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May 30, 1997

To: Ralph J. Ray, Jr.

Attached for the file.

Mr. LOHR had presented himself to Mark SMITH who after hearing his story tried to explain that the incident he was describing did not appear to have anything to do with WALSH investigation. LOHR was not satisfied with that and complained about SMITH to Sgt. DUNBAR. Apparently LOHR was not satisfied with DUNBAR either and found his way to our office.

I interviewed LOHR and came to same conclusion as Mark and tried to convey to Mr. LOHR that he should not feel guilty about not coming to the police fifteen years ago because what he saw does not seem connected to WALSH. It seemed apparent from Mr. LOHR response which bordered on sarcasim that the best solution was to simply take his statement.

In fact LOHR cannot say it was Adam he saw and his description of the man does not fit TOOLE or any of our other "suspects". LOHR does not even know if he was at Sears on the same day as the WALSH abduction.

201 S.E. 6th Street • Fort Lauderdale, FL 33301

**THIS IS GOING TO BE A WITNESS STATEMENT IN REGARD TO CASE NUMBER 96-02-262. THE FOLLOWING IS GOING TO BE THE STATEMENT OF MR. PHILLIP DAVID LOHR, L-O-H-R, WHITE MALE, DATE OF BIRTH JULY 7, 1955 AS GIVEN TO STATE ATTORNEY INVESTIGATOR PHILIP J. MUNDY. THE STATEMENT IS BEING TAKEN AT THE STATE ATTORNEY'S OFFICE, ROOM 630 ON TUESDAY, FEBRUARY 18, 1997 BEGINNING AT ABOUT 10:35 AM.**

**THE FOLLOWING NOTATIONS WILL DISTINGUISH SPEAKERS:**

**PM: PHILIP MUNDY**

**PL: PHILLIP LOHR**

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PM: As an investigator with the State Attorney's Office I have the authority to take your statement under oath. So I need you to raise your right hand and do you solemnly swear or affirm the statement you are about to give be the truth, the whole truth so help you god?

PL: I do.

PM: For the record I need you to state your full name and date of birth?

PL: Phillip Lohr, 7/7/55.

PM: And your current home address sir?

PL: 5827 Hayes, H-a-y-e-s Street, Hollywood, Florida.

PM: Mr. Lohr as you are aware our office is assisting in the investigation into the abduction and homicide of Adam Walsh and just for the record apparently you had some information that you felt you wanted to share with law enforcement and that is what brings you here today in regard to that case correct?

PL: That is correct.

PM: Would you tell me where you were and when you were there and basically what you saw in regard to the Adam Walsh abduction?

PL: Well I could tell you what I saw but you are the one saying ...

PM: We are investigating the case.

PL: Ok when it was within a few days prior to helicopters had flown from in the general vicinity of the mall. I was walking into an entrance on the west side into Sears and I pretty much came face to face with a man who was carrying what I considered to be a large child. It didn't seem appropriate for the size of the child to be carrying him. As I walked by I heard the child say you are

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not my daddy. This struck me as unusual and I turned around and in wondering in what I should do felt that perhaps I should at least try to get a description of the child. At first I tried to just take a look at everything including the man, I finally just decided that well I will just go with the child that has a very round head, has noticeably predominant freckles on his face. I wouldn't consider him to be lightly freckled, yet he wasn't freckled all over his body or anything. He seems to have a very pattern amount of freckles over his cheeks and going over his nose. At that time I then decided that well they would have known if the child is missing they will know the child because he certainly didn't come there himself. So I made an attempt as the man was still being blocked by other people coming in from going out I made an attempt to get around by some lawn mowers to look at him from the side and did the best I could to get a description of him. And at that point I then went about my business which was apparently to go over to the service counter area and he was gone. I do recall as far as relating the time I do know that one of the reasons I didn't go out or if it was Adam was that it was daylight and that was one of the reasons why I felt these things don't happen during these times.

PM: You don't have a recollection of the day of the week or the date and year that this incident occurred?

PL: No like I said everything is based on the fact that I know it was just prior within days to the helicopters and it was just within a day or two that I finally heard about the Adam Walsh abduction. When I caught the tail end of the news cast.

PM: The helicopter thing, did you see him the same day as you saw the man and the child?

PL: Absolutely not. No.

PM: When was the helicopters?

PL: This was afterwards.

PM: Ok I a little confused about that then. You saw ...

PL: Everything I am telling you transpired within the same week.

PM: Ok but that is what I am trying to get down. You saw the man and the child on one occasion?

PL: Correct.

PM: On one particular day?

PL: Correct.

PM: When did you see the helicopters?

PL: Within one or two days.

PM: That is what I am getting at, I was under the impression it might have been the same day.

PL: No it wasn't the same day at all.

PM: It was a day or two later?

PL: Correct.

PM: The time of day you saw this gentleman and the child?

PL: I don't have a memory at looking at a watch or a clock. All I know is that I am still standing wondering what I should do, he has already gone out the door and I know I said to myself oh my gosh here it is, broad daylight, what makes you think that something like this is happening. Like I said the only reason the only thing that unnerved me was the child saying you are not my daddy.

