

# **EXHIBIT SS**

**AFFIDAVIT OF JENNIFER BEARDEN**

State of Arkansas    )  
                                  ) ss.  
County of Saline )

Before the undersigned Notary Public, duly qualified and acting in and for said county and state, appeared Jennifer Bearden, to me well known to be the affiant herein, who stated the following under oath:

- “1. My name is Jennifer Bearden. I reside in Bryant, Arkansas. I am 23 years old.
2. In 1993, I attended Ellendale Elementary School in Bartlett.
3. Holly George was a friend of mine at the time.
4. In February or March of 1993 Holly and I went to a skating rink in West Memphis, Arkansas where we met Jason Baldwin and Damien Echols. The name of the rink was Skateworld.
5. A number of young persons used to go to Skateworld. It was in either late February or March of 1993 that Holly and I met Jason and Damien. We started to socialize with Jason and Damien, and saw them at Skateworld on more than one occasion.
6. We also saw them in two other places. At one point, my mother drove Holly and I to Lakeshore, and we went to the trailer park where we met Jason, Damien and two other guys. One was Buddy Lucas and the other

one was named Ken.

7. Holly and I also went with Jason and Damien to the Esperanza Bonanza Carnival which I believe was in May of 1993. The Carnival was in Marion. My mother also took us to the Carnival.
8. The last contact that I had with either Jason or Damien was the day prior to their arrest.
9. From the time that I met them to the last day that I had any contact with them, I talked to Damien almost every day on the phone. I recall talking to Jason on the phone, but only when Damien was with Jason. I believe I also spoke with Jason when Holly George phoned him and I was on the phone call with Holly.
10. I also saw Jason and Damien at Skateworld almost every weekend after we first met them. Our contacts lasted roughly three months.
11. My recollection is that Holly and I obtained Jason and Damien's phone numbers after we first met them at Skateworld. We all hit it off well.
12. I had grown up in West Memphis until I was six years old. I was aware that there were not many diversions for teenagers in West Memphis. Skateworld was one of the places that teenagers would socialize. They used to have an all night skate which I recall happening one Saturday every month. Holly and I went to at least one, and probably more, of the all night skates.

13. I knew who Jessie Misskelley was. Whenever Holly and I socialized with Jason and Damien, I noticed that they would not have anything to do with Jessie, who was always in trouble. Based on my contacts with Damien and Jason, it was my opinion that they did not like Jessie, and I did not like him either.
14. I became aware that Jessie stole the 8-ball from the pool table at Skateworld. He showed all four of us, Holly, Jason, Damien, and myself the 8-ball. The owner of Skateworld, Kenny, found out about it. Jessie blamed Damien and Jason for having stolen the 8-ball, and Kenny told both Damien and Jason to leave Skateworld. They were excluded for that night. Jason and Damien told Kenny, the owner, that Jessie had stolen the 8-ball.
15. On the one occasion that Holly and I visited Lakeshore Trailer Park, Damien left the park with a guy named Murray and a girl named Domini Teer. At the time, I did not know who Domini was. I was unaware of her having a relationship with Damien, and thought that she might have been with Murray for all I knew.
16. At no time do I remember either Jason or Damien talking to me about witchcraft, cults, or other matters of that kind which I was later asked about by the police. I never saw any indication of unusual behavior, or anything that would have led me to believe that they had unusual beliefs.
17. I recall learning that Jason and Damien had been arrested when my mother

called to say that they had been arrested. I turned on the television and saw the story. I was completely shocked.

18. I do not believe that my mother was ever aware of my knowledge of, or socializing with, Damien and Jason until sometime in 1993 when a private investigator contacted Holly's mother. That led to Holly and I being interviewed, and my mother finding out about my contacts with Damien and Jason. My mother was angry at me for concealing my relationship with them.
19. I recall that the contact with the private investigator happened at Holly's house either at the end of July or in August of 1993. It was just after my 13<sup>th</sup> birthday. Holly and I sat at the kitchen table in Holly's house. Our mothers were there. We were all interviewed together by an investigator named Ron Lax, and a woman who was present with him.
20. I had previously been interviewed by police officers in around September of 1993. I believe that the officers were Detectives Ridge and Allen. I also believed I talked to Mr. Fogelman on the phone. I was due to be called as a witness in the Misskelley case. I never was called.
21. My routine when I was at school in Ellendale Elementary in May of 1993 is that Holly and I would be picked up from school at about 3:00 p.m. by Holly's mother. She would drop me at home.
22. During the time period that Damien, Jason and I were socializing, and all

through May of 1993, after I got to my house, Holly would telephone either Damien or me first, and then the other would get on the line, and the three of us, Holly, Damien, and I would wind up together on a three-way call. Often, my experience was that Damien and Jason would be together. But Damien would talk more than Jason. I remember talking with Damien on the phone just about every day. If Holly did not initiate the call, I would phone to find Damien either at his place or at Jason's. Damien was usually at one of the two places.

23. This case has made a big impression on me. It influenced me to become a criminology major in college. I have thought a lot about the period of time in question because it was just an extraordinary time period. I do recall that on May 5, 1993, which is the day before the children's bodies were discovered, and the news about the discovery was on the television, I was talking to Damien by phone.
24. I remember that we first talked that day after I got home, which means it would have been a conversation that had taken place after 3:00 p.m. I recall that we had to get off the phone because Holly's mother had to use the phone. It was a three-way call. I told Damien that I would call him back. Either during that call, or when I called Damien back myself after Holly had hung up, I spoke with Damien who told me to call him at Jason's trailer.

25. I am not exactly sure of the time of the next call, but I remember that I became irritated because the two were playing video games and not really talking to me. Damien was there, and I believe it was Jason who answered and then gave the phone to Damien. When I called Jason's house I could only talk to one of them at the time. During that call, Damien told me that he and Jason were going to Jason's uncle's house. He told me to call him later on at night. I believe he told me he thought he would be home at around 9:00 p.m.
26. Between calls to Damien and Jason, it is likely that I talked by phone with Holly. If Holly and I were not talking to Jason and Damien during that period of time, we were usually on the phone with each other. Holly was interested in a guy named Matt Thorpe. We would talk about various things, including our interest in the boys.
27. I recall making a call to Damien's house that night, May 5, 1993. I believe the call was made around 9:00 p.m. This was the night before the announcement of the killings of the three young boys. The first time I called I got a busy signal. The phone at Damien's house did not have call-waiting. I called again and Damien's grandmother answered. She told me that Damien was not home yet.
28. At some point later on I called again and I got Damien on the phone. I believe I stayed on the phone with him for about a half hour. My

impression is that this call began at around 9:30 p.m. and ended around 10:00 p.m.

29. My recollection is that there were several phones in my house, and therefore, that I could originate phone calls from my room. I had a telephone in my bedroom.
30. As far as I know, neither Jason nor Damien had my telephone number. My recollection is that when I talked to Damien or Jason it was because either Holly or I originated the call.
31. The pattern of phone calls between myself and Damien continued as I have described until the time of Damien's arrest. Either Holly or I would originate the calls. I would find Damien either at Jason's or at his house. It was not unusual for Damien's number to be busy and for me to have to call several times before I contacted him.
32. Based on my habit at the time, I believe that I did have telephone contacts with Damien and/or Damien and Jason on the day that the three boys' bodies were discovered, and the news came out. I do not remember anything unusual being discussed during that phone call, or during any of the phone calls I had with Damien and/or Damien and Jason between May 5, 1993 and the day on which I found out that Damien and Jason had been arrested.
33. I believe that the next personal contact I had with Jason and Damien after



the day on which the bodies of the three young boys were discovered was that weekend either at Skateworld or at the Esperanza Bonanza in Marion.

