
Statement of JACK BERNIE FRIER

Adam Walsh

007644

COMPLAINT #: 81-56073
OFFENSE & CLASSIFICATION: HOMICIDE
STATEMENT OF: JACK FRIER

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THE FOLLOWING WILL BE A VOLUNTARY TAPED STATEMENT TAKEN FROM JACK FRIER, W/M, DOB 11-22-45, LOCAL RESIDENT ADDRESS 6046 WESCONNETT BLVD., JACKSONVILLE, FL. STATEMENT IS BEING TAKEN IN REGARD TO CERTAIN KNOWLEDGE THAT MR. FRIER HAS CONCERNING AN INCIDENT THIS POLICE DEPT. IS CURRENTLY INVESTIGATING IN REF. TO THE ABOVE LISTED INCIDENT WHICH OCCURRED IN THE CITY OF HOLLYWOOD, COUNTY OF BROWARD, STATE OF FL ON 7-27-81, LOCATION 300 HOLLYWOOD MALL, HOLLYWOOD, FL. STATEMENT IS BEING TAKEN BY DET. MARK SMITH, BADGE 1163 AT THE RESIDENCE OF MR. FRIER COMMENCING ON 10-24-96 AT APPROX. 11:15 AM.

Q. MR. FRIER, AT THIS TIME I'D LIKE TO PLACE YOU UNDER OATH BY VIRTUE OF MY COMMISSION AS A POLICE OFFICER FOR THE CITY OF HOLLYWOOD, COUNTY OF BROWARD, STATE OF FL. FIRST OFF SIR, ARE YOU AWARE THAT IT IS A CRIME TO LIE UNDER OATH?

A. YES

Q. CAN YOU RAISE YOUR RIGHT HAND PLEASE? (LET THE RECORD REFLECT HE'S DOING SO. DO YOU SOLEMNLY SWEAR TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH SO HELP YOU GOD?

A. YES

JACK FRIER HAVING APPEARED BEFORE ME A POLICE OFFICER FOR THE CITY OF HOLLYWOOD, COUNTY OF BROWARD, STATE OF FL HAVING BEEN DULY SWORN DEPOSES AND STATES:

Q. FOR THE RECORD SIR, WILL YOU JUST STATE YOUR FULL NAME AND BIRTH DATE FOR ME PLEASE?

A. UH, JACK BERNIE FRIER, 11-22ND 1945

Q. DID YOU SAY YOUR MIDDLE NAME WAS BERNIE?

A. BERNIE

Q. OK JACK, I CAME HERE THIS MORNING AND INTRODUCED MYSELF TO YOU AND UH, TOLD YOU WHY I WAS HERE AND REGARDING AN INDIVIDUAL BY THE NAME OF OTTIS TOOLE: UH, ARE YOU FAMILIAR WITH THAT INDIVIDUAL?

A. UH, I MET HIM A COUPLE TIMES.

Q. OK, IN REGARDS TO YOUR ASSOCIATION WITH TOOLE, CAN YOU TELL ME WHEN YOU FIRST UH, TO THE BEST OF YOUR RECOLLECTION WHERE YOU FIRST MET HIM AND HOW LONG AGO?

A. UH, THIS, LIKE I SAID IN '71 AND '72 I MET HIM A COUPLE TIMES.

Q. UP HERE IN JACKSONVILLE?

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- A. UP HERE IN JACKSONVILLE. IT WAS ON TYLER RAND BLVD.
- Q. TYLER RAND?
- A. TYLER RAND. UH, THERE WAS A HOUSE, WHAT IT IS IT'S A CLUTE'S TRUCK LINE NOW.
- Q. IT'S A WHAT?
- A. IT'S A CLUTE'S TRUCK LINE
- Q. CLUTE'S?
- A. CLUTE'S
- Q. C-L, DO YOU KNOW HOW THAT'S SPELLED?
- A. NOT REALLY
- Q. OK, CLUTE, OK
- A. AND THERE WAS A HOUSE THERE, YOU KNOW, BUT SINCE THEN THEY BOUGHT THE LAND AND THEN THEY BUILT A TRUCKING PLACE THERE.
- Q. OK
- A. BUT THERE WAS A HOUSE THERE AND I MET HIM THRU JAMES KENNEDY, JAMES OSMOND KENNEDY.
- Q. JAMES OSMOND, O-S-M-O-N-D KENNEDY.
- A. KENNEDY, RIGHT
- Q. WAS HE A FRIEND OF OTTIS' AT THE TIME?
- A. UH, WAS HE A FRIEND OF OTTIS, OH YEAH. HE KNOWED HIM, YOU KNOW, HE KNOWED HIM PRETTY GOOD.
- Q. IS THAT WHO THE PERSON, THAT'S HOW YOU MET HIM THRU JAMES KENNEDY, OTTIS TOOLE, CORRECT?
- A. YEAH, UH HUH
- Q. OK UM, SO IN 1971 - 72 IS WHEN YOU FIRST MET OTTIS.
- A. YEAH
- Q. DID YOU CONTINUE TO ASSOCIATE WITH HIM AT ALL THRU THE
- A. JUST UH, WHEN I'D GO OVER THERE YOU KNOW, HE'D BE OVER THERE AND YOU KNOW, WE'D HAVE CONVERSATIONS AND TALKING AND THINGS LIKE THAT.

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Q. IT WOULD BE SAFE, WOULD IT BE SAFE TO SAY UH, WELL, THE MURDER OF ADAM WALSH WAS IN 1981. DID YOU KNOW OTTIS TOOLE ON AND OFF THRU THERE, THRU THAT TIME? IS THAT YES?

