

SAO INV #96-02-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

OFFENSE: MURDER
VICTIM: WALSH, ADAM
W/M, DOB 11/14/74
OFFENSE DATE: JULY 27, 1981

"CHRONOLOGICAL SUMMARY OF WITNESSES"

SAO INV #96-2-262
PREPARED BY: INV. PHIL MUNDY
DECEMBER, 1998
CASE ASA: RALPH J. RAY, JR.

OFFENSE: MURDER
VICTIM: WALSH, ADAM
W/M DOB: 11/14/74
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**CHRONOLOGICAL
SUMMARY OF
WITNESSES ***

***THE MASTER WITNESS LIST FOR THIS CASE SHOULD BE CONSULTED FOR ANY NAMES ABSENT FROM THIS
COMPLIATION.**

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
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WITNESS: WALSH, REVE

TESTIMONY

Reve WALSH's testimony of the events that took place at Sears are consistent in all her interviews. Mrs. WALSH estimates she arrived at Sears at about 12:15 PM for the purpose of visiting the lamp department which was having a sale. Mrs. WALSH allowed her son Adam to stay at the video game area as she had done in the past while she continued to the lamp department. She recalls that when she left Adam at the game there were other boys there both black and white. After going to the lamp department she came back to retrieve Adam and found no one was at the video games. Mrs. WALSH made a search of the area and after not being able to find Adam asked the employee at the catalog department to please page her son. She says that it was now 12:50 PM because she remembers the employee telling her the time.

When a search failed to produce the child the police were finally summoned.

COMMENTS

Interviewed on day of occurrence 7/27/81.

Underwent a hypnosis session on 7/31/81 by Martin SEGALL.
Polygraphed by Carl LORD of the SAO on 9/14/81.
Statement taken on 11/23/83.

Sears employees Joanna BRAUN and John KING both saw Mrs. Walsh enter the store with a small child. Mr. King began his shift at noon and stated he saw Mrs. Walsh shortly after he began work. Mr. King also noticed children playing at the video games. At about 12:30 PM he heard a page for Adam Walsh and saw Mrs. Walsh running around hysterically.
Angelique GANAS was working in the lamp department and she remembers assisting Mrs. Walsh shortly after noon and that Mrs. Walsh returned to her department at about 12:25 PM looking for her son.

TESTIMONY

Mrs. WALSH saw her mother-in-law Jean WALSH in the store and eventually asked her to go to her home on some chance that Adam might somehow find his way there.

She recalls her husband John arriving at the store at about 3:30 PM.

The description provided police of Adam's clothing on the day of his abduction was:

Beige captain's hat

Short sleeve pullover shirt, red & white striped

Green shorts

Rubber sandals - yellow bottoms and blue stripes

COMMENTS

Aurora DELGADO recalls assisting Mrs. WALSH in paging Adam on the stores public address system.

Kathy Shaffer BARRACK ejected four children from the store, two black and two white children. She has admitted that one of the children was Adam WALSH.

Mary Corbett HAGAN arrived at Sears around noon destined for the lamp department because of the sale that day. She arrived around lunch time and walked past the video game area noticing there were children playing the game and that one of them was Adam WALSH. She also noticed a man leaning over speaking to Adam and has identified that man as Ottis TOOLE. Describing Adam's clothing she mentions that he was wearing flip flop sandals. Mrs. HAGAN went into the lamp department where she saw Mrs. WALSH. When Mrs. HAGAN left she went back thru the video game area and at this time she noticed that all the children were gone.

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WITNESS: HOFFMAN/HICKMAN

TESTIMONY

Extensive investigation including the interrogation of
OTTIS TOOLE.

COMMENTS

LEAD DETECTIVES.

TYPE INV: MURDER

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WITNESS: GANAS, ANGELIQUE

TESTIMONY

Working in the Sears lamp department on Monday, July 27, 1981
Ms. GANAS reported that shortly after noon Mrs. WALSH arrived inquiring
about a lamp that was on sale. Ms. GANAS checked her stock and found the
lamp was not available. At about 12:25 PM Ms. GANAS relates that Mrs.
WALSH returned to the lamp department looking for her son.

COMMENTS

Det. HOFFMAN report 8/28/81, page 35.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: DELGADO, AURORA

TESTIMONY

Ms. Delgado was a Sears employee who on Monday, July 27, 1981 was working from 10:00 AM to 3:30 PM in the catalog department. Ms. Delgado saw Mrs. Walsh approaching her and requesting that she page Adam on the public address system. She places the time of this incident as between 12 and 12:30 PM.

On June 3, 1997 Ms. Delgado was shown a photo line up which contained a photo of Ottis Toole and she did not make an identification.

Upon re-interview Ms. Delgado acknowledges she observed Reve Walsh leave Adam at the Atari game and then Mrs. Walsh continued into the store. A few minutes later Mrs. Walsh returned looking for her son.

There were other children at this game and at least one was a black child.

COMMENTS

Det. Hoffman report dated 9/15/81, page 44.

Inv. P. Mundy Investigative Report #21, June 9, 1997.

Statement to Inv. P. Mundy, June 18, 1997.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/15/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: CISNEROS, RICHARD

TESTIMONY

Mr. Cisneros was a Sears employee who on July 27, 1981 was Working 10:00 AM to 6:00 PM assigned to the toy department. Mr. Cisneros reported that he had been shown a photograph of Adam by Mrs. Walsh and had not seen the child, nor had he seen anyone "acting suspiciously" in the store.

Mr. Cisneros told detectives that he did see Mrs. Walsh walk past the department at around 12:30 PM.

On June 3, 1997 Mr. Cisneros was shown a photo line up which contained a photo of Ortis Toole and he did not make an identification.

COMMENTS

Det. Hoffman report dated 8/15/81, page 45.

Inv. P. Mundy Investigative Report #21 of June 9, 1997.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: JOHN KING

TESTIMONY

Mr. King was working at the Sears catalog department on the day of the abduction and he began work at noon. Mr. King is absolutely certain he saw Reve Walsh and a small child enter the store and overheard the child asking his mother if he could remain at the video games.

Mr. King states the child was left at the games and the woman proceeded in the direction of the lamp department.

Mr. King also recalls that there were other children at the video games. On June 3, 1997 Mr. King was shown a photo line up which included a photo of Ottis Toole and he did not make an identification.

COMMENTS

Det. Smith report 9/29/95, page 6.

Mr. King knew it was Mrs. Walsh only later when the child was reported missing.

Inv. P. Mundy Investigative Report #21, June 9, 1997. Also Statement of June 24, 1997.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: BARCLAY, VERNA

TESTIMONY

Sears employee working 9:30 AM to 3:00 PM in the garden department. Did not see Adam Walsh. Heard a page for him at about 1:00 PM. No other information.

On June 3, 1997 Ms. Barclay was shown a photo line up which contained a photo of Ottis Toole and she did not make an identification.

COMMENTS

Det. Hoffman report 9/15/81, page 44.

Inv. P. Mundy Investigative Report #21, June 9, 1997.

TYPE INV:MURDER
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S.A.O. INV.#96-2-262
PREPARED BY:INV.PHIL MUNDY
ASA:RALPH J. RAY, JR.

WITNESS:BRAUN, JOANNA

TESTIMONY

Ms. Braun was working at the Sears Catalog Dept. On July 27, 1981. She observed Mrs. Walsh enter the store via the catalog entrance with a young child. She places the time as about 11:00 AM.

Mrs. Braun believes she worked the 10 AM to 2 PM shift on July 27, 1981 and reiterates that she saw Mrs. Walsh and a young child enter the store sometime in the area of 12:30 PM. She accurately described Mrs. Walsh's clothing but was not able to identify or describe the child. She did recall that John KING, who is another witness was also working at the catalog department on the day in question.

Mrs. Braun remembers that Dennis LANCASTER had been working at the package pick up section but was not certain that he was employed by Sears on 7/27/81.

COMMENTS

Det. M. Smith report of 9/30/95, page 6. No statement.

Det. M. Smith's re-interview which is reported in his supplemental report dated 1/8/96, pgs 4 and 5. In his first interview with Ms. Braun she placed the time as about 11 AM. Mr. John King, a fellow employee, began work at 12:00 PM and witnessed Mrs. Walsh enter the store with a small child shortly after noon. Since he was just starting work his estimate of the time is considered the more reliable.

Det. Smith queried her about this because another witness, Jennie Warren, reported seeing an employee and from her description it was believed to be Lancaster. Mrs. Braun was later shown a line up with Lancaster and she did not identify the subject. Dennis Lancaster was not in the employ of Sears in July, 1981.

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ASA RALPH J. RAY, JR.**

WITNESS:BARRACK/SHAFFER, KATHRYN JEAN

TESTIMONY

Mrs. BARRACK told detectives she began work at Sears on 7/27/81 at about 11 AM. She was a 17 year old non-uniformed security employee. She related an incident at the video games of two black children and two white children arguing over the games. She ejected all four from the store. She described one child as about 7 years wearing green shorts and a white shirt. The detectives displayed photos of Adam WALSH to her but she did not make an identification.

COMMENTS

Initially interviewed by Det. Hoffman on 9/2/81, page 37 of Det. report.

Adam Walsh was 6 years of age and was wearing a red & white striped shirt and green shorts.

Mrs. BARRACK states the incident at the video game happened around noon and about a half hour later she responded to the lamp department where Mrs. WALSH showed her a photograph of a child which she did not identify. However, she now says that she did tell her supervisor that she believed one of the boys she ejected was Adam WALSH. She tells Det. SMITH that she is 85% sure one of the children was Adam WALSH.

Re-interviewed by Det. Mark SMITH on 9/21/85 - page 5 of his report.

Statement taken on 9/15/96 by SAO Inv. Phil Mundy, Inv. report # 12.

A photo lineup was shown to her which contained a photo of Ottis TOOLE and Mrs. BARRACK did not identify anyone in the array as anyone she had seen in the Sears store.

TESTIMONY

Relates that around noon she went to the toy department where she found two black children and two white children arguing over the video game. The two black children told her that their parents were not in the store and she ejected them out the south exit and watched them leave. She asked the two white children if their parents were in the store and the older boy replied "no" and she ordered them out and watched them exit via the garden exit. The younger boy never said anything.

Mrs. BARRACK was shown two photographs on July 27, 1981, at 2:00 PM and 6 PM. At the time she did not identify Adam and now states that she is certain one of the boys was in fact Adam WALSH.

Mrs. BARRACK admits that there might have been adults in the vicinity of the video games but she was focused on the children and did not notice.

COMMENTS

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
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WITNESS: MARTIN, JAMES L.

TESTIMONY

At age twelve MARTIN was interviewed by detectives in the presence of his parents.

MARTIN tells police that he was in the Sears store around 12:45 PM and was playing a video game with another boy who he says was about eight years old. MARTIN says that two black males tried to take the video controls from the eight year old and a security guard arrived. The security guard spoke to the two black youths who then left the area. MARTIN left the store he estimates at about 1:00 PM.

Detectives displayed photos of Adam WALSH to MARTIN who could not positively identify them as being of the boy he was playing the game with.

MARTIN explained he had seen T. V. reports of the abduction and after telling his parents they contacted the police.

MARTIN recalls playing the video game at Sears and at one point seeing Mrs. WALSH and also hearing a page for Adam.

COMMENTS

Det. HOFFMAN's report dated 9/3/81.

Telephone interview, Inv. P. MUNDY, 2/28/97. Primary purpose of interview was to try and determine if MARTIN was the boy ejected with Adam WALSH.

WITNESS: MARTIN, JAMES L.

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TESTIMONY

He does recall a couple of black children at the game area who may have caused some commotion but his recollection of this is very vague.

MARTIN paid little attention to any adults that might have been loitering in the area.

No one questioned him while he was at Sears.

To this day he cannot say that he saw Adam WALSH on that day.

He is certain that he was not one of the boys that was ejected from the store.

COMMENTS

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TYPE INV: MURDER
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ASA: RALPH J. RAY, JR.

WITNESS: IRIZARRY, GREG

TESTIMONY

IRIZARRY was 15 years of age in 1981 and reported that he and his friend Angelo ACCETTURO were in Sears playing video games at about 12:15 PM on 7/27/81 and played for about one half hour. Upon being shown a photo of Adam WALSH he said that he did not see the child on that date.

COMMENTS

Det. Hoffman report 8/27/81, page 33.

It seems Irizarry is mistaken on either his time or the day because his statement contradicts that of Kathy Shaffer Barrack who confronted four children at the video games, two white and two black children, and one of whom she has admitted was Adam Walsh and the time was shortly after noon. In addition, Mrs. Hagan was exiting the store and passing back thru the video game area and there were no children at the games. Mrs. Hagan would have been there during the time Irizarry says he and

his

friend was there.

IRIZARRY and his friends also contacted police about a green van which they felt was suspicious.

Det. M. Smith report dated 1/8/96, page 7. This tip had been investigated in 1981 and found to have no connections to the Walsh case. Det. Smith followed up with some additional investigation and still no connection was found to the case.

WITNESS: IRIZARRY, GREG

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TESTIMONY

IRIZARRY was shown a photo line up which contained the photo of Ottis TOOLE and he did not identify anyone.

