

DET. M. SMITH

Statement  
STEVEN KINDRICK

April 24, 1996  
Inv. Philip Mundy

THIS IS GOING TO BE A WITNESS STATEMENT REGARDS TO STATE ATTORNEY'S INVESTIGATIVE ASSIGNMENT NUMBER #96-2-262 AS WELL AS HOLLYWOOD POLICE DEPARTMENT CASE NUMBER 81-56073. THE FOLLOWING IS GOING TO BE A STATEMENT OF DETECTIVE SERGEANT STEVEN RICHARD KINDRICK, K-I-N-D-R-I-C-K, DATE OF BIRTH MAY 16, 1948 AS GIVEN TO INVESTIGATOR PHILIP J. MUNDY OF THE BROWARD COUNTY STATE ATTORNEY'S OFFICE. THIS STATEMENT IS BEING TAKEN AT THE BREVARD COUNTY SHERIFF'S OFFICE, MERRITT ISLAND OFFICE IN BREVARD COUNTY, FLORIDA ON WEDNESDAY, APRIL 24, 1996 BEGINNING AT ABOUT 2:47 PM.

THE FOLLOWING NOTATIONS WILL DISTINGUISH SPEAKERS:

PH: PHILIP MUNDY  
SK: STEVEN KINDRICK

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PM: As an investigator with the State Attorney I have the authority to take your statement under oath so I need you to raise your right hand, do you solemnly swear and affirm the statement you are about to give will be the truth, the whole truth so help you god?

SK: I do.

PM: For the record would you state your full name and date of birth?

SK: Steven Richard Kindrick, my date of birth is May 16, 1948.

PM: By whom are you currently employed sir?

SK: Brevard County Sheriff's Department.

PM: And what is your current assignment and duties?

SK: I am assigned to the major crimes unit.

PM: Back in 1983, the month of October to be exact, were you employed with the Brevard County Sheriff's Office?

SK: Yes sir I was.

PM: Do you recall what your position was at that time?

SK: Yes sir, I was assigned to the same unit, and back at that time it was referred to as the homicide division, but it is basically the same unit.

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PM: In connection with your duties at that time, did you have occasion to come into contact with an individual known as Ottis Toole?

SK: Yes sir I did.

PM: Can you tell me how you came into contact with him?

SK: Initially we were contacted by the Jacksonville Sheriff's Office or police department, I don't even remember which one they were referred to then, I guess it was the Department of Public Safety, but Buddy Terry was an investigator with that organization at that time, he contacted my supervisor, Lt. Bolick and advised him, James Bolick, that there was an individual that they had in custody at that point by the name of Ottis Toole who had confessed to a number of crimes and wanted to speak to one of the investigators from our department regarding a murder investigation or death investigation that we were involved in at that point as well.

PM: Do you recall if you were given any details of the particular homicide that Toole was talking about or did you get the impression he just wanted to speak to someone from Brevard County?

SK: No sir, there was a particular investigation that he was talking about at that time. The investigation that they were and again I did not speak with Inv. Terry at that time personally anyway, Lt. Bolick actually spoke to him. Bolick took the initial information and assigned myself to that particular investigation and the investigation was in question of a Jane Doe that was found beside the road close to the Interstate, just outside the City of Rockledge itself. I reviewed the case that was in question and spoke to Agent Terry and at that point we arranged a date and time when I could come up and speak with Mr. Toole.

PM: So you spoke to Terry?

SK: Yea very briefly.

PM: That was your first contact with Terry?

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SK: Yes sir. And this was after the conversation with Lt. Bolick. On the date that we were talking about where I actually went up and spoke to Toole, when I went to Jacksonville I contacted Agent Terry, spoke with him for a very brief period of time, he introduced me to Toole, left the room and then from that point forward we discussed the investigation of my purpose of being there. Do you want the date that I went up there and spoke to him?

PM: Yea. Matter of fact do you have a copy of the report you did?

SK: Yes. I referred back to the report and the date I actually spoke to him would have been on October 10, 1983.

