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## The Death of Roy Lee Centers

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# THE DEATH OF Roy Lee Centers

By Kenneth D. Tunnell and Terry C. Cox



**"BE IT REMEMBERED."** A simple command, yet, in this case, an introduction spoken by the judge in the Breathitt County, Ky., trial of William (Bill) R. Hurst, who killed Roy Lee Centers, a native of Jackson, Ky. This simple phrase is laden with irony; most locals and bluegrass fans do not remember. The nearly thirty years since Centers' death, the apathy, half-truths, myths, and exaggerations surrounding his death and killer's outcome, and the silence within the music community, each contribute to collective forgetfulness.<sup>1</sup>

Roy Lee was killed in the early morning hours of May 2, 1974. He died face down in Cane Creek along Town Branch Road. He was shot three times; once in the left leg below the knee and twice in the face. He was then "pistol whipped" so violently that the gun no longer would fire. Despite stories of a shootout, Roy Lee was unarmed. A further tragedy is that his 12-year-old son, Lennie, witnessed the murder.

Roy Lee was survived by his wife Lucille, his parents, a daughter (Sherry Lou), two sons (Lennie and Norman Lee), a sister (Daisy), and three brothers (Elmer, William, and Daniel). A capacity crowd attended the funeral on May 5th in the high school gymnasium in Jackson. For two nights, his body lay in state where there was an "overflowing" crowd. He was buried in Holbrook Cemetery in Keck, Ky. Just before the funeral, Lucille recalled receiving telephone calls claiming, "They would get Lennie even if they had to at the graveyard." Sheriff Roy Watkins had reason to believe the threats, and during the funeral sat directly in front of Lennie.

## The Fateful Night

Roy Lee was at home on the evening of Wednesday, May 1st, 1974, having just returned from California with Ralph Stanley and the Clinch Mountain Boys. During an earlier trip to California, he had

purchased two dark brown, fringed, leather jackets—one for Lucille and one for himself. Roy Lee began working as the lead singer and guitarist with Stanley in November of 1969. During the early 1960s, he performed "rock-and-roll, Elvis kind of stuff," but he and Lucille moved to the Dayton, Ohio, area where he performed with Jack Lynch and the Lee Brothers, the Miami Valley Boys, and with the house band at Tom's Tavern.<sup>2</sup> After Larry Sparks (Stanley's first lead singer after Carter Stanley's death) left the Clinch Mountain Boys, Stanley contacted Roy Lee. As described in John Wright's book, *Traveling The Highway Home*, according to Stanley, Roy Lee was "...ready to go. And that tickled me very much because, in my opinion, I wouldn't have traded Roy Lee for any other singer in bluegrass at that time. I really don't know whether he tried to sound like Carter or not. But he did sound a lot like him and I don't know, it just seemed like it fell in place, that he'd do a song just exactly like Carter. And there were so many things in Roy's actions and in Roy's ways that he'd do that I can remember Carter doing."



L-R: Ralph Stanley, Jack Cooke, and Roy Lee Centers

navy blue pants, a white T-shirt, a blue velvet vest, and his brown leather-fringed jacket. Several people attended the party, including Bill Hurst, his son Edgar, and Bill's friend, Geraldine (Gerry) McConnell. The Centers and Hursts were acquainted. At the party, Roy Lee and Lennie played music. About 1:00 a.m., it was recalled that a man named Donnie insulted local musician, Sam Wilson, by saying, "You can't sing." Sam and Donnie fought briefly. Afterwards, Hurst hit Sam in the chest saying, "I'd better not catch you picking on Donnie again." Bill and Geraldine left between 2:00 and 2:45 a.m. Roy Lee and Lennie left just afterwards but they were nearly out of gasoline and stopped by Hurst's home for some. Roy Lee went inside while Lennie stayed in the car and slept "a little bit, but I didn't go to sleep all the way." Lennie estimates Roy Lee was inside the house thirty to forty-five minutes.