COMMENTS

Inv. P. MUNDY report #13, dated 10-15-96.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

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PREPARED BY: INV.PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: BAUER, ANTHONY

TESTIMONY

BAUER was an eight year old child was in Sears on 7/27/81 and said he had seen two "trashy" men there.

COMMENTS

Det. M. Smith report dated 2/15/96, page 6.

Inv. P. Mundy report #13, dated 10/15/96.

BAUER's mother was contacted and her son is living in Costa Rica and so no photo line up has been shown to him. Several months have passed since contact was made with BAUER's mother and not having heard from her son it is doubtful that we ever shall.

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ASA: RALPH J. RAY, JR.

WITNESS: POTTENBERG, TIMOTHY

TESTIMONY

Timothy POTTENBERG was shopping in Sears with his mother Marilyn and his grandmother Carolyn HUDSON. Timothy's account is that he noticed a man loitering in the toy department and saw a small boy exit via the north door and the man followed him. He goes on to say the man then ran to a navy blue van and the boy went towards the garden shop. As he and his grandmother stepped off the curb enroute to their car the blue van came by almost hitting them. Timothy says the van stopped and the right sliding door opened and he could see two hands motioning to the small boy who then walked over to the van and was then pulled into it

Timothy at this interview says the man in the van was wearing a stocking mask.

Timothy provided a very detailed description of the van with details regarding the exterior accessories.

COMMENTS

Det. HOFFMAN report dated 8/13/81, page 15 - 16.

Mrs. POTTENBERG and Mrs. HUDSON have placed the time they were leaving the Hollywood Mall as around 1:25 PM.

Mrs. HUDSON only recalled a blue van that almost struck them walking in the parking lot. She says nothing of her grandson alerting her to what Timothy relates to detectives nor is there any mention in the detective report that she was queried on that point.

The description of this van was given widespread publicity and Hollywood Police conducted an extensive investigation to locate it and no such van was ever found.

WITNESS: POTTENBERG, TIMOTHY

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TESTIMONY

On August 14, 1981 Timothy underwent a hypnosis session conducted by Martin Segall. Timothy's account remained basically the same adding that the man who ran from the store got into the driver's seat and he saw another man in the passenger seat. He states that the two men were wearing stocking masks and the boy had a red hat.

COMMENTS

Det. HOFFMAN report dated 8/14/81, page 17 - 19.

Adam WALSH was abducted between noon and 12:30 PM and this alleged incident occurred at about 1:25 PM. No other person including Mrs. HUDSON, made any report to the police of this incident. More importantly, except for Adam WALSH no other child was reported abducted on the date and time in question.

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ASA: RALPH J. RAY, JR.

WITNESS: POTTENBERG, MARILYN

TESTIMONY

Marilyn POTTENBERG is the mother of Timothy POTTENBERG who was the young boy that provided police with information regarding a blue van with two stocking capped men who snatched a child from the Sears parking lot.

Mrs. POTTENBERG was shopping with her mother Carolyn HUDSON and Timothy at the Hollywood Mall and she estimates they arrived at Sears at approximately 11:45 AM. They shopped for about one hour and then decided to have lunch. Lunch was between 12:45 PM and 1:15 PM.

Mrs. POTTENBERG did not witness any of the events described by her son.

COMMENTS

Det. HOFFMAN report dated 8/31/81, page 15 and 9/4/81 page 39.

Mrs. HUDSON seems to agree on the times and therefore the alleged incident described by Timothy would not have had anything to do with the WALSH abduction which occurred between 12 and 12:30 PM. The report seems to indicate that only Mrs. HUDSON and Timothy walked into the parking lot and Mrs. POTTENBERG went elsewhere.

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ASA: RALPH J. RAY, JR.

WITNESS: HUDSON, CAROLYN

TESTIMONY

Carolyn HUDSON is the grandmother of Timothy POTTENBERG who was the young boy that provided police with informaton regarding a blue van with two stocking capped men who snatched a child from the Sears parking lot.

Mrs. HUDSON was in the company of her grandson when the incident described in detail by Timonty happened. However, Mrs. Hudson relates that the only thing she witnessed was a blue van that almost ran her over as she was leaving the mall and walking in the parking lot toward her vehicle with Timothy.

Mrs. HUDSON had been shopping with her daughter Marilyn POTTENBERG and Timothy in the mall and she recalls that they arrived at the mall about 11:45 AM. They shopped for about an hour and as they were leaving the Sears store there was a page for a lost child and she estimates the time then as about 12:45 PM.

After lunch Mrs. Hudson and Timothy walked thru the Sears store and into the parking lot by the north door. Mrs. Hudson places the time now as being about 1:25 PM.

COMMENTS

Det. Hoffman report dated 8/13/81, page 15 and 9/4/81 page 39. Age of Timothy is not reported.

The report does not explain where Mrs. Pottenberg went after having lunch with her mother and son.

Obviously if Mrs. Hudson is correct on the time the alleged incident described by Timothy Pottenberg would not have had anything to do with the Walsh abduction which occurred between noon and 12:30 PM.

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PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: CAMPBELL, JAMES

TESTIMONY

James Campbell, who was age 26 at the time of this crime, was a friend of the Walsh family and had lived in their home for the past four years and was very close to Adam Walsh.

Mr. Campbell operated a concession stand at the Golden Strand Motel on Miami Beach.

Mr. Campbell admitted to investigating detectives that he had been having an affair with Reve Walsh over the past three years but that it had been terminated.

During this interview with detectives Mr. Campbell said that on 7/27/81 he had stopped by the Walsh home at about 9 AM. Only Mrs. Walsh and her son were at home at this time. He left at about 10 AM to go to work and arrived at the Golden Strand Motel at about 10:30 AM. He goes on to say that about 3:30 PM Mr. Joe Walsh arrived at the motel and informed him that Adam was missing.

COMMENTS

Det. Hoffman report dated 8/11/8, page 6.

Det. Hoffman report date 8/7/81, page 11.

Mr. Louis Munoz told detectives he saw Mr. Campbell at work periodically between noon and 2 PM. The travel time from Hollywood, one way, to mile marker 174 where the partial remains of Adam were found is about two hours.

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ASA: RALPH J. RAY, JR.

WITNESS: CAMPBELL, JAMES
PAGE TWO

TESTIMONY

Mr. Campbell was confronted by detectives as being a possible suspect in this case which Mr. Campbell emphatically denied and agreed to submit to a polygraph examination

On August 7, 1981 (same day as interview) Mr. Campbell was polygraphed by Joseph Matthews who ruled the test as being inconclusive.

On August 10, Mr. Campbell had a second test administered by J. Matthews who this time reported that he detected no deceit by the witness.

Mr. Campbell then submitted to a hypnosis session conducted by Martin Segal and Mr. Campbell gave the same account of facts then as he did on August 7th when initially interviewed.

Det. Hoffman report date 8/7/81, page 13.

Det. Hoffman report dated 8/10/81, page 13.

COMMENTS

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WITNESS: MUNOZ, LOUIS

TESTIMONY

Mr. MUNOZ worked with James CAMPBELL at the Golden Strand Motel in Miami Beach. He saw CAMPBELL arrive for work on July 27, 1981 at about 10:30 AM. Mr. MUNOZ testifies that he saw CAMPBELL periodically from then until about 3:30 PM when Joseph WALSH arrived, spoke to Mr. CAMPBELL, and then the two men left the motel.

COMMENTS

Det. HOFFMAN report dated 8/7/81. Mr. MUNOZ is the alibi witness for Mr. Campbell. If the presumption is made that the child's head was disposed of on the same day as the abduction the time element is too great for Campbell to have committed the crime. Even a short absence during the five hours he was at work would not seem feasible as he would still have had to travel to Hollywood, commit the abduction, and return to the motel.

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WITNESS: MONAHAN, MICHAEL

T E S T I M O N Y

Michael MONAHAN admits he knew the WALSH family and had associated with them at his father's home and the beach. He also knew James CAMPBELL and considered him a friend.

On the day of the WALSH abduction he recalls he was with his then girlfriend Chris FEHLHABER riding in his car near her father's home when they heard a radio broadcast about the abduction.

C O M M E N T S

Det. M. SMITH report of 6/20/95, pages 2-4. A Mobile, Ala. news reporter, Jay GRELEN, had written articles suggesting Monahan had something to do with the WALSH murder. GRELEN was interviewed by SMITH and Sgt. DUNBAR and GRELEN alleged that MONAHAN committed the murder as a favor for James Campbell. Despite any foundation for the allegation Det. M. Smith nonetheless followed up.

MONAHAN contacted SMITH and requested an interview to clear his name. He was in fact interviewed on 6/21/95 and Ms. FEHLHABER's statement to Det. SMITH seemed to corroborate MONAHAN's as best could be expected given the passage of time.

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ASA: RALPH J. RAY, JR.

WITNESS: FEHLHABER, CHRISTINA

TESTIMONY

Interviewed on June 22, 1995 by Det. M. Smith. The witness said she learned of the abduction of Adam WALSH from MONAHAN either the same day or the day after when MONAHAN came to her father's home. Ms. FEHLHABER was asked if it might be possible that she heard of the abduction on the car radio in the company of Michael MONAHAN and she responds that it is possible and because of the number of years that has passed she cannot say with certainty.

COMMENTS

Det. M. SMITH report 6/22/95, page 3 & 4. This witness was the girlfriend of Michael Monahan. Monahan was suggested as a suspect by Jay Grelen a reporter for a Mobile, Ala. newspaper. Grelen alleged that Monahan killed Adam Walsh as a favor to his good friend James Campbell. Monahan was questioned on June 21, 1995 and recalled that he was driving with his girlfriend Christina Fehlhaber and heard of the abduction on the car radio late in the afternoon and that they were near her father's home when this happened.

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SAO INV #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HUGHES, ROBERT L.

TESTIMONY

Mr. HUGHES and his friend Mr. Vernon D. BAILEY found the severed head of Adam WALSH in the waterway in the vicinity of milemarker 131 (Now milemarker 174) adjacent to the northbound lane of the Florida Turnpike. Mr. HUGHES and BAILEY fish this waterway and Mr. HUGHES explained that he and BAILEY were walking along the bank on August 10, 1981 and Mr. HUGHES was going to show his friend a spot where he had caught some fish the previous evening and they saw the head floating in the water and reported their find to police.

COMMENTS

Interviewed by Det.'s Hickman & Hoffman. See their report of Oct. 27, 1981, page 77 - 78.

TYPE INV. MURDER

VICTIM: WALSH, ADAM - W/M, DOB: 11/14/74

OFFENSE DATE: JULY 27, 1981

S.A.O. INV. #96-02-262

PREPARED BY: INV. PHIL MUNDY

A.S.A. RALPH J. RAY, JR.

WITNESS: BAILEY, VERNON D.

TESTIMONY

Mr. Bailey was in the company of Mr. Robert L. Hughes when they saw the severed head of Adam WALSH floating in the waterway adjacent to the northbound lane of the Florida Turnpike at milemarker 131 (now milemarker 174). The head was discovered on Aug. 10, 1981. Both Mr. BAILEY and Mr. HUGHES reported that they were walking along the bank and Mr. HUGHES was showing BAILEY where he had caught some fish the previous evening when they observed the had in the water and notified authorities.

COMMENTS

Det.'s HICKMAN/HOFFMAN report Oct. 27, 1981, page 77-78.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74
OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: COLEMAN, DONALD L.

TESTIMONY

Det. Coleman's investigation revealed that Robert Hughes and Vernon Bailey were preparing to go fishing in the area of the canal on the northbound side of the Florida Turnpike at about 6:45 PM on Monday, August 10, 1981. The men discovered the head of Adam Walsh and F.H.P. Trooper Medlock and Weaver responded around 7:20 PM. Indian river Co. S.O. Det. Coleman was notified and responded. The child's remains were recovered from the water, photographed, and then removed to the Indian River County Morgue. Det. Coleman had a search conducted of the waterway for additional body parts and none were found. An underwater search was not conducted due to a large alligator population that existed at that time.

At daylight on August 11 a search was resumed. This search continued for three days and covered thirty five miles of the area adjacent to Florida's Turnpike from Yee Haw Junction south to St. Lucie County with no evidence being found.

COMMENTS

Det. Donald Coleman, Indian River County Sheriff's Office was the lead homicide detective at the scene at milemarker 130 (now 174) and authored report 81-16261.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV.#96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: COX, FRANKLIN

TESTIMONY

Dr. Cox examined the remains at about 2 AM on August 11, 1981 at the Indian River County Morgue. Det's from Hollywood and Indian River Sheriff's Office were present.

Dr. Cox reports that the remains consisted of a head and a portion of the neck. He observed numerous cutting and chopping wounds which he details in his report. A description of the condition of the head is reported but no opinion is expressed as to when the head may have been removed from the body or placed into the water. X-rays taken revealed the cranial cavity to be filled by gas which probably accounts for the head coming to the surface.

The remains are identified as that of Adam WALSH by a comparison of dental records and viewing by a Mr. John Monahan who is a friend of the family.

The remains were turned over to Hollywood P.D. for delivery to the Broward County Medical Examiner's Office.

COMMENTS

Dr. Cox was the Indian River County Medical Examiner and detailed the findings of his examination of the Walsh remains in his report ML-130-81 dated August 11, 1981.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: MONAHAN, JOHN

TESTIMONY

Close friend of the WALSH family and made visual identification
of the remains of Adam WALSH.

