

WILLIAM MISTLER
OF THE POLYGRAPH OF
AUDIO PORTION

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Williams & Hahn
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IN RE: INVESTIGATION

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(Thereupon, the following was heard on Tape 1,

Side 1.)

INVESTIGATOR GARDNER: Okay. Before we get

started, I just (inaudible) last week so we don't have

to go through so much information.

I just want to update a couple things.

First of all, (inaudible).

MR. MISTLER: (Inaudible).

INVESTIGATOR GARDNER: Just to reiterate what was

on that, the one thing is we'll be making a tape of

what will go on here today so we have a permanent

record, just like we did before.

MR. MISTLER: Yes.

INVESTIGATOR GARDNER: Okay. Just in the matter

of your background, just to see if we need to -- just

to confirm that there's no problems. 'Cause you look

as health as you did last week.

MR. MISTLER: Yeah.

INVESTIGATOR GARDNER: Have you had any physical

disorders in the last week?

MR. MISTLER: No.

INVESTIGATOR GARDNER: You haven't. Okay.

Any injuries of any type?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Have you begun taking any

1 medication that you weren't taking before?
 2 You were taking Tenormin and Lozol last week.
 3 MR. MISTLER: I'm still taking that.
 4 INVESTIGATOR GARDNER: Anything else?
 5 MR. MISTLER: No.
 6 INVESTIGATOR GARDNER: Okay. And I'll make the
 7 jump, that you have not had anything to drink since
 8 last week.
 9 MR. MISTLER: What do you --
 10 INVESTIGATOR GARDNER: Any alcoholic beverages.
 11 MR. MISTLER: No. I haven't for twenty-one years.
 12 INVESTIGATOR GARDNER: Right.
 13 MR. MISTLER: I'd lose my designated driver
 14 status.
 15 INVESTIGATOR GARDNER: Okay. And have you used
 16 any drugs besides marijuana in the last week and a
 17 half?
 18 MR. MISTLER: On Sunday I had some marijuana.
 19 INVESTIGATOR GARDNER: Okay.
 20 MR. MISTLER: Since Sunday nothing.
 21 INVESTIGATOR GARDNER: How about before Sunday,
 22 between -- I think we met last week it was on Tuesday,
 23 if I remember correctly.
 24 MR. MISTLER: I believe so, yeah.
 25 INVESTIGATOR GARDNER: Okay. From Tuesday, to the

1 time you left here Tuesday afternoon, around noon-time, Sunday's the last time you had some marijuana?
 2 MR. MISTLER: Yeah.
 3 INVESTIGATOR GARDNER: How many other days last week have you had --
 4 MR. MISTLER: Probably every day.
 5 INVESTIGATOR GARDNER: Every day?
 6 MR. MISTLER: Uh-huh.
 7 INVESTIGATOR GARDNER: Okay. And when you -- when you say you have marijuana, are you having just a couple of joints in the evening or all day or --
 8 MR. MISTLER: Oh, no, it's usually in the evening.
 9 INVESTIGATOR GARDNER: Okay.
 10 MR. MISTLER: Not that -- I mean, on Saturday I might, you know, smoke one in the afternoon or something.
 11 INVESTIGATOR GARDNER: But there has been no other drug use besides marijuana; is that correct?
 12 MR. MISTLER: No, I haven't -- I did cocaine maybe ten -- ten years ago or something like that.
 13 INVESTIGATOR GARDNER: Right.
 14 MR. MISTLER: Not very often even on that.
 15 INVESTIGATOR GARDNER: Okay. Okay. I just want to run through the case facts just -- I want to go through it briefly. And the issues -- As I understand

1 -- It --

2 Let's go through it briefly, real quick.

3 You were -- You were in the area of Sears on July

4 27th, 1981.

5 MR. MISTLER: The last Monday of July.

6 INVESTIGATOR GARDNER: Okay. So we know -- We'll

7 use July '81 then for the purposes of the question --

8 MR. MISTLER: Right.

9 INVESTIGATOR GARDNER: -- so there's no hang-up at

10 all on the exact date.

11 Okay. And at that time you were stuck in traffic

12 behind a lady, who you eventually found out was waiting

13 for another car to pull out of a spot and you were

14 stuck there six, eight minutes and during that time,

15 some really weird guy in a black over white, 1971

16 Cadillac, pulled up in the opposite direction you were

17 facing pretty near to right beside you.

18 He got out of the car --

19 MR. MISTLER: The front of his car would have been

20 with the front of her car.

21 INVESTIGATOR GARDNER: Okay.

22 MR. MISTLER: The lady in front of me.

23 INVESTIGATOR GARDNER: So he was about a car

24 length or so ahead of you.

25 MR. MISTLER: Right. And it's possible --

1 INVESTIGATOR GARDNER: Facing your direction.
 2 MR. MISTLER: Right. And it's a possibility that
 3 that vinyl roof might have been a dark green. I told
 4 Ralph that on that --
 5 INVESTIGATOR GARDNER: Okay.
 6 MR. MISTLER: -- I believe it's on that Saturday.
 7 It may have been a dark green or a black. I'll say
 8 black, because I think -- But, you know.
 9 INVESTIGATOR GARDNER: We'll use dark over white,
 10 I don't want to --
 11 MR. MISTLER: Okay. Dark over white. It was
 12 definitely a white Cadillac four-door.
 13 INVESTIGATOR GARDNER: Okay. I don't want any
 14 conflict.
 15 It had a dark top, you're sure it was a dark top?
 16 MR. MISTLER: Yeah, it was dark in color, it's
 17 just I'm not a hundred percent one or the other. I
 18 believe on my statement I gave the police I probably
 19 said black, but there is a possibility it may have been
 20 a dark green --
 21 INVESTIGATOR GARDNER: Okay.
 22 MR. MISTLER: -- top, but I told the detectives
 23 that, also.
 24 INVESTIGATOR GARDNER: Okay. So we got this -- we
 25 got this really strange guy gets out of a dark over

1 white 1971 Cadillac --

2 MR. MISTLER: '71 or '72, they're identical.

3 INVESTIGATOR GARDNER: Okay. And he puts a shirt

4 on, gets out of the car, he makes eye contact with you.

5 His one eye drifts over to these kids.

6 He ends up going over, crouching down and talking

7 to this one little boy. And after a period of time, he

8 ends up walking that little boy over to his car. No

9 sign of struggle or anything.

10 He puts the little boy in his car, you go --

11 MR. MISTLER: Adam got in his car on his own, I

12 mean, he didn't pick him up and put him in there.

13 INVESTIGATOR GARDNER: Okay.

14 MR. MISTLER: And at one point he was standing

15 alongside of him on the curb, I guess facing west --

16 INVESTIGATOR GARDNER: Right.

17 MR. MISTLER: -- which would have been facing

18 towards me.

19 INVESTIGATOR GARDNER: Uh-huh.

20 MR. MISTLER: Later on I started to pull off, but

21 I looked in my mirror and I had a great big like -- I

22 think they call them California mirrors --

23 INVESTIGATOR GARDNER: Right.

24 MR. MISTLER: -- and I looked in my mirror and I

25 could see his back, because he had bent over. I

1 thought they had both went back inside. I started to
 2 pull off, and I took one last glance in the mirror --
 3 INVESTIGATOR GARDNER: Uh-huh.
 4 MR. MISTLER: -- and I saw his back. And he was
 5 -- he would have been down like this. If this was the
 6 hood of the car --
 7 INVESTIGATOR GARDNER: Right.
 8 MR. MISTLER: -- he would have been down like
 9 this, so his back was, you know, I mean --
 10 INVESTIGATOR GARDNER: Level with the car.
 11 MR. MISTLER: -- level with the car, yeah.
 12 And apparently Adam was standing right there. I
 13 couldn't see Adam at all --
 14 INVESTIGATOR GARDNER: Okay.
 15 MR. MISTLER: -- at that point, I could only see
 16 Otis' back.
 17 And I was still frozen at that point, you might
 18 say, you know. My body was shaking so bad. You know,
 19 at one point I wanted to take my hand off the shift
 20 lever, and I couldn't do that, and that even made it
 21 worse, you know, then my body really, I mean, it just
 22 -- I couldn't move.
 23 INVESTIGATOR GARDNER: Uh-huh.
 24 MR. MISTLER: And I wasn't really sure why I
 25 couldn't move, you know, I knew it had to do something

1 with the kid, you know. I didn't think I was having a
 2 heart attack or anything like that. It was -- You
 3 know, I couldn't explain that. You know, it was just
 4 my gut feeling kept telling me there's something wrong,
 5 there's something wrong.
 6 INVESTIGATOR GARDNER: Right.
 7 MR. MISTLER: And my eyes kept saying, you know,
 8 what is it, what is it, you know.
 9 And then after he was back, you know, like that,
 10 that sort of unlocked me, you know.
 11 INVESTIGATOR GARDNER: Uh-huh.
 12 MR. MISTLER: Then by that time I had moved back
 13 -- I'd started to pull away, and I'd moved to where his
 14 tag would have been right there, like only a few feet,
 15 you know, over from where I'm at.
 16 And that's when I caught a glimpse of his back and
 17 I stopped again.
 18 INVESTIGATOR GARDNER: Uh-huh.
 19 MR. MISTLER: And I sit there maybe two minutes
 20 and then they start walking around the car, you know.
 21 INVESTIGATOR GARDNER: Was there still traffic
 22 lined up behind you at that point?
 23 MR. MISTLER: Oh, the whole parking lot was
 24 packed. I mean, nobody was going anywhere until I
 25 moved or until this old lady moved first. And then

1 until I moved.