34. I have reviewed my interview with the police of September 1993. I know that I did not tell the police at the time that Damien and I had been an item, meaning that Damien and I had a teenager's boy-girl relationship. I had been interested in him at the time. I was nervous when I spoke with the police. I did not want my mother to know.
35. Together with private investigator Tom Quinn I reviewed the transcript of my interview with police officers of September 10, 1993. I understand that I told the officers that I called Damien back at around 9:20 p.m. or 9:30 p.m. on the night of May 5, 1993. I was not supposed to be on the phone after 9:30 p.m., so I explained that I called him no later than 9:30 p.m. But my belief is that the phone call lasted past 9:30 p.m. I was supposed to have been in bed by 10:00 p.m. I was concerned that if my mother learned that I had been on the phone past 9:30 p.m., she would have thought I had not been obeying her, or conducting myself as she would have expected.
36. I have read the foregoing statements and state that they are true and accurate to the best of my knowledge and belief."

Further the affiant sayeth naught.

IN WITNESS WHEREOF, I hereunto set my hand this 6<sup>th</sup> day of June 2004

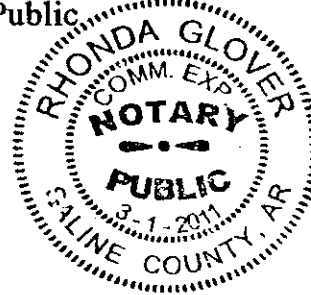
2004.

*Jennifer Bearden*  
JENNIFER BEARDEN

Subscribed and sworn to before me this 10<sup>th</sup> day of June, 2004.

Rhonda Glover  
Notary Public

My commission expires: 3-1-2011



# **EXHIBIT TT**

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[www.johndouglasmindhunter.com](http://www.johndouglasmindhunter.com)

**EMPLOYMENT (Present):**

**Author / Consultant**

“INSIDE THE MIND OF THE BTK STRANGLER”-JOSSEY-BASS (Scheduled Pub. Date 10/2007)

**President -Mindhunter Investigative Support, Inc.**

- Provides pro-bono assistance to the Police and victims of violent crimes

**Speaker’s Bureau “Greater Talent Network”, New York**

**ADJUNCT FACULTY / LECTURER:**

- University of Virginia - (1977-1995) University of Pennsylvania – (1982-1995)

**F.B.I. QUANTICO, VA 1977-1995----RETIRED JUNE 18,1995**

- **National Center for the Analysis of Violent Crimes (NCAVC)** **Served**  
**as Chief of the Investigative Support Unit (ISU)**
- **Overall Supervision of NCAVC**
  - \* **Criminal Investigative Analysis (CIA) Program**
  - \* **Violent Criminal Apprehension (VICAP) Program**
  - \* **Arson and Bombing Investigative Analysis Program (ABIS)**
- **AWARDS:**
  - Sigma Phi Epsilon Fraternity**  
Distinguished Service and Outstanding Contributions in his Chosen Field (1999)
  - Eastern New Mexico University**  
Outstanding Alumni Award (1999)
  - Consumer Attorneys of San Diego**  
Lifetime Achievement Award (1997)
  - Bureau of Alcohol Tobacco and Firearms**  
“Development of Innovative Strategies to Combat Serial Arson and Bombing” (1995)
  - International Association of Law Enforcement Analysts**  
Most Significant Contribution to the Literature of Law Enforcement Intelligence –  
“Crime Classification Manual” (1994)
  - United States Secret Service**  
“Outstanding Assistance and Support of the Law Enforcement Responsibilities of  
United States Secret Service” (1989)

**University of Virginia**

- Jefferson Award for Academic Excellence - “Crime Classification Manual” (1992)
- Jefferson Award for Academic Excellence - “Sexual Homicide: Patterns and Motives” (1988)

**1970-1977 Field Investigation (Detroit, Michigan / Milwaukee, Wisconsin)**

- Primary Relief Supervisor—Violent Crimes Desk
- Bank Robbery Coordinator
- FBI Recruiter
- Media Spokesperson for Special Agent in Charge
- SWAT Team Member
- Hostage Negotiator
- Applicant Recruiter
- Law Enforcement Instructor

**EDUCATION:**

**1989 NOVA Southeastern University, Fort Lauderdale, FL (sponsored by: F.B.I.)**

- **Ed.D.** – Dissertation “A Comparative Study of Two Educational Techniques Used in Training Law Enforcement Officers on How to Classify Homicides”

**University of Wisconsin – Milwaukee, WI**

- **M.S.** - Master of Science--Education Psychology / Guidance & Counseling 1975
- **Ed.S.** – Education Specialist--Administration and Supervision / Adult Education 1977

**1966-1970 United States Air Force Rank: Sergeant**

- **B.S.** - Sociology/Physical Education / Recreation - Eastern New Mexico University, Portales, New Mexico
- Received: United States Air Force “Academic Achievement Award” 1970

**TRAINING:**

- Armed Forces Institute of Pathology
- American Academy of Forensic Sciences
- American College of Forensic Examiners
- American Society of Industrial Security
- FBI National Academy - California Chapter – Crime Analysis-Signature Crime (Instructor)

**F.B.I. SPECIALIZED TRAINING:**

- Hostage Negotiation
- Management Aptitude Program
- Homicide Case Management
- Interpersonal Violence
- Sexual Exploitation of Children
- Swat
- Interpersonal Violence

**Course Instructor:**

- Hostage Negotiations
- Criminal Profile Coordinators
- Criminal Psychology and Crime Scene Analysis
- Advanced Profile Coordinators In-Service Crime Analysis
- Interpersonal Violence
- Violence in the Workplace

**CRIME ANALYSIS, INVESTIGATIVE, PROSECUTORIAL STRATEGIES AND/OR TESTIMONY**

- Congressional Testimony on “Serial Crime” to The U.S House of Representatives.
- Briefings “Violence in America-Causes & Investigative Solutions” to U.S. Senators, Representatives and Congressional staffs.
- Prosecutive assistance and/or testimony in cases relative to “signature crime analysis”, “modus operandi”, “crime scene staging”, “criminal motivation” pre and post-offense behavior.
- Consultant to State, Local and other Federal Law Enforcement Agencies and provided expert testimony and information for probable cause search warrants throughout the United States, Canada, Mexico, Puerto Rico, Panama, Costa Rica, England, Italy, Germany, New Zealand and Australia.
- Consulted and/or provided overall supervision in thousands of cases involving homicides, rapes, kidnapping, bank robberies, product tampering, extortion and arson & bombing investigations. (including such cases as)
- JonBenet Ramsey Homicide, O.J. Simpson Civil Case, Wayne Williams-“The Atlanta Child Murders”, “Columbus (Georgia) Stranglings”, “Chicago Tylenol Murders”, “.Buffalo (New York) 22 Caliber Killer”, “Wichita (Kansas) BTK Strangler”, “Seattle Washington) Green River Murders”, “Yorkshire (England) Ripper”, Cleveland (Ohio) West Park Rapists”, and many others.