COMMENTS

Det. HOFFMAN report dated 8/11/81, page 3.

TYPE INV: MURDER
VICTIM: WALSH, ADAM W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MURPHY
ASA: RALPH J. RAY, JR.

WITNESS: WRIGHT, RONALD

TESTIMONY

Dr. WRIGHT, Broward County Medical Examiner. His examination of the remains showed there were five blows to the back of the neck and the rear of the skull. These blows were consistent with the child having been face down. The decapitation was post mortem. It was estimated that the child had been dead about ten days.

COMMENTS

Det. HOFFMAN report dated 8/11/81, page 4. A formal autopsy report is ot on file.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: BYRD, DR. JASON

TESTIMONY

Dr. Byrd, an entomologist at the University of Florida was asked to form an opinion as to why there seemed to be a lack of damage from insect, marine or bird life, to the remains recovered from the water. In brief Dr. Byrd concluded that the head could have been submerged for up to 12-14 days, and that the lack of insect activity indicates the head was on the surface for 24 hours or less.

COMMENTS

Inv. Phil Mundy Investigative Report #28, June 5, 1998.

Dr. Byrd's time frame is consistent with period from abduction to discovery of remains (13 days).
Also see Dr. William Rodriguez.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: RODRIGUEZ, DR. WILLIAM

TESTIMONY

Dr. Rodriguez, pathologist Armed Forces Institute of Pathology concurred with Dr. Byrd's findings.

Dr. Rodriguez also agreed that the body left at the Radebaugh Road site would have disappeared from it's original location in a very short time.

COMMENTS

Inv. Phil Mundy Investigative Report #28 of June 5, 1998.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: ATKINS, PHILIP ALEXANDER

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report dated 9/24/81, page 46-48. This subject was arrested in Lakeland, Fl. for the rape and murder of a six year old male. Lakeland P.D. suspected that ATKINS might be involved in similar murders elsewhere and notified Hollywood P.D. Further investigation confirmed that ATKINS was working in Lakeland on the day of Adam WALSH's abduction, July 27, 1981.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: EICHWURTZLE, CHARLES

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report 10/14/81, page 54-56. Anonymous caller reported Mr. Eichwurtzle had a blue Ford van that he just painted white and the caller suspected it had something to do with the WALSH murder. Mr. Eichwurtzle was interviewed and he explained that he bought the van on July 1, 1981 and that it was white when he bought it and he painted it a mid-night blue. Mr. Eichwurtzle was gainfully employed but not working on 7/27/81 that he could recall. Mr. Eichwurtzle agreed to take a polygraph examination if that should be felt necessary. Det.'s did not feel it necessary to pursue Mr. Eichwurtzle any further.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: CARROLL, RONNIE WAYNE

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report 11/3/81, page 79-93. Attempted to implicate R. ALBERTS. Intensive investigation conducted resulting in CARROLL admitting to police that he lied in an effort to ingratiate himself with H.P.D. See ALBERTS, Raymond.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: ALBERTS, RAYMOND

TESTIMONY

No testimony. Investigated as possible suspect and cleared.

COMMENTS

Det. HOFFMAN/HICKMAN report dated Nov. 3, 1981, pages 79-93. Ronnie Wayne CARROLL implicated this subject to H.P.D. claiming ALBERTS had shown him photographs of the decapitated head of Adam WALSH. The results of the H.P.D. investigation were that ALBERTS was eventually confronted and agreed to allow H.P.D. to search his home and car and no evidence was found. ALBERTS adamantly denied any involvement in the WALSH case and he submitted to a polygraph examination which he passed. Detectives confronted CARROLL who broke down and admitted that he had fabricated the entire story in an effort to ingratiate himself with H.P.D.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: JAMES. EDWARD HAROLD

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report 11/18/81, pages 94-115. JAMES had been arrested by Pompano P.D. on 11/17/81 for the abduction of a three year old girl. In addition, a jail inmate named John Russell TERRY had contacted H.P.D. and informed them that JAMES had made statements to him indicating that he had murdered Adam WALSH. H.P.D. conducted an extensive investigation into JAMES including the procurement of a search warrant for his vehicle. No physical evidence was found connecting JAMES to the murder. JAMES had been steadily employed by Ted Cratz Construction Co. and Mr. CRATZ advised Det. HOFFMAN that to his knowledge JAMES was working on July 27, 1981.

Det. SMITH report 9/30/95, page 4. In a follow up Det. SMITH confirmed that no physical evidence had been found linking JAMES to the murder.

Det. SMITH report 1/8/96, page 2. SMITH found JAMES in Clermont, Fl. and interviewed him and JAMES denied any involvement in the WALSH case or ever making any statements that he was involved.

WITNESS: JAMES EDWARD HAROLD

PAGE TWO

TESTIMONY

COMMENTS

He recalled TERRY and called him a drunk. Det. SMITH concluded that he saw no reason to further investigate JAMES due to a lack of any evidence that he is connected to the WALSH murder.

Page 2 of 2

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: CHILDRESS, JERRY

TESTIMONY

No testimony. Provided police with "tip" that was unfounded.

COMMENTS

Det. HOFFMAN report 9/22/81, page 48 - 52. Implicated a Mary Elizabeth Green NORTHCUT. Investigation proved allegations unfounded - see NORTHCUT.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M/ DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: NORTHCUTT, MARY ELIZABETH GREEN

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report 9/22/81, page 48-52. Jerry CHILDRESS went to the St. Lucie County Sheriff's Office with the tale that NORTHCUTT and three of her male friends had kidnapped a boy and that one of the male friends had cut the boy's head off with an axe. Childress claimed that he was a friend of Northcutt's and had been having sexual relations with her. Police learned that Childress and Northcutt are alcoholics. Northcutt told detectives that she has never had sex with Childress but that he is very jealous of her. She told police that she believed she was in detox on July 27, 1981 but records revealed she was there from July 20 to the 22nd. Northcutt agreed to take a polygraph which indicated she was being truthful in saying she had nothing to do with the Walsh case. Detectives concluded that the information provided by Childress was false and born out of jealousy.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: DAHMER, JEFFREY (Deceased)

TESTIMONY

No testimony. Investigated by Det. HOFFMAN and no connection to the WALSH murder was found.

COMMENTS

Det. HOFFMAN report 8/21/92. A Mr. William BOWEN and a Willis MORGAN both came forward to the H.P.D. in 1991 after both having seen a photograph of mass murderer Jeffrey DAHMER in newspapers and now reported that they had seen this man in the Hollywood Mall on July 27, 1981. It was determined that Dahmer had in fact been in the S. Florida area from March to September, 1981. Dahmer was interviewed by Det. Hoffman and F.B.I. Agent Dan Craft. It appeared that Dahmer spent all of his time in Miami Beach and had no working knowledge of Broward County and specifically the Hollywood Mall. During the time Dahmer was in Florida he did not have or have access to a motor vehicle. He denied being involved in the Adam Walsh murder and in fact told detectives that he had confessed to all the murders he had committed including some that had not been known to the police and if he had killed the Walsh child he would tell them. It was the combined opinion of Hoffman and Craft that Dahmer is not involved in this case.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: WARREN, KEITH ALLEN

TESTIMONY

No testimony.

COMMENTS

Det. HOFFMAN report 2/25/86 pages 1 thru 8. F.D.L.E. brought this subject to the attention of H.P.D. because he had been arrested by the Las Vegas P.D. for the attempted murder of a fifteen year old male and during the commission of the crime Warren had attempted to decapitate the victim. Warren is an admitted homosexual and in this case the victim was hitchhiking and was picked up by Warren who then took him to a remote area and at knifepoint forced him to commit sex acts. WARREN then cut the victim's throat and attempted to decapitate him. Amazingly the victim survived and WARREN was arrested and confessed.

Det. HOFFMAN's extensive background investigation did not connect WARREN to the WALSH homicide. In March, 1981 he was arrested in Tampa, Fla. And on May 1, 1981 he obtained a Florida drier's license in Monroe County. On March 27, 1981 a record was found of WARREN staying at the Miami Salvation Army for one night. Det. Hoffman's report states that from 1979 thru 1982 Warren was employed at the Coral Grill, Islamorada and owned and operated a 1972 Ford Pinto. The report does not indicate that his employment was constant. Det's interviewed a Denise JURZYH of 3101 Houston Street, Fort Lauderdale who allowed Warren to live with her from Oct. 1981 to around the summer of 1982, and during that time she said he was working at a Denny's restaurant.

WITNESS: WARREN, KEITH ALLEN

PAGE TWO

TESTIMONY

COMMENTS

Despite an extensive background investigation the exact whereabouts of WARREN on July 27, 1981 cannot be ascertained. Based on the arrest in Tampa and the issuance of the driver's license in Monroe County, both in 1981, it is very possible that WARREN was in the S. Florida area in the summer of 1981.

Det. HOFFMAN and WYNN travelled to Las Vegas and interviewed WARREN. They report that WARREN admitted that he had been the victim of paternal incest as a child and that he became a frequent runaway at age nine or ten. At an early age he realized he was a homosexual. WARREN claimed to have committed murders in Monroe County and N. Florida, and Texas but that all his victims were males over the age of fifteen. Monroe County was queried and reported no similar unsolved murders. Questioned about the WALSH case WARREN said he had read of it in the newspapers and thinks that he was in Massachusetts at the time. Asked directly if he had abducted and murdered Adam Walsh he said he had not and if he had he would admit it.

Page 2 of 3

WITNESS: WARREN, KEITH ALLEN

PAGE THREE

TESTIMONY

COMMENTS

Ms Jurzyh also told police that she met Warren on 10/16/81 while attending a funeral in Connecticut, and that he drove back to Florida with her at that time. Based on the background investigation and records found, the statements of both Warren and Jurzyh leave some question as to Warren's whereabouts on July 27, 1981. However, Det. Hoffman concluded that his investigation uncovered no reason or evidence that would link Warren to the Adam Walsh murder.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: ALDEN, MERTON

TESTIMONY

No testimony. Investigated by Det. M. Smith and no connection to the WALSH case found.

COMMENTS

Det. M. SMITH report 11/10/95, page 4. ALDEN's name was provided to H.P.D. by an anonymous caller believed to be a Kenneth BOSCH. The caller claimed that ALDEN had confessed to killing Adam WALSH, placing the remains in an oil drum and burying off of S.R. 70. Det. SMITH worked with the Okeechobee County Sheriff's Office and learned there is some type of grudge between ALDEN and BOSCH and there have been other reports of a bizarre nature involving BOSCH and it was concluded this was a crank type tip.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: CASCIO, DEBORAH and RICHARD

TESTIMONY

No testimony.

COMMENTS

Det. M. SMITH report dated 1/8/96, page 8 and report of March 1996, page 18. Early in the investigation H.P.D. received a letter from D. CASCIO saying she suspected her husband may have killed Adam WALSH. She indicated Richard was a Tequesta, Fl. police officer and she suspected he may have sexually assaulted their daughter. She also claimed her husband had a blue van that he tried to conceal after the murder, and she knew he had been in Hollywood to buy police equipment. Det. SMITH could not ascertain what follow up had been done and tried to close this "lead" out. The last address found for D. CASCIO was in Kent, Washington. Det. SMITH made several attempts to contact Ms. CASCIO directly without results. Det. SMITH eventually contacted a detective in Kent, Washington who went to the CASCIO residence and left a message on the door. No response was ever received from Deborah CASCIO.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: WARREN, JENNIE

TESTIMONY

Ms. WARREN had reported seeing a person in Sears on July 27, 1981 and identified this man as a employee who used to work in the catalog dept. Det. SMITH narrowed this down to a Dennis LANCASTER. Ms. WARREN was shown a photo line up which included LANCASTER and she did not make an identification. Ms. WARREN, at a later date, was also shown the photo line up containing Ottis TOOLE and did not make an identification.

COMMENTS

Det. SMITH report 1/8/96, pge 1. Det. SMITH report March 96, page 8. Inv. MUNDY report 9/11/96 and 10/15/96. Det. SMITH conducted an extensive investigation of LANCASTER and interviewed him in Oklahoma. The whereabouts of LANCASTER on July 27, 1981 could not be documented but he maintains that he was definitely not in Hollywood, Fl.

**TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81**

**SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.**

WITNESS: LANCASTER, DENNIS

TESTIMONY

Basically denies being in Hollywood on July 27, 1981.

COMMENTS

Det. SMITH report dated 1/8/96, page 1. Jennie WARREN reported a "suspicious" subject to Det. SMITH and based on his information and investigation believed it to be Mr. LANCASTER, a former Sears employee.

Det. SMITH report dated 3/9/96, page 9-10. LANCASTER was interviewed at length by Det. SMITH. While LANCASTER's location on July 27, 1981 cannot be verified despite extensive efforts by Det. Smith he has denied being in the City of Hollywood on that date and Ms. WARREN failed to pick his photo out of a line up. The photo used was one taken in 1982. Ms. WARREN had indicated the man she saw had glasses which this photo did not have.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: CARLES, CAROL

TESTIMONY

No testimony.