PM: Did you record the conversation that you had with Ottis Toole?

SK: Yes sir I did.

PM: And I don't really want to get into any details about the murder you were investigating in Brevard County, did there come a time during that interview when Ottis Toole told you anything about any other homicides?

SK: Not during the taped conversation that I had with him. Actually what I did with him at that particular point is that I advised him of his rights, advised him that I was taping the conversation of the interview itself and then went into the case itself. At the conclusion of the interview that I had with him pertaining to that particular investigation, as I was shutting the recorder off and putting my things in the briefcase and getting ready to leave or preparing to leave he started talking about some additional murders. He during the conversation that I had with him and that particular point spoke about a number of murders, and I remember there were two particular murders that he spoke about that I remember fairly well. One of them was a murder that he was involved in that occurred in Tampa, and then the other conversation we had or as the conversation progressed he started talking about the death of a young kid that occurred in the Fort Lauderdale area and as the conversation progressed I don't believe he ever mentioned Adam Walsh's name, however, from the conversation we had it appeared to me that was who he was talking about.

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PM: Now this part of the conversation is not tape recorded correct?

SK: That is correct. Yes sir.

PM: Were there any notes taken by you on this part of the conversation?

SK: No sir. Actually at that particular point I didn't have a real working knowledge of what had occurred at that particular point to the Adam Walsh case. I did not want to cause any other investigator that may be involved in that investigation any problem and it was apparent to me that while I was talking to him that his demeanor had changed. I didn't want to aggravate him or shut him up or anything like that. And primarily what I did was just continue the conversation with him to where he was satisfied, we did not leave on a bad note and then when I got out of there I contacted the appropriate people to make them aware of what was said to where it could be pursued.

PM: Can you tell me sitting here today what you recall about the conversation with Toole in regarding to the child's death?

SK: There is a number of things that he said that I remembered that had come up in the conversation. He had indicated that during that particular time there were a number of vehicles he had access to and I think what he had indicated at that time was that he was using a Cadillac more so than anything else. He also indicated that he had either used or had access to two different pick up trucks, from the way he talked I don't believe the trucks were actually in his name and I don't think he owned them but it was something that he had, it was readily available to him if he chose to use them he had no problem at all. But in the conversation I had with him I do recall that he had picked this kid up at a shopping center. He did not say what type of shopping center and did not name the store that he was referring to. He had indicated that the child he was talking about became upset because he wouldn't let him leave and to shut him up he had hit him and hit him several times. Then he had indicated that later on that he had actually cut his head off and he said he threw his head in a canal. He also had indicated if I remember correctly in this conversation I think he had indicated that he had disposed of the body in

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Jacksonville, either his mother's house or I am not sure where it was at, either his mother's house or where he was staying, that there was some type of a pit they had used and that he had burned the body up there. Again I did not really pursue the questioning because I didn't want to shut him up and I felt it was something that it would be more useful for somebody that had a better working knowledge of it and I just wanted to relate the information to them. I did have a second conversation with him and at that time this is something -

PM: On the same day?

SK: No sir, this was something that occurred at another time.

PM: If I can I would like to stay with the first one.

SK: I don't recall and obviously we are talking a number of years ago, and I realize that this case is of some importance, but I did not go into any great detail with him because again I didn't know that much about the case and I was primarily let him talk and listen to what he had to say. I really don't recall that much more about the conversation but the conversation went on long enough that it was apparent to me that he was talking about Adam Walsh.

PM: Do you recall how that conversation got initiated?

SK: Yes sir. When he started talking to me about it he had asked me if I was from, when I first spoke to him when I went in I introduced myself my name, showed him my identification and told him I was from Brevard County and the case that we discussed is something that occurred in the Brevard County area. After I shut the recorder off he asked me again if I was from Broward County and I told him no I wasn't from Broward County I was from Brevard County and he said do you want to talk about this other case and I said what case are you talking about and that is when he started it. It is my impression that he got Broward and Brevard confused. He is the one that opened the door and that is just an presumption on my part because he asked me if I was from Broward, I can't remember if he said Broward for Ft. Lauderdale.