**RESEARCH:**

- “Sexual Homicides” – Co-researcher w/Dr. Ann E. Burgess, University of Pennsylvania Results of project have been published in numerous journals and a book published by Lexington Press, entitled Sexual Homicide: Patterns and Motives, 1988.
- “Violence in the Workplace” - w/Dr. Ann W. Burgess, University of Pennsylvania
- “Child Molesters Who Kill” - University of Pennsylvania
- “Crime Classification Manual” - Project Manager, (Juvenile Justice and Delinquency Prevention) University of Pennsylvania
- “The Assassin Personality” – joint F.B.I./U.S. Secret Service project
- “Child Molesters” – Co-Project Manager, (Juvenile Justice and Delinquency Prevention) University of Pennsylvania
- “Bomb Threats” – F.B.I. (project within)
- “Threat Analysis” – Program Manager & Co-authored paper w/Dr. Murray Miron, Syracuse University
- “Serial Rapists” – Research Investigator
- “Threat Analysis” – Advisor, w/Dr. Park E. Dietz, Forensic Scientist, University of Virginia

### **INVESTGATIVE CASE STUDY INTERVIEWS:**

- Interviewed hundreds of murderers, rapists, kidnappers and assassins (among them): Charles Manson and Manson Members; David Berkowitz; Arthur Bremer; Sirhan Sirhan; John Wayne Gacy; Richard Speck; Sarah Jane Moore; Joseph Paul Franklin; Debra Brown; Gary Trapnell; Bruce Pierce; James Earl Ray; Edmund Emil Kemper; William Heirons; Gerald Brudos; Richard Marquette; Duane Samples; Monte Ralph Rissell; Charles Davis; Larry Gene Bell; Clifford Olsen; Joseph Fischer; Gary Heidnik; Lawrence Bittaker; Joseph McGowan.

### **MEDIA:**

- Appeared on every major network as a behavioral crime expert/analyst/consultant (programs included): “The Today Show”; “Dateline”; “60 Minutes”; “Good Morning America”; “The Montel Williams Show”; “The View”; “Court TV” ; Larry King; “Hannity and Colmes”; “Anderson Cooper 360”; “Catherine Crier Show”; “Paula Zahn Show”; “CNN with Wolfe Blitzer”
- Has been featured on: TNT’s “Faces of Evil”; “The Justice Files”; The Profiler” - Nova Television’s :The Mind of a Serial Killer” - “Unsolved Mysteries”; “Americas Most Wanted”; “The New Explorers” , “Top Cops”, “Justice Files”
- Served as Technical advisor for the Motion Picture “Silence of the Lambs” and interviewed for inclusion of DVD’s ,”Behind the Scenes” for “Silence of the Lambs”, “The Red Dragon”, and “Hannibal”

### **ASSOCIATIONS/ORGANIZATIONS:**

- American College of Forensic Examiners (Diplomat)
- Society of Former FBI Agents Association
- International Association Chiefs of Police American Legion
- American Legion

### **PUBLICATIONS:**

- Douglas, John, Burgess Ann W., Burgess, Allen and Ressler, Robert, *Crime Classification Manual—Second Edition, Jossey-Bass (2006)*
- Douglas, John and Olshaker, Mark , *Forensic Emergency Medicine--Second Edition, “Perpetrators”, Lippincott, Williams &Wilkins (2006)*
- Douglas, John ., *Careers in Law Enforcement—McGraw-Hill (2004)*
- Douglas, John and Singular, Stephen. *Anyone You Want Me to Be*, Scribners – Simon & Schuster (2003).
- Douglas, John. *Man Down*, Pocket Books – Simon & Schuster (2002).
- Douglas, John and Olshaker, Mark. *Broken Wings*, Pocket Books – Simon & Schuster (2001).
- Douglas, John and Olshaker, Mark. *Forensic Emergency Medicine, “PERPETRATORS”* – Lipponcott Williams and Wilkens (2001).
- Douglas, John and Olshaker, Mark. *The Cases That Haunt Us*, Scribners – Simon & Schuster (2000).
- Douglas, John. *John Douglas’s Guide to The California Police Officer Exam*, Kaplan Books – Simon & Schuster (2000).
- Douglas, John. *John Douglas’s Guide to The Police Officers Exam*, Kaplan Books – Simon & Schuster

(2000).

Douglas, John and Olshaker, Mark. *The Anatomy of Motive*, Scribners – Simon & Schuster (1999).

Douglas, John. *John Douglas's Guide to Careers in The FBI*, Kaplan Books – Simon & Schuster (1999).

Douglas, John and Olshaker, Mark. *OBSESSION*, Scribners – Simon & Schuster (1998).

Douglas, John and Olshaker, Mark. *Journey into Darkness*, Scribners – Simon & Schuster (N.Y. Times Best Seller) (1997).

**PUBLICATIONS (con't):**

Wright, James A., Burgess, Allen G., Burgess, Ann W., Laszlo, Anna T., McCrary, Gregg O. and Douglas,

John E. *A Typology of Interpersonal Stalking*”, Journal of Interpersonal Violence (1996).

Burgess, Ann W., Baker, Timothy, Greening, Deborah, Hartman, Carol R., Burgess, Allen G., Douglas, John E. and Halloran, Richard. *Stalking Behaviors Within Domestic Violence*” (1996).

Douglas, John E., Burgess, Ann W., Burgess, Allen G., Baker, Timothy and Gariti, Katherine. *Hospital Communication Threats and Intervention* (1996).

Douglas, John and Olshaker, Mark. *Unabomber: On the Trail of America's Most-Wanted Serial Killer*, Pocket Books – Simon & Schuster (1996).

Douglas, John and Olshaker, Mark. *Mindhunter*, Scribner's – Simon & Schuster (N.Y. Times Best Seller) (1995).

Douglas, John E., at al. *“Crime Scene Analysis and Investigative Profiling.”* Chapter in Forensic Psychiatry: A Comprehensive Textbook, Richard Rosner (Ed.) New York: Van Nostrand Reinhold (1993).

Douglas, John E. and Burgess, Ann W. et al. *Crime Classification Manual*, Lexington Press (1992).

Douglas, John E. and Munn, Corinne. *Modus Operandi and the Signature Aspects of Violent Crime*, FBI Law Enforcement Bulletin (1991).

Douglas, John E. and Munn, Corinne. *The Detection of Staging and Personation at the Crime Scene*, FBI Law Enforcement Bulletin (1991).

Douglas, John E. and Burgess, Allen G. *Teaching Crime Classification: A Research Study*, Paper presented at University of Surrey, England (1989).

Douglas, John E., *A Comparative Study of Two Educational Techniques Used in Teaching Law Enforcement Officers How to Classify Homicides*, Doctoral Dissertation, NOVA University (1989).

Douglas, John E., et al, *Serial U.S. Solo Sexual Homicide: The Role of Fantasy*, Robert Alan Prentky Massachusetts Treatment Center, Bridgewater, Massachusetts to be published in the American Journal of Psychiatry (1989).