A. YEAH, YEAH, YEAH

Q. UH, THE REASON I'M HERE, I TOLD YOU UM, WAS REGARD TO A CONVERSATION I HAD WITH A PERSON WHO CALLED ME.

A. YEAH

Q. UH, WHO INFORMED ME OF SOME CONVERSATIONS THAT YOU HAD WITH HIM ABOUT THIS CASE.

A. YEAH

Q. DO YOU RECALL HAVING A CONVERSATION WITH MR. UH, DO YOU KNOW HIS LAST NAME, JAMES?

A. UH, OVER HERE?

Q. RIGHT

A. UH, JAMES THORNTON I THINK IT IS.

Q. THORNTON, THAT'S CORRECT. UH, DO YOU RECALL HAVING A CONVERSATION WITH HIM ABOUT THIS CASE?

A. YEAH, YEAH, I TOLD HIM

Q. OK

A. I TOLD HIM YOU KNOW, WE WAS JUST TALKIN' AND I

Q. OK JAMES CALLED ME UH, AND TOLD ME ABOUT THE CONVERSATION AND AGAIN YOU'RE AWARE THAT OTTIS TOOLE IS DEAD AND THERE IS NO CHANCE OF A PROSECUTION AGAINST HIM, SO WHAT WE'RE DOING HERE NOW IS NOT TO HAVE, TO TAKE A STATEMENT FROM YOU AS A WITNESS IN A CRIMINAL CASE. YOU UNDERSTAND THAT, CORRECT?

A. OH YEAH

Q. ALL WE'RE TRYING TO GET IS I THINK IT EXPLAINED IT TO YOU, IS THAT WE'RE TRYING TO GET UH, A CLOSURE TO THIS CASE, UH, AS WELL AS HOPEFULLY FIND THE REST OF THE REMAINS.

A. YEAH

Q. BUT ANYWAY, IN REGARDS TO YOUR CONVERSATION WITH OTTIS TOOLE ABOUT THIS CASE, PARTICULAR CASE, CAN YOU TELL ME HOW THAT CAME ABOUT?

A. YEAH, UH, WELL ME AND ARCHIE AND UH, HIM WAS TALKING ONE DAY

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AND HE SAYS HIM AND JAMES LUCAS

Q. WHO?

A. LUCAS

Q. UM HUM

A. IS THAT, IS THAT, IS THAT THE GUY THAT HE USED TO RUN WITH?

Q. HENRY LUCAS.

A. HENRY LUCAS?

Q. RIGHT

A. WELL, ANYWAY HE CALLED HIM JAMES AND UH SAID THEY WAS DOWN, DOWN IN S.FL DOWN THERE AND THEY PICKED UP A YOUNG GUY (UI) ANYWAY THEY SAID THEY DROVE AROUND AND THEY SAID, HE TOLD ME, OTTIS TOLD ME THAT HE CUT HIS HEAD OFF AND HE CUT HIS RIGHT ARM OFF AND THEN CUT HIS