2 INVESTIGATOR GARDNER: Well, she had already moved
3 a couple car lengths for you to get up there, right?

4 MR. MISTLER: But she eventually moved away,

5 right.

6 INVESTIGATOR GARDNER: Right.

7 MR. MISTLER: And I was down there, so now I was

8 on the point, you know, I was up there and nobody was
9 gonna move. Because what had happened, the other cars

10 had started come up where they should have been

11 exiting and even coming around the side of the

12 building, I could see the nose of one car, you know,

13 like the regular lane would have been here, well, this

14 would have been the lane that you would have gone this

15 way. But now there was a car with its nose coming out

16 this way.

17 INVESTIGATOR GARDNER: Uh-huh.

18 MR. MISTLER: And back here were two lanes coming

19 up, one that would come this way and the other would

20 let you exit. Well, people would come up both sides

21 there and that was packed. Now they were trying to all

22 back up and the line went all the way around.

23 There used to be a post office, like a little

24 mobile -- not a mobile post office, but it was -- it

25 used to have a little post office there in Sears lot.

1 INVESTIGATOR GARDNER: Let me ask you to draw this
 2 for me, okay. Let me see what you're talking about.
 3 Let me get you a pen.
 4 MR. MISTLER: A pencil would be better.
 5 This is the sidewalk. This would be the garden
 6 supply -- like a walkway through here.
 7 INVESTIGATOR GARDNER: Uh-huh.
 8 MR. MISTLER: You would have walked through and
 9 there would have been plants and there would have been
 10 things in here.
 11 And the actual door for Sears was in here.
 12 When I first saw Adam, he was standing -- there
 13 was a lady here and there was about a fourteen year old
 14 girl there.
 15 When I first saw Adam, he was standing maybe eight
 16 or ten foot away from her and there were four other
 17 boys with him, there were five boys, because I remember
 18 saying, Jesus Christ, five boys, you know, I got one
 19 boy who drives me crazy, you know, how the hell she do
 20 it with five boys, she got that other girl, six kids,
 21 but five boys.
 22 And then I looked back -- I would have been --
 23 This is the -- Let's say this is the -- I don't think
 24 they -- well, there may have been a line on down
 25 through there.

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1 Otis' car would have been right here.

2 And originally the old lady's car would have been

3 right here, where the two fronts are straight across

4 from each other.

5 INVESTIGATOR GARDNER: Uh-huh.

6 MR. MISTLER: I was in my pickup truck, which

7 would have been back here. That's where I'd seen the

8 boys --

9 INVESTIGATOR GARDNER: Before we go any further,

10 just for my clarification, when you drew the line here,

11 does the street go around right here?

12 MR. MISTLER: No, actually what it would have went

13 down maybe a little bit further.

14 INVESTIGATOR GARDNER: Okay. What happens over

15 here, does the sidewalk go --

16 MR. MISTLER: The sidewalk followed the building

17 around.

18 INVESTIGATOR GARDNER: Okay.

19 MR. MISTLER: And they had package pickup --

20 INVESTIGATOR GARDNER: Okay.

21 MR. MISTLER: -- here. There would have been

22 another like two lanes here.

23 INVESTIGATOR GARDNER: Okay.

24 MR. MISTLER: If I remember correctly, I think the

25 sidewalk continued around here, but it wasn't as thick

as this section.

INVESTIGATOR GARDNER: All right.

MR. MISTLER: So this would have been like the

sidewalk. Say that's the yellow line.

This would have been, if you were coming down

here, you'd want to go here for package pickup, you

would have made the turn here. There was a stop sign

here and I could see the front-end of this car here,

and at one time another car came around and his front-

end was sticking out here.

INVESTIGATOR GARDNER: Okay.

MR. MISTLER: He's one of them special people that

just didn't want to wait.

Back here --

INVESTIGATOR GARDNER: How far does it go to the

street there approximately?

MR. MISTLER: From here out to the --

INVESTIGATOR GARDNER: No, from here behind you,

how many cars were backed up in here before you get to

the street?

MR. MISTLER: Oh, seventeen, twenty, maybe thirty.

INVESTIGATOR GARDNER: Okay. All right. Let's

just --

MR. MISTLER: Maybe more.

INVESTIGATOR GARDNER: Let me get this straight.

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There's one lane -- There's room for one lane of traffic coming this way and one lane of traffic coming that way?

MR. MISTLER: Yeah, and then -- then you would have had, let's see, you would have had like -- These would be parking places here. There would be like an entrance that went here --

INVESTIGATOR GARDNER: Right.

MR. MISTLER: -- there'd be another entrance that went here, another entrance that went here, and then on down. And this would have been the other door, which would have been on the south side of that building.

INVESTIGATOR GARDNER: Okay. Just let me clarify. This is just for me.

MR. MISTLER: No, I understand.

INVESTIGATOR GARDNER: Now, as I remember from the other day, you said that this woman stopped and you're talking six to eight minutes --

MR. MISTLER: Oh, at least. At least six to eight minutes.

INVESTIGATOR GARDNER: Okay.

MR. MISTLER: It may have even been longer than that.

INVESTIGATOR GARDNER: Okay. And that's why you were -- Before she started moving at all, you figure,

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or during this whole time -- through the whole time

period?

MR. MISTLER: I didn't -- I'm sorry.

INVESTIGATOR GARDNER: were you -- were you -- was

traffic --

MR. MISTLER: she was here probably a good eight

-- I mean, eight minutes is a long time to be sitting

in, you know, it could have been six or eight.

INVESTIGATOR GARDNER: Okay. But then when she

eventually moved and then you --

MR. MISTLER: what she was doing, apparently, she

was waiting for a space to come open here.

INVESTIGATOR GARDNER: Okay.

MR. MISTLER: you know, they would have hit spaces

along this side and this side.

She was determined she was gonna get one of these

spaces.

When I was sitting behind her, you know, I

couldn't understand why she was sitting there and I

kept kinda like looking around, you know, trying to see

maybe she hit a dog or maybe there was something laying

in front of her car that, you know, kept her from

moving, you know. Maybe like a shopping cart or

something.

INVESTIGATOR GARDNER: Uh-huh.

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and I see this Cadillac coming down, which was Otis,

And as I'm about to just go on around her, I look

of her car blocking her car.

MR. MISTLER: That, or there's something in front

INVESTIGATOR GARDNER: Uh-huh.

doing is she's waiting to go into this space here.

She's gonna wait, you know, and I think what she's

that this old lady's just -- she's not gonna move.

up till then I was just kinda sitting there laughing

or twenty seconds of that six or eight minutes, 'cause

you know, and that was just at the last maybe fifteen

but there was just enough to keep me pinned behind her,

traffic coming this way. There wasn't a whole lot,

just go around her, because I gotten a break from the

And I sit there and then I started to pull out and

coming, you know, down this way.

row was the only thing that was open is where Otis was

wouldn't have been much traffic this way, because this

coming down here, a car or two at a time and there

had sit there, and up to that point, traffic kept

couldn't understand why she was sitting there and I

MR. MISTLER: So I kept kinda looking around, I

INVESTIGATOR GARDNER: Right.

case, I would have gone up and moved it, you know.

MR. MISTLER: And, you know, if that were the

1 and he was coming down here and he was going slow, too, because I kept wanting to go around and I said, well, I'll wait for this guy to go by and I'm waiting and waiting and I figure, well, he's gonna go by but he doesn't, he stops right here, which would have been -- this would have been the front of her car.

7 INVESTIGATOR GARDNER: uh-huh.

8 MR. MISTLER: And this is his car, and he stops right there. Now, I'm still right back there.

10 Now, I think maybe she did hit something and this guy's getting out to help her.

12 So I look up between the cars and I'm watching them to see -- and I fully expected him to go to the front of her car and maybe move a shopping cart or something like that.

16 But he didn't do that.

17 He got out of the car, put his shirt on and this shirt had like a brown spot here and it had like -- when I went to high school they used to have gold ropes that the band wore. Well, he didn't have gold ropes, but the sweat from the perspiration, it almost looked like, you know, like gold ropes going around. I mean, they weren't ropes their self, but you know what I mean, the color, and around the neck and that from the sweat he had like a -- it's like a yellow

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MR. MISTLER: It looked like -- literally like a

INVESTIGATOR GARDNER: Uh-huh.

you know how it goes up.

side of his head, it's like if you sleep on your hair,

And on -- He was facing, it would have been this

and just start doing this as he was walking up.

was open, he walked around that and start walking up

of his car, he left his car door open, the front door

started walking up between there, you know, alongside

she knew him. But he didn't even look at her, he

at first I thought maybe she was opening it up 'cause

MR. MISTLER: She must have pushed it down because

INVESTIGATOR GARDNER: Uh-huh.

door lock.

lady, she reaches over and pushes down on the -- the

So I'm watching him, and as he goes past this old

had quit, you know, or for whatever reason.

he knew her or maybe she -- you know, maybe her motor

up to this lady's car and say something to her, maybe

MR. MISTLER: And then I thought he was gonna walk

INVESTIGATOR GARDNER: Uh-huh.

you know, really a few feet away from him.

sitting there and just watching him and I'm only a few,

And he got out and he put this shirt on and I'm

ring. I mean, you know, this shirt was like yellow.