Ressler, Robert K., Burgess, Ann W. and Douglas, John E. *Sexual Homicide: Patterns and Motives*, Lexington Publications (1988).

Development of a *Homicide Classification Model for Law Enforcement*, Funded by National Institute of Justice (1988).

Hazelwood, Robert R. and Burgess, Ann W. (Douglas, John Contributing Author) *Practical Aspects of Rape Investigation – A Multidisciplinary Approach*, Elsevier Publishing, (1987).

Douglas, John E. and Burgess, Alan E. *Criminal Profiling, A Viable Investigative Tool Against Violent Crime*, FBI Law Enforcement Bulletin (1986).

Douglas, John E. et al *Criminal Profiling from Crime Scene Analysis*, Behavioral Science and the Law, Vol. 4, No. 4, pp. 401-421 (1986).



- Douglas, John E. *Crimes Against the Older Person*, Symposium at FBI Academy “Violent Crime Against the Aging,” unpublished paper (1986).
- Burgess, Ann W. and Douglas, John E. *Sexual Homicide – A Motivational Model*, Journal of Interpersonal Violence, Vol. I, No. 3 pp. 251-272 (1986).
- Ressler, Robert K., Douglas, John E. et al. *Serial Killers and Their Victims – Identifying Patterns through Crime Scene Analysis*, Journal of Interpersonal Violence, Vol. I, No. 3 pp. 288-308 (1986).
- Douglas, John E., et al. *Rape and Sexual Assault: A Research Handbook*, Garland Publishing, Inc. New York and London (1985).
- Douglas, John E. et al. *Rape/Murder: One Offender and 13 Victims*, American Journal of Psychiatry (1981).
- Hazelwood, Robert R. and Douglas, John E. *The Lust Murderer*, republished in the Royal Federal Police Journal, Vol. I, No. 10 (1980).
- Hazelwood, Robert R. and Douglas, John E. *The Lust Murderer*, FBI Law Enforcement Bulletin (1980).
- Douglas, John E. et al. *Offender Profiles: A Multidisciplinary Approach*, FBI Law Enforcement Bulletin (1980).
- Douglas, John E. and Rider, Anthony. *FBI Psychological Profiling in Identifying an Arson Suspect*, Resource Exchange Bulletin (1980).
- Miron, Murray and Douglas, John E. *Threat Analysis: The Psycholinguistic Approach*, FBI Law Enforcement Bulletin (1980).

**TRAINING, SEMINAR AND LECTURE PRESENTATIONS:**

- “The Criminal Personality” - University of Virginia Medical School
- “Prescriptive Interviewing and Interrogation” - Russian Police Supervisors, FBI Academy
- “Classifying Crimes of Violence” - Northeastern University of Criminology School
- “Motivations of Criminal Behavior” - 5<sup>th</sup> Annual Forensic Psychiatry Symposium, Walter Reed Army Medical Center, Washington, DC
- “Who Tamperers: A Pathological Profile” - The Food Processors Institute, Washington, DC
- “Violence in the Workplace” – 2<sup>nd</sup> Conference, Greensboro, NC,
- “Violence in the Workplace” – National Security Agency (NSA), Fort Meade, MD
- “Violence in the Workplace” – The American Society of Industrial Security 1993 Convention, Washington DC,
- “Violence in the Workplace” – sponsored by The American Society of Industrial Security, Greensboro, NC
- “The Mind of a Serial Killer” – Masters Course, St. Louis Medical School
- “Workplace Crime” – sponsored by the FBI, University of Pennsylvania School of Nursing, Selling Center  
for Studies in Criminology and Criminal Law, The Wharton School of Business, Philadelphia, PA
- “Crime Analysis – Signature Crimes” – Governors Conference on Criminal Justice, Charleston, WV
- “Nurses Role in Violent Crime Cases” – American Nurses Association, Las Vegas NV
- “Product Tampering” – American Product Packaging Conference, Washington, DC
- “Criminal Investigative Analysis” – Mexican Federal Police, Mexico City, MX
- “Serial Murder” – Columbia Hospital’s 10<sup>th</sup> Annual Conference, Milwaukee, WI
- “Criminal Investigative Analysis” – 65<sup>th</sup> Homicide/Armed Robbery Convention, Jacksonville, FL
- “Investigative Tools from the Crime Scene to the Courtroom” – Attorney General’s Summit on Violent Crime, Panel Discussion
- “Criminal Investigative Analysis” – South Carolina Solicitors’ Association, Asheville, NC

- “Criminal Investigative Analysis” – International Homicide Association, Kansas City, MO
- “Crime Analysis and the Forensic Odontologist: A Team Approach” – The American Academy of Forensic Sciences, Cincinnati, OH
- “Threat Assessment and Extortion” – IBM, Armonk, NY
- “Threat Assessment” – Sangamon University, Springfield, MO
- “Threat Assessment of Mentally Ill Subjects” – South Carolina Conference on Violence, Western Illinois University
- “Criminal Investigative Analysis” – American Academy of Forensic Sciences, Las Vegas, NV
- “Crime Analysis” – New Zealand Police, Wellington NZ
- “Crime Analysis” – Australian Federal Police, Canberra, AUS
- “Criminal Profiling: Art or Science” – National Polygraph Workshop, Delta College, MI
- “Criminal Profiling: Art or Science” – Virginia Department of Probation and Parole, Virginia Beach, VA
- “Criminal Profiling: Art or Science” – College of American Pathologists, Washington, DC
- “Criminal Profiling: Art or Science” – American Academy of Forensic Science, Philadelphia, PA
- “Crime Analysis” International Association for Identification, Washington, DC
- “Criminal Profiling” – Teleconference, Kansas City, MO
- “Profiling the Serial Murderer” – Space Coast Institute for Medical and Legal Education, Orlando, FL
- “Criminal Profiling-A Viable Investigative Tool” – National College of District Attorneys
- “Crime Analysis-A Tool for Prosecutors” – U.S. National District Attorneys Association and Canadian Crown Attorneys, Toronto, CAN
- “Criminal Profiling and Crime Analysis” – National Symposium on Police Psychological Services WDC

**TRAINING, SEMINAR AND LECTURE PRESENTATIONS (cont'd):**

- “Criminal Profiling-Serial Murderers” – San Diego Homicide Investigators Association, San Diego, CA
- “Criminal Profiling as an Investigative Tool” – FBI National Academy Retraining, Bramshill, ENG
- “Crime Scene Assessment” – Canadian American Police Association, Alexandria Bay, NY
- “Criminal Profiling” – Toronto Homicide Association, Toronto, CAN
- “Criminal Psychology” – Virginia Correctional Association Conference, Wintergreen, VA
- “Criminal Psychology” – Medical Examiners of Northern Virginia, Fredericksburg, VA
- “Criminal Personality Profiling” – Canadian American Police Association, Alexandria Bay, NY
- “Criminal Personality Profiling” – St. Louis, Major Crime Task Force Association, St. Louis, MO
- “Criminal Personality Profiling” – George Mason University, Fairfax, VA
- “Criminal Personality Profiling” – American Society of Criminology, Washington DC
- “Criminal Personality Profiling” – Southern States Correctional Conference
- “Criminal Psychology” – U.S. Armed Forces, Munich GER
- “Criminal Personality Profiling and Crime Assessment” – NYC Police Dept. Homicide Convention, New York City, NY
- “Criminal Profiling and Crime Assessment” – Virginia Correctional Association, Roanoke, VA
- “Criminal Personality Profiling” – Boston University Conference-Sex Offenders Program, Sommers, CT
- “Criminal Profiling and Crime Analysis” – U.S. Armed Forces Symposium, Munich, GER
- “Criminal Personality Profiling” – Virginia Corrections Symposium, Waynesboro, VA
- “Criminal Personality Profiling” – Symposium for Law and Health Services, Boston, MA
- “Criminal Personality Profiling” – American Academy of Psychiatry and the Law, Baltimore, MD
- “Hostage Negotiation-Assessments” – American Psychiatric Association, Baltimore, MD

