENTORY NUMBER.		

The following will be a taped statement taken from SPENCER C. BENNETT, W/M, DOB 7/31/20, home address is 6670 Oakwood St., Jacksonville, Florida, home telephone number of 768-7648. MR. BENNETT owns and operates Spencer Motors located at 1401 Main St., north of Jacksonville, Florida, business telephone 355-4254. This statement is being obtained by DET. R. HICKMAN #0434 and DET. J. HOFFMAN #0038, Hollywood, Florida Police Department and is being obtained on Friday, 11/4/83 commencing at 9:25 A.M. and is being obtained at the Duval County Jacksonville, Florida Police Department.

Q. MR. BENNETT before I take this statement from you I would like to place you under oath by virtue of my commission as Notary Public at large in and for the State of Florida. I also want to advise you that you are under oath and should you offer false information to the questions I ask you concerning this investigation you could be charged with perjury. Do you understand that?

A. I understand that

Q. Would you raise your right hand. Do you solemnly swear the information you are about to give in this statement will be the truth the whole truth so help you God?

A. I do

Q. Would you for the record state your complete given name, your date of birth and your home address?

A. SPENCER C. BENNETT, 6670 Oakwood St.

Q. What is your date of birth?

A. 7/31/20

Q. MR. BENNETT, we want to talk to you about information that you may have concerning a homicide case we are working that happened July of 1981.

14. DATE/TIME REPRODUCED-SERIAL 11/6/83 #1285	15. REPORTING OFFICER SERIAL DATE/TIME DETS. HICKMAN/HOFFMAN #0434/0038	16. SUPERV. APPROVING SERIAL	17. REVIEWER
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Our primary concern with you is do you have knowledge of an individual by the name of OTTIS TOOLE. Do you know OTTIS TOOLE?

A. I do

Q. For the record MR. BENNETT would you please state your place of employment, your business?

A. My business is located at 1401 Main St. since 1961.

Q. What is the name of that business?

A. Spencer Auto Sales

Q. Are you the president of that company?

A. I'm the owner

Q. What was your relationship with OTTIS TOOLE?

A. My relationship was with his mother for the past 15-18 years of buying automobiles and he was coming along with her and that way I would know him

Q. When was the last time you had contact with OTTIS TOOLE?

A. Maybe six months ago.

Q. And what was that about?

A. He just dropped in. He was working, I believe he was working for BETTY GOODYEAR keeping her apartments up and he just walked by and you know just spoke to him.

Q. How many years did you say you know OTTIS TOOLE through his mother?

A. Probably 15.

Q. Fifteen years, is that correct?

A. That's correct

Q. During those 15 years do you have knowledge that MR. TOOLE is a

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homosexual?

A. I had heard but I never seen anything that would make me believe he was homosexual. I had heard and he was down here about being picked up for vagrancy and I suspected that was it was. But as far as knowing that he was homosexual I couldn't say.

Q. Was his mannerisms effeminate?

A. Not too much, I couldn't tell.

Q. He's a blatant homosexual. He talks a lot about it, he has no qualms about it.

A. See I was associated with his mother and I don't know whether his mother knew it or not. His brothers now, I had his brother tell me one time he was but as far as I know I had just heard. I mean he never did give me any reason to believe he was homosexual.

Q. You indicated that when he was young he was mostly with his mother purchasing vehicles from your car lot?

A. Right

Q. Did you have any transactions with OTTIS or HENRY LUCAS?

A. After...I sold OTTIS a car in 1975.

Q. What kind of car was that?

A. A Plymouth but it's been so far back I don't remember the occasion but I do have proof that I did sell him one.

Q. Did you transfer the title for MR. TOOLE?

A. I suppose I did

Q. You suppose you did?

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A. I suppose I did

Q. What about the vehicle tag for the car that you sold OTTIS?

A. I did sell him another car. See he and LUCAS were together and under the new law in Florida in the last year or two the tag don't go with the car and after OTTIS' mother died OTTIS didn't have a driver's license and when I sold him a Cadillac in like in March of '81 or '82, I believe it was '82. BUDDY has my papers now, I believe it was March of '82 and his brother HOWELL took over the payments two weeks later and paid the car out and then took possession of the car. Now I sold, you might say OTTIS a car and after his mother died I believe it was in '81.