Q. PRIVATE PARTS OFF?

A. YEAH, CUT HIS PRIVATE PARTS OFF.

Q. WAS LUCAS AROUND WHEN HE WAS TALKING ABOUT THIS?

A. YEAH

Q. WAS LUCAS THERE WHEN HE WAS ALSO TALKING ABOUT THIS?

A. UH, LUCAS WAS UH, YOU MEAN UH, WITH HIM AT THE TIME HE WAS TALKIN' TO ME ABOUT IT?

Q. RIGHT

A. HIM AND LUCAS WAS BOTH THERE TALKING TO ME.

Q. THEY WERE THERE, OK.

A. OK, AND UH

Q. WAS LUCAS SAYING ANYTHING ABOUT THIS?

A. NO, LUCAS WASN'T SAYING NOTHIN. HE, HE'S QUIET, HE WAS A QUIET FELLA. LUCAS NEVER REALLY TALKED NOTHIN'

Q. OK

A. AND THEN UH, HE JUST TOLD ME THAT THEY TOOK HIM UP UH, BOCA RATON, UP AROUND, NO, WAIT A MINUTE, WHERE WAS IT, BOCA

Q. YOU MENTIONED

A. PORT, PORT ST. LUCIE, YEAH, PORT ST. LUCIE.

Q. OK, AND WHAT

A. AND DUMPED HIM DOWN IN PORT ST. LUCIE IS ALL THEY TOLD ME.

Q. ALL THEY, OR ALL OTTIS TOLD YOU?

A. OR OTTIS TOLD ME.

Q. OK, WAS LUCAS HEARING THIS AS HE'S TALKING?

A. YEAH, AND ALL LUCAS WAS DOING JUST CHECKING TO SEE IF, NOT, YOU KNOW

Q. OK, UM, WHEN OTTIS IS TALKING HOW IS, WHAT IS HIS ATTITUDE WHEN HE'S TALKING? IS HE

A. UH, HE WAS, UH, YOU KNOW, LAUGHING ABOUT IT, YOU KNOW, MORE LIKE, YOU KNOW, HE WAS PROUD OF WHAT HE DONE.

Q. DID YOU ALL KNOW ABOUT WHAT HE WAS TALKING ABOUT?

A. NO

Q. IN OTHER WORDS, HAD YOU HEARD ABOUT IT OR

A. UH, WE DIDN'T BELIEVE HIM, YOU KNOW. AT THE TIME WE DIDN'T BELIEVE HIM.

Q. DID YOU KNOW AT THE TIME HE WAS TALKING ABOUT ADAM WALSH?

A. NO, DIDN'T KNOW WHO HE WAS, HE JUST SAID A YOUNG KID.

Q. IS THAT HOW HE PUT IT, YOUNG KID? DID HE TELL YOU, DID HE GET INTO SPECIFICS ABOUT HOW HE WENT ABOUT DOING IT?

A. NO

Q. DID HE TELL YOU WHAT HE WAS DRIVING AT THE TIME?

A. NO, HE JUST, HE TOLD ME THAT UH, LUCAS, HIM AND WHO'S THAT OTHER GUY WAS WITH HIM, WAS DRIVING THE CAR AND THEY WAS IN THE BACK SEAT. HIM AND THE KID WAS IN THE BACK SEAT AND THAT'S WHEN HE KILLED THE KID IN THE BACK SEAT.

Q. WHO DID HE SAY WAS DRIVING?

A. UH, THE GUY, UH, SHOOT, I CAN'T THINK OF HIS NAME NOW. WHO THE

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HELL WAS IT THEY SAID? HEN.., THERE'S LUCAS AND THEN THERE WAS THE OTHER GUY. OTTIS TOOLE AND LUC.., LUCAS.

Q. LUCAS WAS DRIVING?

A. DRIVING, OK, LUCAS WAS DRIVING AND OTTIS IS THE ONE SAID HE WAS IN THE BACK SEAT & KILLED HIM.

Q. OK, CAN YOU, CAN YOU UH, AS MUCH AS YOU CAN REMEMBER IN DETAIL, UM, WHAT HE TOLD YOU ABOUT THE WHOLE INCIDENT. UH, YOU KNOW, DID HE TELL YOU HOW HE GOT THE KID OUT OF; DID HE TELL YOU WHERE HE TOOK THE KID FROM?

A. NO HE DIDN'T. HE JUST SAID HE PICKED UP THE KID, HIM AND LUCAS PICKED UP THE KID.

Q. AND HE SAID WHAT PART OF THE STATE IT WAS?

A. NO, HE JUST SAID DOWN STATE.

Q. DOWN STATE?

A. YEAH, HE TOLD ME ABOUT SEVERAL OTHER PLACE, YOU KNOW, OTHER THINGS HE'D DONE BUT YOU KNOW, WE DIDN'T, YOU KNOW, DIDN'T BELIEVE HIM.

Q. YEAH, BUT YOU SPECIFICALLY REMEMBER HIM TELLING YOU ABOUT A YOUNG

A. YEAH

Q. BOY WHO HE ABDUCTED, CUT HIS HEAD OFF?

A. HE CUT HIS HEAD OFF AND CUT HIS RIGHT ARM OFF AND CUT HIS THING.

Q. AND HE SAID HIS RIGHT ARM?

A. YEAH, RIGHT ARM.

Q. DID HE SAY WHY HE DID THAT?

A. NO, HE, HE WAS LAUGHING ALL THE TIME, YOU KNOW, HE SAID IT. IT WAS JUST, IT'S LIKE YOU KNOW, LIKE IT WAS A BIG JOKE.

Q. RIGHT. DO YOU REMEMBER WHEN THIS CONVERSATION WAS? WHAT YEAR, APPROX.?

A. UM, THIS WAS APPROX. ABOUT '80, ABOUT NOV. OF '83 I THINK IT WAS, SOMETHING LIKE THAT, '82 - '83

Q. NOV. OF '82 OR '83? OK OTTIS WAS ARRESTED UH, I MEAN, IT WAS WHEN HE WAS OUT, CORRECT? I MEAN, HE WASN'T IN JAIL AT THAT TIME.

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A. NO, NO, HE WASN'T IN JAIL, NO, NO.

Q. AND HE WAS ARRESTED IN UH, I THINK IT WAS '83. UH, I'M NOT SURE WHICH MONTH AND HE NEVER GOT OUT AGAIN, SO IT WOULD HAVE HAD TO BEEN BEFORE THAT. CORRECT? IS THAT CORRECT?

A. (INAUDIBLE)

Q. OK, IF I TOLD YOU THE MURDER WAS IN JULY OF '81 UH, AND HE'S SPEAKING ABOUT THIS, WERE YOU ALL AWARE OF A SIMILAR INCIDENT THAT HE WAS TALKING ABOUT?

A. NO, WE, WE, WELL WE, YOU KNOW, WE NEVER PAID NO ATTENTION TO HIM.

Q. OK, THIS CASE MADE SOME PRETTY BIG NEWS.

A. YEAH, AND THEN AFTER IT MADE THE NEWS AND EVERYTHING, YOU KNOW, WE DIDN'T REALLY PUT, YOU KNOW, 2 & 2 TOGETHER OR NOTHIN'. THEN WE KINDA THOUGHT MAYBE HE MIGHT HAVE DONE IT.

Q. DID YOU, THE NEWS YOU'RE TALKING ABOUT, IS THAT WHAT HIS INVOLVEMENT IN THE CASE? IS THAT THE NEWS YOU'RE TALKING ABOUT?

A. YEAH, YOU KNOW WHEN THEY SAID THAT THEY FOUND THE GUY'S HEAD, YOU KNOW, THE BOY'S HEAD AND THEN YOU KNOW, WE SAID WELL, HE, HELL, HE MIGHT HAVE DONE IT, YOU KNOW, TALKED TO OURSELVES (UI) YOU KNOW.