**OPEN FORUM: UNIVERSITIES & CORPORATIONS:**

- Princeton University
- Duke University
- Cornell University
- Louisiana University
- Rensselaer Polytechnic Institute
- University of Texas (Austin)
- University of Alabama
- University of Miami
- University of Pennsylvania
- National District Attorneys Association
- Oklahoma Heart, Inc.
- Aventis Pharmaceutical
- Ohio Correctional & Court Services Association
- Florida Bar-Labor and Employment Law Section
- Children's Advocacy Centers of Texas, Inc.
- Kansas Association of Court Services Affairs
- Montgomery, Alabama Annual Law Enforcement Conference
- South Carolina Victim/Witness Organization
- North Carolina Victim Witness Network
- Virginia Victim/Witness Organization
- California Sheriffs Association
- MATRIX-Midland, Michigan Center For The Arts
- Missouri Probation and Parole Association
- University of Virginia
- University of Mary Washington
- Weber State University
- Wake Forest University
- Wayne State University
- Washington and Lee University
- University Texas @ Austin
- Indiana University
- Vanderbilt University
- Furman University
- University of Miami
- University of Texas@ Arlington
- Utah State College
- Louisiana State University
- American Academy of Forensic Sciences
- American College of Forensic Sciences
- Armed Forces Institute of Pathology

# **EXHIBIT UU**

**Triple Homicide**  
**May 5, 1993**  
**West Memphis, Arkansas**

**Victims**

Steven Branch, Age 8, Deceased.  
Christopher Byers, Age 8, Deceased.  
James Moore, Age 8, Deceased.

**Subjects**

Jason Baldwin, Age 16, Life Sentence.  
Jessie Misskelley, Age 17, Life Sentence.  
Damien Echols, Age 18, Death Sentence.

At the request of attorney, Dennis P. Riordan, an analysis of captioned triple homicide was conducted by me, former FBI Unit Chief, John E. Douglas (1970-1995), Investigative Support Unit ("ISU"), of the National Center for the Analysis of Violent Crime ("NCAVC").

Mr. Riordan is counsel for convicted subject Damien Echols and requested that captioned case be analyzed for the purpose of possibly providing the following:

- Motive for Unsub(s)
- Homicide Classification Type
- Criminal Personality Profile for Unsub(s)

In order to fully comprehend the process of this analysis the following information will first be addressed herein:

- Criminal Investigative Analysis ("CIA") Defined
- Investigative Research in Violent Crime
- Ritual Crimes
- Crime Classification Categories
- Purpose of CIA
- Case Analysis
- Crime Analysis
- Classification of Homicides Using The Crime Classification Manual
- Control of Victims
- Further Behavioral Manifestations at a Crime Scene
- Offender Profile
- Summary

### **Criminal Investigative Analysis Defined**

Criminal Investigative Analysis is a process whereby crimes are reviewed in their totality from both a behavioral and investigative perspective. It involves reviewing and assessing the facts of a criminal act; interpreting offender behavior before, during, and after the criminal act; developing strategies; profile of unknown offender(s); assessment of suspects; interview and interrogation strategies; search warrant information based on research, prosecutive and trial assistance, and expert testimony in the areas of motive, M.O., and signature (ritual) analysis.

### **Investigative Research in Violent Crime**

In the late 1970's I, along with NCAVC colleagues, were tasked by the FBI to conduct research in the area of violent crime. The National Institute of Justice ("NIJ") awarded grants for the research and two textbooks were published. I co-authored, "Sexual Homicides: Patterns and Motives" in 1988 and "The Crime Classification Manual" ("CCM"). The first edition of the CCM was published in 1992 and the second edition was published in September 2006.

During the early 1980's to early 1990's, while teaching at the FBI Academy and conducting numerous interpersonal violence conferences, there were several occasions when an investigator would use the word "ritual" in application to a homicide that was believed rooted to Satanism. Reports of satanic crimes by mass media served to cloud investigative issues and at times compromised law enforcement's ability to conduct an objective investigation. The religious beliefs of a law enforcement officer at times complicated the process of objectively investigating an alleged satanic homicide. Additionally, the words ritual, satanic, and occult were often times used interchangeably.

In response to law enforcement, the general public, and the media perception that satanic crimes were real and a problem that needed to be addressed, the NCAVC conducted research in

this area. The NCAVC attempted to solicit cases from law enforcement agencies making claims of Satanism. Many of the cases such as Richard Ramirez, "The Night Stalker," and David Berkowitz, "The Son of Sam," exhibited possible indicators of Satanism. However, the "primary" motive in each case reviewed by the NCAVC was found motivationally driven by sex, money, or interpersonal conflicts and did not satisfy the requirements of occult or Satanism. It was determined in every case analyzed; the actual involvement of Satanism was secondary, insignificant, or non-existent. It was also revealed during legal proceedings, that it was the defense who attempted to introduce Satanism in an effort to escape criminal responsibility or minimize punishment for their client.

### Ritual Crimes

Research in this area revealed that a ritual crime is personal in nature. It fulfills the need of an offender either sexually, spiritually, or some psychological need only known by the offender. Ritualized acts observed and perpetrated by offenders included necrophilia, urination, or defecation on a victim, "posing" or "displaying" a victim after death, as well as amputation and the evisceration of a victim.

Results of ritualistic crimes were not found satanic, but rather were for some personal gratification or need for ritual behavior on the part of the offender. Research revealed that it was a way for some violent offenders to fulfill their sadistic and perverted needs. Some of the offenders studied mutilated bodies, amputated limbs from victims, cannibalized victims, and some bathed in the victim's blood. In every case studied, the offender was found either mentally ill or sane, but having some personality disorder. In no case was the offender or his crime found associated or affiliated with some satanic belief or ideology.

During this same time frame there were numerous and misleading claims by the media that one in three children in the U.S. were sexually molested; that there were numerous child sex slave rings operating in the U.S.; and over 50,000 stranger-abducted children were missing each year in the U.S. Yet the U.S. Office of Juvenile Justice and Delinquency Prevention (“OJJDP”), who provided research grants for the book “Sexual Homicide” and the “Sexual Exploitation of Children” research program, estimated on average, approximately 100 stranger abductions of children occurred each year. OJJDP never once reported a single satanic child homicide.