Q. His mother died 5/16/81 for the record.

A. BUDDY TERRY has my papers but I believe I sold him the car in October and then I had to sell it and list it under LUCAS. See I sold it to LUCAS and OTTIS, they were together and I registered it...and then I sold him another car in March of '82 I believe and that's the car that he left in Bowling, Texas and he still owes me money. And OTTIS came by and made two \$25.00 a week payment after he knew that FRIEDA and LUCAS had left with the car. He didn't know that they had gone but he knew they had left him and he thought they were probably still in town. So several months later I got a call from Texas and they had left the car deserted or left it at a garage in Bowling, Texas. That's northeast of Austin I believe and I just forgot about it, '74 Ford, nice car probably worth six or seven hundred dollars you know but I wouldn't go to Texas after it.

Q. These transactions with OTTIS with these vehicles were they all cash?

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A. No, no, no, no, no. I never did see him with any money. He probably paid one hundred down on the first car and it was an old wagon and then he come back in March and paid a couple of hundred dollars down.

Q. The cash transactions, they didn't write a check to you?

A. No, I'd say it was a couple of hundred dollars but it was balance in full. They owed me for the car.

Q. Partial payment?

A. Partial payment.

Q. And then they made weekly payments or monthly payments?

A. Both did but he didn't on the last one, he ran off with it and left owing me four-five hundred dollars.

Q. We talked to a few people on the street in the Springfield area that told us that LUCAS ...not that there is anything wrong with this but they said that LUCAS and OTTIS both worked with you on occasion and would help repossess cars?

A. Oh no, no, no. They had never worked for me, no sir.

Q. I have a sworn statement from them?

A. Somebody just didn't know what they were talking about.

Q. They never helped you maybe repossess cars from somebody?

A. Never, never, never.

Q. We also have information that we obtained through our interviews with people in the Springfield area that you did provide MR. TOOLE and MR. LUCAS with tags from vehicles?

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A. No, never, never. That's mistaken. They were you know buying cars and all and you can see where he bought a car and tags for that car cause I bought it.

Q. Who bought it?

A. I had to buy it. He probably paid me for it but when I sell you a car I have to go and buy a tag for that car.

Q. And if I had a tag?

A. Well then I have to go transfer it for you see cause I cannot give you the title if you go for it, I have to go for it. It's a state law.

Q. Did HENRY LUCAS have a driver's license?

A. HENRY LUCAS did have a driver's license, sure.

Q. What state?

A. Florida, I'm sure he did because he bought a tag for that car and we purchased it for him.

Q. We were over at your car lot two days ago I believe 11/2/83 and obtained some information from you. At that time I believe we asked you if there were any tools found in OTTIS TOOLE's vehicles or any vehicles that he may have purchased from you or brought back to you o.k. and then you indicated that was an occasion that you found on your premises that miraculously appeared. You don't know where it came from and just one day it was in your business, is that correct?

A. That's not correct. BUDDY asked me if I had ever run across a machete and I said the fact is there is one here now but I couldn't tell you where it come from because it... see I never did have a car that belonged to LUCAS

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or TOOLE either one on my lot. The only time I had a knife I found a knife I didn't find, a fellow working for me named CLYDE MILLER found a knife 7 or 8 months later and BOB HARLEY his stepdaddy's car which could have not had any bearing on the case. It was more like a hunting knife.

Q. Was it in a sheath?

A. No, no. It was rusty and it was just laying in the trunk of the car.

Q. How big a knife?

A. BUDDY TERRY has the knife. It has about a 4 inch blade in it but it might have been used or it might not have been. But I just told BUDDY about it in case he wants to present it to OTTIS and ask him if he knew the knife cause OTTIS would be the only one that would know if the knife was theirs. But I never seen him by his stepdaddy's car.