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PM: Now this would have occurred after you had questioned him about the homicide that occurred in Brevard County?

SK: Yes sir that is correct.

PM: Do you recall that during your questioning of him about that homicide if questions came up about the geographical area in Brevard County?

SK: There is a question when we were talking about that we mentioned the City of Rockledge, the City of Cocoa, and Cocoa Beach and I thought it was quite clear that we were talking about Brevard County.

PM: Do you remember if Toole said anything to you to indicate that he had a working knowledge of the Brevard County area?

SK: He had mentioned that he had been here before and there was a couple of businesses that he was aware of that in the conversation we had there was one place that he mentions specifically that was referred to as the Evening Edition which is a night club that was over in the Cocoa Beach area and I think he had to be knowledgeable of the area to know where that particular bar was.

PM: As a result of your conversation with him about your homicide, were you satisfied that he had at least a working knowledge or had been in Brevard County?

SK: Yes sir.

PM: When he got into the business about Fort Lauderdale/Broward County do you recall if there was any conversation with you that gave you an indication that he was familiar with that area?

SK: We didn't go into any real detail about it. In a discussion that I had about Brevard County we did discuss obviously the Interstate 95 because we were very close to that area where the case I was involved in, when we discussed where this detail about the case that we were talking about it was apparent that he is familiar with Cocoa Beach area. Like I say the Evening Edition is

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a bar that does not exist anymore. But at the time it was a popular bar, that would be a fair or accurate statement about it, and it was obvious that he knew where it was at. He has a working knowledge of Brevard County.

PM: Was this bar frequent by a certain group?

SK: Yes sir.

PM: And what type?

SK: It was primarily a homosexual bar.

PM: Did Toole ever tell you that he was homosexual?

SK: Yes he did.

PM: Did he indicate to you when he had been in Fort Lauderdale/Broward County?

SK: He did not mention the date, no sir. I don't recall any discussion we had that he ever mentioned any dates and in all honestly I kind of got the impression with talking with him and dealing with him that he was not the type that would wear a watch or pay a lot of attention to a date or a particular date.

PM: I am trying to be especially careful not to suggest anything to you but at the same time I am curious to try to find out if he mentioned things that might come to your mind now in the absence of any notes or recording. Now he did say he killed the boy and it was in the Fort Lauderdale area, that he had beaten on the boy because the boy got upset -

SK: That is right, he is the one that mentioned about picking him up at the shopping center, -

PM: Did he mention a city besides Fort Lauderdale?

SK: No sir, and I am not really familiar with the area and I don't know how much distance or if there is a separation or how much difference there is between Hollywood for Fort Lauderdale myself either. I have been through there that is the best I can tell you, but the long short of it is he brought it up about the



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shopping center and this is when he started talking about picking the little boy up. I didn't bring any of that up and when he talked about putting him in the car or getting him in the car it was after the kid started becoming upset that he said he had started slapping or hitting him to shut him up. Things I am talking about is things that he brought up, I really didn't ask that many questions.

PM: Did he indicate how he was able to get the boy into the car?

SK: I don't remember now, seems to me that he was talking about some type of video game boy or something of that nature where he was showing him what he had. It seemed to me it was like a computer thing and again I am not a computer person that I don't pay much attention to these electronic games that kids have. I don't know if they were accessible or not but if I remember correctly he had indicated that he was showing him some type of a computer type game.

PM: So when he talks about slapping the boy, did you get the impression it was after he had been abducted?

SK: I thought while he was leaving yes.

PM: As he was leaving?

SK: The shopping center area.

PM: After before he was able to get him in the car?

SK: Yes.

PM: Did Toole give you any indication how old the boy was?

SK: He just said that he was a young boy.

PM: Did you ask him why he killed the boy?

SK: Yes I did. I didn't ask him how and I think the only reason that I had asked him why was because I was a little bit surprised or taken on what went on and he said that essentially the kid just wouldn't shut up. You know he continued to fuss about being taken away from where he was at.