COMMENTS

Det. SMITH report 4/3/96, page 11-14. S.A. Inv. P. MUNDY and Det. SMITH went to Orlando to follow up on accusations made by Stephen Michael LeBruno, CARLES' brother in law. As it turned out LeBRUNO admitted that he had been in contact with a news reporter, Jay GRELEN, of Mobile, Al. for several months and they had discussed this case extensively. CARLES and her former husband Bernie HIRIBARNE had known John WALSH and John MONAHAN for a number of years and apparently had discussed the Walsh case over the years in the presence of LeBRUNO. LeBruno passed on to GRELEN some of the comments he claimed to have heard and GRELEN (according to F.D.L.E.) contacted the Florida Governor's Office which ignited an immediate response by F.D.L.E. S.A. Inv. Mundy and Det. Smith interviewed Ms. Carles and Mr. Hirbarne at length and they were either able to explain comments that had been attributed to them, or they denied some of the comments that LeBruno claimed they had made.

WITNESS: CARLES, CAROL

PAGE TWO

TESTIMONY

COMMENTS

Both Carles and Hirbarne advised that LeBruno does not have a record of truthfulness or accuracy. When LeBruno was re-interviewed he admitted that he could have taken some of Carles and Hirbarne's statements out of context and or been misquoted when he related these conversations to Jay Grelen.

It was the combined opinion of S.A. Inv. Mundy and Det. Smith that there was no basis in fact to any of the statements made by LeBruno.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HIRIBARNE, BERNI

TESTIMONY

No testimony.

COMMENTS

Det. SMITH report 4/3/96, page 11 - 14. See comments on
witness Carol CARLES.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: LeBRUNO, STEPHEN MICHAEL

TESTIMONY

No testimony.

COMMENTS

Det. SMITH report 4/3/96, page 11 - 14. See comments on
witness Carol CARLES.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: KINDRICK, STEVEN RICHARD

TESTIMONY

TOOLE implicated himself in the Adam WALSH murder to Det. Kindrick, Brevard County Sheriff's Office on Oct. 10, 1983. This statement deals primarily with Kindrick's contact with TOOLE and TOOLE's demeanor upon telling Kindrick of the death.

KINDRICK explains that after interviewing TOOLE on 10/10/83 and turning off his tape recorder TOOLE continued a conversation with him and made comments leading KINDRICK to believe that TOOLE was admitting to the WALSH murder.

KINDRICK recalls TOOLE telling him:

He had access to a number of vehicles but was using a Cadillac.

TOOLE picked the kid up at a shopping center.

The child became upset and TOOLE hit him several times.

He cut the child's head off, and threw it in a canal off the interstate.

COMMENTS

Statement of Nov. 4, 1983 by Det. HOFFMAN.

Statement of Apr. 24, 1996 by Inv. P. Mundy. The brevity of Det. Kindrick's 1983 statement led to him being re-contacted to determine if he had additional details, which he did. Asked why he had not provided these details in his 1983 statement he replied that the detectives didn't ask.

KINDRICK had no notes or other reference other than his recollection as to his conversation with TOOLE almost 13 years ago.

WITNESS: KINDRICK, STEVEN RICHARD

PAGE TWO

TESTIMONY

Disposed of the body at his mother's house, some type of pit, burned it.
KINDRICK recalls that TOOLE said he lured the child with talk of a video game.

TOOLE had asked him if he was from BROWARD County and thinks TOOLE confused BREVARD AND BROWARD County.

Immediately after his conversation with TOOLE he reported it to Det. TERRY and then notified Det. HOFFMAN by phone.

KINDRICK spoke to TOOLE at F.S.P. a couple of months later and KINDRICK asked him why he was not cooperating with the police.

Toole replied that they were bad to him, called him a s.o.b. and dirty asshole and he got mad and decided to stop talking to them and that they were very close to the body at the time.

Det. HOFFMAN admitted that there were some incidents of this nature at the burial site off Florida's Turnpike.

COMMENTS

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: TERRY, JESSE "BUDDY"

TESTIMONY

Det. TERRY was the Duval County Sheriff's Office deputy assigned as Otis TOOLE's "caretaker". TERRY was responsible for TOOLE's security during a time period in 1983 when many law enforcement agents were interviewing TOOLE. TERRY had to coordinate these interviews and set up the appointments. TERRY was assigned to the homicide division at the time and had known TOOLE on a professional basis for about eighteen years.

TERRY first became aware that TOOLE might be involved in the WALSH murder from Det. KINDRICK of Brevard County. He recalls being told by KINDRICK that TOOLE said he had done something a year or so ago in S. Florida and it might be the murder of the little boy down there.

TERRY recalls that there were still a couple of more interviews of TOOLE after KINDRICK's and that it was in the evening. After TOOLE's other interviews TERRY asked him about what he had told the detective about killing a little boy in S. Florida and TOOLE confirmed this.

COMMENTS

Witness statement dated 4/9/96. (This statement is the first comprehensive account of TERRY's involvement in this case).

WITNESS: TERRY, JESSE "BUDDY"

PAGE TWO

TESTIMONY

TERRY subsequently was able to contact Det. HOFFMAN and reported on TOOLE's comments. TERRY recalls telling HOFFMAN that the boy's head had been cut off. TERRY had made notes on TOOLE's comments to him which consisted only of four or five lines and he says that he gave these notes to the Hollywood detectives.

Of these notes TERRY recalls that TOOLE said he straddled the body and cut the head off with either a machete or a bayonet.

The Hollywood detectives came to Jacksonville and interviewed TOOLE and TERRY does not recall taking a very active part in the questioning of TOOLE.

After these two initial statements TERRY says he does not remember discussing the case with TOOLE except to tell him he was going to Hollywood for further questioning.

COMMENTS

Det. KINDRICK says that he also contacted Det. at Hollywood police.

Det. HOFFMAN has told Inv. MUNDY he does not have nor does he recall receiving these notes.

Oct. 19, 1983 late evening and Oct. 20th early A.M.

This question was asked because of the existence of the RUIZ/TERRY/TOOLE dialogue that took place sometime on Oct. 20th. (See RUIZ).

Page 2 of 5

WITNESS: TERRY, JESSE "BUDDY"

PAGE THREE

TESTIMONY

TERRY then flew to Hollywood with TOOLE and the Hollywood detectives. In Hollywood he rode in a van but was sitting in the rear and so could not hear much of the conversations between TOOLE and the Hollywood detectives and so can't really comment on who was directing who. He does recall going to two malls and at the Hollywood mall he did hear TOOLE say that he had parked in the lot and the boy was sitting by the door and TOOLE was pointing to an entrance door to Sears. TERRY does not recall which entrance this was.

They next got onto the Tumpike and drove quite a distance. The van then stopped and backed up, or stopped and pulled up. TERRY remembers TOOLE saying "There is the road" and that there was a fork in it. The detectives drove the van down the road and they did come upon a fork in the road. TERRY heard TOOLE say he had buried the body there or that he killed the boy there.

TERRY mentions that it was here that a detective knocked a sandwich out of TOOLE's hand. Det. KINDRICK testifies that TOOLE later told him the police began to mistreat him and he then decided not to tell them where the body was and that they were close to it at the time.

COMMENTS

TESTIMONY

At some point, TERRY does not remember when, TOOLE told HICKMAN/HOFFMAN that he cut the head off and threw it off a dock.

The group got back in the van and drove a short distance north, stopped, walked along side of the road and there was the dock.

They then returned to the Hollywood police station and later TOOLE and TERRY returned by air to Jacksonville.

TERRY does not remember specifically the date of these statements. He does say that he recalls talking to TOOLE on one of his recantations and that TOOLE would get real emotional and upset. But TERRY states that on these occasions all he would do is tell TOOLE to just tell the truth and that you either did it or you didn't.

COMMENTS

TERRY is questioned about the Oct. 26, 1983 statements where TOOLE became very emotional and recanted his confessions. Det.

HOFFMAN made note in his report that there was a twelve minute interval between the first statement and the second statement during which time Det. TERRY is alone with TOOLE. In the second statement TOOLE again confesses.

TESTIMONY

TERRY explained that some agencies would send crime scene photos to him with the request that he display them to TOOLE. TERRY would oblige these agencies and then report back to them on TOOLE's reaction. TERRY said he knew practically nothing of the WALSH case and even after the arrival of the Hollywood detectives was not privy to details of the case. TERRY denies outright that he ever gave TOOLE any information regarding the Adam WALSH murder.

TERRY acknowledges that accusations had been made about him having a "book deal" with Ottis TOOLE. In response TERRY says that he "didn't have a book deal then, don't have one now, and never had one!"

COMMENTS

This line of questioning went to B.S.O. Det. Scheff's accusation that TERRY provided TOOLE with confidential information that he had obtained from the Hollywood P.D. and that TERRY then contacted Hollywood P.D. and told them TOOLE confessed to the Adam WALSH murder. SCHEFF also said that in an effort to enrich himself TERRY entered into an arrangement with TOOLE for book and movie rights.

Inv. MUNDY and Det. SMITH conducted an extensive investigation into the matter of this book deal and found nothing but rumor and innuendo. No facts were ever found, nor could any of TERRY's accusers produce any fact to substantiate this accusation.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB; 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: RUIZ, PAUL

TESTIMONY

Det. RUIZ was working for the Travis County Texas District Attorney's Office and interviewed TOOLE on some Texas cases. On October 20, 1983 TOOLE told him that the "rest of the body should be in the pond where the head was" and that "they should find blood on the dock."

COMMENTS

Inv. P. MUNDY report dated 8/15/96 & 10/15/96.

These statements were made to RUIZ after TOOLE had been interviewed by Det.'s HOFFMAN and HICKMAN but prior to TOOLE being returned to Hollywood and the Florida Turnpike. The audio tapes were recovered in 1996 from Det. RUIZ (Retired).

In 1997 the "Dock" was tested for bloodstains and an underwater search was made of the area and no new evidence was found.

SAO INV. #96-2-262

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV: #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: TOOLE, OTTIS

TESTIMONY

SEE ATTACHED

COMMENTS

TOOLE's statements were examined and reported on via Inv. P. MUNDY's memo #14. Only the statements he was known to have made prior to being returned to Hollywood on Oct. 21, 1983 were considered. As we know from Det. KINDRICK, TOOLE told him he was mistreated at the burial site and decided to stop cooperating with police. Det. HOFFMAN confirmed that there were some incidents at the site. In addition, once TOOLE was released from control of the Hollywood detectives and returned to jail in Jacksonville there could then be some question of any statements made thereafter as being influenced by outside sources.

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

Examination of OTTIS TOOLE Statements

<u>Date of Toole's Statements</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 an Amtrak station.	Locations mentioned exist in Hollywood, North Perry Airport and South Florida 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. #96-2-262
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.
	Formal statement of Det. Kendrick taken on 4/24/96 by S.A.O. Inv. Phil Mundy.	4	Threw head in canal.	Head was found in canal on 8/10/81.
		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 id- entified Toole as the man she saw speaking to Adam Walsh at the video game area of Sears on 7/27/81. <i>Schreck also picks Toole at Sears.</i>
		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 milemarker 174 (formerly milemarker 130) on Fla. Turnpike.

Inv. Philip J. Mundy
Inv. Asn. #96-2-262
Inv. Memo #14

Examination of OTTIS TOOLE Statement

<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. 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.

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 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 Statement

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 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 milemarker 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.

Inv. Philip J. Mundy
Inv. Asn. #96-2-262
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>
10/20/83 12:30 AM - 1:53 AM	Det. Hoffman	8	Slapped the child with an open hand in his eye.	In Dr. Wright's opinion the child received blows to the face. <i>Broken nose.</i>
		18	States that he scattered the body.	Only the head has been recovered.
		18/19	Used an 18" bayonet with 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 milemarker 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.

Inv. Philip J. Mundy
Inv. Asn. #96-2-262
Inv. Memo #13

Examination of OTTIS TOOLE Statement

<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.

Inv. Philip J. Mundy
Inv. Asn. #96-2-262
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 '73 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 mall.	Abducted from Sears at the Hollywood Mall.
		10 & 39	Puts the time at close to the afternoon.	Child was abducted between 12 & 12:30PM.
		11	He states it was pretty close to A.I.A.	There were road signs for A.I.A 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 & 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 mall. Sears had a furniture dept.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: LUCAS, HENRY LEE

TESTIMONY

No testimony.

COMMENTS

State Attorney Inv. P. Mundy report #15 dated 10/15/96.

LUCAS was in jail in Maryland on July 27, 1981 and has never been a suspect in the WALSH murder. He claimed to have information on the whereabouts of the remains and his claims were investigated by Det. SMITH and S.A.O. Inv. Phil Mundy and are considered groundless.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: COLLINS, RONALD DWAYNE

TESTIMONY

COLLINS remembers a movie concerning Adam Walsh had started to come on and he changed the channel to the football game and no part of the movie was ever watched.

COMMENTS

Det. Hoffman report dated 11/2/83, page 83. The television movie "Adam" had been aired the evening of October 10, 1983 and Det's Hickman/Hoffman questioned Toole's cellmates to determine if he had watched the show. Collins is interviewed on November 2, 1983.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74
OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: COLLINS, JAMES

TESTIMONY

Collins had worked with Toole at Southeast Color Coat Roofing and witnessed an incident in which Toole had threatened another worker with a shotgun and that when that occurred Toole was driving either a black or a white Cadillac. Collins said the Cadillac he had seen on television news regarding this case was in fact the same Cadillac that he had seen Toole drive on the day of the shotgun altercation.