1 little plate of hair. In other words, I mean, if you
 2 took your hair and you laid and you slept on this all
 3 night and you got up, your hair would still be sticking
 4 straight up.
 5 But this was almost a perfect circle like.
 6 So that's the first thing that caught my attention
 7 and he's doing this and I'm kinda looking at that and
 8 I'm looking at this shirt and then he finally sees me
 9 and he goes like this. Just like that.
 10 And then he smiled at me as he's turning this way.
 11 He give me a big smile and he had these green teeth.
 12 And I couldn't believe what I was seeing.
 13 My first impression when his head stopped was
 14 upright animal, mini-big foot, circus. Before I could
 15 analyze it anymore or think about it anymore, then he
 16 smiled. And I've seen -- I've never seen green teeth
 17 like this in my life. It reminded me of Justin
 18 McKnight, a kid I went to -- I was probably in the
 19 eighth -- seven, eight years old in school and a kid
 20 transferred in, his brother transferred in and they
 21 both had green teeth. Well, you know, as an eight year
 22 old, I thought that that was really neat, you know.
 23 And I thought of Jessie McKnight. I hadn't
 24 thought of him since -- hell, I was eight years old or
 25 so. And then I thought of Christmas because even

1 though his hair looked brown in the sunlight, with his
 2 beard and the rest of his hair sticking like up, I
 3 mean, you know, you're talking bad hair, this was just
 4 like frizzed all up, you know.
 5 And you could see the red in his hair. I mean, if
 6 he was sitting in the room with us, you'd think he had
 7 brown hair and that, but it has like a red tint to it,
 8 you understand what I'm saying?
 9 INVESTIGATOR GARDNER: Yeah.
 10 MR. MISTLER: Okay. So I thought of Christmas
 11 because I had looked at Adam, and Adam had had -- and
 12 when Adam was standing there with the boys and then
 13 when he was standing there by himself, I kept looking,
 14 he had these real wild pair of pants on, it was green
 15 pants, but it had like -- I believe the other two
 16 colors were orange -- orange and yellow, pants and they
 17 were way too big. You know, like you buy clothes for
 18 your kids and you buy them a little bit big. These
 19 were way too big on him.
 20 And this hat he had on, it had to have been an
 21 adult hat because I've seen the picture of him in the
 22 paper, it was a hat like that, red and it had the white
 23 on there, I can't say that I remember the G, but I
 24 remember a logo or something on this red hat.
 25 And this hat he had on came right down to here and

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it was still too big on him, I mean, even if it had
been, you know, adjusted up, it still was way too big.
It probably was an adult hat from that same ball club.
He was standing there -- And oh, and then the
notice came there and he's smiling like this, he's
turning. His eyes did this. His one eye went over,
you know, he was starting to look to the curb, but his
one eye went over at first.
INVESTIGATOR GARDNER: Hum.
MR. MISTLER: Now, I'm thinking Christmas and I'm
trying to analyze what the hell I'm still even looking
at that and I can't even do that because now this guy
did eye tricks. I was thinking, holy shit, eye tricks.
At this point if he would have vaporized, I
wouldn't have been any more shocked than I was right
now.
Now, my thought goes from I hope to hell this old
lady moves is what I was thinking before, to now I
hope she just stays where she's at.
So she stayed right there, she's still sitting
there. And he went over to the curb and Adam -- the
five, four other boys had walked away. I don't know
where they went. I think I remember seeing one
drifting around there, but I have no idea where the
other four went.

1 Adam went from here to where he stood right next
 2 to this lady and this fourteen year old. And this lady
 3 is digging in her purse with her right hand, she's
 4 digging in her purse, she's just digging, I mean she's
 5 digging. You know, she's going through this purse just
 6 digging.
 7 I'm still here, this old lady's still here. And
 8 I'm watching. Now Otis comes here and now he's on the
 9 street, but he doesn't touch the kid, he like crouches
 10 down and he's only about two feet away from the kid's
 11 face. Now he's eye level with the kid and he's like a
 12 catcher would kneel down. He's eye level with the kid.
 13 And I'm sitting there and I'm waiting to see this
 14 lady's reaction, because I know if it was my kid, the
 15 first thing I would do is look down and see this guy,
 16 I would have pulled my kid back.
 17 So now I'm waiting, saying this lady's gonna shit
 18 when she sees what's talking with her. And she kept
 19 digging and digging and digging. So finally she stops
 20 digging and she looks down and Otis had to be -- his
 21 face had to be just like here, because Adam was
 22 standing only a few feet away from her.
 23 And when she had no reaction, I said she knows
 24 him, you know, it's kinda like Uncle Buck, you know, he
 25 always looks weird, but he's an all right guy or

1 something.
2 But I figured she knew him because she had no
3 reaction at all, like, oh, you know, pull your kid away
4 from him now.
5 So I just kept watching that. She just kept
6 digging and digging and digging. Finally this lady
7 moves and I think I must have looked back here to where
8 the post office see exactly how far the traffic had
9 gone now. Now it had gone all the way to the street,
10 and people that were trying to make the turn in on the
11 yellow -- on the green light were stuck in the middle
12 of the street, too. And I'm just kinda like laughing.
13 You know, this old lady's got this whole parking lot,
14 you know, blocked up and I'm looking back and then I
15 looked up and she had pulled away.
16 Well, when she did, I let the clutch out, and as
17 the truck's rolling, I remember the -- the weird guy
18 and the kid. And I just took a glance back over, and
19 when I did, I saw that this lady and this fourteen
20 year old weren't around. And something just kinda like
21 took over my body like shook and that. And, you know,
22 it's getting like worse.
23 Like my gut was saying there's something wrong,
24 there's something wrong, you know. But what's wrong.
25 You know, he's -- there's no law against being ugly,

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you know. And something just told me that there's something wrong.

So I slammed on the brakes and now by this time my car would have been here, my truck rather. I guess I would have been about where the back of his door ended on that four-door and I could look into his car and see his, you know, interior and that. And inside of there he had like -- if you've ever slept in your car, you'd pile stuff up, the same way a dog does, he piles, you know, like stuff up. It looked like the guy had been living in his car, because there was wrappers and bags and, you know, it looked like twinkie wrappers, I don't know that it was twinkie wrappers, but you know what I mean?

INVESTIGATOR GARDNER: Uh-huh.

MR. MISTLER: Some of them laying around.

And he had some of the -- I don't know if they were pillows, but they may have been like a blanket or some towels or something where he had probably had used that to sleep, because probably would have fit, you know, this perfectly sleeping in there.

So now I'm here and I'm looking in this car and I can't really get a good view through because I have to look through his windshield, but I can still see the kid and him. When I had pulled off, he had gone up

1 onto the curb and he was standing next to the kid on

2 the curb.

3 INVESTIGATOR GARDNER: Uh-huh.

4 MR. MISTLER: When I let the clutch out and took

5 off rolling. And he was standing next to the kid on

6 the curb --

7 INVESTIGATOR GARDNER: Standing up or still

8 crouching down?

9 MR. MISTLER: No, he was standing up now, and he

10 would have been, if you were the kid, I would have

11 been, you know, they were just like standing across

12 from each other.

13 INVESTIGATOR GARDNER: Uh-huh.

14 MR. MISTLER: He took his arm and this is what

15 caught my eye and probably got my body shaking, was I

16 had just caught that out of my eye, he didn't reach

17 down and grab the kid's --

18 Like stand up, maybe I can show you better.

19 If you were Adam and I'm Otis and I'm standing

20 next to you, what he did was he was he took this hand

21 and he put his hand up there like that.

22 INVESTIGATOR GARDNER: Uh-huh.

23 MR. MISTLER: And that's when I had saw when I had

24 pulled forward and that's what made me shake.

25 INVESTIGATOR GARDNER: Okay.

1 MR. MISTLER: Now, I look around for that lady and
 2 that fourteen year old, 'cause I want to get out of the
 3 truck and say, do you know this man, you know.
 4 And I looked all around and I couldn't see them.
 5 They had to have gone back inside, there was no way
 6 they could have walked away from my eyesight in that
 7 short of a period of time.
 8 So now he's standing alongside of him on the curb,
 9 these two are gone, those five boys -- the other four
 10 boys are gone.
 11 INVESTIGATOR GARDNER: Were all of those people
 12 white --
 13 MR. MISTLER: Yeah.
 14 INVESTIGATOR GARDNER: -- all of the boys?
 15 MR. MISTLER: Yeah, all the boys were white. They
 16 looked like brothers. Yeah.
 17 INVESTIGATOR GARDNER: Okay.
 18 MR. MISTLER: I mean, not necessarily that they
 19 all looked facially alike, but it would have been like
 20 steps.
 21 INVESTIGATOR GARDNER: Uh-huh.
 22 MR. MISTLER: Adam being the smallest and then it
 23 would have just been like steps, you know.
 24 INVESTIGATOR GARDNER: Okay.
 25 MR. MISTLER: Now, the two of them are standing on

1 the curb here. I'm still right here where it's really
 2 tough for me to see, you know, what's going on there.
 3 And I'm trying to rationalize, wait a minute, maybe
 4 he's here to pick that lady up because now they're both
 5 just standing on the curb.
 6 They should have done around the front of
 7 that car and down through there by now, but they
 8 weren't. They were just standing on the curb there.
 9 And so now I'm like saying to myself, wait a
 10 minute, you know, he just came to pick her up and it's,
 11 you know, she knows him, and she had to go back in the
 12 store for something, you know. There's no problem.
 13 But my gut kept saying, there's a problem, there's
 14 something wrong here.
 15 So they stood on that curb like that for, oh, had
 16 to be a good three minutes. But when I had thought,
 17 wait a minute, I'm trying to rationalize, you know, why
 18 wouldn't, you know, why didn't -- you know, of course
 19 she knew him. He pulled up there to pick him up, she
 20 forgot her credit card or something, went back in the
 21 store. And they're gonna come back out.
 22 And then I looked into the car and there was so
 23 much stuff piled up in that car, there was no way that
 24 he could have put them in the car.
 25 INVESTIGATOR GARDNER: Uh-huh.

