

Bloody hospital scene described

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The JoAnne Chesimard murder trial resumed yesterday with a grisly description of the bloodied bodies of the 29-year-old defendant and the fatally wounded trooper, Werner Foerster.

Under questioning by First Assistant Middlesex County Prosecutor Edward Barone, State Police Detective James Challender recounted the scene he saw at the Middlesex General Hospital emergency room where Mrs. Chesimard and Foerster were taken in the early morning hours of May 2, 1973.

"His (Foerster's) entire front body was splattered with blood. His face was covered with dried blood. His right chest was totally saturated with blood and blood was matted in his hair," Challender said. "His hands were also covered with blood."

He further described the dead trooper's bullet-riddled body: "There was a protrusion on the top of his head, a hole on his neck and a long laceration or cut under the throat area."

During yesterday's testimony before Superior Court Judge Theodore Appleby, Challender identified blood-stained clothing as that worn by Mrs. Chesimard, who prefers to be called Assata Shakur. He also identified police uniform accessories as those he removed from Foerster's body at the emergency room.

After taking the items from Foerster's body, the detective said he wrapped each one "three or four times" in "sanitary white wrapping paper" before placing them in a brown waxed paper bag.

"I wanted to preserve the evidence and see that they not be lost" prior to laboratory testing, he explained.

He used the same procedure for the items of clothing cut from Mrs. Chesimard's wounded body by an attending nurse.

Like Foerster's equipment, Mrs. Chesimard's clothing "appeared to be soaked with blood," he said.

He also identified Mrs. Chesimard, who was seated at the defense table, as the same woman he observed being treated for gunshot wounds in the emergency ward of Middlesex General Hospital on May 2, 1973.

Under cross-examination by chief defense counsel William Kunstler, Challender recalled that there was blood on her face—"she had her eyes open and just stared at me" as she lay on a treatment table.

Mrs. Chesimard is charged with Foerster's murder in a gun battle on the N.J. Turnpike in East Brunswick. She also is accused of the attempted murder of Trooper James Harper and the murder of Zayd Malik Shakur, also known as James Costan Jr., who was one of her companions that night.

A codefendant, Clark Squire, has been convicted of Foerster's murder and is serving a life term plus 24 to 30 years at Trenton State Prison.

Since Squire was not apprehended until the following day, Challender said that it was "obvious" that Mrs. Chesimard "was the only live person in custody."

"My initial assignment," he said, "was to get a brief overview—a general account" by interviewing Harper.

Describing himself as a good friend of the wounded trooper, Challender testified he spent 45 minutes on the first of three interviews with Harper.

"I leaned over the gurney (adjustable stretcher) so I could listen to him and write at the same time."

Under direct questioning by Barone, Challender said he had a difficult time hearing Harper give his account of the shootings.

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"He was pale— appearing traumatized or in shock. He was staring into space and grimacing from time to time," the detective said. "He frequently closed his eyes."

In questioning Challender, Kunstler tried to discredit testimony given by Harper earlier in the trial.

Although the trooper had said he did not see Mrs. Chesimard open her pocketbook, Challender related that Harper described the 29-year-old black woman as reaching into her purse.

Harper also had testified previously that he did not touch the gun strapped to his side until he retreated behind his unmarked police car after being wounded.

Yesterday Challender reported he was told by Harper that he placed his hand on his service revolver after he ordered the female defendant to remove her hand from her purse.

"He said he sensed he was going to be shot," Challender said of Harper. "He said the black female made a sudden move. He said the black female fired a projectile once, striking him in the left shoulder. He fired and heard her scream and saw her fall to the roadway."

According to Harper's testimony, Shakur, seated in the right rear seat, had complied with his order to place his hands in view, but Mrs. Chesimard was not actually seen firing a shot.

Harper allegedly exchanged shots with Shakur and Mrs. Chesimard as Foerster struggled with Squire, who was driving the 1965 white Pontiac.

Foerster allegedly had confiscated an ammunition clip from Squire moments before the shootings took place.