Collins states the inmates watched the football game and not the movie "Adam".

COMMENTS

Det. Hoffman report dated 11/2/83, page 87, and Collins' statement of 11/2/83. The television movie "Adam" had been aired the evening of 10/10/83 and Det's Hoffman/Hickman questioned Toole's cellmates to determine if he had watched the show. Collins is interviewed on 11/2/83.

The incident with the shotgun is attested to by other witnesses as well (i.e. Bobby Lee Jones). This incident was not reported to police but based on Jones' testimony it would have been about the summer of 1982. Collins' testimony about the Cadillac is contradictory when first he says Toole's car was either black or white and then says it's the one he saw on t.v.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: JONES, BOBBY LEE

TESTIMONY

JONES was incarcerated in the Duval County Jail with TOOLE and was one of several inmates questioned. JONES reported that he first met TOOLE in 1982 when they were working together for a roofing company. He offered that in 1982 he had backed into TOOLE's Cadillac and put a dent in the rear bumper but never told TOOLE about it because he was afraid of him. He also told detectives that he had seen what he referred to as a machete in the car. JONES confirmed that the inmates had watched the football game and not the movie "Adam". He also mentioned that he had lived in Hollywood in 1981.

COMMENTS

Det. Hoffman report dated 11/2/83 and Jones' statement of same date. The focus of the interview was to determine if Toole had watched the movie "Adam". When Jones told of putting a dent in Toole's Cadillac the witness William Mistler had not yet come forward with his claims. As to the validity of Jones' recollection it should be noted that this statement was taken in 1983, at which time Jones was 18 years of age.

JONES says he started working for Southeast Colorcoat in March of 1982 where he met another worker, Ottis TOOLE. In July 1982 TOOLE told him of killing a little boy and cutting up the body and throwing the head in a creek. Jones says Toole talked The little boy out of a store in Hollywood but Jones could not recall the name of the store. Jones did not take Toole seriously and did not connect it to Adam WALSH.

In 1983 while in Duval Co. Jail JONES says that TOOLE told him he cut the child's head off, cut the body up and burned it, and threw the head in a creek.

JONES' statement of Sept. 16, 1996 and Inv. P. Mundy reports #11 and 11A.

These 1983 statements by Toole are made after the interrogation of TOOLE by Det. HOFFMAN and HICKMAN.

TESTIMONY

Photographs of TOOLE's Cadillac were shown to JONES and he was able to point out the dent in the right rear bumper as he had described. As best he can recall this was done after March, 1982.

JONES explained that he lived for a short period in a motel in Hollywood near Young Circle. JONES related that TOOLE had told him that he too had been in Hollywood and spoke to him of Young Circle and that if you go past the Amtrak station, go straight and turn to the right there is some kind of a little school and a park. Toole spoke of a small airport near a mental institution.

JONES also said that TOOLE had mentioned Opa Locka and Overtown.

JONES refers to seeing a movie while in Duval Co. Jail which from his statement would appear to be the movie "Adam".

COMMENTS

In Inv. Report #11A the locations and details regarding the Hollywood locations were all confirmed. The park is David Park and is one block from the Sears store. The airport is N. Perry Airport and the institution is S. Florida State Hospital.

All inmates questioned in 1983 including Jones, said they watched Monday night football and Ronald Collins is the inmate that switched the t.v. from the movie as it began to the football game.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: LAW, THOMAS

T E S T I M O N Y

Law worked with Toole at Southeast Color Coat and was in Duval County Jail with Toole in October, 1983. Law's 1983 statement merely indicated Toole talked a lot of "trash". In his November, 1998 statement he explained that he used that term to apply to outbursts Toole would occasionally have and would say "I'll kill you! - I'll cut off your head!" Law also recalled Toole driving the suspect Cadillac and seeing a machete in it. Law said he never heard Toole talking about killing anyone.

C O M M E N T S

Statement of November 2, 1983 and statement of November 14, 1998.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: FRIER, JACK B.

TESTIMONY

Frier reports that Toole told him he and Lucas had picked up a guy in S. Florida, cut off his head, right arm, and his private parts. The body was dumped in the Port St. Lucie area and Toole mentioned a machete. Frier also reports that Toole said that he "chucked the head in a river".

Frier indicates that this conversation took place around the time that Lucas left for Texas with Becky Powell which would be in January, 1982.

Frier said that Jack Kennedy also heard this conversation. James "Jack" Kennedy was tracked to the Blackburn Correctional Complex, Lexington, KY. Kennedy would not agree to a face to face interview, but in a letter to our office Kennedy stated that his recollection is that it was Ottis Toole's brother who talked about Ottis killing Adam Walsh and that the conversation was after Toole became a suspect.

COMMENTS

Statement of October 24, 1996.

Inv. Mundy checked with the Medical Examiner's Office in Indian River, Martin and St. Lucie Counties and there was no record found of any bodies with the mutilation described by Mr. Frier.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HOISINGTON, DET. LARRY

TESTIMONY

On October 21, 1983 Det. Hoisington was assigned to drive a van which would contain Ottris Toole and other police personnel including lead detectives Hickman and Hoffman. Det. Hoisington's instructions were to follow the directions of Toole to whatever locations he might lead them to.

Initially the detectives directed the van to be driven to the Sears store at the Broward Mall as a ruse to see if Toole erroneously would claim this was the store that Adam Walsh had been abducted from. Toole observed the store and told the group that it was definitely not the Sears.

The group then drove to the Sears in Fort Lauderdale, again to see if Toole would identify the wrong Sears. Again Toole told them it was not the store.

At this point the van was driven onto I-95 southbound and as they approached Hollywood Blvd. Toole told Det. Hoisington to exit. From there the suspect led them to the Sears on Hollywood Blvd. Det. Hoisington's statement indicates that they parked in the lot while Toole gave a description of several landmarks, a small post office, automotive center, and then the route to the turnpike.

COMMENTS

Statement of January 29, 1998.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HOISINGTON, DET. LARRY

TESTIMONY

Det. Hoisington was queried in his statement if he personally recalled a wig shop in the mall and he advised that he did. Toole did not mention this to Det. Hoisington but it will be recalled a wig shop was mentioned in one of Toole's original statements to police.

Later, at Toole's direction, the group drove west on Hollywood Blvd. and accessed the Florida Turnpike. As the van passed the Radebaugh Road overpass Toole instructed Det. Hoisington to stop. Det. Hoisington pulled over and went about 100 feet and stopped. He then backed up to the overpass and the group exited the van. His statement then reflects Toole identifying the site and describing his actions at the site.

Before leaving Radebaugh Road Toole states he put the head in the car and then drove up the road two to three miles where he exited and walked onto a wooden dock and threw the head in the water. This would be the site that is now mile marker 174 and is about four miles from Radebaugh Rd. Toole then led Detectives to this location.

Det. Hoisington explained that he had been instructed not to write a report on his actions, observations, or statements made to him by Toole and the first report he did write was at the request of Det. Smith in 1995. The above is a synopsis of the Det. Hoisington's statement of January 29, 1998. For complete testimony details his statement should be reviewed.

COMMENTS

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HOWARD HOWE

TESTIMONY

Mr. Howe is employed by Green Groves, owner of the property covering the Radebaugh Road area. He has worked there since 1979. In 1981 there was an access dirt road from the Turnpike onto the property. Entry was by a simple wood and wire swing gate with no lock. This gate was usually left open during the day. There were no security personnel at this site.

Mr. Howe hunted this area extensively and is very familiar with the wild life there. He believes that if a small body was left at the Radenbaugh Road site, even in a shallow grave, it would have been quickly devoured and/or carried off. Certainly by 1983 there would have been no trace of the remains.

COMMENTS

Statement of Jan. 12, 1998, and Inv. P. Mundy Investigative Report #27 of May 18, 1998.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: DALE, LARRY

TESTIMONY

Mr. Dale operates Dickerson Construction and his company was using the Radebaugh Road site in 1981. He confirmed that there was no security at the site.

COMMENTS

Inv. P. Mundy Investigative Report #27 of May 18, 1998.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: RICK WEAVER

TESTIMONY

Former FHP Trooper who worked area of Radebaugh Road in 1981. Recalls work area with a temporary gate but it was not locked.

Weaver was first officer on scene when victim's head was found but he had nothing to add.

COMMENTS

Inv. P. Mundy Investigative Report #27, May 18, 1998.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: FHP TROOPER JOE WILLIAMS

T E S T I M O N Y

Trp. Williams recalls the access road at Radebaugh Road and a gate with no lock. There were no security personnel at the site.

C O M M E N T S

Inv. P. Mundy Investigative Report #27, of May 18, 1998.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: FHP TROOPER ERNIE CHAPMAN

TESTIMONY

Patrolled Radebaugh Road area in 1981. In July 1981 DOT was using the area for a road project. Trp. Chapman's description of the area is similar to that given by Ottis Toole. He recalls there was no security preventing access to the site.

COMMENTS

Inv. P. Mundy Investigative Report #27, May 18, 1998.

TYPE INV. MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: KNIGHT, ILENE

TESTIMONY

Ms. KNIGHT was employed by Southeast Color Coat Roofing and reported her records show that Ottis TOOLE was employed from 1976 thru June 4, 1981. He then returned and worked one day in December, 1981.

COMMENTS

Det. HOFFMAN report dated 10/28/83, page 58.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: HALL, NANCY

TESTIMONY

Ms. HALL was a Salvation Army Newport News, Va. employee who verified the records for Det. HOFFMAN regarding the travel assistance that was provided to Ottis TOOLE. Ms. HALL's records indicated that TOOLE's identification was by way of a Social Security card and she had a cancelled check payable to Greyhound Bus Corporation for \$71.93 dated July 24, 1981 for a ticket from Newport News, Va. to Jacksonville, Fl. Ms. HALL's records indicated that TOOLE was assisted in this matter by Nancy CHANDLER.

COMMENTS

Det. HOFFMAN report 10/26/83, page 36-37.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: CHANDLER, NANCY

TESTIMONY

Ms. Chandler was an employee of Salvation Army, Newport News, Va. Who recalls assisting Ottis Toole in arranging his bus transportation from Newport News, Va. to Jacksonville, Fla on 7/24/81. She made a telephone call to a former employer of Toole's in Jacksonville to verify if Toole could be employed upon his return which was verified. Ms. Chandler had a check written to Greyhound Bus for \$71.93.

COMMENTS

Det. Hoffman report 10/26/83, page 38-39.

John J. Reaves of Southeast Color Coat took this call -

Det. Hoffman report 10/27/83, page 56.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: REAVES, JOHN JAMES

TESTIMONY

Confirmed that TOOLE worked for Southeast Color Coat and that he had received a call from someone in Newport News, Va. to verify TOOLE's prior employment and that he could seek employment with him on returning to Jacksonville.

COMMENTS

Det. HOFFMAN report dated 10/27/83, page 56.

Nancy CHANDLER of the Salvation Army made this call - Det. HOFFMAN report 10/26/83, page 36.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: TOOLE, NORVELLA "RITA"

TESTIMONY

Rita TOOLE recalls moving in with Ottis TOOLE at Betty GOODYEAR's after July 31, 1981. Prior to that she had been staying with Nancy JACKSON and Rita says that she does not remember Ottis being there prior to July 31st.

COMMENTS

Det. HOFFMAN report 10/26/83, page 41, 11/4/83, page 98-99.

In Ottis TOOLE's statement of Jan. 6, 1984 he suggested to detectives that he might have stayed at Nany Jackson's between July 25 and July 30, 1981. In the same statement he also said that he might have been sleeping on the streets.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: JACKSON, NANCY a/k/a CAMPBELL

TESTIMONY

No testimony - see comments.

COMMENTS

TOOLE statement 1/6/84.

Det. HOFFMAN report 11/4/83, page 99.

In the 1/6/84 statement TOOLE suggests that he might have been staying with Nancy JACKSON and also sleeping in the street during the period July 25 to July 31, 1981. TOOLE told detectives that his wife RITA was staying with Jackson at the time. Detectives contacted Rita Toole and she did not recall Ottis staying with her and Nancy but did recall that she moved into Betty Goodyear's with Toole and that it was after July 31, 1981.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: GOODYEAR, BETTY

TESTIMONY

Ms. GOODYEAR was interviewed on Oct. 20, 1983 by Det.'s HOFFMAN & HICKMAN. She verified a receipt to Ottis TOOLE for a room rental dated July 31, 1981 and told detectives that the receipt was accurate. Ms. GOODYEAR said she was not aware of the whereabouts of Ottis TOOLE prior to that date.

COMMENTS

Det. HOFFMAN report dated 10/20/83, page 96-97.

In TOOLE's statement of 10/26/83, page 17-19 he says that upon his return to Jacksonville from NewPort News he recalled he rented a room from Ms. GOODYEAR at 131 E. 2nd St., and could only say it was toward the end of July and early August and around the time when his brother Howell TOOLE beat him up. The beating was on August 1, 1981.

TYPE INV: MURDER

VICTIM: WALSH, ADAM W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: TOOLE, HOWELL

TESTIMONY

Howell TOOLE had a physical altercation with brother
Ottis on August 1, 1981 at a food store in Jacksonville.

COMMENTS

Statement 10/26/83. His statement was verified, see
witness Timothy H. JONES.

