

#14 Examination of Ottis TOOLE
Statements

(Adam Walsh)

Investigative Assignment #96-02-0262

October 15, 1996

INVESTIGATIVE REPORT #14

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

FROM: PHILIP J. MUNDY
Investigator

SUBJ: Examination of Statements of Ottis Elwood Toole

RE: Homicide Investigation of Adam Walsh

ENCL: 1) Schedule of Statements of Ottis Elwood Toole

An examination was made of statements made by Ottis TOOLE incriminating himself in the murder of Adam WALSH and is attached hereto. An effort has been made to compare his statements with the known facts in the case. In preparing this examination any statements made by TOOLE after October 21, 1983 have been disregarded. This was done primarily because of the possible influence that outside sources may have had on his statements after that date.

Bobby Lee JONES worked with Ottis TOOLE in Jacksonville and as of now is the first recorded witness to statements made by TOOLE regarding the murder of Adam WALSH. It is interesting to note that in July, 1982 TOOLE had not yet surfaced as a suspect in this case and it had been a year since the victim's murder and the subsequent recovery of the victim's head in the Indian River County waterway.

To our knowledge Det. Steven KENDRICK of the Brevard County Sheriff's Office was the first law enforcement officer to whom TOOLE made any statement regarding the murder. Det. KENDRICK was interviewing TOOLE in Jacksonville regarding a Brevard County case

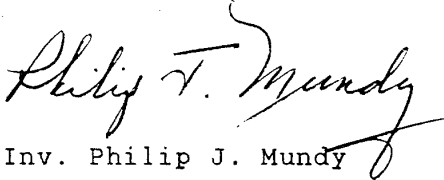
and he thinks TOOLE thought he was from Broward County. Det. Kendrick relayed the information he had to Det. Terry of the Jacksonville P.D. and later to the investigating Hollywood detectives who eventually interviewed TOOLE. Although Det's. Hickman and Hoffman eventually obtained a statement from Det. KENDRICK it contained little detail of his conversation with TOOLE. On April 24, 1996 a statement was taken from Det. Kendrick by this investigator focusing on his conversation with TOOLE almost thirteen years earlier.

Det. TERRY was interviewed in depth on April 9, 1996 and his statement of that date is part of our file. His recollection of October 10, 1983 was that he was escorting TOOLE back to his cell when TOOLE made statements to him. Det. TERRY says the conversation was brief and he did not prepare a written report and his memory of events and statements have not improved since that time. Nevertheless the brief comments TOOLE made to him have been included since they came well before October 21, 1983.

Det's. HICKMAN and HOFFMAN's interrogation of TOOLE began late in the evening of October 19, 1983. A second statement was taken early on the morning of October 20th primarily because the detectives ascertained that TOOLE was lying about the involvement of Henry Lee LUCAS in this crime.

In 1983 Inv. Paul RUIZ was assigned as an investigator to the TRAVIS County District Attorney's Office and was sent to interview TOOLE regarding several unsolved homicides in their jurisdiction. A letter was found in the case file from Inv. RUIZ to Det. TERRY in which the investigator related his recollections of a conversation with TOOLE on October 20, 1983 relating to the Adam WALSH case. When Inv. RUIZ was contacted it was learned that he was still in

possession of almost four hours of taped conversation with TOOLE the last part of which concerned the Adam WALSH murder. Inv. RUIZ explained that he and Det. TERRY jointly decided to question TOOLE about the case because they felt a rapport had been established and he might reveal the whereabouts of the victim's body. Inv. RUIZ took the tapes back to Texas where they remained until he sent them to this investigator. Inv. RUIZ advised that he was under the impression that Det. TERRY had informed the Hollywood detectives of the recorded conversation but obviously he had not. It should also be noted that the reason the TOOLE/RUIZ/TERRY conversation begins in mid-conversation is because Inv. RUIZ had turned off the recorder when he believed his interview with TOOLE had been concluded. Once TOOLE began to make what were considered incriminating statements Inv. RUIZ activated the recorder. The next day, October 21, 1983, TOOLE was brought back to Broward County for the purpose of re-creating the crime. Statements made by TOOLE after this date to both police officers and civilians have not been included in this examination.