Only two people know what happened inside that house—Bill and Geraldine. Hurst testified during the trial that Roy Lee asked for a beer. This makes sense since everyone had been drinking and Roy Lee stayed in the house as long as he did. Lennie didn't see anything until Roy Lee ran from the house. From trial transcripts, Lennie stated: "I seen my dad run by the car and looked and heard a shot and I looked and Billy was standing there holding a gun and Gerry was standing there behind him." Roy Lee kept running. Bill instructed Geraldine to put Lennie into their truck to take him home. Lennie said that Roy Lee's leather jacket was lying on the ground. Bill "picked it up and threw it back down."<sup>3</sup> Lennie testified in a deposition in a civil suit, February 10, 1975, that Hurst laid the gun on the dashboard. "As Bill pulled out of his driveway, his headlights shone on my dad and Bill stopped, got out of his pickup and told my dad that he was arrested and get in the truck, that he (Bill) was going to take him to jail and make sure he stayed there." (Statement of Lennie Centers, May 2nd, 1974, 11:50 a.m.). Hurst was a local real estate developer and also a bonded Deputy Sheriff. There are few explanations concerning why Roy Lee, having just fled Hurst's gunfire, would then, get into a truck with him. One explanation was his concern for Lennie's safety. Another was that Hurst placed him under arrest.

During his testimony, Lennie was asked about Roy Lee's behavior after he



**Breathitt County Jail**

got into the pickup. He stated that, "He was sorta sitting and had his hands on his lap and his head hanging over and his eyes shut."

Prosecutor's question: Did you notice any difference in his appearance and actions from the time he went into the Hurst home and when he came out?

Lennie: When he came back out he sorta seemed like he lost his mind just a little, he was just coming and going.

The autopsy report indicated that Roy Lee's head had multiple lacerations. Some speculate that he was struck in the back of the head while inside Hurst's home, which may explain why he appeared he had "lost his mind." From Lennie's statement of May 2nd, given only seven or eight hours after his father's murder, we learn the grisly details:

"My father came on over to the pickup, got in and sit next to Bill, who was driving the truck. I sit next to my father and Gerry, on the right side next to the door. We left Bill's place then and headed toward Jackson. On the way Bill Hurst hit my dad five or six times with his fist (which had a ring on it). Bill's gun, which was a .38 caliber snub-nose, was on the dash of the truck in front of him. Sometimes he picked it up and hit my dad with it...Bill Hurst at this time told my father that he was going to take him out of the way to the field and beat the sh— out of him. We then went across the green

bridge and went under the underpass and stayed up to the mountain. Bill pulled off the road where you empty garbage and hit my father with the gun and father said, 'Quit, you are knocking my eyeball out.'"

Later, during Lennie's deposition, he testified that Bill "would be talking to my dad and he would answer 'sir' and Bill said, 'Don't call me sir, call me Bill.' And he hit him again."

"Again, he got up the road a little ways and hit my father about three times with his fist. He went a little farther in a



**Jacket that Roy Lee was wearing the night he was killed. The jacket is now in the International Bluegrass Music Museum in Owensboro, Ky.**

straight stretch slightly downhill and he hit my father with his gun. My father stepped on the gas and floorboarded it and grabbed the steering wheel and turned it to the left and caused the truck to go over a bank and it slid sideways."

In 1974, the road they were traveling ended at Elkatawah, an isolated area where people would party and young men would go and fight. Hurst was familiar with the area. That night, he was nearly there when Roy Lee wrecked the truck. Several people speculate that, "Roy Lee knew they were taking him to Elkatawah

to kill him or beat him badly and kill Lennie as well. I think Roy Lee knew it." Indeed, one friend, close to the criminal proceedings, stated he believes that "Roy Lee must have flirted with Geraldine. You didn't cross Bill Hurst. I think that Hurst was going to kill Roy Lee and Lennie. He was going to take them out to the field and kill them both. If Roy Lee hadn't wrecked the truck, Lennie would be dead. Roy Lee knew when he got in the truck, what was at stake. It makes sense that he got in the truck, either because he believed he was arrested or because he was concerned

about Lennie and his safety. After all, Hurst had just fired a gun at them."