The FBI’s NCAVC published its findings in January 1992 in a book entitled, “Investigative Guide to Allegations of Ritual Child Abuse.” In summary, the NCAVC research determined there was no purpose for law enforcement or reason to claim someone was a Satanist. If anything, it would bolster a defense by claiming their client was insane or had diminished capacity, or may be used to deflect from a case where sex, robbery, or some personal cause was the actual motive.

#### **Crime Classification Categories**

During the initial stages of compiling the CCM, the “group cause” category considered satanic murder as one of its subcategories. There was an abundance of literature available relative to occult and Satanism. However, as the NCAVC began to review the occult and satanic category, we questioned the validity of including this category into the CCM. Based on literature, the definition of a true occult or satanic murder is a murder committed by two or more individuals who rationally plan the crime and whose primary motivation is to fulfill a prescribed satanic ritual calling for murder. Committee members found no research evidence of the existence of any satanic homicides.



Based upon the above, the authors of the CCM excluded occult and satanic murders from the CCM. In September 2006, the second edition of the CCM was published and once again its authors excluded occult and satanic murders as a subcategory due to the absence of research and investigative evidence. The CCM separates homicide into four major categories.

### **Criminal Enterprise**

Criminal enterprise homicide entails murder committed for material gain (i.e. money, goods, territory, or favors).

### **Group Cause**

Two or more people with a common ideology that sanction an act committed by one or more of its members that results in death (i.e. gang related homicides).

### **Sexual Homicide**

Sexual homicide involves a sexual element or activity as the basis for the sequence of acts leading to death. Performance and meaning of this sexual element vary with the offender. The act may range from actual rape involving penetration (either before or after death) to a symbolic sexual assault, such as insertion of foreign objects into the victim's body.

### **Personal Cause Homicide**

Homicide motivated by personal cause is an act from interpersonal aggression and results in the death of person(s) who may or may not be known to each other. The homicide is not motivated by material gain or sex and is not sanctioned by a group. It is the result of an underlying emotional conflict that propels the offender to kill.

### **Purpose of Criminal Investigative Analysis**

The purpose of CIA is to generate potential leads, as well as suspects who, based on past case experience and research, would most likely perpetrate the type of crime being investigated

(i.e. homicide, rape, arson, kidnapping, etc.). In most cases an analysis is requested in order to provide investigative direction when the perpetrator's motive and intent are unknown. An analysis may "reinforce" the course or direction of the investigation or may in fact "redirect" an investigation if it appears the investigation has been somehow misdirected or maligned. From prior investigative experience, cases have been misdirected by misinformation relative to eyewitness testimony; lack of investigative experience; false confessions; contamination at the crime scene; and/or the mishandling of evidence during the collection and preservation of the scene.

#### Analysis

Whenever a case is submitted for analysis the written assessment is prefaced by the following statement: "This analysis is based upon information available at the time this report was prepared and assumes that the information provided was obtained through a comprehensive, thorough, and well-planned investigation. Should any additional information or case materials become available at a later date those materials would be reviewed in order to determine whether they are germane to issues discussed herein. Subsequent to such a review, certain aspects of this analysis may be subject to modification or change."

Relative to instant case, this crime was presented by police and prosecutors as "satanic" and according to the medical examiner ("ME") one particular victim was emasculated by the killer. The ME's conclusion had a major impact and influence when initially analyzing the case relative to determining the offender's primary motive. However, as set forth herein, the ME's initial findings and conclusions according to one of America's foremost forensic pathologist, Dr. Warner Spitz, M.D., and forensic scientist, Dr. Jon Nordby, P.H.D, were inaccurate. In their professional opinion all three victims were attacked post-mortem by some predatory animal.

**Basis of Analysis**

The following analysis was based upon a thorough review of investigative materials provided to me by attorney, Dennis Riorden. Information utilized to formulate this analysis included police investigative reports relative to the overall crime and case impressions by investigators at that time; crime scene photographs; crime scene diagrams; autopsy photographs; autopsy protocols; forensic evaluation evidence; neighborhood demographics; victimology data (victims risk level); and results of interviews with friends, neighbors, and acquaintances of the victims. In addition, a visit to the crime scene location was conducted. Although it was thirteen years since the homicides, the immediate area had remained reasonably the same. The Mayfair Apartment Complex, which is adjacent to the Robin Hood Hills area, was no longer occupied.

**Preliminary Case Review**

After a preliminary review of the case it was said captioned subjects were involved in satanic worship and consequently it was asserted by investigators and prosecutors and a "satanic expert" that this was the motivating factor in the death of captioned victims. When learning the children were supposedly victims of some sort of satanic ritual sacrifice, an underlying motive in the deaths of three eight year old boys, I was very interested in determining how this conclusion came about.

In all my 25 years of investigative experience in the FBI, and after 11 years as a private consultant to prosecutors and defense attorneys in a variety of cases, I have yet to see a single homicide case which was determined to be a satanic ritual homicide. Perhaps this will be my first.

### **Victimology**

Examination of a victim's background is a significant part in the analysis process. The three victims' vulnerability to becoming victims of violent crime was examined in conjunction with a review of their lifestyle, reputation, behavior, and personal history. Specifically, what if anything made them susceptible to becoming the victim of a violent crime? Were they specifically targeted or random victims?

All three victims were eight years old and were approximately the same weight and height (average weight 57 pounds, average height 4'1"). They attended the same elementary school and lived in the same low to middle socioeconomic class neighborhood. Investigative reports indicated the Byers victim was punished by a spanking from his step-father because he left home after school without permission. One neighbor observed the victims traveling on two bicycles carrying what appeared to be camping equipment. There was nothing of significance in their backgrounds that would categorize the victims as "high risk."

### **Neighborhood**

As stated above, the victims' neighborhood was comprised of low to middle socioeconomic families. At the time of the homicides there were several unoccupied homes scattered throughout the neighborhood and adjacent to the Robin Hood Hills area where the victims were discovered. Located in the Robin Hood Hills area was a transient apartment complex known as the Mayfair Apartment Complex. According to investigators, the apartment was a haven for drug offenders and sometimes a residence for convicted sex offenders out on parole.

The area known as Robin Hood Hills is contained by I-40 and I-35 to the North and by the Ten Mile Bayou Division to the South. The crime scene area was heavily wooded at the time

with several meandering foot paths leading in and out of the woods. The most common method of entering Robin Hood Hills was from the intersection of McNuley Drive W. and W.E. Catt Street. Along W.E. Catt Street are homes with backyards facing north toward Robin Hood Hills. At the time of the homicides there was a footpath leading into Robin Hood Hills from McNuley Drive W. The footpath led to a pipeline which crosses the Ten Mile Bayou. Anyone using this pipeline would have to have some degree of balance and agility or they could easily fall into the water below.

Due to the remoteness of the area, the Robin Hood Hills area is a potentially high risk crime area for young children to play in at any time of the day and particularly when darkness approaches. Generally, children are safer if they are playing with others. However, the victims were just eight years of age, were of small physical stature, and were playing in a remote and isolated area. If there were cries for help during an assault, the canopy of trees coupled with traffic noise from I-40 and I-55 could easily muffle any distress calls from the victims. When the victims decided to play in the isolated and wooded area of Robin Hood Hills, the risk level of becoming a victim of a violent crime automatically increased.