Q. ALRIGHT, SO THIS CONVERSATION HE HAD WITH YOU WAS, WAS BEFORE THE HEAD WAS FOUND? IS THAT, YOU'RE POSITIVE ON THAT?

A. OK, YEAH.

Q. YOU'RE CERTAIN?

A. (NO RESPONSE)

Q. ARE YOU CERTAIN THAT LUCAS WAS THERE? THE REASON I'M SAYING THAT IS

A. YEAH, LUCAS WAS THERE BECAUSE UH, LUCAS AT THE TIME HAD A FIGHT WITH HIS GIRLFRIEND AND HE DRUG HIS GIRLFRIEND OFF AND SAID HE WAS GOING TO TEXAS AND TOLD OTTIS COME ON, AND OTTIS SAYS NO, I'M STAYIN' HERE AND THEN, AND THEN UH, LUCAS CALLED. HE SAID HE WAS GOING OUT TO TEXAS.

Q. OH, I GOT YOU, OK. SO HIS GIRLFRIEND WAS WHO?

A. YEAH

Q. WAS IT A YOUNG GIRL?

- A. YEAH, IT WAS A GIRL, LUCAS HAD A YOUNG GIRL WITH HIM.
- Q. AND THAT'S, AND THAT'S THE SAME DAY, WAS THAT THE SAME DAY YOU HAD THIS CONVERSATION
- A. YEAH
- Q. WAS WHEN LUCAS TOOK OFF?
- A. YEAH, YEAH, LUCAS GOT MAD AND TOOK OFF.
- Q. IT WAS THAT SAME DAY THAT, THAT OTTIS IS TALKING TO YOU ABOUT THIS.
- A. OTTIS IS TALKING ABOUT THIS, RIGHT.
- Q. OK, SO IT WAS THAT DAY.
- A. YEAH
- Q. OK
- A. I DON'T REMEMBER WHAT DAY OR WEEK OR NOthin'
- Q. NO, THAT'S ALRIGHT, BUT IT WAS AROUND THAT TIME.
- A. YEAH
- Q. AND DID LUCAS EVER COME BACK AFTER THAT?
- A. HE CAME BACK UH, A COUPLE TIMES AND THEN NEXT TIME UH, WE HEARD HE WAS IN JAIL AT THE TIME.
- Q. FOR MURDER? YES?
- A. UH, WELL, WE DON'T KNOW WHAT HE, YOU KNOW, WHAT HE WAS IN JAIL FOR
- Q. WAS THAT OUT IN TEXAS?
- A. YEAH
- Q. WHEN UH, TOOLE WAS TELLING YOU UH, WHERE HE DUMPED THE BODY, HE SAID PORT ST. LUCIE OR WAS IT JUST ST. LUCIE CO?
- A. HE DIDN'T SAY, HE JUST SAID AROUND PORT ST. LUCIE. HE DIDN'T SAY NO PARTICULAR, YOU KNOW, HE JUST SAID AROUND PORT ST. LUCIE.
- Q. DID HE TELL YOU WHY HE HAD, WHY HE KILLED THE BOY?
- A. NEVER DID

Q. AND DURING THE WHOLE TIME HE'S TELLING YOU THIS, HE, HE'S, HIS ATTITUDE IS

A. IT'S

Q. JUST IT'S FUNNY OR

A. YEAH, YOU KNOW, HE MADE A BIG JOKE OUT OF IT, YOU KNOW, LIKE

Q. UM HUM

A. AND TO TELL YOU THE TRUTH NOW, HE DIDN'T SAY THIS BUT I THINK HE MOLEST THIS BOY.

Q. YOU THINK HE MOLESTED HIM?

A. WELL, YOU KNOW WAY, THE WAY HE WAS AND THE WAY I KNOWED HIM, I THINK HE DID, YOU KNOW, I COULDN'T SWEAR TO IT

Q. RIGHT. DID YOU EVER KNOW HIM TO UH, I MEAN HIS SEXUAL PREFERENCE WAS, HE WAS A HOMOSEXUAL.

A. YEAH

Q. I MEAN WAS THAT ALL PRETTY MUCH COMMON KNOWLEDGE BACK THEN?

A. OH YEAH

Q. DID YOU EVER KNOW HIM TO GO AFTER YOUNG BOYS BEFORE? DID HE EVER TALK ABOUT ANY OTHER INCIDENTS WHERE HE WENT AFTER YOUNG BOYS?

A. NO, UH UH. UH, MY FRIEND ARCHIE, NOW HE HAD SOME YOUNG BOYS AROUND AND HE TOLD OTTIS HE SAID, HE TOLD OTTIS LIKE STRAIGHT OUT, HE TOLD HIM, HE SAID MAN, HE SAID, MAN, IF YOU EVER COME AROUND MY KIDS, I'LL, I'LL KILL YOU.

Q. AND THIS IS DURING THE SAME CONVERSATION OR IS IT JUST OTHER TIMES?

A. NO, UH, UH, SAME CONVERSATION.

Q. ARCHIE WAS THERE WHEN HE'S TALKING, CORRECT?

A. YEAH, ARCHIE (UI)

Q. ARCHIE WHAT?

A. ARCHIE UH, JAMES (UI) KENNEDY

Q. OH, THAT'S ARCHIE?

A. YEAH, THAT'S ARCHIE.

Q. OH, ALRIGHT

A. THAT, THAT'S HIS NAME, NICKNAME ARCHIE.

Q. UH, AND WHAT ELSE MORE DID HE TALK ABOUT THAT PARTICULAR INCIDENT? I KNOW YOU MENTIONED THAT HE SAID LUCAS WAS DRIVING.