Q. What was the stepdaddy's car that he had?

A. It was a '73 Chrysler

Q. What color?

A. Brown, I still have it.

Q. Do you recall the date that you first saw this machete on the premises?

A. It's been two or three years. Just been thrown back in the back. In other words there is nothing uncommon found, I found two or three of them. I just don't let them get away from there and I don't leave them outside and I don't leave cause you know somebody is liable to grab it up and hurt somebody with it and I just threw it in there like I say.

Q. On Wednesday the 2nd where did you retrieve that machete from to give it to us?

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A. It was just laying there on the front there. When BUDDY asked well it was laying there on the floor.

Q. In the office where we were talking?

A. Yes

Q. And you have had that for about two years or more?

A. I don't remember how long, It may have been three or four years but I mean I just, I just don't know how long.

Q. There is quite a difference between two years and three and four years?

A. Well it's not important to me cause I mean I didn't try to save it or nothing. I just threw it in there to get it out of the way.

Q. You recall OTTIS TOOLE's mother's death you indicated?

A. I was on vacation on Memorial Day. I go back to my home on Memorial Day, a week before, a week after in May and I generally stay a week to ten days and when I came back OTTIS or HOWELL one told me that they notified me about their mother being dead when I was on vacation.

Q. When was the next time you saw OTTIS TOOLE when you got back from vacation?

A. Approximately a week you know I stopped by there.

Q. The month of June of '81?

A. It could have been or it could have been HOWELL. I don't remember which one you know they both....

Q. You could tell the difference between HOWELL and OTTIS?

A. I know them, I know them well, I know all the family but I know....

you know that's a long time to remember which one told me about it and it

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didn't make any difference as long as I got the message I mean it just didn't mean anything to me which one told me.

Q. Did you know OTTIS when he worked for REAVES Roofing?

A. I didn't know he ever worked for REAVES Roofing. I know that HOWELL worked for, I know where he worked for a roofing company but I didn't know that OTTIS worked for a roofing company.

Q. Did you ever see OTTIS possess or operate a 1971 Cadillac?

A. Never did. I seen that on television but I never seen that car.

Q. You never saw him in that car?

A. I seen him in a Cadillac but it was a '69 two door.

Q. What color?

A. White with a black top.

Q. That's the car that HOWELL took over right?

A. Uh huh

Q. And that was sold to him when?

A. I believe it was in March of '82

Q. Are you married?

A. Yes, sure. I'm married 40...I'm married 1941, been married 42 years.

Q. Let me ask you this. On your premises o.k. do you have any tags on the premises, fire tags, expired tags around the premises like you have that machete laying there?

A. Just..I try to do away with them. Sometime there could be one laying around but....

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**SUPPLEMENT REPORT
HOLLYWOOD POLICE DEPARTMENT**

1. ARRESTEE, COMPLAINANT, DRIVER #1, VICTIM
WALSH, ADAM

2. ARREST NO.

3. COMPLAINT NO.
8 1-56073

<input type="checkbox"/> FORM USED AS CONTINUATION SHEET FOR CURRENT REPORT			<input type="checkbox"/> FORM USED TO REPORT FOLLOWUP INVESTIGATION OR SUPPLEMENTAL INFORMATION		
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8. OFFENSE OR CHARGE STATEMENT OF SPENCER C. BENNETT			12. FURTHER POLICE ACTION & REPORT REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO		13. VALUE OF PROPERTY RECOVERED \$
INSTRUCTIONS FOR FOLLOW-UP OR SUPPLEMENTAL USAGE.			UNDER NARRATIVE, RECORD ALL DEVELOPMENTS IN THE CASE SUBSEQUENT TO LAST REPORT. DESCRIBE AND RECORD VALUE OF ANY PROPERTY RECOVERED. NAMES AND ARREST NUMBERS OF ANY PERSONS ARRESTED. EXPLAIN ANY OFFENSE CLASSIFICATION CHANGE. CLEARLY SHOW DISPOSITION OF RECOVERED PROPERTY AND INVENTORY NUMBER.		