#### **Medical Examiner's Findings**

The purpose of this section is to discuss the significant findings of the medical examiner and to address the significance of both the victim's injuries and other activities by the offender(s). As previously stated, this analysis is not a substitute for a thorough and well planned investigation. The key to the successful resolution of any case rests with investigators properly collecting and preserving evidence at the scene of the crime. Unfortunately, by the time the Crittenden County coroner arrived to the scene investigators had already removed the three victims from the drainage ditch where the victims were disposed. This unfortunate act possibly

corrupted any forensic evidence recovered at the scene which could be later linked to the Unsub(s). The autopsy findings and reports submitted by Dr. Frank Peretti were reviewed and are briefly summarized below. It is noted that Dr. Peretti did not recognize predatory post mortem wounds inflicted on the victims. Analysis specific to the three victims in this case follows.

**James M. Moore - Victim D. O. B. 7/27/84**

It was Dr. Peretti's opinion that James Michael Moore died as a result of multiple injuries and drowning. The victim was found in approximately 2-2½ feet of water. His nude body was tied wrist to ankles bilaterally in a "hog-tied" fashion. Dr. Peretti noted "little marks present on the lateral margins and tip of the tongue." Dr. Peretti did not identify the bite marks as being human or from some animal predator. The victim received numerous blunt force injuries to the head and torso. Defense type wounds were observed by Dr. Peretti on the victim's hands.

**Steven Edward Branch - Victim D. O. B. 11/24/84**

Dr. Peretti notes Branch's cause of death was the result of blunt force trauma injuries to the victims head, torso, and extremities and drowning. Like Moore, Branch was found naked and "hog-tied" in approximately 2-2½ feet of water. Dr. Peretti described the victim's left side of his face and ear showing, "confluent red abrasions with multiple gouging-type irregular wounds and overlying abrasions." Dr. Peretti made note of the victims penis having red-purple coloring with very fine superficial scratches. It was not noted what type of instrument, weapon, or animal could have caused the multiple gouging, abrasions, and fine superficial scratches.

**Christopher Michael Byers - Victim D. O. B. 6/23/84**

Dr. Peretti concluded the victim died as a result of multiple injuries. The victim was found naked and "hog-tied" in a drain ditch containing 2-2½ feet of water. The victim had

multiple linear abrasions measuring ½ inch to 1¼ inch. Multiple abrasions were found on the victim's face. Dr. Peretti reported, "multiple superficial bite marks" on both the left and right cheek of the victim. Dr. Peretti described "multiple gouging superficial wounds and multiple cutting wounds" surrounding the perineum (area of skin between the testicles and the anus). In addition, toxicology tests revealed a non-therapeutic level of carbamazepine in the victim's blood. This prescription drug was used in the treatment of Attention Deficit Disorder ("A.D.D."). It was determined, via interview with the stepfather, that the victim did not take his medicine the day of his death. Dr. Peretti did not address who or what caused the gouging, cutting, and bite marks. As noted earlier in the report, Dr. Spitz and Dr. Nordby each concluded that the victim's wounds, other than those from blunt force trauma, were caused by animal predation.

#### Crime Analysis

One of the fundamental tenants of crime scene analysis is to evaluate variables which explain why the captioned victims became victims of a homicide. While conducting an analysis of the behavior that is manifested at violent crime scenes it is important to avoid becoming too focused on any one aspect of the crime scene and ascribing singular importance to it. It is the totality of the circumstances rather than a single crime scene variable that is important in assessing not only *what* happened but *why* and *how* it happened.

The most accurate way of assessing the overall victim-offender interaction is to consider the occurrence of various behavioral attributes in conjunction with one another. Assessing the following variables provides insight into the state of mind of the victims and the Unsub(s) prior to their deaths.

- The victims perceptions or lack thereof of the risk to which the victim is exposed.



- The offender's level of risk, intent, degree of organization and planning, presence or absence of displayed anger, and degree of control exercised over the victims, the scene, and himself.
- Offender's choice of weapons and whether he brought them or obtained them at the scene.
- Significance of the nature, location, and severity of the victims' injuries.
- Significance of method used to control the victims.
- Significance of method used to dispose of the victims, the victims' clothing, and the victims' bicycles.

To explain the murders of the three victims it is not only important to analyze the crime with respect to what is observed behaviorally, but to integrate that analysis with what is factually known through investigative interviews and forensic evaluation of evidence.

Assessing the motivation of the murders of the three children and placing the magnitude of these murders into context is paramount to establishing a framework for understanding the dynamics of this crime.

#### **Classification of Homicides Using The Crime Classification Manual**

When initially reviewing the case materials my first impression was that the case was a "lust murder" with the Byers victim being the primary target. This opinion was based in large part from the findings of medical examiner Dr. Peretti. Dr. Peretti opined that victim Byers was emasculated by use of a sharp instrument. His courtroom testimony indicated the emasculation was so surgically precise that even he would have difficulty performing such precise surgical acts even under the best operative conditions.



The Crime Classification Manual defines "lust murder" as any case where the assailant cuts, stabs, pierces, or mutilates the sexual organs of a victim. The victim may be either male or female. A distinguishing characteristic of the lust murder involves extreme mutilation and body dismemberment. The attack is frenzied in appearance but primarily focused on the genital areas of the victim. The lust murderer often times bites victims in the breast, buttocks, abdomen, thighs, and/or genitals.

The most common method of killing for the lust murderer is strangulation, blunt force trauma, or stabbing with a sharp instrument. The crime often times displays what is referred to as "overkill" which is excessive trauma or injury beyond what is necessary to cause death. Dr. Peretti described the wounds as having the appearance of gouging, some bite marks, cutting and blunt force trauma wounds. While Dr. Peretti stated the cutting wounds were caused by a knife, however, he did not address the cause for the gouging and bite marks.

As a result of the most recent findings of Dr. Spitz and Dr. Nordby it can now be concluded that this is not in fact a "lust murder" case or for that matter a so-called "satanic homicide." Other than the blunt force trauma wounds the other contributing and significant wounds according to Dr. Spitz and Dr. Nordby are attributed to animal predation. Their findings totally change the classification type of this triple homicide and will be addressed later in the report.

### **Control of Victims**

A significant behavioral consideration is the location, nature, and severity of injuries and their intended lethality. The offender was very methodical about the killings. He made all three victims remove their clothing. This tactic, an M.O., had been observed in other cases where the offender not only intends to place fear into the minds of victims by removing their clothing, but

also causes some embarrassment to the point where victims do not want to run out totally naked into a public area. The offender knows this tactic is an effective means to controlling young victim(s). The offender also utilized another controlling technique that I personally have never seen before in other violent crimes. The offender utilized shoelaces from the victims' tennis shoes to "hog-tie" the victims. According to reports, the Byers victim was tied by half hitch and double half hitch knots in a "hog-tied" fashion (wrist to ankles). The Branch victim was tied in a similar fashion and the knots were all half hitches. The Moore victim was "hog-tied" with square knots on his left wrist and ankle and half hitch knots on his right wrist and ankle.

Several possibilities were considered for the different knots used in the Moore bindings.

They were as follows.

- Possibility of multiple offenders involved in the case.
- The offender himself used two styles of knots familiar to him.
- The offender had one of the victims help him bind the Moore victim.