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MR. MISTLER: Because he had the back seat was filled with stuff and on the other side of the back -- in the back, you'd see the handles from different lawn equipment and stuff, you know, sitting back, you know, on the back -- in the back. He had two of them you trim trees with, one had a rope, one didn't have a rope. And one was in each direction, because when Adam had got into the car, I remember thinking, you know, watch out, pop, you forgot about your saws there, you know.

And the one was pointed towards him. But that would have been laying on the dashboard, the saw parts of them, the wood handles would have been laying back over the seat. And then on the other side of the car, the handles -- I seen a lot of handles and stuff. But there was clothes just piled up, clothes and all kinds of -- looked like just clothes, you know.

And they were as high as the back of his seat, you know, there. So there was no way this woman and this fourteen year could have got in this car.

INVESTIGATOR GARDNER: Uh-huh.

MR. MISTLER: And that's when my body even began to shake more, because I just kept saying, there's something wrong.

And at that point my body just really -- I was

1 like pinned in the -- the more it shook, the worse it
 2 got.
 3 And then it got to this point that this leg was
 4 doing this and it was on the edge of the brake, and the
 5 other foot, I was pushing so hard, the bottom of my
 6 foot was hurting, but this leg's doing this and I had
 7 my hand on the shifter and when I tried to take my hand
 8 off the shifter to just keep my foot from slipping off
 9 of that brake, 'cause there was no way I could have
 10 picked it back up on there. I couldn't release my
 11 hand, I couldn't release the hand here and now I don't
 12 know what's going on with me, I don't know why my
 13 body's doing this and it's just like feeding itself,
 14 it's making it worse, you know?
 15 INVESTIGATOR GARDNER: Uh-huh.
 16 MR. MISTLER: And I'm just -- I was just pinned.
 17 And I'm looking ahead and I can't even know, at this
 18 point, I can't even move my head around to look into
 19 the mirror and that, you know, somewhere along before
 20 that I had adjusted that mirror out so I could get a
 21 better view of them and that.
 22 And now I can't even -- I can't even move my head,
 23 I'm just looking straight and I'm going, this is
 24 ridiculous, you know. Why -- why is your body doing
 25 this, you know, what's going on.

1 And so they stood there, oh, a good, two to three
 2 minutes maybe, a couple minutes, I'd say maybe two
 3 minutes on that -- or possibly three minutes on that
 4 curb. And had they walked around there, then I
 5 couldn't even have gotten out of the damn truck. I
 6 mean, I was just pinned, you know, pinned.
 7 So they stood there on that curb and now I'm
 8 looking straight ahead and I can't -- I can't even look
 9 back over there at them. And then finally I'm able to
 10 move my body just enough to catch a view, look back
 11 over there again. And I don't see them.
 12 So that sort of freed me up a little bit and I was
 13 able to move a little more and get a little bit better
 14 of a view and I couldn't see them, you know.
 15 So now I thought, oh, they went back on inside,
 16 everything's fine. You really let yourself, you know,
 17 you really let, you know, yourself go crazy, here,
 18 Billy, you know. I'm going on vacation, you know, you
 19 get a little irritable and a little, you know, I
 20 thought maybe I was kinda blaming it on that. We were
 21 just getting ready to leave the next morning on
 22 vacation.
 23 And so then my body really calmed down because
 24 they were gone and I figured they went back inside,
 25 they were all together and I'm just making a mountain

1 out of a molehill here. So then I leave the clutch out
 2 and I started to pull out and I thought I'm gonna look
 3 back just one more time and I look in the mirror and
 4 that's when I saw his back.
 5 INVESTIGATOR GARDNER: Uh-huh.
 6 MR. MISTLER: Now, I'm back -- I would have been
 7 -- the driver's door would have been there, this being
 8 the front of my truck, I would have been here, 'cause
 9 the tag of his car was right there. I would have been
 10 right about in that position.
 11 So now I see his back, I don't see the kid at
 12 all. So I stopped again. So now they're in front of
 13 that car and they must have been in front of that car
 14 for maybe -- maybe two minutes, which is a long time
 15 and he was bending down, I guess, in that position for
 16 a good two minutes.
 17 And while he was there, I'm looking this car
 18 over, you know, and I'm just looking around and the
 19 more -- because this guy just didn't fit in this Caddy.
 20 Even though it was ten years old, this Caddy was in
 21 good shape. He didn't fit inside of this thing.
 22 And I'm trying to make him fit, you know. So I'm
 23 looking for dents and dings, you know, I do like body
 24 work as a hobby, you know, and so I'm just looking in
 25 for -- the more I look, the better this Caddy's

1 Looking. I see no dents down this side, I see no
 2 dents, except in the bumper, there's a little dent in
 3 the rear bumper. And I remember thinking maybe what
 4 caused that dent. I said maybe a motorcycle run into,
 5 'cause it was a dent that went like that, or he backed
 6 into a pole.
 7 So just, you know, it's just the way my mind's
 8 working, and I looked on the deck lid, because the
 9 inertia of the motorcycle would have carried it under
 10 the deck lid. And he would have had scrapes or
 11 something if a motorcycle had hit it, he probably
 12 backed into a pole is what he did.
 13 The deck lid was here and the dent goes almost
 14 right up to the deck lid, but there was no -- no dents
 15 in this deck lid, I looked around the back widow for
 16 rust, because it should have been popping -- a ten year
 17 old car should have been popping around there. There
 18 was no rust on that and the car was in great shape.
 19 And I remember thinking, I wanted to get out at
 20 that point and look at the other side of the car and
 21 maybe if it was ripped out that would have made it a
 22 beater and this guy would have fit in it. I'm trying
 23 to make him fit in this car and nothing I'm doing is
 24 making sense now.
 25 In the meantime, I got Rocky back here who had to

1 be -- there was a gray van behind me and then Rocky
 2 would have been behind -- I call him Rocky because now
 3 this guy's getting out and he's walking up here calling
 4 me a son-of-a-bitch, I mean, he called me a son-of-a-
 5 bitch, move it you son-of-a-bitch, what are you waiting
 6 on, you son-of-a -- every ten or twelve seconds, you
 7 know, this guy's doing this, you know, and he's walking
 8 up, looking, you know, and he sees me looking in the
 9 mirror and I guess he thought I was staring at him,
 10 and, you know, and he's getting all huffy and puffy,
 11 and you know, and I'm not even trying to pay anything
 12 attention to him.
 13 But what I'm thinking is if I have to get out of
 14 this truck, by this time my body's unlocked, I'm still
 15 shaking, but my body's unlocked.
 16 So he walks around the front of the car and they
 17 walked real slow, it seemed like it took them forever.
 18 Right as he came around there, Adam had looked -- they
 19 both walked around -- Rocky was walking up there and I
 20 think Rocky was -- I think -- kept walking up and he
 21 walked back to his car, he'd walk over here and look
 22 and see and he'd walk back and I'm watching him in the
 23 mirror, too, and he'd walk up, he's getting angry this
 24 guy, he wanted to know what the hell I'm doing sitting
 25 up here.

1 And now he's getting ready to come up there and
 2 he's getting ready to say something to me, like, you
 3 know -- he'd been calling me a son-of-a-bitch for the
 4 last, you know, few minutes or so. But I wasn't even
 5 paying attention, I wanted to catch this kid's --
 6 this kid's eyes when he walked around that corner.
 7 And he come around that corner and he looked up at
 8 Otis and Otis took his hat and sort of like pushed it
 9 down. Well, I didn't like that, but I remember I did
 10 that to my own kid and that. So now I'm really
 11 watching, and I'm watching Adam's eyes, because I'm
 12 locked onto his eyes, I'm trying to read what this
 13 kid's thinking; is he scared, is he afraid or what. He
 14 wasn't crying, he wasn't -- you know, he may have
 15 looked a little confused, but he -- he didn't look
 16 scared, he wasn't crying.
 17 And they were walking so slow, I mean, they came
 18 around there, he wasn't rushing, you know, they're just
 19 walking slow and he's smiled at him and I thought of
 20 my grandfather then, because I remember walking with
 21 him and looking up at him and him just smiling for no
 22 reason, not saying anything, just smiling. I remember
 23 that so clear and that really calmed me down. That
 24 started to say to me everything was -- was fine,
 25 because this guy isn't try to snatch this kid and get

1 in the car and run, hell, he's going extra, extra slow.
 2 He's walking down -- they're walking -- I mean,
 3 literally just like, you know, he's smiling down at the
 4 -- Adam and that.
 5 So then they walk up to here and Adam stopped
 6 there for a second and the kid just like climbed up
 7 into the car and that. And Adam -- Otis got in behind
 8 him and Adam was standing on the seat and that's when
 9 he walked towards those blades, and I remember
 10 thinking, you know, be careful, pop, you forgot about
 11 your garden equipment, you know, you're gonna cut your
 12 --cut the kid.
 13 And then Adam turns around right as Otis was
 14 sitting -- getting into the car and he was still -- now
 15 he's like facing him, but he's standing on the seat.
 16 So now I don't know whether Adam sit down on his own or
 17 if he reached over and, you know, swept his feet out
 18 from underneath him, which I've did with my kid to make
 19 him sit down, you know, when he was that age.
 20 And then Otis reaches over and takes that red ball
 21 hat off and he reaches back and he lays it on top of
 22 all this stuff that's in the back here.
 23 INVESTIGATOR GARDNER: Uh-huh.
 24 MR. MISTLER: And then he turned back towards the
 25 front. And I'm watching to see if he's holding the kid

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down or the kid's arms are flaring or something like that and none of that.

So then after about three, maybe five -- maybe ten seconds, let's say, Otis reaches back, takes the ball hat and he shoves it down in between the seat. And I figure, well, he didn't want it to blow out the window --

INVESTIGATOR GARDNER: Right.