Q. I'm not asking if you did away with them. I'm asking if you have tags laying around at all?

A. I might have one right now you know it could be. I generally stick them in the office in case they come back after them.

Q. Did OTTIS ever steal a tag off of you?

A. No sir. I wouldn't think so. I've had several tags stolen off the block but if I leave one tonight it would be stolen before tomorrow too or before the weekend.

Q. Did you report that to the police the tag that was stolen?

A. Sure

Q. How about an expired tag that was just laying around the office, an old tag from out of state and turned up missing. Would you report that?

A. I wouldn't have kept a record of it if it expired.

Q. Did you ever make this accessible to the public?

A. I have had a lot of things stole out of office.

Q. Has OTTIS ever walked into your office?

A. Not that I ever remember or I wasn't there.

Q. Some of the vehicles that you keep out on the lot overnight there are tags on those vehicles?

A. Back in those days there was but there is not now.

Q. In 1981 could there been?

A. Yes sure

Q. So it was possible for someone to walk up to your lot to a car and remove a tag?

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**SUPPLEMENT REPORT
HOLLYWOOD POLICE DEPARTMENT**

1. ARRESTEE, COMPLAINANT, DRIVER #1, VICTIM WALSH, ADAM	2. ARREST NO.	3. COMPLAINT NO. 81-56073
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<input type="checkbox"/> OFFENSE <input type="checkbox"/> TRAFFIC ACCIDENT <input type="checkbox"/> ARREST <input type="checkbox"/> FOLLOWUP OR SUPPLEMENTAL			<input type="checkbox"/> CLEARED <input type="checkbox"/> NOT CLEARED	<input type="checkbox"/> YES <input type="checkbox"/> NO	
8. OFFENSE OR CHARGE STATEMENT OF SPENCER C. BENNETT			12. FURTHER POLICE ACTION & REPORT REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO		13. VALUE OF PROPERTY RECOVERED \$
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A. Well yes or down the street on the side of the street. I mean people steal tags everywhere.

Q. Except one place if they steal a tag off a car on the street and it would get reported and get in trouble over it. Take it off of a lot somewhere and it would never get missed.

A. I never did. I've turned in several tags even dealer's tags. They stole the dealer's tags one time. Never caught anybody driving it.

Q. Did you ever see OTTIS get violent at anything?

A. Never, never seen him get violent

Q. He is such a blatant homosexual I have a hard time understanding why in the contact you have had with the family that you weren't really aware of that?

A. Well like I say I had heard he was but you know I just never did...

Q. What behavior patterns to you would mean an individual was a homosexual?

A. Well I never was around homosexuals. I don't really know.

Q. When you are around OTTIS you are around one?

A. Well unless one would proposition me would be the only way I would know. Now I seen them get out there and wear umbrellas up and down the street and walk and have rouge and I seen them posing...

Q. Did you see OTTIS do that?

A. No, no I never did see him do that.

Q. Most of the people we interviewed in the Springfield area and people that have known OTTIS know he is a homosexual?

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**SUPPLEMENT REPORT
HOLLYWOOD POLICE DEPARTMENT**

1. ARRESTEE, COMPLAINANT, DRIVER #1, VICTIM WALSH, ADAM	2. ARREST NO.	3. COMPLAINT NO. 81-56073
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A. Yeh well I heard it but as far as I know I never did know it. I believed it, I believed but he never....

Q. How about HENRY LUCAS?

A. I never did know nothing about him except you know I thought he was, that little old girl, I figured that he was running around with her when he left with him.

Q. I have no more to ask in your statement MR. BENNETT. Has this been the truth to the best of your understanding?

A. That is the truth and I know I have been sworn to and it is the truth.

Q. Is there anything you would like to add to your statement at this time or perhaps change about your testimony?

A. Nothing that I know.

THIS STATEMENT IS CONCLUDED AT 9:44 A.M.

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