PM: Do you recall if it was morning or afternoon?

PL: Oh this is going to be in the middle of the day. Towards afternoon. This is not morning.

PM: Ok it is not morning. Is it afternoon? After 12:00 PM? The best you can remember.

PL: It would only be my own impressions of the day but I am going to have to go that it is from 12 noon to say 3:00 PM. In other words it is a bright day out. There is a brightness.

PM: The child you saw, let's take him, and then we will go on to the gentleman, can you give me an approximation about how old you thought he was?

PL: I can only approximate that do to the size and he is being carried. Like I said he didn't seem to be the size that a father would just normally carry as the means of traveling with your child. My son is six, I feel he is a bit too awkward for me to try and carry so I am going to have to go that he is in the neighborhood of around six years, or height and weight.

PM: If you had to choose on this child's between being thin, medium and heavy where

would you put him?

PL: I would have to say medium. But once again you have to just go with the only way I could describe it as he is too big for what you would think a dad would carry a son at.

PM: How about his hair color do you remember that?

PL: It is brown and I would like to lean towards the more chocolate or darker browns but you can still tell it is brown.

PM: Forgetting about the freckles, if you can remember from his arms or the rest of his face and his neck, his complexion, how would you describe that. Was it ...

PL: Forgetting the freckles?

PM: Yea cause sometimes freckles influence people and they want to say he was like tanish or dark complexion. What I am asking you if you understand?

PL: I am trying to say that I'm no judge of skin colors or anything like that.

PM: You know pale, right. Pale would be light. Dark would be sort of a dark tan or Hispanic or even...

PL: No he is not Latin.

PM: No I understand that I am just trying to make an association as to his complexion.

PL: Without the freckles. I don't have a word for you there. Like I said I clued I said it was the freckles. I can remember seeing them and I said gee look at the freckles.

PM: You heard him say, you are not my daddy and you said the gentleman was carrying the child, was the child like flailing away or fighting or ....

PL: No. He was just simply making that statement and he meant it. He did look kind of, oh here we go for flustered, sweaty.

PM: The child?

PL: The child yea. He seems to be flushed, flustered, as if the impression struck me that perhaps the child had been crying but that had been a few moments prior. There weren't tears or anything like that it just struck me that you are not my daddy and I am mad about the fact that now I am doing whatever I am doing. That is one of the impressions that I got from it. If that is what you

mean by complexion, in other words a little flushed, flushed, he seemed to be a little flushed!

PM: Let me run down this gentleman that you saw and could you give me an idea and we are talking of course a white male and a white child?

PL: Yes.

PM: The age of the gentleman where would you put that?

PL: He seemed to be older than me at the time. Figure on roughly in the area of 25 years old so I would have to put it about 30.

PM: How about height?

PL: I would say he is a little taller than me but he does not exceed 6 feet. I am 5'7". Then again I am wearing shoes so maybe I am 5'8". Of course he is wearing shoes too.

PM: Again, if you had to pick between thin medium and muscular where would you put this gentleman?

PL: I would have to put him at medium. It was nothing that told me he was muscular, nothing that suggested he was thin.

PM: Were you able to discern a hair color?

PL: Yes.

PM: Which was?

PL: Brown with reddish tones.

PM: How about facial hair?

PL: Yes. He had longer sideburns past his ears and he also had the type of beard, how would you describe it I don't know if a goatee is appropriate I thought it may be a goatee on the chin but this is a connected mustache to a short chin beard.

PM: Beside what we have talked about was there anything about him physically that stood out?

PL: No. I would say he's got glasses. He does seem to have these little lines right at the corners of his eyes.

PM: You didn't notice if he was carrying anything besides the child?

PL: I did notice that he was not carrying anything.

PM: Did he speak to the child, did you hear him speak to the child?

PL: I did hear him speak.

PM: Could you hear him?

PL: Well I quickly did, I mean he started to say something but within the first two or three words I was already past him and he is facing the other direction, his back is to me. He started to say something like well, we or ...

PM: You didn't see anyone that might have been with him?

PL: Oh no he was definitely alone with the child.

PM: And alright now, because we are on tape and not drawing pictures, the entrance that you were going in where you encounter this individual and the child, which entrance is that?

PL: This is on the west side of the building, this is the lawn and garden entrance which is just to the north of what would be considered the main entrance for that side. This takes you into where you pretty much facing what used to be the service desk. There is also like a little area with plants and then when you walk in you see lawn mowers on the right and garden furniture on the left.

PM: After you passed the gentleman and he passed you, you didn't see where he went?

PL: He went out the door.

PM: I mean after that he is gone?

PL: No because that is the reason why I know it is daylight because like I said once he is gone I still feel like maybe I should go outside and see if there is anything that is noticeable that would tell me that there is something wrong with the situation and that is when I have a very distinct recollection of seeing the brightness of the day and I say oh come on here you are and it is right here in broad daylight, there is probably nothing to worry about.

PM: Obviously there came a time when you learned of the Adam Walsh being missing and then of course when he was actually abducted. When you found out in the media or however you found out that the child was missing from the Sears, at what point in time did you associate what you saw with the possibility that it might have been connected to the Walsh abduction?