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PM: Did he tell you where he disposed of the boy's head?

SK: He said he threw it into a canal.

PM: He didn't give you any geographical location or any hideaway?

SK: He said it was off the interstate, now off the interstate I don't know if it is a canal that he would have actually went over or if it was a canal that was parallel to the interstate that he saw but he did say it was off the interstate.

PM: You mentioned something that he described to you how he disposed of the body?

SK: Yes sir. He had indicated that he had destroyed the body in a pit where he had set a fire and burned the body and seems to me he mentioned to me that it was at his mother's house or where he was staying in Jacksonville.

PM: Did he say what he had done with the body?

SK: He had burned it.

PM: Burned it in a pit?

SK: Yes sir in a pit. He said there was pit there and again I don't remember at this particular point if it was where he was staying. It seems to me that he had mentioned to me that it was at his mother's house but with the time that lap since this has occurred I really don't recall which place it was at.

PM: You didn't question him about why he would throw the head in the canal and dispose of the body?

SK: No sir. Actually what I was trying to do at that point was just let him talk and try to keep him in a position to continue to do so.

PM: Did he indicate if he did this alone?

SK: Yes sir he was alone.

PM: You recall him saying that?

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SK: Yes sir.

PM: Now this conversation happens in 1983 and Walsh was dumped and murdered in 1981 and I would imagine everybody knew about the case, you had a passing knowledge of it I would assume?

SK: Yes sir.

PM: So when he began discussing this case did the Walsh case come to mind like almost immediately?

SK: Yes sir it did.

PM: That's basically in your conversation with Toole right?

SK: That's correct.

PM: So the next thing that happens is you discuss what he told you with Det. Terry?

SK: Yes sir.

PM: Do you recall what Det. Terry's response was?

SK: I know when I spoke with Det. Terry that he had not heard this before, I don't remember what the word for word conversation was and essentially what I was doing I knew that Terry had established some type of rapport where he could talk freely with Toole and be in a position to continue the conversation and my contact with Toole was limited to that particular morning. I did not want to be in a position where I was pushing Toole, where I would shut him up and that is why I didn't bring the recorder out or try to continue the conversation. Not only that I knew from what had occurred from what I had read in the paper and things of that nature but I didn't have a tremendous amount of knowledge about it or working knowledge about it and I realized that's truth about you can not always believe what you read in the paper anyway. I really didn't think it was wise for me to try to push him or continue that conversation. So what I did do is that I let Terry I made Det. Terry aware of it and I contacted the Hollywood Police Department and made them aware of the conversation I had with an individual to where they could pursue whatever needed to be pursued.

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PM: Do you remember who you spoke to at Hollywood?

SK: I don't remember the individuals name but I did write it in my report and it was a Det. Hoffman I believe that I contacted.

PM: When you come out of the interview room with Toole I would assume you almost immediately contact Terry?

SK: Yes sir.

PM: And when you tell Terry that you suspect he is talking about the Adam Walsh case what was Terry's reaction to that if you recall?

SK: I don't - he was surprised and it was obvious to me this is the first time he had heard that but in the conversation I had with him I don't think it was something that was shocking to him.

PM: He didn't get overly excited about it did he?

SK: No sir. Well you are talking about a man who had acknowledged that he had killed a number of people, no I don't think that he was shocked by it or overly excited.

PM: After you told Det. Terry, did you leave the Jacksonville premises?

SK: Yes sir.

PM: Did you have any more contact with Det. Terry?

SK: No sir I don't believe so. I'm not sure if I to be honest with you I don't know if I ever spoke to him again after that. We had a brief conversation about my case and itself and where we stood with it at that particular point and then I made him aware of what Toole had told me about what I believe to be Adam Walsh and I don't recall having a conversation again after that. As a matter of fact I'm not sure but I think I read in the newspaper that or if I remember correctly he either retired or went to work somewhere else, I'm really not sure but I do not recall having a conversation after the day after I left that area up there.