During a later proceeding, Hurst's attorneys asked Lennie if he knew "why your father stepped on the gas and grabbed the wheel. It was a crazy thing to do, wasn't it?" Lennie's response indicates the fear they must have experienced: "I think he was trying to save our life." Again, from Lennie's statement of May 2, 1974:

"Bill then opened the door to the pickup truck and as he started getting out, my dad grabbed him on the back of the coat and Gerry grabbed hold of my dad and pulled the hair (about a handful) out of his head and my dad turned Bill loose and Gerry turned my dad loose. Bill Hurst reached in and grabbed my dad by the shirt and pulled him out of the front of the truck. My dad and Bill started fighting...as this was taking place, I had run to the road and hollered for help."

Lennie's statements in trial testimony from August of 1974 offers greater detail:

Q: Well, how did the fight down there in the creek, how did it end up?

A: They started fighting a little there and Dad got hold of Billy and got loose from him and Billy ran around the little bush to get his pistol [which was still on the dashboard of the truck].

Q: Where was your dad when Billy ran around the bush?

A: He was sitting on a little rock out there.

Q: Now where was the rock?

A: It was in the creek.

Q: Now where was your dad when he came back with the gun?

A: He was sitting on the rock.

Q: And was there any more fighting before the shooting took place?

A: No sir.

Q: Do you know how many times he was shot?

A: Three.

Q: Was you looking right at this, Lennie?

A: Not exactly. I was, well, I have to say I was. I was looking at Billy.

Q: And he fired three shots?

A: Yes sir.

Q: Did your dad ever get up?

A: No sir.

Q: Then after he was shot three shots, was your dad hit? Did Billy hit him?

A: Yes sir.

Q: What did he hit him with?

A: The pistol.




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Q: Do you know how many times he hit him?

A: No sir.

Q: Was it many times or a few?

A: I say many times.

Q: Did he ever get up from the time that Billy went around the bush to get the gun until it was all over, did he ever get up off that rock?

A: The only time he ever got up was after Billy finished shooting him. He never got up and stood up. He got up and lay down on the rocks. He got up from one rock and put his hand over on one rock and laid down right there in the creek on a big rock.

The truck had careened off the road when Roy Lee stepped on the accelerator and grabbed the steering wheel. It ended up partly in Cane Creek next to Denver McKnight's house. After the shooting and beating, Bill and Geraldine went into the McKnight home. Lennie was traumatized. One neighbor claimed that she heard "a long screaming sound. 'Lord have mercy, somebody help me. If my daddy dies, I'll kill myself.'" Another said Lennie kept repeating, "'Bill Hurst killed my daddy.'" Milk delivery man, Otis Ritchie, stayed with Lennie until Deputy Orville Shouse (aka Junior) arrived. He examined Centers' body and said, "He's dead." Denver McKnight testified: "Well, that being the case, the little boy, I heard him and I guess he heard Junior say he was dead and he started carrying on and crying and going on and I felt awful sorry for him. And I climbed back out of the creek and I put my hand on his shoulder and said, 'Son, do you want to come in my house?' And he said, 'No, sir. I won't go in there.'"

Shouse learned from Ritchie that Roy Lee had been shot by Hurst. He testified in August of '74 about the condition of the body: "He was laying face down in the creek with his face on a rock. There was a mat of blood around his face. He had on a white T-shirt. His legs was laying in the water and part of his body. His T-shirt was pulled up his back quite away, almost up to his neck. There were several cuts on his head and on his forehead and on the back of his head. Most of them was above his eye, plus some went back up across his head. There was one deep cut in the back of his head. I didn't count the places, but I say there was seven or eight placed above his eyebrow and back to his hairline. [His head] was covered with blood."

While Lennie remained outside, Shouse went into the McKnight house where he found Hurst, wearing a clean dry shirt provided by the McKnights, drinking coffee. The bloodied pistol was on the coffee table. Hurst admitted the gun was his and that he had shot Centers. Shouse testified that Hurst claimed, "The guy was beating me to death and I had to shoot him off of me." Shouse noticed a cut on one side of Hurst's head and skinned knuckles. (Hurst claimed self-defense). About this time, Sheriff Roy Watkins arrived and put Lennie in his car and later took him home.