PL: You mean, I mean immediately! I mean they gave a description and I believe they may have even shown that photograph, the baseball photograph.

PM: Just for the record what we are referring to is a missing person bulletin that was put out back in 1981 which contained a photograph of the Adam Walsh boy both with a hat and without a hat. After you learned of the abduction of Adam when Adam was missing and you thought perhaps what you had seen had something to do with that? That was almost immediately that you saw ...

PL: When I came in and caught the tail end of the news cast and the picture was up I felt that what I saw was possibly significant. That is what I mean as immediately. I started going could that have been you know did what I see could that have possibly been Adam.

PM: Did you go to the police with that information?

PL: No.

PM: Any reason why not?

PL: Well I was forced to make a determination as to did I see something significant or was it not significant. And based upon that photo I chose to presume that it wasn't going to be significant.

PM: I am a little confused. You found out about the Walsh abduction and I thought you said that you thought this gentleman and child exiting the store in your mind could have had something to do with the Walsh abduction. Am I correct so far?

PL: Correct.

PM: But then you didn't go to the police because you decided what you saw was not significant for the Walsh abduction.

PL: Well see if I can put it in other words. I told you what I saw. And then within a week I hear a child is missing. All of a sudden gee could that have possibly been the same child that I saw. I can't remember precisely what day it is because as I told you in our interview previously to having the tape going here that I was up there on many many days. I do know that I was up there for at least three or maybe four days in a row. So I can't remember exactly what day it was. I look briefly at



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this photograph and I don't see the freckles which is one of the predominant things I took as one of the characteristics traits of him. And aside from that I got a child who doesn't have all of his teeth in the front and that is very, very common for children. Now you add to that ...

PM: Wait a minute you lost me on the teeth part.

PL: Well he was missing his, his teeth are arched. His teeth are just starting to grow in.

PM: The child you saw?

PL: The child I saw yes.

PM: We didn't cover that before.

PL: Well you didn't ask and when ...

PM: I know I didn't. If I don't ask you should tell me.

PL: Yea like I said I went with a very round head, gee look at those freckles, his teeth was missing and they were kind of arched, just starting to grow in and as I told you before whether I implanted it or not I believe that I chose his shorts as being kacki. And only because you could use the word kacki and everybody is going to go yea that is what it was.

PM: So taking all this ...

PL: Listen it boils down to and I hate to bring it up but it boils down to I was able to convince myself that it probably wasn't the same child, that the police probably have other witnesses, that I couldn't have been the only person that saw anything. Every reason in the book just so that I don't have to say that I was the one that could have stopped the man. Now you will have to understand that. Ok it is not something that I am happy to say on tape, alright, but even at the time the same night that I saw that came to my mind too. So it just basically boiled down to where the police don't need you, somebody else probably saw the same thing that you saw. Besides what do I got to say? Just you are not my daddy. And back then I am presuming that maybe he kicked up a fuss previously, so you know you yourself said earlier that you had other people come forward and you are very very comfortable with what they had to say.

PM: Given that my next question obviously is what brings you to law enforcement now 15 years afterwards?

PL: Well prior to me walking in to the store there was a van parked outside. Now I guess, let me sum it up, I guess maybe I have always felt that I made the wrong decision in not going to the police. Maybe I've felt a little guilty about doing that.

PM: It is a natural reaction.

PL: No I mean and over time the fact that there was a van parked outside at the time...

PM: We haven't talked about this van yet, what does the van have to do with it?

PL: The van could have absolutely nothing to do with this. Other than it being parked outside at the time. And since I never went outside to see where this man went with this child, all that I know that that was one of the things that I remembered and recalled at the time of me catching the back end of the news cast. And ever since then whenever I am behind a van I start thinking.

PM: What can you tell me about the van you saw?

PL: It is one of those nicer vans with a picture window and it has a teardrop little corner window and that it is blue and that I mean like I said it could be nothing alright, but I have always considered that to have been sinister. And that maybe that guy just went right into that van.

PM: Where was the van parked in relation to the entrance you went into?

PL: Within 20 feet of the door. Right up against the curb.

PM: It was against the curb?

PL: Oh yes that is the reason why I remembered it because ...

PM: Was somebody behind the wheel?

PL: Well no. And the reason I remember it is because the van being parked there cost me my parking space I wanted to get. People were coming into my lane stopping me from going forward and there was a nice parking space right there and this guy did a U-turn right into it. So then I had to swear at the van, drive around and that is pretty much a precursor to me being in the frame of mind of wanting to start judging people when I finally did walk in the door and saying gee look at this doting father carrying a child this size and you know these are the little emotional things that make me remember this day. At any rate to make a long story short with the van, every time we

get behind a van I eventually start to get bothered by, should I have gone to the police and every time that happens I just put it out of my mind. I am tired of living that way. As I mentioned to you earlier I do U-turns in the middle of the street because I quite frankly don't want to consider myself you know I don't want to go through another one. I don't want to actually end up being somebody that sees this thing twice.

PM: I can understand that. This will conclude the statement at approximately 11:00 AM.

**STATEMENT TERMINATED**