MR. MISTLER: -- was the only reason. And it was at that point I remember thinking, because I had thought of Christmas earlier, the red, the green, the red, the green -- you know, the red and the green, and Adam's hat, and the pants, the other red and green was Otis' hair, which in the sunlight you see the red, and then the green teeth.

And when I had pulled around to the car, I had seen the green interior and I remember looking -- I just remember these little thoughts -- I looked around and I saw -- I was looking around for red, there was no red in there.

When he had did that, I remembered the thought I had earlier and said there's the red, which I don't know what that means, it doesn't really mean anything, it's just, you know, there's was little thoughts like you were pairing stuff up and that.

1 And at this point I'm pretty sure everything's
 2 fine, because now I'm watching to see if he's holding
 3 him down and he wasn't holding him down. I could see,
 4 you know, him starting the car, he's in no hurry, you
 5 know.
 6 I started to pull here because I wanted him to be
 7 in that car a few -- maybe seconds or a little bit of
 8 time and see what his reaction was.
 9 So I started to pull back here because now the
 10 parking lot's going nuts, I'm on the point -- this old
 11 lady's on the point for eight minutes and nobody blows
 12 their horn. I'm on the point for, you know, less than
 13 a minute and there -- the whole parking lot's erupted
 14 now. And I'm sitting there and I got this whole
 15 parking locked up and I'm not even sure why I got it
 16 locked up, except something in my gut kept saying there
 17 was something wrong. But the more I watched it, then I
 18 kept saying why would he -- why isn't that -- why
 19 wouldn't that be that lady's kid, you know.
 20 And I kept saying, Billy, you're making a mountain
 21 out of a molehill here. There's nothing wrong.
 22 INVESTIGATOR GARDNER: Uh-huh.
 23 MR. MISTLER: And I still wasn't a hundred percent
 24 sure.
 25 So I wanted to pull here, that would have left the

1 parking lot get unlocked, because until I moved, nobody
 2 was going anywhere. It was just that locked up.
 3 I wanted to pull here and then I saw a car
 4 starting to come down here. I said, now if I pull
 5 there I'm gonna block, you know, traffic coming this
 6 way.
 7 So then I looked over here and I see an open
 8 space, and it's only a few feet away, oh, thank God,
 9 you know, I already had my car started in that one, and
 10 I saw that space and I said, now, great, I can just --
 11 by the time I got over there, somebody had pulled into
 12 that space and the car that was coming down here, had
 13 pulled off anyway, so I could have parked either way.
 14 So now I'm already moving now, you know, and that
 15 space somebody jumped right in front of me, so I went
 16 to the next section, which would have been here, the
 17 next section, there's still not -- looking down, the
 18 next one and the next one and by the time I finally
 19 found a space, it would have been -- if this is that
 20 door, it would have been in this section, but almost
 21 three-quarters of the way down.
 22 I got out -- After I parked the truck, I got out
 23 and I ran back up to here, about like you would jog, I
 24 guess, you know, 'cause I'm still not sure what the
 25 hell I'm even seeing.

1 And I ran back up to there because I wanted to see

2 now he would have been with this guy for a minute or

3 two and if there's nothing wrong, if it is Uncle Buck,

4 the kid would have been fine. That way I could have

5 went up alongside of the car and looked in the car and

6 seen the kid's reaction and he would have been with

7 this guy for several minutes.

8 So when I got back up to here, the Caddy was gone.

9 And I looked all around and then I walked over to get

10 up onto the curb, just to give me that much more

11 height and I looked all around and I couldn't see the

12 Caddy.

13 INVESTIGATOR GARDNER: Uh-huh.

14 MR. MISTLER: I had no idea where he went.

15 He may have went around this corner and then he

16 could have got out through the back part there. They

17 may have got this straightened out where this guy

18 backed up out of that, I don't know whether they had

19 that straightened out or not.

20 Or I don't know where he went, you know.

21 INVESTIGATOR GARDNER: Okay.

22 MR. MISTLER: So then I stood up on that curb up

23 here about four or five minutes maybe, I guess, I don't

24 know, I was up there quite a while. And I was

25 analyzing everything, I'm going, why wouldn't that kid

1 belong to that lady. Of course that had to be her kid,

2 you know.

3 And -- And this guy looked so weird, he would have
4 scared this kid. You know, I mean, this guy was so

5 weird looking that day, that, you know, I'm thinking it
6 would have scared this kid, this guy would have cried
7 just at the sight of him unless he was a family member
8 or something.

9 And then I'm standing there, I'm just trying to

10 make sense of this whole thing and kept saying, why

11 wouldn't that be that lady's kid. Of course that's

12 that lady's kid.

13 INVESTIGATOR GARDNER: Uh-huh.

14 MR. MISTLER: This is Uncle Buck, he just came

15 here and he picked him up, everything's fine and thank

16 God I didn't release this junk yard dog on him, because

17 at that one point after I'd become unlocked and the

18 horns are blowing and everything and I wanted out of

19 that truck. I mean, if this kid needed help, I was

20 gonna be out of truck and it wasn't Bill the

21 exterminator coming out of that truck, it was a junk

22 yard dog I was gonna release on this guy.

23 And I literally was gonna grab him in a bear hug,

24 spin him 90 degrees and drop to the ground and pile

25 drive his head into the ground and probably break his

1 fuckin' arms. So I knew what would happen if I
2 released that dog, so I had to be sure. I just had to
3 be sure before I jump out of there and throw some guy
4 to the fuckin' pavement, because I don't like the way
5 he's dressed.
6 So I stood up on that curb and I'm thinking this
7 over and now I think, thank God I didn't do that,
8 because I know what I was gonna do to him. I know what
9 I was gonna do, and thank God I didn't. Oh, thank God,
10 everything's fine. You know, everything's fine.
11 You let yourself, you know, make a mountain out of
12 a molehill, you know, there's nothing wrong, the kid
13 wasn't pulling away, jerking or nothing. I thought,
14 thank God.
15 So I walked back up to here, I went in the store
16 and by the time I got in the store I was happy I didn't
17 do anything, because I'm now I'm just so sure
18 everything was just fine.
19 And I looked there for lantern bags, which were
20 right inside this doorway, I mean, as soon as you
21 walked in the door over here, about halfway up on the
22 rack, and I got a couple lantern bags and then I went
23 over here and looked at a badminton set and a few --
24 looked around a little bit.
25 INVESTIGATOR GARDNER: Right.

1 MR. MISTLER: And then I came back and there was a
2 checkout counter, about like here. So I got in line on
3 his checkout counter and there was like four or five
4 people ahead of me. And that was back before they had
5 the computer scanners and that and what they would do
6 is list each number and, you know --
7 INVESTIGATOR GARDNER: Right. That's when this
8 lady came out and she was screaming.
9 MR. MISTLER: Yeah, that's --
10 INVESTIGATOR GARDNER: Right.
11 MR. MISTLER: I had --
12 (Thereupon, Tape 1, Side 1 concluded.)
13 (Thereupon, the following was heard on Tape 1,
14 Side 2.)
15 MR. MISTLER: -- there maybe -- I've been in the
16 store maybe eight or ten minutes.
17 INVESTIGATOR GARDNER: Uh-huh.
18 MR. MISTLER: And about that time, and it -- there
19 was a -- the main walkway went up through this way and
20 this would have been a walkway that went this way. And
21 then lady come screaming through here, you know,
22 Cooter, Cooter, Cooter, and she kinda -- I'm like --
23 there's like four people ahead me and I'm really almost
24 close to that door there.
25 And she's going Cooter, Cooter and then she spins

1 around -- It kinda reminded me, I used to fly them
 2 model airplanes, but her purse was literally straight
 3 out.
 4 INVESTIGATOR GARDNER: Uh-huh.
 5 MR. MISTLER: And she's spinning around and she
 6 don't know which way to go, you know, she's just like
 7 -- you know, she don't know whether to run this way,
 8 this way, this way or what to do. She's just like
 9 spinning and she's hollering cooter, cooter, cooter.
 10 And she's spinning this purse and then finally she
 11 stops and she throws the purse down and she bolts off
 12 running down this way. And now she's hollering,
 13 cooter, cooter, and you can hear it getting less -- In
 14 other words, you know, the further away she gets --
 15 because now down over here there's a door and
 16 apparently she must have went out of the door, because
 17 you could hear it getting like cooter, cooter. And she
 18 must have went out of that door and hollered cooter
 19 outside, because now -- now you can hear her running
 20 back up the aisles doing the same thing, but now it's
 21 getting louder as she's coming.
 22 INVESTIGATOR GARDNER: Right.
 23 MR. MISTLER: Her purse is still laying right
 24 here on the floor, you know, right where she threw it
 25 down at. Because me and the guy in line, we looked and

1 I think I might have said to him, you know, this is
 2 like Candid Camera or something, you know. You know,
 3 it's just a trick to see if, you know, some will go
 4 over and, you know, rifle through this purse or, you
 5 know, I bet there's no money in that or, you know.
 6 And then she came up and now I'm thinking, she's
 7 on a one-day pass from a nut house and she got
 8 separated from her chaperons. That's the only thing
 9 that would explain this terror, you know.
 10 And she wasn't very -- And I'm thinking, she isn't
 11 very stable and that's what I thought. I literally
 12 thought she was on a one-day pass from a nut house.
 13 And she's yelling, Cooter, Cooter and she's
 14 spinning around and they had this table here, and I
 15 believe they had shirts on this table, and they didn't
 16 have them laying flat, they had them laying up like
 17 this and they, you know, they stack them. And she's
 18 just like thrashing herself on this -- on this -- on
 19 these shirts, this -- the counter about the size of
 20 your desk.
 21 INVESTIGATOR GARDNER: Uh-huh.
 22 MR. MISTLER: And she's just like thrashing
 23 herself on this and she hollered Cooter and she'd spin
 24 around. Then about that time, two gray haired old
 25 women, looked like grandmas types, come up here, and one

1 on this side of her and one that side and they were
2 talking to her. And as they're talking to her, she
3 calmed down some. I thought one of them was Cooter.
4 The other one reached over, picked up her purse,
5 handed her her purse, she threw her purse down again,
6 the old lady reached down picked up her purse this time
7 and just held it. And she -- they were like talking.
8 Now she calmed down and she's talking to these two
9 people and by that time I had gotten my change and paid
10 for my thing and I thought, well, everything's fine
11 there, you know. And boy what a strange day this
12 turned out to be in Sears, you know.
13 So I just turned around and walked on out.
14 INVESTIGATOR GARDNER: All right. And as I
15 understand from that point, I mean, you went back to
16 Sears that day and then on vacation, came back the next
17 week, you find out about Adam Walsh, don't really make
18 any connection with anything until 1983, when the chief
19 shows up on the TV announcing about this Otis Toole or
20 Otis Toole individual and you -- as soon as you saw his
21 picture, you recognized him as the guy.
22 MR. MISTLER: Oh, instantly.
23 INVESTIGATOR GARDNER: Okay.
24 MR. MISTLER: I was laying in bed --
25 INVESTIGATOR GARDNER: That's the guy that was

1 with the Cadillac.