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PM: I guess the next thing is you return to Brevard County and as a result of your conversation with Ottis Toole regarding what occurred what he claims occurred in Fort Lauderdale, Broward County, you apparently reduced that incident to a police report correct?

SK: That is correct yes sir.

PM: Ok and for the record that is police report 83-55309, which you read over today correct?

SK: That is correct.

PM: Now in addition to that the Hollywood Police Detective Hoffman contacted you and took a sworn statement from you, do you recall that?

SK: No sir, I really don't. I read the statement, I really don't remember how I don't remember Det. Hoffman, I am sure I gave that statement but in all honesty I do not recall the conversation I had with him.

PM: For the record we have a copy of it here and it is a statement that Det. Hoffman in the report says it is taken on Friday, November 4, 1983 which is not quite a month after your conversation with Ottis Toole, but basically that is what it is, he goes over your contacting Toole and later contacting Hollywood Police Department. You have had the opportunity to read that over today right?

SK: Yes.

PM: Now one of the things I would like to ask you about, the police report that you made in October of 1983 and the statement to Det. Hoffman shortly thereafter, within three weeks it doesn't give the detail of the conversation that you are relating to me today, is there a reason for that?

SK: Only that I would answer his questions and I think that is typical of what most police officers do.

PM: You mean Det. Hoffman's questions?

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SK: Yes sir. If there is an area, he would be the one that is doing the interview and I would give him, if he would ask me a question I would answer his question. I don't think it was anything that I was trying to withhold, it just might have been something on how it came up in the conversation.

PM: I don't see where he actually comes out and says to you, can you relate to me exactly what it is that he told you.

SK: He asked on the telephone, when I initially contacted them and made them aware of the conversation I had with Toole about this incident and at that time I told him what I was advised at that point. I don't know if he made notes on it, if it was something he wanted to pursue but when he came and interviewed me, I know essentially what, if he asked me questions I'm going to answer questions. Even though we were doing this on tape there was also a conversation prior to the tape, and I am sure that was the same way, essentially what I did, he would ask me something and I would answer it to the best of my ability but I certainly wasn't trying to withhold anything.

PM: In fact on one page he did ask you specifically in regard to your interview with Toole that at no time did you ever mention to him the Adam Walsh homicide by name and that is correct right?

SK: That is correct.

PM: Now in regard to the internal police report that you did regarding the conversation you had with Ottis Toole on October 10th, basically the second paragraph seems to give a narrative of that conversation but again it doesn't give the detail that we are having today and the same question again is there a reason it wouldn't be in the internal report?

SK: No sir.

PM: Just in absence?

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SK: Could be, I think what I was trying to do is put the information down there and not put in a position where it would be necessarily scrutinized by the news media because they would have access to my report and all I am trying to do by making that report is indicate what occurred and what the actions were as far as the details and things like that. I contacted Hollywood and made them aware of it. And I don't know if that is an uncommon procedure that we would even use today to be honest with you. There are times in our report we may not go in detail as we would have where you would essentially refer to the tape or something of that nature. But it was certainly not anything where I was trying to hide or be deceptive of or anything.

PM: To your knowledge there are no other reports or documents or tapes regarding Toole's comments to you about the or what we can recall to as the Adam Walsh homicide?

SK: No sir not what I would have. Now there maybe, I know another investigator was here that was involved that became involved in this particular investigation and primarily what happened was is Toole wanted to speak with somebody about this and at that particular time I was having some serious health problems and was in the hospital. Agent Johnny Manis at that time who was also in the homicide unit because of my illness went up and spoke to Toole.

PM: Could you spell his name?

SK: M-A-N-I-S. I know he went up and spoke to Toole as well. I am not sure if he was still in Jacksonville or if he was taken to a correctional facility, I really don't know where he interviewed him but later on when I returned to work there was a conversation that I had with Agent Manis about it and Manis at that time was related to me that Toole had also spoke with him and had essentially said to him that he committed this particular murder. And I don't know if Manis taped that statement or if he wrote a report regarding this or not. But there was a conversation that I had with Manis about it and I do know that he spoke with him about it.