Inside the McKnight home, Deputy Shouse placed handcuffs on Hurst, who asked if he really had to do that. Shouse replied, "Yes I do." On the way to jail, Hurst asked, "Do you really have to take me to jail? You know, I'm under bond as a deputy sheriff." Hurst told Shouse, "I'll have to call mother. She'll have to take care of this." (Statement made by Deputy Shouse to the State Police, May 3rd, 1974). Hurst's mother, Edna Mae Combs, was from a prominent family and held a considerable amount of real estate. Sheriff Watkins had a similar conversation as Hurst asked, "Do you have to put me in jail?" (Trial testimony). Watkins testified that Hurst was a bonded deputy sheriff appointed by him and remained a deputy even during his trial.

Jackie Short, of the Jackson City Police Department, photographed Roy Lee's body after it was transported to a local funeral home. Coroner Dean Spencer conducted "an official examination...and discovered [that the cause of death] was due to gunshot wounds and blunt force trauma." Although the bullets entered just above Roy Lee's upper lip, they lodged in his neck in a downward direction. Spencer testified, "There were seven lacerations running from two to three inches across the forehead and a three-inch laceration in the back of the head...the autopsy showed there was two fractures of the skull" and the cause of death was internal hemorrhaging to the frontal lobe of the brain. The autopsy also reports that head wounds appear "to have been made by the trigger guard of a pistol...and by the end of the gun barrel." The autopsy, conducted in Lexington at Spencer's authorization, revealed that Roy Lee had a blood alcohol content of 0.17 gm/100 ml. at the time of his death. No drugs were indicated by the

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autopsy report, which confirms reports that he was not a drug user.

## Criminal Proceedings

Hurst was released on a \$25,000 bond the day of Roy Lee's funeral. Geraldine, arrested on May 6th, 1974, on the charge of accessory before the fact—murder, was released under a \$10,000 bond. She and Bill were indicted on August 10th. On May 9th—one week after the murder—Hurst and McConnell were married.

Judge Douglas Graham was disqualified from the case on August 19th and Morgan County [Ky.] Judge Ralph Walter was designated to preside. Judge Graham picked Walter and sent his name to the Court of Appeals."

Dale Bryant, friend of Hurst and Edna Combs, and their private attorney since 1967, served as the prosecutor in the case. Jackson attorney Michael Stidham was hired by Roy Lee's wife, Lucille, to assist Dale and to make sure no hanky-panky took place such as leaving jurors on the jury who shouldn't have been, or not cross-examining well. Lucille and her mother knew of the special relationships between Hurst, Edna Mae Combs, Dale Bryant, and Doug Graham.

Before the trial, Bryant announced he would recuse himself. Two days later, he had changed his mind, claiming, even when questioned, that he could prosecute it.

It took two-and-a-half days to impanel a jury. When the Commonwealth rested its case, the defense moved to dismiss charges against Geraldine. Although an attorney close to the case said that Bryant had plenty of evidence against her, Bryant and Walter agreed. The judge ordered the jury to return a not guilty verdict in Geraldine's case.

Bill was the first witness called for his defense. His version of that night was self-serving. He claimed he and Roy Lee were good friends; that inside the Hurst home, Roy Lee was drunk and flirted with both Geraldine and himself; that Roy Lee urinated in a planter; that, when asked, Roy Lee refused to leave and began scuffling with Hurst. Hurst claimed he fired a shot to scare Roy Lee because he "wanted him to get away from my house." (Trial testimony). He claimed that while taking Lennie home they encountered Roy Lee at the end of the driveway. He claimed he asked Roy Lee, "Have you

cooled off, old buddy?" According to Hurst's testimony, Roy Lee got in the truck voluntarily.

People still believe that Hurst arrested him and find it "odd that Roy Lee would get into the truck just after Bill had fired a gun at him." Several people believe that Roy Lee did something inside the Hurst home that fueled Hurst's rage. Friends speculate that Roy Lee flirted with Geraldine who, having just bathed and wearing only a robe, declined his request for a "goodnight kiss." (Private interviews and trial transcripts).