Having victims tie one another has been observed in previous cases. What cannot possibly be concluded from this one aspect of the case is whether there was more than one offender involved. A forensic expert for the prosecution testified during the trial about the types of knots utilized by the offender, but never gave an opinion as to the significance of the different knots relative to the Moore victim. What is behaviorally unique is the offender's overall thought process during the assaults. The offender was criminally clever to utilize the shoe laces as bindings. The question though is *why* did the offender want to hog-tie the victims? If the intent was to kill the victims why tie them? This aspect of the case will be addressed later in the report as well.

The general area where the victims were located was said to be transient. In fact, Detective Bryn Ridge found a bag of clothing in the area of the homicides. The clothing included a pair of Jordache jeans (size 33-34), two Bic razors, one pair of socks, one medium black shirt, one large short sleeve shirt, and one road runner bag. In addition, there were numerous empty cans and beer bottles and cigarette butts located in and around the crime scene. It was never determined from either trace evidence or from possible latent prints on the plastic bag whose bag of clothing it belonged to.

#### **Further Behavioral Manifestations at a Crime Scene**

Behavior reflects personality and the behavior exhibited by the offender at the crime scene reveals his personality characteristics. The method and manner in which the offender perpetrated instant homicides is indicative of who he is and what he is like as a person. The commission of a violent crime involves the personal attributes of what we recognize as an individual's "normal" behavior. Such normal behavior is unique to that individual.

In addition to the uniqueness revealed in this case relative to how the victims were "hog-tied," there were other behavioral indicators which reflect upon the offender as well. Post offense behavior reflects the offender felt the need to hide the victims' clothing at the scene. He did so by placing small branches obtained at the scene and sticking them into the clothing and pushing under the bayou's muddy water and out of view. The victims were also hidden from view underwater in a drainage ditch. Also of significance in the overall analysis was that the offender felt the compulsion as a final act to toss the victims' two bikes into the bayou and out of sight.

### Offender Profile

It is my professional opinion this is a "personal cause" homicide. There are no crime or crime scene indications that these cases are the result of either a Group Cause Homicide, Sexual Homicide, or Criminal Enterprise type of homicide. This is a Personal Cause triple homicide perpetrated by someone whose initial intent was not to kill the victims, but rather to taunt, punish, and/or teach the victims "a lesson." The reason this can be concluded is because the offender did not immediately kill the victims. They were alive for a period of time as they were being stripped naked and hog-tied. It is my opinion the offender went too far with his taunting and punishment and knew he would be implicated if he let the children go free because he knew the victims and lived in the immediate area.

There was another rational and logical criminal reason why the offender hid the victims, their clothing, and bicycles in the drainage ditch and bayou. The offender did not want the victims to be immediately found, he needed time in order to establish an alibi for himself.

It is my opinion the victims came into the woods of Robin Hood Hills by the most common method and that was by crossing the wood and pipe make-shift bridge. It is inconceivable that they carried their bikes across this very narrow width bridge. Nor is there any evidence they entered Robin Hood Hills at another location or were killed somewhere else and disposed of in Robin Hood Hills. It required much balance crossing the bridge and the chances of falling off the bridge while carrying their bicycles was high. It is my opinion the victims left their bicycles hidden in the tall grass and weeds before they each walked across the pipe bridge. This is an important aspect of the crime to consider, because the offender in all probability threw the bikes into the bayou after crossing back over the pipe bridge walking in the same general direction where both he and the victims lived.

The type of offender responsible in these types of homicides was determined from the original National Institute of Justice ("NIJ") research grants, as the "organized" type of offender. The organized offender is described as being self-centered, egocentric, and narcissistic. He resents people but does not avoid social situations. He looks at social situations as an opportunity to manipulate and use others for his own personal gain. The organized type is known for his cunningness and is very methodical in his every day activities. Because of his criminal intellect, based on his previous criminal activities, he is seen as adaptive and flexible when criminally active. Although having described the offender as flexible and adaptive he prefers to perpetrate crimes in close proximity to where he either resides or is employed. It is his "comfort zone."

The organized type is cognizant of not leaving evidence at the scene which could be forensically linked to him. Stripping the victims, hog-tying them, using sticks to submerge and hide the victims' clothing, throwing the victims' bicycles in the water, as well as dispersing the victims in water, all reflect and speak to the offender's criminal mind.

It is not uncommon for the organized type of offender to be overly cooperative post offense. In view of the fact that he lived in the general neighborhood and knew the victims he realized law enforcement would be asking him questions relative to the case and his whereabouts at the time. The organized offender's cooperativeness is for the purpose to deflect suspicions away from him as a suspect.

Due to the brutality exhibited by the offender at the scene it can be said with confidence that he has the reputation from his past behavioral "problems" as having an unpredictable and extremely explosive and violent personality. Although this crime may in fact be the first time he has killed anyone, it is not the first time he has violently attacked someone.

Predicting the age of an offender at the time of a crime is difficult. There is chronological age and behavioral age to consider. However, based upon the method and manner of death of the three victims coupled with the offender's behavior post offense, which included secreting the victims and disposing of their clothing and bicycles in the water, what can in fact be said with a high degree of certainty is that this triple homicide was not a crime perpetrated by a youthful offender(s) or one without a history of past violent behavior.

The violent prone offender responsible for these homicides did not happen to just evolve on May 5, 1993 as a triple murderer. He has a violent past and I would expect him to have a violent future as well. The offender demonstrated criminal intellect by the method and manner in which he controlled the victims and the way in which he disposed of them and hid their clothing and bicycles in the bayou.

This was a relatively "low-risk" crime on the part of the offender because the crime scene area was isolated and he was familiar with the area. On the other hand, the area was potentially a "high-risk" area for victims due to its isolation. There is no evidence to indicate these homicides were motivated for financial gain (i.e. robbery). There was no evidence to indicate the homicides were perpetrated by multiple offenders or related to Satanism or some satanic ritual. There is no evidence of ritualistic behavior at the crime scene. What is evidenced is a criminally sophisticated modus operandi.

#### Summary

The offender acted alone and was familiar with the victims and the geographical area. He will in fact have a violent history in his past and future. The offender was not a teenager at the time of the homicides. The crime demonstrated criminal sophistication and knowledge not observed in previous and very rare cases where teens were subjects in multiple homicides (i.e.

school shootings). There was no evidence at the scene or in the way the victims were murdered that this was some Satanic-related type of crime. This was a personal cause driven crime with the victims dying from a combination of blunt force trauma wounds and drowning. What was believed at the time to be some type of Satanic ritualistic mutilation upon victims we now know from forensic experts was in fact caused as the result of animal predation.

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# **EXHIBIT VV**

**AFFIDAVIT OF THERESA A. GIBBONS**

**(Filed Under Seal)**

# **EXHIBIT WW**

**AFFIDAVIT OF DEBORAH R. SALLINGS**

**(Filed Under Seal)**

# **EXHIBIT XX**

**AFFIDAVIT OF JUROR SEVEN**

**(Filed Under Seal)**

# **EXHIBIT YY**

**AFFIDAVIT OF JUROR SIX**

**(Filed Under Seal)**



# **EXHIBIT ZZ**

AFFIDAVIT OF TOM QUINN

**(Filed Under Seal)**