Inv. Philip J. Mundy

cc: Det. Mark Smith
Hollywood Police Department (with enclosure)

**ENCLOSURE
ONE**

Examination of OTTIS TOOLE Statements

Inv. Philip J. Mundy
 Inv. Asn. #96-02-262
 Inv. Memo #14

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
July 1982	Bobby Lee Jones Statement taken On 9/11/96	4, 5	Talked a little boy out of a store In Hollywood, cut the boy up and Dismembered the head.	Kidnapping occurred from Sears store at the Hollywood Mall, head found in canal, Remainder of body not found.
		7, 8	Discussed City of Hollywood locations Naming Young Circle, a small airport Near a mental Institution and a Amtrak Station.	Locations mentioned exist in Hollywood, North Perry Airport and South Florida State Hospital, would be the small airport near the Mental institution.
		*11	Cut the child's head off, cut the body up And burned it, threw the head in something Like a creek.	Victim was decapitated, remainder of body Never found and head was found in Waterway.
		21	Talked of Opa Locka and Overtown.	Actual locations.

* This comment is made to Jones in 1983.

Inv. Philip J. Mundy
Inv. Asn. #96-02-262
Inv. Memo #14

Examination of OTTIS TOOLE Statements

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
10/10/83	Oral statements to Det. Steven Kendrick Brevard County S.O. 10/10/83	4	Picked up child in a shopping center.	Victim was abducted from Hollywood Mall.
		4	Had to hit the child.	Dr. Wright found Victim's nose fractured.
		4	Cut his head off.	Head was found in canal on 8/10/81.
		4	Threw head in canal.	Head was found in canal on 8/10/81.
	Formal statement of Det. Kendrick taken on 4/24/96 By S.A.O. Inv. Phil Mundy	4/5	Burned the body in a pit at his Mother's house.	1983 search was conducted and no evidence Was found.
		4	Using a Cadillac.	Known to operate a '71 black over white Cadillac recovered and presence of blood Discovered.
		8	Lured boy to vehicle to show him a Video-computer game.	Method of abduction unknown. Victim was Last seen playing video game. Mary Hagan Identified Toole as the man she saw speaking To Adam Walsh at the video game area of Sears on July 27, 1981.
		9	Committed crime alone.	Henry Lee Lucas was in jail on 7/27/81.
		9	Threw head in canal off the interstate.	Head found in canal at mile marker 174 (Formerly mile marker 130) on Florida Turnpike.

Examination of OTTIS TOOLE Statements

Inv. Philip J. Mundy
 Inv. Asn. #96-02-262
 Inv. Memo #14

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
10/10/83	Oral statement to Det. J.W. Terry on 10/10/83.	5	Killed a child.	Adam was 6 years of age.
	Sworn statement taken from Det. Terry on 4/9/96 by S.A.O. Inv. Phil Mundy	7/8	Chopped his head off with a Machete or bayonet.	Autopsy says wounds consistent with a Machete or similar sharp cutting instrument. Toole Had access to both type of weapons.

Inv. Philip J. Mundy
Inv. Asn. #96-02-262
Inv. Memo #14

Examination of OTTIS TOOLE Statements

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
10/19/83 10:10PM - 11:49 PM	Taped statement to Det. Hoffman Det. Hickman Det. Terry	5	Last in Ft. Lauderdale a couple of years ago (1981).	Kidnapping/Murder occurred 7/27/81. Bobby Lee Jones' testimony indicates Toole was in Hollywood at least Prior to July 1982.
		6	Drove there in 1973 Cadillac black vinyl Top, white body, black leather interior.	Was known to use Faye McNett's '71 Cadillac, black over white. Vehicle recovered and presence of Blood discovered. —
		7	Claims Henry Lee Lucas traveled with him And participated in the murder of Adam Walsh	False, and Toole later admitted he was trying to implicate Lucas for Reasons of his own.
		9	Says they abducted the child from a mall and There was a Sears store in the shopping center.	Abducted from Sears at the Hollywood mall.
		10 & 39	Puts the time at close to the afternoon.	Child was abducted between 11:30 AM & Noon.
		11	He states it was pretty close to A1A.	There were road signs for A1A in the Area.
		11	States it was a one level mall.	True.
		13	States he was window shopping in mall. Recalls A drugstore, mentions a furniture shop, and a Wig shop.	Leasing records show a Gray's Drug Store. City Publishing Co. Hollywood City Directory, 1981 Edition lists a "Lady Godiva Wig Outlet" at the mall. Sears had a Furniture department.