Hurst denied hitting Roy Lee while driving the truck. He denied having a gun with him, claiming that Geraldine had it concealed in her purse, although no one remembered seeing her with a purse. He claimed he struck Roy Lee once in the face with the gun and fired a warning shot that accidentally struck his leg. He claimed he "blacked out" while fighting and did not remember how many times he fired. (Trial testimony). The prosecutor asked about the bullets' trajectory.

*Q: If you were facing him and you shot him in the mouth it wouldn't have ranged downward would it?*

*A: I don't know. A bullet has no eyes. I didn't see where it entered or came out.*

Hurst claimed, "Everything was a little hazy for a good while. I remember being at McKnight's house and drinking coffee. It was real hazy...it seemed like a dream..." (Trial testimony, August 1974). Hurst stated that Roy Lee chased him with a rock. They fought in the creek where Geraldine passed him the pistol. His recollection of where Centers' body fell was contradictory to physical evidence and the testimonies of law enforcement officers and the coroner.

Geraldine corroborated his tale. Michael Stidham prepared questions for her cross examination. On the sixth day of trial, Judge Walter instructed the jury that they could find Hurst guilty of murder, voluntary manslaughter, or not guilty if they believed he acted in self-defense. The jury came back to the judge twice—first for clarification about a punishment and second because they were "hung" with a vote of nine for murder, two for voluntary manslaughter, and one for not guilty. After further deliberation, they returned with a verdict: "We the jury agree on voluntary manslaughter and set

the sentence at ten years." (Trial transcripts). According to one juror, "Someone held out for not guilty. It was a compromise. I think we agreed on voluntary manslaughter because we wanted him to get something." (Private interview).

### Post-Trial Proceedings

On November 11th, 1974, Hurst filed an appeal. On September 19th, 1975, his conviction was unanimously affirmed. A year later, Hurst was still free on bond and petitioned the court for probation. On September 13th, 1976, Judge Walter considered Hurst's probation request but denied it. Walter ordered, "The defendant...shall be taken by the Sheriff of Breathitt County...and transferred to the custody of the Department of Corrections...and there to remain...for a period of ten years." Hurst was ordered to surrender himself to the sheriff on November 1st, 1976.

Hurst was confined in the State Penitentiary on November 17th, 1976, and requested shock probation. Judge Walter granted it and placed Hurst "on probation for a period of three years from the 17th day of November 1976." Dale Bryant signed the agreement without dissent. According to prison records, Hurst was received on November 17th, 1976, and discharged on December 20th, 1976, spending only 34 days for killing Roy Lee.

Hurst was and remains a local land developer. During the trial and behind the scenes, Dale Bryant was acting as Hurst's lawyer by "doing legal work by transferring properties to protect his assets in case of a suit." Beyond his behavior, consider the following:

On May 20th, 1974, William and Geraldine Hurst took a second mortgage on their home with Citizens Bank of Jackson for \$25,000.<sup>4</sup>

On June 11th, 1974, William and Geraldine "sold" their home to Edna Mae Combs. The legal document was prepared by Dale Bryant.

In June 1974, William Hurst transferred three tracts of land, two lots, and eight additional tracts in Hurst Subdivision to Edna Mae Combs (*The Jackson Times*, July 4th, 1974).

The most blatant land transfer occurred between the Hursts and Judge

Graham when they sold him nine lots located in the Hurst Subdivision for \$1000. This land "deal" raises serious ethical and legal questions. Not only did a just-convicted felon participate in a business exchange with the local judge, the Deed was prepared by Dale Bryant. This deal occurred only 13 days after Hurst's conviction. Sixteen months later, Judge Graham sold the very same nine lots to Edna Mae Combs, for a \$10,000 profit. Although Combs paid \$11,000 for the land, locals describe the price at that time "a bargain." (Private Interviews).

Those who know that Graham picked Judge Walter speculate that Walter and Bryant were "compensated" with these proceeds or other funds. (Private interviews).

