
#13 Photo line-up of Ottis TOOLE

(Adam Walsh)

Suspect's death won't put end to Walsh case

By ARDY FRIEDBERG
Staff Writer

Ottis Toole, the best suspect police ever identified in the 1981 kidnap-murder of 6-year-old Adam Walsh, had been dead nine days before the detective assigned to the case heard the news.

For Hollywood Detective Mark Smith, who has invested two years in the hunt for little Adam's killer, Toole died prematurely at age 59, a medical examiner said.

Previous reports said Toole was 49. "I knew he was sick but I didn't know he was terminally ill until I heard he was dead," Smith said on Friday. "If I had known, I sure would have been there. I would have loved a deathbed confession."

But Toole, who died two weeks ago from cirrhosis of the liver caused by viral hepatitis, apparently didn't know he was dying either, Smith said.

"He wasn't aware of it. I talked with him 10 days or two weeks before and he didn't know," Smith said. "But I was told several weeks before that he was not very coherent."

The state Department of Corrections was unable to determine on Friday why Smith was not notified sooner of Toole's death.

Realistically, Smith knows that Toole, who twice confessed to the kidnapping and beheading of Adam in 1981 and then retracted his confessions, was not to be trusted, even on his deathbed.

"We don't know what Toole might have had to say or if he would ever have confessed," Smith said. "He was difficult to interview, at best."

Toole was serving five life sentences at Raiford Prison in north-central Florida for murders unrelated to Adam Walsh. He died in the infirmary at nearby Union Correctional Institution in Lake Butler, where he was taken for treatment on Aug. 12.

No one claimed Toole's body from the Archer Funeral Home in Lake Butler. He was buried at state expense and without ceremony in a cloth-covered wooden casket in Union's cemetery.

A box of Toole's personal effects — a Bible, some letters and photos — were turned over to a Jacksonville woman he listed as a personal friend and the person to contact in case of emergency.

Since Smith was assigned the case, after successfully working other cold cases, he has re-interviewed all of the principal suspects and again eliminated members of Adam's family, other relatives and their friends as suspects.

"That's Homicide 101. It's routine to work from the center out and that's what we've done," Smith said.

Smith said his next step is to go to Rai-

A.S. of
Raiford Prison

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Sunday, September 29, 1996

ADAM

FROM PAGE 1B

Detective to keep hunting for clues in Adam's killing

ford, where he has been a dozen times.

"I'll talk to anyone who had contact with [Toole]. That includes inmates, guards, administrators, hospital people," Smith said.

Now that Toole is dead, Smith thinks some of his prison associates will speak up.

"Some people were afraid of him, and the fact that he's dead could make a difference," Smith said. "But they have to be willing to talk. We don't really have anything to offer them but the chance to do the right thing."

Two keys for Smith as he continues working on the case: tracing Toole's activities three days before and three days after the kidnapping; and the recovery of Adam's body.

"We can't put Ottis Toole anywhere during that six-day period. We know where he was before and after those six days, but that's a gap we need to fill," Smith said.

Finding the body isn't necessary to conclude the case. It would certainly help, but it wouldn't end it unless we can find out who put it there," Smith said.

"Besides that, it's important for the family for closure and so he can have a decent burial."

Previously, investigators excavated the yard where Toole lived in Jacksonville and a spot along Florida's Turnpike where Toole led detectives. Nothing was found at those two sites. Adam's head was found in an Indian River County canal about a month after the boy disappeared from the Hollywood Mall on July 27, 1981.

Smith, who still spends about half his time on the Walsh case and gets assistance from other detectives as needed, said it is important to continue the investigation, even without Toole.

Like all murder cases, this one will remain open until it is solved.

"It's worth it because it's an unsolved murder," he said. "I'm hopeful, mainly for the family. My satisfaction is secondary, though I certainly would be relieved."

Investigative Assignment #96-02-0262

October 15, 1996

INVESTIGATIVE REPORT #13

TO: RALPH J. RAY, JR.
Chief Assistant State Attorney

FROM: PHILIP J. MUNDY
Investigator

SUBJ: Photo line-up of Ottis Toole

RE: Homicide Investigation of Adam Walsh

ENCL: Copy of Photo line-up

A review of the case file revealed the names of several individuals who had been at the Sears store on July 27, 1981 who had not been asked to view a photographic line up which included the image of Ottis TOOLE. Following is a list of these witnesses and the results of contact with them or reason for non-contact:

ACCETTORO, Angelo - Currently residing in Banner Elk, N.C. He was not contacted but was in the company of Greg Irizarry who made no identification.

BARRACK/SHAFFER, Kathy - Mrs. Barrack is the Sears employee who ejected four children from the store. She was seventeen years old at the time and she made no identification. A statement of her account of her activity that day was the subject of investigative memo #12.

BAUER, Anthony - Currently residing in Costa Rica. A message has been left with his mother Maria Corado to have her son contact me or Det. Smith should he return to S. Florida. Anthony was eight years of age at the time and told police he had seen two "trashy" men enter the store and believes he saw Adam Walsh at the video games.

CORADO, Maria - She made no identification.

DOVER, James - This man's name appeared on an unsigned document in the file with the notation that he worked at a gas station in Hollywood and saw TOOLE there a year or two ago. The document is also undated. The only James DOVER that could be found had been living at 15 E. Okomo Dr., Hollywood. This is a small mobile home park and it was learned upon visiting the address that Mr. DOVER, who would now be 75 years of age, is deceased.