2 MR. MISTLER: That was in the guy in the white

3 Cadillac.

4 See, I went away on vacation --

5 INVESTIGATOR GARDNER: Right.

6 MR. MISTLER: -- and we came back the following

7 Sunday and that, and before we even got out of the

8 truck, some of the neighborhood boys that knew my son,

9 had run up there and said Adam Walsh is missing, you

10 know, he's been missing.

11 And my wife and I said, oh, my God, because we

12 were up at Sears like between two and four on that

13 afternoon and I had saw Mrs. Walsh, who I didn't make

14 the connection because I thought the lady in the

15 morning was Spanish.

16 INVESTIGATOR GARDNER: Right.

17 MR. MISTLER: And Mrs. Walsh said something to --

18 to, I believe it was John, you know, where could he

19 be, you know.

20 INVESTIGATOR GARDNER: Exactly.

21 MR. MISTLER: And so that's why I didn't think

22 those two people were connected at all, because I

23 thought that was Spanish.

24 Because when I had went home, I went out to the

25 motorcycle shop, I had picked up a chain and some other

1 parts I'd ordered for them ATC's and then I went back
2 home and I told my wife about this story, you know, and
3 I kept asking her, what does Cooter mean and she didn't
4 know what Cooter meant.
5 And there was an old lady that -- that used to
6 walk up and down, you know, on our street and we would
7 like talk and we knew she spoke Spanish, but not very
8 good English, and I even wanted to go to see if, you
9 know, I could go to her and find out what the hell
10 Cooter meant.
11 INVESTIGATOR GARDNER: Uh-huh.
12 MR. MISTLER: I was that curious what Cooter
13 meant, you know.
14 INVESTIGATOR GARDNER: All right.
15 MR. MISTLER: So, then we went ahead and went on
16 our vacation, we left about probably five o'clock in
17 the morning --
18 INVESTIGATOR GARDNER: Right.
19 MR. MISTLER: -- which would have been normal so
20 we can get out of Broward County and that before the
21 traffic gets bad.
22 We got up to Nashville (phonetic) Forest, it
23 usually takes about five hours, you know.
24 INVESTIGATOR GARDNER: Okay. What I'd like to do
25 today on this test, the question -- a lot of the

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questions are gonna be the same questions you heard before.

MR. MISTLER: Uh-huh.

INVESTIGATOR GARDNER: Okay? It's a similar type test, I'm still interested in these same type issues.

I want to direct a couple questions a little more specific towards exactly what you're telling me. Let me just change a couple of words here.

Let me review all the questions with you.

MR. MISTLER: Okay.

INVESTIGATOR GARDNER: Once again, I'll do it them in -- with types, and they're really simple questions.

If you'd just answer these out loud.

Were you born in Kentucky?

MR. MISTLER: Yes.

INVESTIGATOR GARDNER: Do most people call you

Bill?

MR. MISTLER: Yes.

INVESTIGATOR GARDNER: Is today Thursday?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Is today Wednesday?

MR. MISTLER: Yes.

INVESTIGATOR GARDNER: I have my days mixed up.

MR. MISTLER: You're looking forward to the

weekend.

1 INVESTIGATOR GARDNER: No, I just had a week like
 2 you read about. We even worked Monday, it was a
 3 holiday, and I just kinda -- we're the only ones that
 4 worked in the whole courthouse, so it just kinda throws
 5 -- when those weeks happen, sometimes it just throws
 6 your day calendar off.
 7 So, okay. Did you ever go to school?
 8 MR. MISTLER: Yes.
 9 INVESTIGATOR GARDNER: And are you completely
 10 convinced I will only ask you questions on this test we
 11 have reviewed?
 12 MR. MISTLER: Yes.
 13 INVESTIGATOR GARDNER: Okay. I'm just reviewing
 14 old questions
 15 Okay. Regarding the abduction of Adam Walsh, do
 16 you intend to answer the questions about that
 17 truthfully?
 18 MR. MISTLER: Yes.
 19 INVESTIGATOR GARDNER: Did you lie when you said
 20 that you personally observed Otis Toole in a dark over
 21 white Cadillac in July of 1981?
 22 MR. MISTLER: No.
 23 INVESTIGATOR GARDNER: Did you lie when you said
 24 that you personally observed Otis Toole put a young
 25 boy in his dark over white Cadillac in July of 1981?

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MR. MISTLER: No.

INVESTIGATOR GARDNER: And once again, I'm gonna

get into a couple of questions regarding your veracity and truthfulness, we've already discussed that before. That type of question needs to be included in this test.

Between the ages and 26 and 30, do you remember

ever telling a serious lie to someone who trusted you?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Okay. And other than what

you have told me, because you mentioned a couple things

about when you were younger, during the first 30 years

of your life, do you remember ever lying to someone in

authority?

MR. MISTLER: The first 30 thirty years?

INVESTIGATOR GARDNER: Yes.

MR. MISTLER: Well, I'm sure I did, yeah.

INVESTIGATOR GARDNER: Well, you told me there was

a time right around when you were nineteen --

MR. MISTLER: Well, from nineteen -- The way you

asked it last time, from nineteen to 30.

INVESTIGATOR GARDNER: No. I asked -- The first

question is 26 to 30 and this one's during the first 30

years.

MR. MISTLER: No, I mean, when we met last time I

1 thought it was like --

2 INVESTIGATOR GARDNER: No, I got the question

3 sheet right over here.

4 Is it a problem then?

5 MR. MISTLER: No, I just remember that question

6 from last week was 19 to 30, because I did time and I

7 got out and I might have lied to people beforehand.

8 INVESTIGATOR GARDNER: This is the first sheet

9 from the first day, this is the second. I just copied

10 -- I copied them back over the same way.

11 'Cause put other than what you told me, because I

12 remember you specifically told me there were a couple

13 instances around the time when you were maybe eighteen,

14 -- nineteen --

15 MR. MISTLER: Yeah, I did time for strong-armed

16 robbery.

17 INVESTIGATOR GARDNER: Right. You got bounced

18 around a little bit with the police --

19 MR. MISTLER: Yeah.

20 INVESTIGATOR GARDNER: -- and you're sure that you

21 lied to them.

22 But you said other than that incident, you had

23 never lied to anybody in authority.

24 MR. MISTLER: No. No. No.

25 INVESTIGATOR GARDNER: So that's why I'm prefaceing

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this, but I am doing the whole 30 years of your life, first 30.

The question is, other than what you have told me about during the first 30 years of your life, did you ever lie to someone in authority?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Okay. And another question will be, is there something else you're afraid of I'll ask you a question about during this test?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Okay. The -- The incidents that you've told me about today, the -- when I -- the follow-up information I've gathered, you know, from last week to today, (inaudible) vacation, you know, age, (inaudible) illnesses or anything I asked you, there's nothing to suggest there's anything has created you to be in a situation now where you would be unsuitable to do the test.

I do have to put a make-up lie in every -- in every test series that I do, just to confirm that you're -- that you are responding and reacting as you should.

For the purposes of this test, what I'd like you to do is pick a letter between C and H.

MR. MISTLER: D.

1 INVESTIGATOR GARDNER: Okay. For this test I will
 2 ask you in alphabetical order. Did you pick the letter
 3 B, did you pick the letter C, did you pick the letter
 4 R, D --
 5 MR. MISTLER: D.
 6 INVESTIGATOR GARDNER: -- B and R. Okay.
 7 MR. MISTLER: Yeah. And you want me to answer --
 8 INVESTIGATOR GARDNER: Truthfully to every
 9 question, except the one you picked.
 10 MR. MISTLER: You want me to lie on D?
 11 INVESTIGATOR GARDNER: Yes, sir.
 12 MR. MISTLER: Okay.
 13 INVESTIGATOR GARDNER: So I'll say did you pick
 14 the letter B?
 15 MR. MISTLER: No.
 16 INVESTIGATOR GARDNER: Did you pick the letter C?
 17 MR. MISTLER: No.
 18 INVESTIGATOR GARDNER: Did you pick the letter D?
 19 MR. MISTLER: No.
 20 INVESTIGATOR GARDNER: Did you pick the letter E?
 21 MR. MISTLER: No.
 22 INVESTIGATOR GARDNER: Did you pick the letter F?
 23 MR. MISTLER: No.
 24 INVESTIGATOR GARDNER: Okay. That's what we're
 25 gonna do.