### Civil Litigation

During the fall of 1974, Lucille filed suit against the Hursts, Edna Mae Combs, and others who, after the murder, loaned money to Hurst. According to Lucille, Ricky Skaggs tried to locate an attorney in Washington, D.C., but they decided it



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was best to have local representation. Hurst was sued "individually and as a Deputy Sheriff of Breathitt County." He could have been criminally prosecuted under Federal Law since he was a law enforcement officer.<sup>5</sup> Also named in the lawsuit was Aetna Life and Casualty Company as the insurer of his bond as deputy sheriff.

On March 14th, 1975, the court of appeals disqualified Judge Graham in the civil matter and, not surprisingly, appointed Judge Walter. On May 9th, 1975, Hurst moved to strike all references to the suit alleging "and as deputy sheriff." On August 4th, 1975, Hurst's attorneys filed a motion for a change of venue which Judge Walter granted. The civil trial was moved to an adjacent county.

The lawsuit asked for an award of \$1,405,000.00. Lucille's attorneys believed they had "an open and shut case" but with two potential problems. They feared that powerful persons in the community might influence jury selection. They also believed they would have difficulty documenting Roy Lee's actual lost income. Although Roy Lee had been a salaried employee of Ralph Stanley, he occasionally was paid in cash. As a result, Roy Lee's federally reported income was "only about a third of his actual earnings" leaving it nearly impossible to demonstrate to a jury that Lucille and the family would be deprived of his actual income.

Just before jury selection was to have begun, Lucille telephoned her attorney, Richard Vimont, and claimed that she wanted to settle the suit and "put this behind her. I tried my best to talk her out of that," Vimont recalls some 27 years later. "She had a new husband or fiancé and didn't want this lingering on and wanted to accept their offer." As a result, on October 14th, 1975, the parties entered into an agreed order of dismissal. A "one

dollar" settlement was agreed to in order to protect the confidentiality, by Hurst's insistence, of the actual settlement. Hurst complained publicly about the suit, asking if "they want to take everything I have."

Lucille claims that she continued receiving threats and feared her house would be burned. "There was a motorcycle gang and we believed they were going to be hired to burn us out. I was worried about the kids. They offered \$15,000 and the lawyer said they had to have \$20,000. So that's what we got." According to others, Lennie also received threatening telephone calls. Today, Lucille's attorneys do not recall the exact settlement but say the figure was between \$25,000 and \$50,000. Lucille said she was "run out of the county" and since then has lived nearby.

Today, Lucille remains married. Lennie occasionally performs with his son, Roy Lee II. Bill Hurst lives across the street from his mother. He and Geraldine eventually divorced but live next door to one another. Roy Lee lives on through the time-honored music he recorded with Ralph Stanley and the Clinch Mountain Boys.

#### Endnotes

<sup>1</sup> For example, Dick Spottswood's liner notes to "Ralph Stanley and the Clinch Mountain Boys 1971-1973" (Rebel) makes no mention of Centers' tragic demise or of Keith Whitley's alcohol overdose death.

<sup>2</sup> Jack Lynch, at one time, played bass with the Clinch Mountain Boys and served as a pallbearer in Carter Stanley's funeral.

<sup>3</sup> After Roy Lee's death, Lucille gave his jacket to local poet, Bobby Chapman. He has kept it preserved with several missing fringes torn from the back left side, by Geraldine McConnell during a scuffle inside the Hurst home. (Defense counsel's opening comments, trial transcripts.)

<sup>4</sup> Hurst and Edna Mae Combs were characterized as "big depositors" in the bank. Judge Graham and Dale Bryant served on the bank's board of directors. The CEO of the bank was the brother of a juror in the criminal case. (Private interviews.)

<sup>5</sup> Section 242 of the United States Criminal Code prohibits any person who is acting under the color of the law from depriving a citizen of any due process provisions established by the United States Constitution. Hurst's actions likely violated these provisions since he was a sworn deputy who killed Roy Lee during the process of his being placed in legal custody. In fact, the coroner's "authorization for autopsy" reports "a deputy sheriff suppose [sic] to have done shooting."



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