A. YEAH, HE SAID LUCAS WAS DRIVING AND THEY PICKED UP A, A FELLOW DOWN STATE AND THEY, AND, WHAT DID HE SAY? HE SAID THEY WAS GONNA JUST HAVE SOME FUN WITH HIM.

Q. DID HE SAY BOY OR YOUNG, WAS HE REFERRING TO A BOY?

A. NO, HE JUST SAYS PICKED UP A FELLA DOWN STATE. I RECKON A FELLA, I RECKON THAT'D HAVE BEEN A BOY

Q. DID HE EVER SAY IT WAS A YOUNG BOY?

A. NO, NEVER DID

Q. YEAH, BUT IT'S THE SAME UH, FELLA THEY'RE TALKING ABOUT CUTTING HIS HEAD OFF AND HIS RIGHT ARM OFF, CORRECT?

A. MUST HAVE BEEN, YES. I, I BELIEVE IT TO BE THE SAME FELLA.

Q. WAS THERE ANYONE ELSE AROUND DURING THAT CONVERSATION?

A. NO, JUST UH, ME AND ARCHIE AND THEM OTHER TWO, LUCAS & OTT

Q. OK, IF I TOLD YOU LUCAS UH, FOR A FACT WAS IN JAIL UH, AT THE TIME OF THIS MURDER, UP IN MARYLAND I BELIEVE, YOU MENTIONED THAT LUCAS DURING THIS CONVERSATION WAS NOT SAYING ANYTHING.

A. NO

Q. OK, DID HE EVER ACKNOWLEDGE THAT YEAH, I WAS THERE WITH HIM?

A. NO, LUCAS, HE, HE NEVER OPENED HIS MOUTH REALLY. HE JUST KINDA YOU KNOW, SHOOK HIS HEAD.

Q. DO YOU EVER RECALL UH, DO YOU KNOW MUCH OF OTTIS TOOLE'S FAMILY?

A. NO, I, I, I NEVER MET HIS FAMILY. I, NO, NEVER DID MEET HIS FAMILY.

Q. THERE WAS A TIME WHEN A SISTER OF HIS UH, DIED OR COMMITTED SUICIDE DOWN IN AUBURNDALE. DID YOU KNOW ANYTHING ABOUT THAT?

A. NO. LIKE I SAY, YOU KNOW, I, AFTER I FOUND OUT WHAT KIND OF PERSON HE WAS YOU KNOW, I KINDA, DIDN'T WANT NOTHIN' TO DO WITH HIM.

UH, UH, YOU CAN TELL WHEN SOMEBODY'S DANGEROUS.

Q. RIGHT. NOW THE TIME THAT, FROM THE TIME THAT THE HEAD WAS FOUND AND THE TIME THAT OTTIS WAS ARRESTED, UH, AND CONFESSED TO THIS IT WAS ALMOST, IT WAS ABOUT A YEAR AND A HALF, SO IS THE CONVERSATION BETWEEN THE TIME THE HEAD WAS FOUND TO THE TIME OTTIS WAS ARRESTED IS WHEN HE HAD THIS CONVERSATION WITH YOU. IS THAT ABOUT, IS THAT ABOUT RIGHT?

A. YEAH

Q. ARE YOU, ARE YOU CERTAIN OR ARE YOU JUST, YOU JUST BELIEVE THAT YOU HAD THIS CONVERSATION WITH OTTIS PRIOR TO THE ACTUAL HEAD BEING FOUND?

A. UH, I BELIEVE PRIOR, YOU KNOW, BEFORE.

Q. OK, 'CAUSE THE ABDUCTION HAPPENED JULY 27TH AND THE HEAD WAS FOUND 2 WKS. LATER, SO THERE WAS A TIME PERIOD OF 2 WKS. BEFORE THE HEAD WAS FOUND.

A. I, I ACTUALLY, I ACTUALLY BELIEVED HE DONE IT.

Q. DID YOU?

A. HE IS CAPABLE OF DOING IT AND I, I ACTUALLY BELIEVE HE DONE IT.

Q. OK, AROUND THE TIME WE'RE TALKING ABOUT YOU HAD THIS CONVERSATION UH, DO YOU REMEMBER WHAT KIND OF CAR TOOLE OR LUCAS WAS DRIVING?

A. I DIDN'T PAY NO ATTENTION.

Q. DO YOU REMEMBER THEM DRIVING A CAR THOUGH?

A. NO, HE, HE'D UH, OTTIS NEVER, LUCAS WAS DRIVING THE CAR. OTTIS NEVER DROVE.

Q. OK, YOU NEVER SEEN OTTIS DRIVE?

A. UH UH

Q. DID YOU EVER SEE A BLACK OVER WHITE CADILLAC BETWEEN THE TWO OF THEM?

A. NO, NO I CAN'T REALLY SAY

Q. DID HE GET INTO MORE DETAIL ABOUT WHAT HE DID WITH THE BODY, INSTEAD OF JUST DUMPING IT? DID HE SAY WHAT HE DID?

A. NO, THEY JUST SAID HE DUMPED IT ALONG THE HIGHWAY, UH, IS ALL HE SAID.

Q. IS THAT HIS WORDS, HIGHWAY?

A. NO

Q. NO

A. HE SAID AROUND PORT ST. LUCIE

Q. DID HE SAY IT WAS UH, THAT HE DID ANYTHING WITH THE HEAD OR THE OTHER, THE ARM OR ANYTHING ELSE? DID HE PUT THAT IN SOMEWHERE, ANOTHER AREA OR