Page 1 of 1

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: JONES, TIMOTHY HAROLD

TESTIMONY

Employed at the Little Champ Food Store, 1255 Main Street, Jacksonville. On August 1, 1981 he witnessed an altercation between Ottis TOOLE and his brother Howell TOOLE and identified a photograph of Ottis. Mr. JONES also states that he recalled selling Ottis TOOLE a can of beer and a pack of cigarettes not more than one or two days prior to August 1.

COMMENTS

Det. HOFFMAN report dated Jan. 4, 1984, page 139-140.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: GRANT, YVONNE

T E S T I M O N Y

Ms. GRANT was employed as store manager at the Little Champs Food Store where Howell TOOLE battered Ottis TOOLE on August 1, 1981. Ms. GRANT could only recall that Ottis came into the store possibly one or two days prior to the fight.

C O M M E N T S

Det. HOFFMAN report 1/6/84, page 142.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HAMMOND, ROBERT LONNIE

TESTIMONY

HAMMOND was a neighbor of TOOLE's on Day Ave. He saw TOOLE bury articles of trash in the backyard of 708 Day Ave., TOOLE's mother's house, and he saw TOOLE bring old refrigerators there and tear them down for the aluminum. TOOLE was also seen to burn the insulation off wire to obtain the copper therefrom.

COMMENTS

Det. HOFFMAN report 11/21/83, page 126-127.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HAMMOND, SARAH

TESTIMONY

This is Robert HAMMOND's mother who basically corroborates his testimony. The TOOLE house burned down in June 1981 and Ms. HAMMOND states that she did observe TOOLE at the residence after the fire.

COMMENTS

Det. HOFFMAN report 11/21/83, page 127 - 128.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV.#96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J.RAY, JR.

WITNESS: MCNETT, FAYE

TESTIMONY

Ms. McNett was the owner of the '71 Cadillac that TOOLE claimed he used to commit this murder. She explains that the car was not being used by her and was stored in the Reaves Bros. Roofing Co. compound.

In 1979 she struck a deal with Ottis TOOLE for him to buy the car and to make payments by deductions from his salary at Southeast Color Coat which was a company also owned by Reaves Bros.

Ms. McNett's agreement with TOOLE was that he could not take ownership of the vehicle until it was fully paid for.

Her testimony is that TOOLE used the car to "try it out."

Ms. McNett describes the compound as being large with many vehicles parked in it, including white vehicles, and if her Cadillac was not there for a period of time she likely would not have noticed.

COMMENT

Det. Hoffman's report dated 10/20/83, page 13.

Witness statement dated 10/27/83.

TOOLE's nephew Frank Powell told Det. Hoffman that he had seen Ottis TOOLE unlock the gate to the Reaves Bros. compound and drive the Cadillac into it on several occasions.

HOFFMAN report dated 11/3/83, page 92 and Powell statement.

WITNESS: MCNETT, FAYE

PAGE TWO

TESTIMONY

The agreement with TOOLE eventually fell through and she recalls he returned the keys for the car to her and of course has no way of knowing if he made a duplicate. As best she can recall the deal with TOOLE ended prior to July, 1981.

In 1982 the vehicle was sold to Wells Bros. Auto Sales.

Ms. McNett advises that her vehicle did have carpeting in the trunk. Basically the vehicle was stored in the compound from 1977 to 1982. During that time the car was moved around occasionally and to her knowledge was operable up until the day it was sold.

Ms. McNett did not know if her vehicle had "rust" stains on the front and hood of the car.

Det. M. Smith report 2/7/96, page 5. Purpose of his interview was to corroborate W. MISTLER claim of seeing the car and it having rust stains on the front and hood.

Witness statement of 11/19/83.

Page 2 of 2.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: GILLYARD, DAVID LEE

TESTIMONY

Mr. GILLYARD was employed by Wells Brothers Used Car Lot and states that in November 1982 he was responsible for preparing a 1971 Cadillac for re-sale and remembered that the trunk did not have any carpeting. He remembered speaking to Mr. WELLS about whether to re-carpet the trunk or to paint splatter. The decision was to paint spatter the trunk.

COMMENTS

Det. HOFFMAN report 11/19/83, page 122-123. ~~Interviewed~~
GILLYARD regarding the vehicle TOOLE says he used in this crime.
Also see witness Faye McNETT.

TYPE INV: MURDER

VICTIM: WALSH, ADAM W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: REAVES, SR., JOHN JAY

TESTIMONY

Mr. REAVES owned the roofing company that TOOLE had worked for. He confirms that TOOLE had a key to the compound in which Faye McNETT's Cadillac was parked.

COMMENTS

Det. HOFFMAN report dated 10/28/83, page 94-95.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: REAVES, HELEN

TESTIMONY

Helen REAVES is the wife of John REAVES owner of REAVES Roofing Co. Mrs. REAVES said she had been told by a neighbor, Catherine BUTLER, that a man would come and go into the compound after hours and that he drove a white car.

COMMENTS

Det. HOFFMAN report dated 11/2/83, page 76.

Det.'s were unable to find Ms. BUTLER.

TYPE INV: MURDER

VICTIM: WALSH, ADAM-W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV:#96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: DENNIS BEDWELL

TESTIMONY

Mr. Bedwell was a supervisor at the Jacksonville Landfill in 1981. Mr. Bedwell recalled being interviewed by police in 1983 and reiterated that the site was open to private citizens who upon entering had the vehicle weighed and then weighed again upon exiting, the difference being the amount of waste deposited. No records were kept of vehicle, driver, or license numbers. Mr. Bedwell did remember that in 1983 he checked records for vehicles with the weight of Faye McNett's Cadillac and that there were several that were of that weight on July 28, 1981 that entered the site. Mr. Bedwell was also able to tell police the general area that was being filled in July 1981. However, by 1983 this area would have been covered to a depth of about sixty feet over the 1981 depth.

COMMENTS

Inv. P. Mundy Inv. Report #26, dated March 2, 1998.

Page 1 of 1

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: POWELL, FRANK

TESTIMONY

Frank POWELL was Ottis TOOLE's nephew and had traveled extensively with TOOLE and Henry Lee LUCAS. In 1981 he and his sister Frieda Powell were taken into custody by Maryland authorities and returned by bus to Florida and placed in foster care. When interviewed in Nov. 1983 Frank POWELL was age 14.

POWELL claims that he has not seen Ottis TOOLE since July 1981. POWELL does not admit to ever having travelled with TOOLE to Hollywood, Fl.

He had seen a hunting knife in a leather sheath under the front seat of the black over white Cadillac that TOOLE used in 1980 and 1981.

Admits that he has been with TOOLE when TOOLE would unlock the gate to Reaves Bros. Roofing compound and return the Cadillac. POWELL made a photo identification of Faye McNett's Cadillac as the car he was discussing.

Frank POWELL is now very reluctant to discuss his uncle. He had no new information and could not remember if the Cadillac had a trunk liner or not.

COMMENTS

Det. HOFFMAN report dated 11/3/83, page 92 and witness statement.

Frieda POWELL was later murdered in Texas by Henry Lee Lucas.

After arriving in Jacksonville in July 1981 he and his sister immediately took a bus to Auburndale thus he could not have been with TOOLE on July 27, 1981.

No hunting knife has ever been recovered.

Inv. P. MUNDY report #18, dated 12/6/96. Re-interview of POWELL by F.D.L.E. Agent R. CORNELIUS.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA. RALPH J. RAY, JR.

WITNESS: BENNETT, SPENCER

TESTIMONY

Mr. Bennett was the owner of Spencer's Motors, 1401 N. Main St., Jacksonville and he had known Otis TOOLE for about 16 years. BENNETT had sold Toole a two door '69 Black over white Cadillac around March of 1982. That vehicle was later taken over by Howell Toole because Otis could not pay for it. The suspect vehicle that was shown on television Mr. Bennett says he has never seen in Toole's possession.

Mr. BENNETT surrendered to Det. HICKMAN a machete with a wood handle with black electrical tape wrapped around the handle and contained in a green colored sheath.

COMMENTS

Witness interviewed by Det. Hoffman & Hickman on Nov. 2, 1983
Hickman report 11/2/83 pg. 73-75.

Bennett's statement taken on 11/4/83, page 9.

F.D.L.E. examined the machete. Latent prints were found on the Tape which were not identified as those of Otis Toole and remain unidentified. Examination of debris from the sheath and a later tool mark examination by Metro Dade Crime Lab found nothing to link this weapon to this crime. There is nothing in Mr. Bennett's statement to suggest the the weapon was ever in the possession of Toole.

In Toole's statement of 11/19/83, he tells Detective Hoffman that he thinks the machete and its "holster" were left at "Spences". Det. Hoffman's report dated 11/19/83, page 121, reflects that when Toole told him about where the machete was Toole was not aware that a machete and its sheath had been recovered from Spencer Bennett on 11/2/88.

TYPE INV. MURDER

VICTIM: WALSH, ADAM - W/M DOB: 11/14/74
OFFENSE DATE: JULY 27, 1981

S.A.O. INV. #96-02-262
PREPARED BY: INV. PHIL MUNDY
A.S.A. RALPH J. RAY, JR.

WITNESS: ABATE, GLENN

TESTIMONY

F.D.L.E. Crime Scene Section.
Processed the '71 Cadillac and collected the physical evidence therefrom. Following items collected:

1. Hairs collected from backrest area of front passenger seat.
2. Vacuum sweepings from front seat and floor area.
3. Vacuum sweepings from rear seat and floor area.
4. Carpet standard.
5. Hairs from carpet under front seat.
6. Vacuum sweepings of carpet under front seat.
7. #1 cutting from driver's carpet.
8. #2 cutting from driver's carpet.
9. #3 cutting from driver's carpet.
10. #4 cutting from driver's carpet.
11. #1 cutting from left rear floorboard carpet.
12. #2 cutting from left rear floorboard carpet.
13. #3 cutting from left rear floorboard carpet.
14. #4 cutting from left rear floorboard carpet.

COMMENTS

Info contained in Abate's report to H.P.D. on November 14, 1983.

As of April, 1997 no physical evidence has been located linking Otis Toole the murder of Adam Walsh. Some additional examinations are being conducted because of new technology. Items being re-examined are: haire, evidence, latent evidence and weapons.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: POLLOCK, JR., JAMES M.

TESTIMONY

Examined carpet samples from Faye McNett's Cadillac and found the presence of a trace of bloodstaining. There was an insufficient amount for further testing.

Chemical tests on the blade edge of the machete recovered from Mr. Spencer BENNETT demonstrated the presence of a trace of bloodstaining. There was an insufficient amount for further testing.

A canvas sheath that contained the machete was also tested with inconclusive results.

COMMENTS

F.D.L.E. Lab report authored by POLLOCK dated 11/9/83.

It has not been proved that TOOLE ever had possession of this particular weapon. However, in November, 1983 Toole told detectives that he may have left the murder weapon at Spencer Bennett's. Toole described the weapon as having a "holster" and electrical tape on the handle. This description matches that of the weapon recovered from Mr. Bennett. The machete was recovered before Toole offered this information to detectives and Toole was not aware of that. Toole's prints were not found on the weapon or tape.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HART, ROBERT

TESTIMONY

HART is a criminalist with the Metro Dade P.D. He examined the machete recovered from Spencer BENNETT and the bayonet recovered from V. SYPHURS in an effort to make a tool mark identification of the weapon to marks on the victim's skull. No identification was made on the machete. The bayonet has consistent class characteristics, however, insufficient similarities are present for positive identification.

COMMENTS

Lab report 12/9/83 and 2/14/89.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M, DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: GEISENBERG, JIM

TESTIMONY

No testimony.

COMMENTS

Det. M. Smith reports 9/30/95, page 4 and 1/8/96 page 9. F.D.L.E. Evidence Transfer Log.

Det. Smith attempted to locate the carpet samples collected from the suspect 1971 Cadillac. The final entry for these items of evidence appears on a F.D.L.E. Evidence Transfer Log where there is an entry dated 5/24/84 for exhibits "#7 thru 14, submission #3" (carpet samples). The entry shows the evidence goes from initial "DM" (Debra Meeks) to "J_" (believed to be Det. Jim Geisenberg). According to Det. Smith Det. Geisenberg has no recollection of retrieving it from F.D.L.E. but Det. Smith was told by the Chief of Detectives that Geisenberg admitted to him that the initials were his.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

**SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.**

WITNESS: HARDAMAN, CHARLES LEE

TESTIMONY

HARDAMAN knew TOOLE for about three years and used to collect trash with him. HARDAMAN reports that they collected refrigerators and that they used to burn a lot of things inside the refrigerators.

HARDAMAN did not see TOOLE after the fire at 708 Day Ave. on 6/23/81.

HARDAMAN claims that he had given TOOLE a weapon which he describes as a bayonet and that TOOLE never returned it to him. HARDAMAN remembers that he gave this item to TOOLE prior to the death of TOOLE's mother in May, 1981.

HARDAMAN is re-contacted by Det. SMITH on Dec. 6, 1995 and HARDAMAN describes the bayonet and a sheath that he had told Det. HOFFMAN about in 1983. He was then shown a photograph of the bayonet and sheath recovered from Vinette SYPHURS (TOOLE's sister) and he told Det. SMITH it was the same item he had given to TOOLE.