HAGAN, Mary Corbett - This witness is the subject of investigative memo #7 and she has identified Ottis TOOLE as the man she saw on July 27, 1981 speaking to Adam WALSH near the video game area as she was enroute to the lighting department where she saw Reve WALSH.

IRIZARRY, Greg - He recalls being in Sears on July 27, 1981 with Angelo ACCETTORO but did not recall anything that he felt was unusual and was not paying particular attention to his surroundings and did not make an identification.

JONES, Vernon - Mr. Jones is the subject of investigative memo #10 and he made no identification. It would appear that he was in the store on July 27, 1981 playing the video games but at a different time than Adam WALSH.

MISTLER, William - Mr. Mistler is discussed in investigative memo #2 in which it is pointed out that he cannot say that it was definitely Adam WALSH he saw outside the Sears store on July 27, 1981. Mr. Mistler has identified Ottis TOOLE from news media sources and is adamant that he saw TOOLE in the company of a young male child and displaying the photo line up at this point would be superfluous.

SCHRECK, Nellie - Ottis TOOLE was identified by this witness as a man she encountered at the entrance door to Sears on July 27, 1981. Her statement was taken and she was the subject of investigative memo #8.

WARREN, Jennie - Mrs. Warren did not identify TOOLE. She did report seeing a ex-employee that might have been a Dennis LANCASTER who has been investigated by Det. SMITH. A statement was obtained from Mrs. WARREN and was forwarded under investigative memo #9.

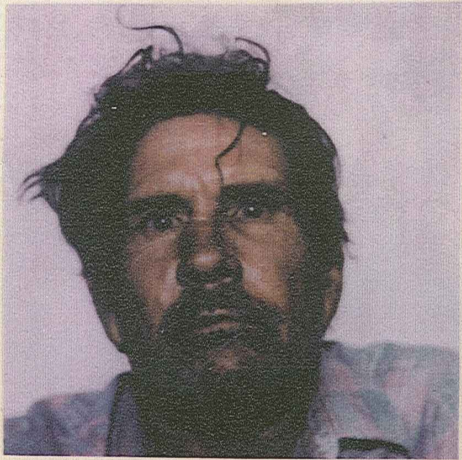
Should any additional witnesses be uncovered and contacted they will be the subject of future memoranda.

The photographic line up used in this investigation which contains the initials of the witnesses who made an identification has been placed in the investigative file.



Inv. Philip J. Mundy

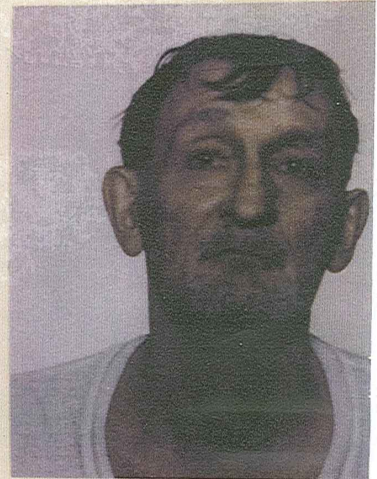
cc: Det. Mark Smith
Hollywood Police Department
(With enclosures)



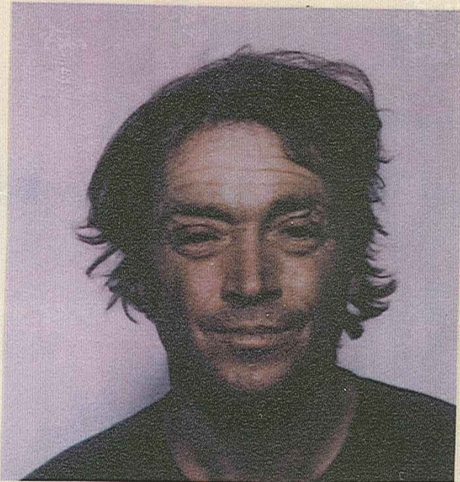
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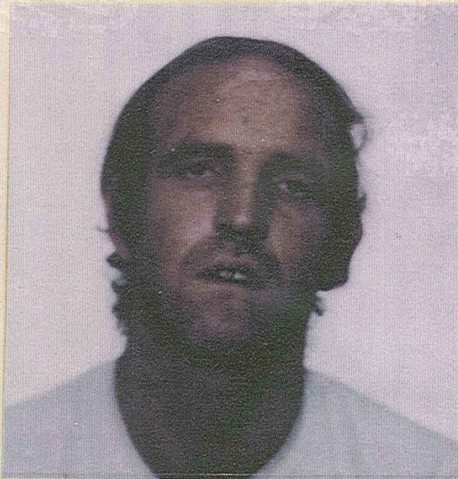
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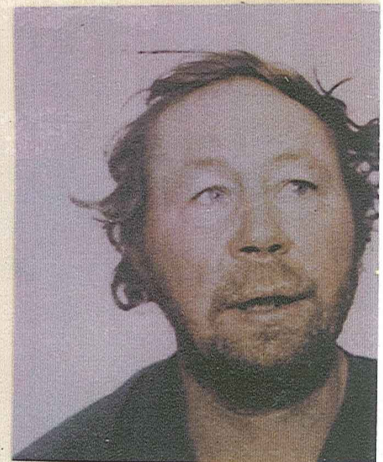
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ENCLOSURE TO INV. REPORT
#13 - S.A.O. INV. ASSGN.
#96-02-262 - MURDER INV.
OF ADAM WALSH