Examination of **OTTIS TOOLE** Statements

Page -2-
 Cont. 10/19/83, Toole's statement

<u>Date Of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's statement</u>	<u>Fact</u>
		15	Describing the child, that was abducted He states: Blonde hair Kinda curly/wavy Not straight Dungarees Blue shirt Pair of mittens 7-10 years old No hat	Sandy Blonde -- Straight Green shorts Red and White -- Age 6 Boat captains hat, beige
		19	Lucas used a bayonet, similar to a Machete, to chop off the child's head.	Toole retracted Lucas' involvement in a subsequent statement. Toole had access to Both a machete and a Bayonet which are in police custody.
		20	Took 3-4 blows to complete the Decapitation.	Dr. Wright found 5 blows.
		20	Child was held face down.	Dr. Wright agrees.
		20	Remainder of body was cut up into pieces.	Only the child's head was recovered.

Examination of OTTIS TOOLE Statements

Inv. Philip J. Mundy
Inv. Asn. #96-02-262
Inv. Memo #14

Page -3-
Cont. 10/19/83, Toole's Statement

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
		21	Scattered the pieces and kept some in the car. Scattered clothing all over the side of the road.	Area search after head was discovered, did not produce any further evidence.
		22	It was still daylight when child was killed And he had child about an hour and a half Before killing him.	Time and distance generally consistent, with travel from Hollywood to mile marker 174.
		23	Never put anything (body parts) in trunk.	Unknown. Trunk lining missing from 1971 Cadillac, Per David Gillyard.
		37	Murder weapon had a wooden handle.	Possible, John Reeves, Sr., Toole's employer, reported Machete with brown wooden handle missing. Toole had access to numerous cutting type weapons.
		39	There was blood in the car.	True, per F.D.L.E. examination.

Examination of OTTIS TOOLE Statements

Inv. Philip J. Mundy
 Inv. Asn. #96-02-262
 Inv. Memo #14

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
10/20/83	Det. Hoffman Det. Hickman	8	Slapped the child with an open hand in his eye.	In Dr. Wright's opinion the child received blows to The face.
12:30 AM- 1:53 AM		18	States that he scattered the body.	Only the head has been recovered.
		18/19	Used an 18" bayonet with a brown wooden handle.	Consistent with 10/19/83 statement. A bayonet that Toole had access to is in police custody.
		20	Laid the child face down and then Chopped his head off.	Dr. Wright agrees with position of victim.
		22	Scattered body parts at kill site. Did not bury body.	Only the child's head was recovered in canal at mile Marker 174 Fla. Turnpike. Ground search negative For additional remains. Underwater search not conducted due to Alligator population.
		23	Put head on front floorboard.	F.D.L.E. reported presence of blood on driver side carpet and rear floorboard.
		27	Stopped car, got out, threw head in canal.	Consistent with location and discovery of head.

Examination of OTTIS TOOLE Statements

Inv. Philip J. Mundy
Inv. Asn. #96-02-262
Inv. Memo #13

<u>Date of Toole's Statement</u>	<u>Source</u>	<u>Transcript Page Reference</u>	<u>Toole's Statement</u>	<u>Fact</u>
10/20/83	Inv. Paul Ruiz, Travis Co. District Attorney's Office	* Ruiz's letter to Det. Terry of 10/28/83.	Toole said he went to a shopping Center and saw Adam.	Adam Walsh was abducted from the Hollywood Mall.
9:10 PM (Approximate)			Adam kept yelling and Toole hit him in the head.	Dr. Wright found nose fractured.

<u>Taped Transcript Page Reference</u>	
6	Body should be in the pond where The head was.
7	Toole said "I know they must have found Blood on the dock".

Victim's head was found in a canal.
There is a dock within feet of where the Head was found.

* The beginning of the conversation was not recorded.
Inv. Ruiz activated the recorder in mid-conversation.