COMMENTS

Det. HOFFMAN report 11/21/83, page 128 - 129.

Det. M. SMITH report dated 1/8/96, page 6. BSO Det's SCHEFF and FANTAGRASSI had recovered a bayonet and sheath from the home of Vinette SYPHURS which she claimed to have had for a number of years. HARDAMAN had never been asked to identify this bayonet and this was the purpose of Det. SMITH's re-interview. Det. SMITH does comment that the bayonet is not unique or have identifying marks and he is not satisfied it is the same item HARDAMAN gave to TOOLE.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: SCHEFF, RICHARD

TESTIMONY

Sgt. SCHEFF and Sgt. FANTAGRASSI (B.S.O.) were instructed to investigate a letter from F.S.P. Inmate Gerald Schaffer who was claiming to have information regarding the Adam WALSH murder.

SCHEFF & FANTAGRASSI interviewed SCHAFFER at F.S.P. Raiford and SCHAFFER announced that he was functioning as Otis TOOLE's legal representative and that he, SCHAFFER was interested in rules claiming the reward for clearing the case. SCHAEFER set ground rules for interviewing TOOLE, primarily that SCHAFFER be present any any interviews.

On October 20, 1988, deferring to SCHAFFER's demands, SCHEFF & FANTAGRASSI with SCHAFFER present, interviewed Otis TOOLE. Basically TOOLE told the detectives that he had killed Adam WALSH using a knife with a plastic handle and a bayonet, cut the body up and strewn the body parts in a canal near milemarker 130 (now m.m. 174). TOOLE told them that the knife had been seized from his car by Det. Buddy TERRY and that the

B.S.O. Sgt. R. SCHEFF memo dated Oct. 24, 1988.

COMMENTS

On Oct. 20, 1983 TOOLE told Det. RUIZ, Travis Co. Texas, that the body should be where the head was found.

Page 1 of 2

WITNESS: SCHEFF, RICHARD

PAGE TWO

TESTIMONY

bayonet belonged to his sister Vinette SYPHURS and was mounted on his sister's living room wall.

SCHEFF makes note that during the interview SCHAFFER prompted TOOLE on several of his responses.

SCHEFF and FANTIGRASSI located Mrs. SYPHURS and she told them she purchased an antique bayonet in 1979 which she had mounted on her living room wall. SYPHURS noted that she would have noticed if the bayonet had been removed for any length of time. Shortly after her brother's arrest she moved and placed the bayonet in storage but agreed to locate it and turn it over to SCHEFF and FANTIGRASSI which she did by way of the Clay County Sheriff's Office on Oct. 21, 1988.

COMMENTS

Glenn ABATE of F.D.L.E. processed Faye McNETT's '71 Cadillac and seized all evidence from it. He did not collect any weapons. Det. Terry signed for a machete turned over to him by Mr. Spencer BENNETT.

Page 2 of 2

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: FANTAGRASSI, ANTHONY

TESTIMONY

COMMENTS

B.S.O. Lt. - See SCHEFF, Richard

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: SYPHURS, VAUGHNETTA (VINETTE)

TESTIMONY

Mrs. SYPHURS is Ottis TOOLE's sister and had turned over a bayonet and sheath to B.S.O. Det's. FANTIGRASSI and SCHEFF. She maintains that the item had been mounted on her living room wall until after TOOLE's arrest and had it been removed for any period of time she would have noticed.

Under Det. SMITH's interview of Jan. 20, 1996 she told him that she did have a telephone conversation with her brother and he did tell her that he did commit this crime.

COMMENTS

Det. M. SMITH report 1/20/96, page 2 - 3.

TYPE INV: MURDER
VICTIM: WALSH, ADAM W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

S.A.O. INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA RALPH J. RAY, JR.

WITNESS: WALDO, LARRY (DECEASED)

TESTIMONY

This individual told H.P.D. Detectives that he knew TOOLE and in fact had been with him on WALDO's birthday of July 27, 1981.

COMMENTS

Det. Hoffman report 11/8/83, page 103-106 & SAO Inv. P.Mundy report dated 6/26/96. Inasmuch as WALDO was deceased the investigation into his whereabouts on July 27, 1981 centered around records and testimony of friends and relatives. After an extensive investigation it was concluded that Larry WALDO was in Hollywood, Fla. with his grandmother on July 27, 1981. See also the witness Patricia WALDO.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: WALDO, PATRICIA

TESTIMONY

Patricia WALDO was able to recall that in 1981 her nephew Larry WALDO was with his grandmother in Hollywood and remembered the grandmother telling her that she had made a cake for Larry's birthday. Based on her recollection of events Larry could have been in Jacksonville in July but it would have been 1982 and not 1981.

COMMENTS

Inv. P. MUNDY's report dated 6/25/96 and witness statement. Patricia WALDO's nephew Larry WALDO had told police that he was with Otis TOOLE in Jacksonville on his birthday on July 27, 1981. The investigation into Larry WALDO's whereabouts concluded he was in Hollywood in 1981 and could have been in Jacksonville in July 1982. He was in fact documented to be in the Jacksonville area in June 1982. He was also examined as a possible suspect and the investigation concluded he was not involved in the murder of Adam WALSH. Larry WALDO died on May 2, 1980.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: MAYER, HEIDI

TESTIMONY

In July 1981 Ms. MAYER was twelve years old. On Oct. 22, 1983 she saw Ottis TOOLE's photo in the Hollywood Sun-Tattler and identified him to her parents as the man who had accosted her in the K-Mart Store, 651 S. State Road 7, Hollywood in July 1981.

On Oct. 24, 1983 Ms. MAYER identified TOOLE out of a photo line up. Ms. MAYER informed detectives in her statement that her and her mother were at the K-Mart Store in the early evening and it was a Friday or Saturday in July, 1981. Heidi says that she saw a male in his thirties following them and that there came a time while in the store when she and her mother were in different aisles. The man took this opportunity to approach Heidi and ask her if she would like her to have him push her around the store. Heidi's response was to scream which brought her mother.

COMMENTS

Det. HOFFMAN report dated 10/23/83, page 24.
Witness statement dated 10/24/83.

*Mrs. MAYER has stated that to the best of her recollection it was the Saturday before the WALSH abduction. Adam WALSH was abducted on Monday, July 27, 1981.

WITNESS: MAYER, HEIDI
PAGE TWO

TESTIMONY

The man was not detained and there is some question in her mind as to whether a formal police report was made.

Ms. MAYER basically maintains her account and identification.

Det. M. SMITH report dated 12/14/95, page 1.

COMMENTS

*On Saturday, July 25, 1981 Ottis TOOLE was arriving back in Jacksonville from Newport News, Va. via Greyhound bus. This has been verified by Nancy CHANDLER and Nancy HALL of the Newport News Salvation army and data collected by H.P.D. detectives.

On Friday, July 31, 1981 TOOLE rented a room from Betty Good-year and a receipt for same has been produced.

On Saturday, August 1, 1981 TOOLE had a fight with his brother Howell which was witnessed by Timothy Harold JONES.

The identification of TOOLE by Mrs. MAYER and her daughter Heidi must be erroneous and perhaps influenced by the photograph seen in the newspaper, and possibly on television, between Oct. 22 and Oct. 24th when they viewed the photo line up.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: MAYER, ARLENE

TESTIMONY

Mrs. MAYER saw TOOLE's photo in the Hollywood Sun-Tattler on 10/22/83 and believed him to be the man who had accosted her daughter in the K-Mart Store on S.R. 7 in Hollywood in July, 1981.

Mrs. MAYER's account of what happened in the store is basically the same as her daughter Heidi's.

From a photo line up shown to her on 10/24/83, Mrs. MAYER identified Otris TOOLE.

She thought she reported the incident to Hollywood P.D.

Mrs. MAYER testifies that the incident occurred on the Saturday before the WALSH abduction.

COMMENTS

Det. HOFFMAN report dated 10/23/83. Witness statement dated 10/24/83.

Det's found no report over a six week time period. She may have merely spoken to an officer on the phone. The WALSH abduction occurred on July 27, 1981.

On Saturday, July 25, 1981 Otris Toole was arriving back in Jacksonville from Newport News, Va. via Greyhound bus. This has been verified by Nancy Chandler and Nancy Hall of the Newport News Salvation Army and data collected by H.P.D. detectives. On Friday, July 31, 1981 Toole rented a room from Betty Goodyear and a receipt for same has been produced.

WITNESS: MAYER, ARLENE

PAGE TWO

TESTIMONY

COMMENTS

On Saturday, August 1, 1981 TOOLE had a fight with his brother Howell which was witnessed by Timothy Harold JONES.

The identification of TOOLE by Mrs. MAYER and her daughter Heidi must be erroneous and perhaps influenced by the photograph seen in the newspaper, and possibly on television, between Oct. 22 and Oct. 24th when they viewed the photo line up.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: DOVER, JAMES (Deceased)

TESTIMONY

Mr. DOVER had contacted the H.P.D. in November 1983 to report that he believed that Ottis TOOLE had been at his service station sometime in the past one to three years. Mr. DOVER was employed at the Exxon Station at 2801 Sheridan Street, Hollywood for the past three years (1981-1983). Mr. DOVER provides a physical description to police that could fit TOOLE including the comment that the subject was unbathed. Mr. DOVER could only remark that the subject was driving an old car, or perhaps a van. The statement of Mr. DOVER indicates he is shown a photograph of Ottis TOOLE which Mr. DOVER says is the man he saw "almost completely."

COMMENTS

Witness statement dated 11/25/83. TOOLE was implicated in this case in Oct. 1983 and his photograph broadcast which of course may or may not have influenced DOVER's identification. In any event it appears from the statement that DOVER was only shown one photograph for identification. S.A. Inv. P. Mundy attempted to locate DOVER to re-interview him and display a photo lineup but unfortunately he is now deceased.

DOVER's service station is located next to I-95 but it is also recalled that TOOLE remarked during one questioning session that he used Shell gas. Obviously there could have been an exception.

TYPE INV. MURDER
VICTIM: WALSH, ADAM W/M DOB:11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA RALPH J. RAY, JR.

WITNESS: MISTLER, WILLIAM

TESTIMONY

COMMENTS

William MISTLER first called Det. Hoffman of H.P.D. on July 5, 1991 reporting that he had information relative to the Adam WALSH murder. Det. Hoffman was leaving on vacation and so it was on July 22, 1991 that Mr. MISTLER was first interviewed per HOFFMAN's police report. On July 29, 1991 a formal statement was taken from the witness.

Mr. MISTLER submitted to a polygraph examination by H.P.D. which was inconclusive. Mr. MISTLER was also subjected to hypnosis sessions which were arranged by H.P.D. Mr. MISTLER advises he does not drink but is basically a daily user of marijuana.

On Feb. 13, 1996 Mr. MISTLER was given a polygraph examination by S.A.O. Inv. I. Gardner, the results of which indicated deception. A transcript of the video of that examination and interview was made.

On Feb. 21, 1996 a second interview and polygraph was conducted and again the results of the polygraph indicated deception.

S.A.O. Inv. P. Mundy interviewed Mr. MISTLER briefly on June 28, 1996. The significant fact that came from that short interview was that Mr. MISTLER admitted that he cannot identify the boy he saw on July 27, 1981 as Adam WALSH.

WITNESS: MISTLER, WILLIAM

PAGE TWO

TESTIMONY

MISTLER says he arrived at the Hollywood Mall on July 27, 1981 between 10 and 11 AM.

The front of the Cadillac he saw had a very rusty front which he believes was well water.

COMMENTS

Ref: Witness statement July 29, 1991, page 2.

It has been established that Adam WALSH was abducted between 12 and 12:30 PM. In the Feb. 13, 1996 Gardner/Mistler interview he places his arrival time at about 10:30 AM. In Mrs. Mistler's statement of June 28, 1996 she says he left the house between 11:30 AM and noon, perhaps a little after noon.

Faye McNett told Det. Smith on Feb. 7, 1996 that she could not remember if there were stains on the car or not. She remarked that her neighbor did have a sprinkler system so it was possible.

Knew immediately the Cadillac was ten years old. The car was clean as a damn pin. The tag is a 1E tag, a rental car, Alachua County. Car was clean but for well water all over the front of it. The back had a dent in the bumper similar to a motorcycle having hit it. No damage to the deck lid so concludes he must have backed into a pole. There was no rest around the rear window.

Ref: GARDNER/MISTLER interview, 2/13/96, page 63-64.

In 1981 a "1" tag would indicate Dade County.

Ref: GARDNER/MISTLER interview 2/13/96, page 89-92. Tells GARDNER that plate is 1E5087 and describes how this tag number came to him after a hypnosis session.

Ref: Statement of Bobby Lee JONES. JONES worked with TOOLE and described how he put a dent in TOOLE's Cadillac by backing into it and from a crime photo identified the car and the right rear bumper where the dent is. JONES states this happened in 1982.

Page 2 of 13

WITNESS: MISTLER, WILLIAM

PAGE THREE

TESTIMONY

COMMENTS

Ref. Inv. P. MUNDY report #2 dated July 12, 1996.

During a brief interview with Mr. MISTLER on June 28, 1996 which was the occasion of taking his wife's statement Mr. MISTLER informed MUNDY that Det. HOFFMAN had shown him photographs of a white Cadillac with a black vinyl roof with a dent in the back bumper. Mr. MISTLER recalled there were several photographs showing all angles of the vehicle. He also remarked that the vehicle in the photos did not have any stains on the hood and in his opinion the vehicle had been buffed thus removing the stains.