PM: After that and as I said I spoke with you on the phone that is the reason I am here, did there come a time where you again had contact with Ottis Toole?

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SK: Yes sir.

PM: Could you describe to me how that came about?

SK: I don't recall the date that this would have occurred but again like I said I had a serious health problem at that time and there was some period that I was out of work, and after I had returned he again had contacted our agency and I don't at this point don't know how it came about, and wanted to speak with me and not knowing what it was about but knowing what the possibility could lead to, I went to Raiford State Prison in Stark and I spoke with Toole about what he wanted to speak about which again was (unintell) of an incident. But yes I went to Raiford and I spoke with him.

PM: Did the what we know today to be the Adam Walsh case come up in the conversation?

SK: No sir. What he was trying to do was to recant his statement to me about the investigation that I was there for originally and I was probably there and I am just going to take an estimate, I doubt that I was actually there in the room with him for more than say a half of an hour. The conversation was very brief and again it was primarily about the other investigation that involved him.

PM: Turning to October, 1983 when you had your first conversation with him as a bench warrant do you know how much after that -

SK: I don't think it was more than a couple of months and I'll tell you the reason that I say that, I had had some heart problems and I ended up having by-pass surgery, but I wasn't really out of work all that long. I did fairly well and I came back to work on a limited duty type of basis and I really didn't feel like this was a strange problem or a problem I was in danger and it was not long after I came back to work and I wouldn't have a problem going to talk to him. I would think that we would be talking about 3 or 4 months and again as far as my recollection -

PM: But there was no conversation about the Walsh case?



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SK: No sir. The thing that he said to me and the reason I remember because I thought it to be kind of funny the man in his position would say that is that he told me that he was in a lot of trouble. And as I relayed it to you earlier and I don't want to seem like I am sitting here making a joke, but that is an understatement that would be like Custer saying that he is in a lot of trouble and I thought it unusual that a man that had a number of death penalties against him that was assigned to Q wing or death row that would sit there and tell me that he is in a lot of trouble. And I will probably remember that for the rest of my life to be honest with you. But the discussion about the Walsh case really didn't come up other than and he was not named. I told him you need to remember that you have done the right thing by helping these people too, found the people to find their loved ones where he had hindered them, but you know what as we sit here and talk about it I am wrong it did come up. There was some conversation about it. He had mentioned to me in the conversation and it was not something that I went up there primarily to speak to him about. I didn't know what his purpose was, but there was a brief mention of this and I think what I asked him was if I remember correctly is why he did not cooperate with the police when they were dealing with him. And he said that they were talking bad to him, they were calling him a son of a bitch and dirty ass hole and things of that nature and that he just got mad and refused to talk to them and that he indicated that he was very close to where the body was at when he stopped dealing with them and he was the one that told me and I almost forget this and I feel bad about it now, that apparently he had dealt with these people and had got into the car and along with him back to the Broward County area and at one point he was at a road that was barricaded off and that he told them that he had buried the body there and he was very close to where the body was at. But that they had, they were continuously talking to him and he got mad at him and what they were doing is that they were waiting for a trooper who had worked in that area that came up there and spoke with them and the trooper told them during the time in question that that road was opened and it was accessible to the public and it had been shut down after that period of time. And at that point he said that they had made him mad and he just wasn't going to talk to them anymore, and that did come up in that conversation.

PM: Do you recall if he said anything in particular that made him angry or any particular person?

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SK: I don't know if he mentioned a particular name but what he was saying was that they really treated him bad and I am certainly not trying to imply that they beat him or abused him or anything but what he did mention was that the way they were referring to him as a son of a bitch or an ass hole and I believe he did use those terms. I do recall that.

PM: Do you recall if you asked him how his description of what was occurring there, apparently they were looking for a body and he said they were close to it, did it occur to you to ask him how that jived with what he had told you previously about burning the body?