A. HE DIDN'T SAY. HE JUST SAID THAT HE, HE CUT THE HEAD OFF AND CUT THE, CUT THE ARM OFF AND THAT PART OFF.

Q. THAT WAS THE RIGHT ARM YOU SAID.

A. I DON'T REMEMBER.

Q. BUT HE NEVER SAID WHY HE DID THAT.

A. NEVER DID

Q. DID HE DESCRIBE WHAT HE HAD TO DO WHEN HE CUT THE HEAD OFF?

A. WHAT YOU MEAN?

Q. DID HE DESCRIBE HIS ACTIONS, WHAT HE HAD TO DO? DID HE LAY THE BOY DOWN? DID HE, YOU KNOW, DID HE UH, WHAT HE USED. DID HE SAY WHAT HE CUT IT OFF WITH?

A. I THINK HE SAID SOMETHING ABOUT A MACHETE.

Q. YOU THINK SO OR YOU'RE PRETTY CERTAIN?

A. PRETTY CERTAIN HE SAID MACHETE, MACHETE HE DONE IT.

Q. DID HE EVER MENTION A BAYONET?

A. UH UH

Q. MACHETE, ALRIGHT. DID HE EVER TELL YOU HE BROUGHT ANYTHING BACK TO JACKSONVILLE IN REGARDS TO THAT, ANY BODY, ANY PARTS OF THE BODY OR ANYTHING LIKE THAT?

A. NO

Q. DID HE EVER TELL YOU WHAT HE DID WITH THE HEAD?

A. (NO RESPONSE)

Q. HE JUST GOT RID OF IT.

A. HE JUST, JUST CHUCKED IT IN A RIVER IS WHAT HE TOLD ME.

Q. IN A RIVER? DID HE SAY IT WAS NEAR WHERE THE BODY WAS, WHERE HE DISPOSED OF THE BODY AS WELL?

A. NO, HE JUST SAID HE WAS OUT ALONG THE RIVER AND CHUNKED IT OUT, OUT OF THE CAR.

Q. DID HE EVER MENTION TO YOU WHAT ROADWAY OR WHAT HIGHWAY HE WAS ON?

A. NO

Q. DID HE EVER TELL YOU THAT HE KNEW ANYONE DOWN IN THE SOUTH, SOUTH PART OF THE STATE, HOLLYWOOD, FT. LAUDERDALE OR MIAMI?

A. NO, HE

Q. DID HE EVER TELL YOU WHY HE WENT DOWN THERE?

A. NOT REALLY, NO

Q. ALRIGHT. WHEN THIS CONVERSATION ENDED, HOW DID IT END? DID YOU, WHEN YOU, WHAT WAS YOUR IMPRESSION AFTER HE SAID THAT?

A. WELL, ME AND, ME AND ARCHIE WE SAID YEAH, YEAH, YOU KNOW AND, YOU KNOW, AND UH, THEN ME ARCHIE, WE JUST GOT TIRED OF HEARING IT 'CAUSE YOU KNOW, IT WAS SO BRUTAL AND ALL WE, ME AND ARCHIE JUST KINDA WALKED AWAY.

Q. I DON'T KNOW IF I ASKED YOU THIS OR NOT, BUT WHY DID HIS CONVERSATION START? DO YOU KNOW?

A. HE, HE JUST STARTED IT NO REASON. UH, WE WAS, WE WAS JUST ALL TALKIN'. ME AND ARCHIE WAS TALKIN AND THEN HE JUST BROUGHT IT FOR NO REASON. HE SAID YEAH, HE SAYS, YOU KNOW WHAT I DONE. I SAID NO. HE SAID GOT A, A PERSON DOWN STATE DOWN THERE AND THEN, THEN HE WENT YOU KNOW, WHAT

Q. THEN HE WENT INTO THE STORY.

A. RIGHT

Q. WHAT WERE YOU AND ARCHIE TALKING ABOUT AT THE TIME, DO YOU KNOW?

A. UH, YEAH, WE WAS TALKING, WE WAS BURNIN' COPPER AT THE TIME.

Q. BURNING COPPER?

A. YEAH

Q. DID HE EVER MENTION ABOUT THE, AND YOU WERE JUST BURNING COPPER AT THE TIME AND HE WALKS UP AND STARTS TALKING ABOUT IT?

A. YEAH, WELL HE WAS STANDIN' AROUND, YOU KNOW, IT WAS KINDA COOL. WE WAS ALL BURNING COPPER AND HE JUST, HE JUST STARTED TALKIN'

Q. DID HE EVER MENTION ANYTHING ABOUT BURNING, BURNING COPPER HIMSELF OR UH, BURNING ANY PARTS OF A BODY, YOU KNOW, IN AN OLD REFRIGERATOR OR ANYTHING LIKE THAT THAT YOU REMEMBER?

A. NO, NEVER DID

Q. HE NEVER MENTIONED ABOUT UH BURYING ANY, OR BRINGING ANY PARTS OF THE BODY, I THINK I ASKED YOU THIS, BACK TO JACKSONVILLE? HE NEVER SAID THAT.