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Just lean forward just a little bit.

Raise your arms a little higher this time.

Turn your (inaudible) up.

Relax your arm, bend your elbow.

Okay. Just relax. Feet flat on the floor as you

are. If you'd face off toward the brown chair.

If you'll close your eyes.

I'll let you know when I'm gonna inflate the cuff

on your arm. The first question will come about ten

seconds after that. I'll space the remaining questions

about fifteen seconds apart.

As we reviewed, I'll start the questions with the

letter B and I will go in alphabetical order. I need

you to answer each question truthfully. I need you to

remember your letter and I need you to remember to lie

when we come to yours, and answer truthfully to all the

rest.

Close your eyes. I'll let you know in just a

moment when I'll be inflating the cuff.

I'm inflating the cuff on your arm now.

The test is about to begin.

Did you pick the letter B?

MR. MISTLER: No.

INVESTIGATOR GARDNER: Did you pick the letter C?

MR. MISTLER: No.

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INVESTIGATOR GARDNER: Did you pick the letter D?
 MR. MISTLER: No.

INVESTIGATOR GARDNER: Did you pick the letter E?
 MR. MISTLER: No.

INVESTIGATOR GARDNER: Did you pick the letter F?
 MR. MISTLER: No.

INVESTIGATOR GARDNER: Test is over. Open your eyes. Don't move yet, please.
 (Inaudible).

MR. MISTLER: No, (inaudible).

Yeah, I have one, but (inaudible) knows what day it says on it.

INVESTIGATOR GARDNER: If you'd go ahead and sign this (inaudible).

Once, again, just (inaudible) everything's working the way it's supposed to. What we end up with -- we've got the largest reaction in the green line comes up. This is what we call in polygraph a double saddle. It comes up to the point of the line at D and then actually increases again off of that.

And then afterwards it relaxes, you see it's just on a steady trend down afterwards.

MR. MISTLER: Uh-huh.

INVESTIGATOR GARDNER: Plus up here we have what we call a staircase (inaudible). If you look at this,

1 right there in that little notch, that's a -- that's at

2 the point of your answer, and then we end up, you can

3 just see, it's just a staircase.

4 MR. MISTLER: That's D at the top.

5 INVESTIGATOR GARDNER: Exactly.

6 MR. MISTLER: Yeah.

7 INVESTIGATOR GARDNER: That's the one that you

8 lied about. So you're still -- I showed you on the

9 last one time --

10 MR. MISTLER: Yeah. (Inaudible).

11 INVESTIGATOR GARDNER: Yeah, your charts are very

12 good. There's not a whole lot of problem reading your

13 charts.

14 So what we'll do now is we'll go into the

15 questions about this incident on July of '81 and we'll

16 run through those questions at least two times.

17 Okay. Bill, if you'll get yourself seated as

18 comfortably as you can. Feet flat on the floor, face

19 forward toward the brown chair, close your eyes.

20 I'll let you know the moment I'm gonna be

21 inflating the cuff (inaudible).

22 I'm inflating the cuff on your arm.

23 The test is about to begin.

24 Were you born in Kentucky?

25 MR. MISTLER: Yes.

1 INVESTIGATOR GARDNER: Regarding the abduction of

2 Adam Walsh, do you intend to answer truthfully to the

3 best of your (inaudible)?

4 MR. MISTLER: Yes.

5 INVESTIGATOR GARDNER: Are you completely

6 convinced I will only ask you questions on this test we

7 have reviewed?

8 MR. MISTLER: Yes.

9 INVESTIGATOR GARDNER: Between the ages of 26 and

10 30, did you ever tell any serious lie to someone who

11 trusted you?

12 MR. MISTLER: No.

13 INVESTIGATOR GARDNER: Did you lie when you said

14 you personally observed Otis Toole in a dark over white

15 Cadillac in July of 1981?

16 MR. MISTLER: No.

17 INVESTIGATOR GARDNER: Other than what you have

18 told me, during the first 30 years of your life, have

19 you ever lied to someone in authority?

20 MR. MISTLER: No.

21 INVESTIGATOR GARDNER: Did you lie when you said

22 that you personally observed Otis Toole put a young boy

23 in a dark over white Cadillac in July of 1981?

24 MR. MISTLER: No.

25 INVESTIGATOR GARDNER: Is there something else

1 you're afraid I'll ask you a question about during this test?
 2 MR. MISTLER: No.
 3 INVESTIGATOR GARDNER: The test is over, open your eyes. Don't move yet, please.
 4 If you'll close your eyes, (inaudible) cuff on your arm.
 5 I'm inflating the cuff on your arm now. The test is about to begin.
 6 Do most people call you Bill?
 7 MR. MISTLER: Yes.
 8 INVESTIGATOR GARDNER: Regarding the abduction of Adam Walsh, do you intend to answer truthfully each question about that?
 9 MR. MISTLER: Yes.
 10 INVESTIGATOR GARDNER: Are you completely convinced I will only ask you questions on this test we have reviewed?
 11 MR. MISTLER: Yes.
 12 INVESTIGATOR GARDNER: Other than what you have told me, during the first 30 years of your life, have you ever lied to someone in authority?
 13 MR. MISTLER: No.
 14 INVESTIGATOR GARDNER: Did you lie when you said that you personally observed Otis Toole in a dark over

1 white Cadillac in July of '81?

2 MR. MISTLER: No.

3 INVESTIGATOR GARDNER: Between the ages of 26 and

4 30, do you remember lying to someone who trusted you?

5 MR. MISTLER: No.

6 INVESTIGATOR GARDNER: Did you lie when you said

7 that you personally observed Otis Toole put a young boy

8 in a dark over white Cadillac in July of 1981?

9 MR. MISTLER: No.

10 INVESTIGATOR GARDNER: Is there something else

11 you're afraid I'll ask you a question about during this

12 test?

13 MR. MISTLER: No.

14 INVESTIGATOR GARDNER: The test is over. Open

15 your eyes, don't move yet.

16 I can get you to sign (inaudible) please.

17 One thing I'm curious about, Bill, (inaudible)

18 who's Uncle Buck?

19 MR. MISTLER: That's that movie. Haven't you ever

20 seen that movie?

21 INVESTIGATOR GARDNER: No.

22 MR. MISTLER: Uncle Buck's a real sloppy dressed

23 guy, and he's always going to the track and got a cigar

24 and got a car that burns oil and just like, you know --

25 INVESTIGATOR GARDNER: Who was he?

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everything I see, but I don't want to jump to a

and, you know -- I candidly don't -- I don't like

do a little conferring with an associate to take a look

to do some detailed -- look at these things. I want to

INVESTIGATOR GARDNER: I want to do some -- I want

MR. MISTLER: Yeah. All right.

really do -- I'm not jerking you around.

have some opinions, but before I really pursue them, I

INVESTIGATOR GARDNER: I got my -- I have my -- I

You know one way or another, Terry, you know.

MR. MISTLER: So what's that mean?

any conversations with you. Okay?

detail analysis on before I do anything else, having

these charts that I'm gonna take some time and do some

INVESTIGATOR GARDNER: I've got some activity on

Side 1.)

(Thereupon, the following was heard on Tape 2,

(Thereupon, Tape 1, Side 2 concluded.)

MR. MISTLER: Okay.

INVESTIGATOR GARDNER: (Inaudible).

MR. MISTLER: Sure.

these?

(Inaudible) a few minutes while I take a look at

INVESTIGATOR GARDNER: Oh, okay.

MR. MISTLER: John Candy played the part.

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conclusion in the same respect.

MR. MISTLER: Yeah.

I just came here -- You know, when you get done

here, you want either a yes or no, you know --

INVESTIGATOR GARDNER: I understand. And I'm not

trying to leave --

MR. MISTLER: But I understand your side too.

INVESTIGATOR GARDNER: -- you hear disappointed.

I -- This is too important to --

MR. MISTLER: Oh, I know.

INVESTIGATOR GARDNER: You know, so that's why I

am where I am.

What I would like you to do -- I don't know you,

the detectives here, you know, Detective Smith and Mr.

Rick, none of us really know you, okay, we don't know

your background or anything else. And what I'm -- what

I'm trying to say, there's a lot of different things

that can cause problem -- that can cause memories to

reflect a difference in what actually might have been

to what -- to what is perceived fourteen years later

as it definitely was.

And I need you to do some self-analysis and that

kind of thing just between now and the next time we

talk to you about this, if you would.

MR. MISTLER: Uh-huh.

1 INVESTIGATOR GARDNER: It's --

2 MR. MISTLER: What do you mean?

3 INVESTIGATOR GARDNER: Well, there's -- Okay. I

4 understand.

5 MR. MISTLER: Give me an example.

6 INVESTIGATOR GARDNER: Well, an example is, you've

7 seen the old story, you've probably haven't experienced

8 in your own life, but I know back in school, I can

9 remember when I was in grade school, one thing they

10 would -- they'd tell somebody in the back corner of the

11 room a sentence and then ask them to tell the next

12 person --

13 MR. MISTLER: Yeah, by the time it gets to the

14 front it's --

15 INVESTIGATOR GARDNER: It doesn't even relate to

16 what happens there.

17 MR. MISTLER: Yeah.

18 INVESTIGATOR GARDNER: Well, we can do the same

19 things to ourselves individually, okay, over a period

20 of time, reflecting back on something, reflecting back

21 on something. Picking up on a thought, well, this was

22 -- Yeah, there was this thing, too, when maybe this

23 thing -- this thing, too, wasn't necessarily with this

24 incident, it was with a similar incident but they can

25 flow in to it.

And it's just a possibility. And those things can

happen.