SK: No. And I don't think that I even thought about it at the time, but what I did do is I was trying to get him back into the mode where he would talk to them again and was talking to him about, Ottis look at the people that you are talking to and that you are helping them to find their even though their kids or whoever it may be, their family members at least you are at a point where you are putting them in a position where they wouldn't know what happened and maybe even recover the body and see that there is some disclosure to this whole thing. And I remember him going in to that discussion with him about it and this was something that occurred at that second interview, it was not during the first one.

PM: And that second interview at the Prison, do you recall how the discussion of the child murder came up?

SK: He would have brought it up. I don't remember what the words were that were said, we are talking about a conversation that lasted for a half an hour, ten, fifteen years ago, I guess or twelve years ago and at any rate I went there hoping he would open up and tell me more about the case that I initially spoke to him about and I didn't know what he was going to bring up in the conversation, I just wanted to open the door and keep it open in case we could get more information on our case and in all honesty my thoughts had not changed that much about what I did or how I did it, in all I was trying to do was to persuade him to where he would open up and talk to these particular people again. And again still I don't know I don't have a tremendous amount of knowledge on the Adam Walsh case and I don't have enough information that I would want to sit there and try to jeopardize somebody else's case even today I don't know that much and my feelings and views on how to interview somebody and what to do really hasn't changed any. If I

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can make the man a little bit happier and put him at ease to where he will start talking and talk with somebody else about their investigation I will be happy to do it, but I do not want to get in a position where I would shut him up to where he did not want to talk to anybody and cause anybody else a problem especially on a case I don't have a lot of knowledge about.

PM: You know the other thing I wanted to ask you about before I forget it, I had telephoned you a few days earlier and you know we discussed why I was coming up here and so forth and you had mentioned that you thought in the first conversation with Ottis Toole that you had turned your tape recorder off and when you began speaking about this case you turned it back on and that you searched for those tapes, what happened with that?

SK: Well there is no tapes. I think I was in error when I spoke to you about that and the reason I say that is, in a case like that normally if it is all possible I would like to tape what is going on that way later on they can review it, they get what he says not my interpretation of what he said. When I tape a conversation like that it is right out in the open the tape is there and off we go. And I didn't want to shut him up or to cause a problem and when I talked to him in Raiford, when he was talking to me about the case that I initially spoke to him about what he was trying to tell was, well I listen to what you had told me and then from there I started acting like I really did it and I took what I was getting from what you said and running with it or using that to where I could tell you about what was going on. And I told him Ottis that really sounds good and I am impressed with you for coming up that but the truth of the matter is I tape everything from the minute I got here to the minute I left and I reviewed those tapes and that is not true. Then I don't remember exactly what he said, I do remember that statement that I made to him I think may be one of the reasons that I thought that I did actually state that I tape and that in fact that I normally try to but I didn't push it because of the circumstances.

PM: The case that you were investigating in Brevard County without getting into detail about it, did you clear that case?

SK: No sir.

PM: Ok it is still an open case?

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SK: Yes sir.

PM: And but he did give you a statement confessing to it?

SK: He did, well he what he was trying to do at that particular point is not so much that he confessed to it but what he did is he was trying to indicate that Henry Lucas had come up there.

PM: Is that tape still in existence?

SK: I believe so yes sir. But he did not go into enough detail, what I was looking at there was not enough there that I could charge him.

PM: When you went back to the prison, I think you mentioned this that he wanted to recant that statement?

SK: That is correct.

PM: Did he tell you why?

SK: He said he was in a lot of trouble.

PM: Well he knew he hadn't been charged with this murder right?

SK: That's right.

PM: So not having been charged I am just curious as to why he would recant?

SK: I think he was afraid that he was going to be. I did not have enough that I could charge him and primarily in the statement in the other investigation he was probably trying to put it on Lucas more so than himself.

PM: Is there anything I haven't asked you that you feel might be important?

SK: No sir.

PM: This will conclude the statement at approximately 3:29 PM.

**STATEMENT TERMINATED**