It is not known if the photos were shown before or after his July 29, 1991 statement but he does not mention stains or dents in that statement. The photos referred to are the evidence photos and they do not clearly show the hood of the vehicle but do show the dent in the rear bumper.

It was an evidence photo that Bobby Lee JONES identified as TOOLE's car that he put the dent in in 1982.

WITNESS: MISTLER, WILLIAM
PAGE FOUR

TESTIMONY

Mr. MISTLER, his wife, and his nine year old son Joseph returned to Sears around 3 PM. They observed a woman who appeared very upset and a man who Joseph told his parents was Adam WALSH's dad.

When asked if he knew then that the son was missing he says that he did not. Then asked if he heard any paging and says he believes they paged Adam WALSH.

COMMENTS

Witness statement of July 29, 1991, pages 9 10.

(On page 8 he says he did not hear a page for Adam Walsh. If he was not in the store prior to about 12:25 PM this would be consistent. It is not ~~cert~~ if the page was continued throughout the day.)

MISTLER describes being in Sears in the morning and seeing a "crazy lady, yelling Cooter." The woman was screaming "Cooter, Cooter, and she was swinging... her purse carrying it like a one bladed helicopter. ... she slams the purse down on the ground and she takes off running towards the south end screaming, Cooter, Cooter.....

Ref. GARDNER/MISTLER interview 2/13/96, page 74-78.

While some of the witnesses interviewed at Sears in 1981 reported observing Mrs. WALSH looking frantically, and behaving even hysterically, none report any behavior such as Mr. MISTLER does regarding the slamming of the purse, throwing herself on the table, or being confronted by two women. In May '97 Inv. Mundy ascertained that Reve WALSH did not act in the matter indicated by William MISTLER.

WITNESS: MISTLER, WILLIAM

PAGE FIVE

TESTIMONY

He goes on to describe that woman threw herself down on a table that had a shirt display on it. Then two old ladies came up and she calmed down. He thought she was Spanish and that "Cooter" meant something in Spanish.

MISTLER recounts how he, his wife, and his son returned to Sears between two and four PM. He says there is a blond lady, John WALSH, a cop, a well dressed man, and a security guard. The woman was crying and he tells his wife that her hair looks like the lady I saw this morning but then he heard her speak English and concluded it was not the lady he saw in the morning who he believes was speaking Spanish.

COMMENTS

In the T.V. movie "Adam" the child is referred to as "Cooter".

Considering the witnesses ability to provide such detailed descriptions and accounts of persons and events it seems incongruous that he is unable to say with certainty if the woman seen in the morning is or is not the woman he sees in the afternoon.

Page 5 of 13

WITNESS: MISTLER, WILLIAM

PAGE SIX

TESTIMONY

COMMENTS

Ref: Statement of Martha MISTLER, 6/28/96, page 6-7.

Mrs. MISTLER recalls going to Sears with her husband and son on the afternoon of July 27, 1981 and the time was sometime before 5 PM. She recounts hearing a page for Adam and saw a woman crying whom she assumed to be Mrs. Walsh. She cannot recall if anyone was standing with her.

Ref: Statement of Martha MISTLER, 6/28/96, page 12.

Mrs. MISTLER is not sure if she saw Mr. WALSH in the store at this time or not. She reports that when she was at the H.P.D. and her husband was being interviewed he asked her if she recalled her son mentioning that the man was Adam's father but she does not recall that comment from her son.

Page 6 of 13

WITNESS: MISTLER, WILLIAM
PAGE SEVEN

TESTIMONY

MISTLER family returned from vacation on or about Aug. 2, 1981. A neighbor boy came running up shouting that Adam WALSH had been abducted, Adam WALSH is missing.

At this time he says he did not relate the WALSH disappearance with the man in the Cadillac stating that he was convinced he had just seen "a dirty relative riding a clean cut kid home".

About 1 month or 6 months later while at Sears at the same location he makes the connection of the old man and the kid.

Same testimony but adding that he remembers both things happened the same day. Went home and told his wife and they agreed he should go to the police. Enroute to H.P.D. he again hears the police are looking for a blue van and decides his information regarding the Cadillac and the old man is not relevant.

Followed every word that came out in the paper. Read an article in Tropic that mentioned a rusty old Cadillac or just a rusty old car.

Asked if when the head was discovered did he recall the incident at Sears, MISTLER responded that it just didn't click because he was focused on the blue van that was publicized by H.P.D.

COMMENTS

Ref: Witness statement of July 29, 1991, page 12-13.

Ref: GARDNER/MISTLER interview 2/13/96, pages 78-80.

Ref: Witness statement July 29, 1991, page 13.

Ref: Statement of Martha MISTLER, 6/28/96, page 16-17. She reported that she cut out every article on the WALSH case.

WITNESS: MISTLER, WILLIAM

PAGE EIGHT

TESTIMONY

Wed. 6/26/91 read a news article indicating Ottis TOOLE was innocent and this prompted him to finally come forward.

Relates that when TOOLE turned himself in he was lying in his bedroom watching the 11 PM news and when TOOLE's picture came on he knew where he had seen TOOLE before and put his hands on his face and just kept saying no, no, no, until his wife came in and wanted to know what was going on and he told her.

Asked now why he did not come forward, he responses there were other witnesses who could take the heat and he did not want his picture on T. V. and in the papers.

COMMENTS

Ref: Witness statement 7/29/91, page 14.

Ref: Martha Mistler statement 6/28/96, page 31-32. She recall seeing the article and calling it to his attention and then he agreed to call police.

Ref: GARDNER/MISTLER interview 2/13/96, pages 78-80.

Ref: Statement of Martha MISTLER, 6/28/96, page 19-20.

Mrs. MISTLER's account is far different. The first time Toole's picture was on t.v. her husband's only comment was that "God, that man looks familiar. I have seen that man." At this time Mr. Mistler made no mention to her of seeing the man, Toole, at Sears placing Adam WALSH into his car.

On page 21 of Mrs. MISTLER's statement she advises that sometime around the period that the police announced that they definitely had their man in the WALSH case is when her husband told her his story. At that time she urged him to go to the police but he decided not to because of his prior arrest 20 years Earlier and he felt the police had other witnesses and a strong case.

Ref: Witness statement July 29, 1991, page 14.

Page 8 of 13

TESTIMONY

Was asked about H.P.D. announcing that TOOLE had not been charged and he says they never read that and saw very little about the case and then it was usually something about John WALSH.

Asked about the reward posters he says "I don't think I saw. I saw posters, I saw a lot of the posters with him."

Asked why for 2 years he did not know that Adam WALSH was the boy abducted (meaning by the old man). Witness responds every photo he saw the boy was smiling and he didn't look like a 6 year old and he couldn't be sure and he couldn't remember the color of the hat.

Reiterates he never connected the pictures to the boy he saw because he couldn't recall the color of the hat. And the size threw him off. Says Adam never smiled and all the photos showed him smiling.

COMMENTS

Witness statement July 29, 1991, page 15.

Ref: GARDNER/MISTLER interview 2/13/96, page 83-83.

Ref: GARDNER/MISTLER interview 3/13/96, page 88-89.

TESTIMONY

Q. Can you describe what the child was wearing that you observed him talking to?

A. I was staring so much at Otis TOOLE. No, I can not.

Q. You don't recall that?

A. I don't recall what the boy was wearing.

Q. How old a boy was he?

A. The boy looked to be about 5 years old to me.

Ref: Witness statement July 29, 1991, page 5.

COMMENTS

WITNESS: MISTLER, WILLIAM
PAGE ELEVEN

TESTIMONY

Questioned about description of child he cannot provide any. Asked specifically about a hat he replies "I think, but I wouldn't swear to it".

COMMENTS

"Adam looked up and he had that ball hat."

"This kid had on green pants and red hat." Q. "What would you say at this point if I told you that he didn't have a red hat on"? **MISTLER:** "I'd say you were full of shit, he had a red hat on."

Ref: GARDNER/MISTLER interview 2/13/96, page 65.

Ref: GARDNER/MISTLER interview 2/13/96, page 67.

Per Mrs. WALSH her son was wearing a beige boat captains hat and green shorts.

WITNESS: MISTLER, WILLIAM
PAGE TWELVE

TESTIMONY

Describing "Adam" standing on the sidewalk of Sears he states that "he had these real wild pair of pants on, it was green pants, but it had like, I believe the other two colors were orange...orange and yellow... and they were way too big on him."

"...this hat he had on, it had to have been an adult hat because I've seen the picture of him in the paper, it was a hat like that, red and it had the white on there, I can't say that I remember the "C", but I remember a logo or something on this red hat.

COMMENTS

Ref: GARDNER/MISTLER interview 2/21/96, page 20-21.

TESTIMONY

States that thru the rear view mirror he sees the child enter the car on the driver's side.

COMMENTS

Witness statement of July 29, 1991, page 17.

Describes being stopped along side the Cadillac and to it's rear. Sees the man and boy walk around the front of the car to enter the driver's door and sees the boy with a ball hat on. Saw the boy look up and smile, not struggling to appearing scared. Refers to the tree trimmers being in the way as boy enters. The man took the boy's hat off and laid it in the back.

Ref. GARDNER/MISTLER interview, 2/13/96, pages 63-67.

TYPE INV: MURDER
VICTIM: WALSH, ADAM, W/M DOB: 11/14/74
OFFENSE DATE: 7/27/81

SAO INV. #96-2-262
PREPARED BY: INV. PHIL MUNDY
ASA: RALPH J. RAY, JR.

WITNESS: SCHRECK, NELLIE MARIE

TESTIMONY

Mrs. SCHRECK reports that on July 27, 1981 she entered the Sears Store from the west entrance and encountered a male in his late 30's to early 40's, 6'2" slender, sandy colored sparse hair, protruding teeth, one eye slightly turned. At the time Mrs. SCHRECK upon hearing via news reports of the WALSH disappearance did not connect this subject with the case. Mrs. SCHRECK next saw a news report with a picture of a suspect and recognized him as the man she saw exiting Sears on July 27, 1981. She claims she did not go to the police then because she did not think she had anything to offer and the police had more solid evidence. In 1995 when she learned the man had not been charged she contacted Det. M. Smith. On Sept. 10, 1996 she is shown a photo lineup and identifies Otis TOOLE as the man she saw exiting Sears.

COMMENTS

Witness statement of Sept. 10, 1996.

This would have been Oct. 1983.

TYPE INV: MURDER

VICTIM: WALSH, ADAM, W/M/DOB: 11/14/74

OFFENSE DATE: 7/27/81

SAO INV. #96-2-262

PREPARED BY: INV. PHIL MUNDY

ASA: RALPH J. RAY, JR.

WITNESS: HAGAN, MARY CORBETT

TESTIMONY

According to Mrs. HAGAN she went to the Sears store in Hollywood to look at lamps that were on sale. Mrs. HAGAN puts the time of her arrival at the store as around noon relating that it was mid-day and that she was also going to get some food from the nearby Publix.

She relates entering the store via the garden center entrance. She walked down the aisle leading to the lamp department noticing as she did so that there were children playing the video games and an adult male leaning over and speaking to a small child that she identifies as Adam WALSH.

Mrs. HAGAN says there were between three and five children there and does not recall if any were black or if all were white.

There was a little larger boy standing there next to the small boy (Adam). She described the man as having black hair, balding, curled on top and long down his neck. She mentions that there were freckles across the bridge of the face and his complexion was tan. She describes the man as having a gap in his front teeth,

COMMENTS

Det. M. Smith report 2/21/96, page 7.
Witness statement dated Sept. 5, 1996.

Kathy SHAFFER testified there were four children, two white & two black and that of the two white one boy looked older.

Mrs. HAGAN's description matches that of Ottis TOOLE. On 2/21/96 she told Det. Smith the man had reddish hair.

WITNESS: HAGAN, MARY CORBETT

PAGE TWO

TESTIMONY

held his mouth open, and had a stupid grin. She seemed to recall a long sleeved shirt because she did not remember seeing the man's arms. The man's trousers had white spots on them like paint or whitewash. Mrs. HAGAN said the man looked like a bum and describes him as having a very bad body odor, rancid like.

Mrs. HAGAN said she had seen the WALSH boy before and she knew he lived in a house on 28th.

She described Adam as wearing a red ball cap, shorts, and flip flop sandals of the type children wear to the beach.

Mrs. HAGAN continued on to the lamp department where she saw Mrs. Walsh. She recalled Mrs. WALSH's hair as being blond and hanging straight. She is vague as to a clothing description.

After spending some time in the lamp department Mrs. HAGAN headed for the exit and when she went thru where the computer games were noticed that all the children were gone.

She thinks she heard on the news that evening that the Walsh child was missing but did not become alarmed at that point.

COMMENTS

What is interesting is her comment regarding body odor which of course could not be gleaned from a photograph on television or newspaper. The clothing is significant in regard to her comments about the spots on the trousers given TOOLE's employment record.

Walsh's address was 2801 McKinley St., the house sits on the corner of McKinley and 28th.

The most striking item described is the sandals and is correct.

Kathy SHAFFER had ejected the children after 12 noon.