All I'm asking you to do is just do some serious

self-analysis of the incident. Don't try -- I'm not

asking you to dig up new facts about what happened back

in 1981, I'm just asking you to do some -- do some --

do some sincere self-analysis of all the times you'd

thought about this over the years and try to -- try to,

as best you can take yourself back, and this is a damn

difficult thing to do, but try to put a filter up there

and filter out everything from -- from February 21st,

1996 back to the first week of August 1981, and try to

see -- try to look at that, you know, when you first

came back from that camping trip when you heard that.

MR. MISTLER: Uh-huh.

INVESTIGATOR GARDNER: When you came home from

Bears that day, you talked to your wife. Try to look

at that because there's been a lot of things that you

have, from what you told me last time, there's a lot of

things that you have come up with that -- that has --

Your memory's been jogged and you've come up with it;

the license plate number --

MR. MISTLER: Uh-huh.

INVESTIGATOR GARDNER: -- and things of that sort,

that has come to you years after the fact.

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1 So the things -- And if there's -- The problem we
2 have in polygraph and the reason I'm asking you to do
3 this, if there's things that have come into your memory
4 of that, okay, that may not necessarily have been
5 accurate, but you have rehashed it in your mind and
6 rehashed it in your mind so it becomes part of your
7 scenario of that event, and you consciously -- you
8 consciously have been relating that story to Detective
9 Smith and to Mr. Ray and myself.
10 MR. MISTLER: It'd be the same story, Terry, a
11 month from now --
12 INVESTIGATOR GARDNER: Okay, I'm just asking you,
13 that's all I can do is ask.
14 MR. MISTLER: Yeah.
15 INVESTIGATOR GARDNER: You know, I'm just -- you
16 know, I'm just --
17 MR. MISTLER: It's -- Really it's crystal clear
18 in my mind.
19 INVESTIGATOR GARDNER: Okay.
20 MR. MISTLER: You know, I have no problem with it.
21 I really don't.
22 INVESTIGATOR GARDNER: Okay.
23 MR. MISTLER: I have nothing gain by making the
24 story up like this.
25 INVESTIGATOR GARDNER: I'm not suggesting you do.

1 I'm just trying -- You see, I have a problem in

2 polygraph, I have to try to -- once a test is over

3 with, I can read the charts and I can come to a

4 conclusion and then when the conclusion doesn't match

5 up with the story I've been told, like it did last

6 week, I'm at a loss.

7 MR. MISTLER: Yeah.

8 INVESTIGATOR GARDNER: 'Cause I don't have a

9 crystal ball.

10 MR. MISTLER: No, I can appreciate that.

11 INVESTIGATOR GARDNER: If my equipment came with a

12 crystal ball, I'd be -- I'd be in fat city. I'd crank

13 that baby up right now, you know, I'd ask you a few

14 questions, (inaudible) and I'd have the answers written

15 right inside. I don't have that.

16 All I have is you and me to discuss it --

17 MR. MISTLER: Yeah.

18 INVESTIGATOR GARDNER: -- you know, until we can

19 figure out what the hell's causing, you know, the

20 charts to react the way they are. And the charts are

21 only a reproduction of what's happening inside of you.

22 MR. MISTLER: Yeah.

23 INVESTIGATOR GARDNER: You know, and that's what

24 -- that's what -- that's what I have to interpret.

1 Today's thing, though, like I say, I don't want to

2 address anything, 'cause I want to take a long, hard

3 look at these, I'm gonna put some good numbers to them.

4 I have an associate I want to show a couple things to

5 just get an independent opinion, just on charts. Take

6 a look, what do you think.

7 You know, I've been doing it twelve years, you

8 know, and I trust my opinion, this one associate, he's

9 brought stuff to me before. You know, you get

10 (inaudible), hey, you ever seen anything like this

11 before, exactly what do you think, you know. You don't

12 even tell him what you've got, just let them look at it

13 and see what they come up with.

14 And I really want to do that with this.

15 MR. MISTLER: Yeah, that's fine with me. But like

16 I say, it's certain little things that made me look in

17 --

18 INVESTIGATOR GARDNER: Uh-huh.

19 MR. MISTLER: -- what I, you know, what I

20 remember.

21 INVESTIGATOR GARDNER: Right.

22 MR. MISTLER: I mean, like the thought of

23 Christmas --

24 INVESTIGATOR GARDNER: Uh-huh.

25 MR. MISTLER: -- made me look that in.

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I mean, like the other day you were saying, you know, about maybe he didn't have that hat on. I mean, that is so crystal clear in my mind, you know, what I saw there, you know.

I mean, it's like one little thought will lead to another, and it'll -- and it kind of confirms.

I mean, if I were to live to a hundred, I'll still you he had a red hat on that day with green pants and the same way with those, with the --

INVESTIGATOR GARDNER: I wasn't there that day and --

MR. MISTLER: I realize that.

INVESTIGATOR GARDNER: -- once again, I mentioned this to you last week, but I have been told, and I haven't read the whole file, I haven't had that luxury, I haven't had the time to do that. I've been doing other stuff -- to make myself familiar with this, I went over the incidents --

MR. MISTLER: Yeah, I remember --

INVESTIGATOR GARDNER: But I have been -- I have been told by those that are closely involved in this case, that it is documented from the day that that little boy was missing, that Adam was missing, he didn't have a hat on. I mean, that was way back then, and I remember your comment last week, something to the

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erfect, you don't care if his mother said he did or

didn't.

MR. MISTLER: (Inaudible) mother said, really.

INVESTIGATOR GARDNER: But the reality is, of all

the things that are -- you know, that are important or

unimportant and why would someone, you know, say

something that wasn't, why the hell would she say he

had a blue hat if he had a red hat on. You know what

I'm saying?

MR. MISTLER: Yeah.

INVESTIGATOR GARDNER: So, you know, I don't doubt

-- I see the sincerity in your eye when you tell me

that and when you make the comments about it after the

test even last week, but in the same respect, that is

one -- one factual thing --

MR. MISTLER: Well, he was -- I'll tell you, it

was an adult's hat. It isn't the hat that you see on

him in the paper.

INVESTIGATOR GARDNER: Uh-huh.

MR. MISTLER: It was an adult size hat, because it

came right down to here. Now, whether he went to the

mall with a different hat on and maybe his dad had a

hat that was in that car, you know, maybe his dad was a

couch, I don't know.

You know, I mentioned that to Detective Smith

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also, but that is so crystal clear in my mind that --
 whether it's ten years from now, it'll still be the
 same because, I mean, of the different little pieces
 that lock that in.

INVESTIGATOR GARDNER: Right.

MR. MISTLER: You know, where you'll remember one
 little piece and then that locks in two or three
 different things.

INVESTIGATOR GARDNER: Right. Like I said, I'm
 not --

MR. MISTLER: Yeah, no, I can appreciate it.

INVESTIGATOR GARDNER: -- I'm not questioning your
 sincerity when you say it 'cause I can see in your eye
 when you're telling me the whole story, but that is
 just one little thing that, from what I've been told
 from those who have lived this case --

MR. MISTLER: Yeah.

INVESTIGATOR GARDNER: -- since, you know, since
 '81, that that is one that -- that there is a conflict
 between your recollection and what they were told
 factually at the time when they filed their initial
 reports.

MR. MISTLER: I mean, it's -- You know, a mother
 can tell you -- I can't tell you what my kid had on
 yesterday either, but, I mean, you know, there has to

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be an explanation somewhere for that.

INVESTIGATOR GARDNER: Right. Exactly.

MR. MISTLER: And you're not gonna bend me on

that.

INVESTIGATOR GARDNER: I'm not trying --

MR. MISTLER: Nobody would ever -- Nobody would

ever bend me on --

INVESTIGATOR GARDNER: Bill, I'm not trying to

bend you on anything.

MR. MISTLER: -- because my mind has got that

locked in there so tight because of the Christmas

thoughts.

INVESTIGATOR GARDNER: Right.

MR. MISTLER: The red, the green -- the red, the

green with him, the -- even though his hair looks

brown, if you look at it and you see the red in it if

you put him in the sun.

INVESTIGATOR GARDNER: Uh-huh.

MR. MISTLER: And the green on his teeth, you

know. And, I mean, that's like it was yesterday.

INVESTIGATOR GARDNER: Right.

MR. MISTLER: I mean, truthfully, and I've been

over this millions of times in the last four years.

You know, I've been through four years of this already.

Truthfully, you know.

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INVESTIGATOR GARDNER: I know that. I appreciate

you coming in.

MR. MISTLER: Thank you, sir.

INVESTIGATOR GARDNER: I'll let you on

(inaudible).

(Thereupon, Tape 2, Side 1 concluded.)

MARSHALL E. WILLIAMS, JR.
COMMISSION # CC 480286
EXPIRES OCT 12, 1988
BONDED THRU
ATLANTIC BONDING CO., INC.



My commission expires:

Large.

Notary Public, State of Florida at

Marshall E. Williams, Jr.

Florida, this day of March, 1997.

City of Fort Lauderdale, County of Broward, State of

WITNESS MY HAND AND OFFICIAL SEAL in the

interested in the foregoing action.

employee of such attorney or counsel or financially

attorney or counsel of any of the parties, nor relative or

I FURTHER CERTIFY that I am not an

recording.

1 to 71 are a true record of the contents of the tape

form under my supervision; and the foregoing pages numbered

recorded polygraph interview was reduced to typewritten

DO HEREBY CERTIFY that the foregoing tape

for the State of Florida at Large:

I, MARSHALL WILLIAMS, Notary Public in and

COUNTY OF BROWARD

SS:

STATE OF FLORIDA

CERTIFICATE OF REPORTER