A. NO, HE NEVER SAID THAT.

Q. AFTER THAT INITIAL CONVERSATION WITH TOOLE, DID YOU EVER HAVE ANY CONVERSATION ABOUT THAT SAME SUBJECT AGAIN?

A. NO

Q. HAD YOU SEEN TOOLE AGAIN AFTER THAT?

A. WELL I, I SEEN HIM ABOUT 2 DAYS AFTER THAT AND THEN THAT WAS ARCHIE'S OVER THERE AND, AND UH, WE JUST SAY, YOU KNOW, SPOKE AND SAY HOW, HOW YOU DOIN' AND ALRIGHT. AND THEN UH, THAT OTHER GUY SAID HELL HE, SAID HE'S TAKING OFF TO TEXAS.

Q. LUCAS?

A. UH, NOT LUCAS, BUT THAT OTHER GUY, UH, WHAT WAS HIS NAME? UH, THE ONE THAT WAS UH, WITH LUCAS. IT WAS OTTIS, OTTIS TOOLE, OH, LUCAS, OK, LUCAS, YEAH. LUCAS WAS THE ONE THAT WAS DRIVING WITH OTTIS TOOLE. OK.

Q. SO IT WAS LUCAS TOOK OFF TO TEXAS A COUPLE DAYS AFTER THAT CONVERSATION.

A. YEAH, HE HAD A GIRL WITH HIM, A YOUNG GIRL WITH HIM, SOME YOUNG GIRL WITH HIM.

Q. HOW OLD, HOW OLD WOULD YOU PUT HER?

A. ABOUT 14, 14, MAYBE 15 AT THE TIME.

Q. AND YOU SAW HER?

A. (INAUDIBLE)

Q. AND YOU SAW HIM WITH, HER WITH HIM?

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LUCAS LEFT
FOR TEXAS
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A. SHE'S DIDN'T WANNA GO, BUT YOU KNOW, HE JUST FORCED HER TO GO.

Q. OK, ARE YOU AWARE THAT THAT'S THE GIRL THAT HE'S ACCUSED OF KILLING OUT IN TEXAS?

A. KIND OF AWARE. I DIDN'T, I DIDN'T KNOW WHETHER IT WAS THE SAME ONE OR NOT.

Q. DO YOU REMEMBER THAT GIRL'S NAME?

A. I JUST SEEN HER, YOU KNOW, SHE WAS IN THE CAR.

Q. AND THAT WAS 2 DAYS AFTER THIS CONVERSATION YOU SAW THEM LEAVE? AND THEY WERE GOING TO TEXAS?

A. THAT'S WHAT HE SAID.

Q. THAT'S WHAT LUCAS SAID OR TOOLE SAID?

A. LUCAS.

Q. DID YOU EVER SEE THAT GIRL AGAIN?

A. NO. LUCAS TOOK OFF AND TOOLE HE TOOK OFF WALKIN'

Q. DO YOU REMEMBER WHAT LUCAS DROVE WHEN HE DROVE OFF?

A. HUM

Q. I KNOW IT'S BEEN AWHILE.

A. NO. I DIDN'T PAY NO ATTENTION.

Q. WHAT IS YOUR IMPRESSION OF OTTIS TOOLE AS A SUSPECT IN THIS CASE? WHAT DO YOU BELIEVE?

A. I, I BELIEVE HE DONE IT.

Q. ARE YOU BASING THAT ON WHAT YOU KNOW OF TOOLE AND AS WELL AS THE CONVERSATION?

A. YEAH

Q. WHEN HE WAS SPEAKING TO YOU, WERE YOU BELIEVING HIM AT THE TIME?

A. OH YEAH 'CAUSE I MEAN YOU KNOW THEN HE WAS, LIKE HE WAS HYPER. HE WAS REALLY, YOU KNOW

Q. HYPER?

A. YEAH, REALLY, LIKE HE WAS REALLY DOING IT AGAIN. HIS EYES WERE

BUGGED OUT AND BOY YOU KNOW HE

Q. HE WAS ACTING IT OUT?

A. ACTING, YOU KNOW, LIKE HE WAS REALLY GETTING OFF ON IT.

Q. DID HE EVER SHOW YOU WHAT KIND OF, WHEN HE'S ACTING IT OUT, WHAT MOTIONS HE TOOK TO CUT THE HEAD OFF?

A. YEAH, HE WAS JUST YOU KNOW SWINGING HIS ARMS AND YOU KNOW, UH,

Q. DID HE LOOK LIKE HE MADE BELIEVE LIKE HE WAS STANDING OVER THE BODY OR WAS IT STANDING UP? DO YOU REMEMBER?

A. IT WAS LIKE HE WAS, YOU KNOW,

Q. GOING DOWNWARD ON IT?

A. GOING DOWN LIKE THAT.

Q. DID HE SAY HOW MANY TIME HE HAD TO CHOP AT THE HEAD TO GET IT OFF?

A. NO, HE, WELL, HE SWUNG ABOUT 3 TIMES, YOU KNOW BUT HE DIDN'T NEVER SAY YOU KNOW, REALLY HOW MUCH

Q. AND HE ACTUALLY TOLD YOU HE ACTUALLY CUT THE PRIVATE PARTS OFF?

A. YEAH, AND A FRIEND OF MINE, ARCHIE SAID, ASKED HIM, HE SAID MAN, WHAT'D YOU DO THAT FOR AND HE JUST HUNG HIS HEAD DOWN, DIDN'T, HE DIDN'T EVER SAY NOTHING ELSE SO YOU KNOW

Q. DID HE SEEM REMORSEFUL AT ALL LIKE HE WAS

A. NO

Q. SORRY HE DID IT?

A. NO MAN, HE ACTED LIKE HE WAS REALLY, YOU KNOW, LIKE, LIKE HE WAS HAPPY HE DONE IT FOR SOME REASON. NO, HE DIDN'T SEEM REMORSEFUL.

Q. DO YOU RECALL WHEN TOOLE GOT ARRESTED AND NEVER CAME OUT AGAIN?

A. I DIDN'T NEVER KEEP UP WITH IT, I, I DIDN'T

Q. OK

A. AFTER THAT, YOU KNOW, AFTER ALL THIS HAPPENED TO ME AND I SAID I JUST WANTED TO GET THIS GUY, I SAID MAN, THAT GUY'S FIKEY. I WANTED YOU KNOW, JUST GET HIM OUT OF MY LIFE.

Q. OK, DO YOU REMEMBER HIM BEING ON THE, BEING REPORTED THAT HE

WAS A SUSPECT?

A. YEAH, THAT, I SEEN HIM ON THE NEWS AND ALL.

Q. I MEAN BACK THEN IS WHAT I'M TALKING ABOUT.

A. YEAH

Q. AND LISTING HIM AS A SUSPECT IN THIS CASE?

A. WHAT YOU MEAN THAT?

Q. THE ADAM WALSH CASE. DID IT SHOW, DID IT MENTION ON THE NEWS
HERE

A. YEAH, IT, IT, IT CAME ON THE NEWS YOU KNOW ABOUT ADAM WALSH,
ABOUT ADAM WALSH, YEAH.

Q. WHEN YOU REMEMBER SEEING THAT ON THE NEWS, HOW, HOW LONG BEFORE
THAT DID TOOLE TELL YOU ABOUT THIS. CAN YOU GIVE ME AN ESTIMATE? YOU
KNOW WHAT I MEAN? WAS IT LIKE A YEAR BEFORE? WAS IT, YOU KNOW, A YEAR
AND A HALF? WAS IT A MONTH BEFORE?

A. NO, IT'S PROBABLY ABOUT 2 MONTHS BEFORE.

Q. 2 MONTHS BEFORE HE ACTUALLY CAME ON AS A SUSPECT ON THE NEWS IS
WHEN HE TALKED TO YOU ABOUT IT? IS THAT RIGHT?

A. YEAH, ABOUT 2 MONTHS.

Q. ALRIGHT JACK, IS THERE ANYTHING I HAVEN'T ASKED YOU THAT MIGHT
BE IMPORTANT?

A. UM, NO

Q. HAS EVERYTHING YOU TOLD ME BENE TRUE TO THE BEST OF YOUR
KNOWLEDGE, COMPLETE TRUTH?

A. YEAH

Q. IS UH, I DON'T THINK I ASKED YOU THIS, DID YOU EVER SEE OTTIS
WITH THE MACHETE THAT HE DESCRIBED?

A. NO, NEVER

Q. DID YOU EVER HAVE AN OPPORTUNITY TO SEE HIM WITH IT? IN OTHER
WORDS DID YOU ONLY SEE HIM WHEN YOU WERE OUTSIDE WALKING AROUND OR
TALKING? IT'S NOT LIKE HE'S GONNA WALK DOWN THE STREET CARRYING A
MACHETE.

A. NO, NO, NO

Q. BUT YOU NEVER BEEN TO HIS HOUSE?

A. NO, NEVER BEEN TO IT. HE OFFERED TO ALWAYS CAME UP JAMES

Q. OVER TO ARCHIE'S

A. ARCHIE'S, YEAH

Q. DO YOU KNOW WHERE TOOLE WORKED AT THE TIME?

A. NO, HE, HE NEVER SAID HE WORKED. I, I, I DIDN'T THINK HE WORKED AT THE TIME.

Q. DO YOU KNOW OF A ROOFING COMPANY, I FORGET THE NAME OF IT. ANYWAY, YOU DIDN'T KNOW HIM, THAT HE WORKED AT THE TIME.

A. NO, NO. I THOUGHT HE JUST, YOU KNOW, PICKED UP JUNK LIKE, SEE ME AND ARCHIE YOU KNOW, WE PICKED UP JUNK AND SCRAP AND STUFF LIKE THAT AND I JUST THOUGHT THAT'S WHAT HE DONE FOR A LIVING, PICKED UP SCRAP.

Q. OK DO YOU KNOW, DID YOU KNOW IF HE WAS DOING THAT OR NOT, YOU JUST ASSUMED HE WAS DOING THAT?

A. I JUST ASSUMED HE WAS DOING IT.

Q. IF I NEEDED TO OR IF I WANTED TO, DO YOU KNOW HOW I COULD GET A HOLD OF ARCHIE?

A. UH, LAST REPORTS I HEARD, HE WAS UH, IN, OK, KENTUCKY. THERE'S A RIVER THAT CROSSES NEWPORT IN KENTUCKY. UH, WHAT'S, I'M TRYING TO THINK OF THAT RIVER

Q. OK, I'LL GET THAT ALL AFTER THE TAPE. WE DON'T NEED THAT ON THE TAPE.

A. LET'S SEE, COVINGTON, COVINGTON, KY

Q. RIGHT. ALRIGHT, LET ME END THIS STATEMENT. I'LL GET IT AFTERWARDS.

A. OK

Q. EVERYTHING YOU TOLD ME BEEN TRUE TO THE BEST OF YOUR KNOWLEDGE, COMPLETE TRUTH?

A. YES

THIS STATEMENT WILL BE CONCLUDED ON 10-24-96 AT APPROX. 11:45 AM.