

IN THE  
SUPREME COURT OF MARYLAND

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SEPTEMBER TERM, 2023

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NO. 7

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ADNAN SYED, Petitioner,

v.

YOUNG LEE, AS VICTIM'S REPRESENTATIVE, ET AL., Respondents

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ON WRIT OF CERTIORARI  
TO THE APPELLATE COURT OF MARYLAND

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JOINT SUPPLEMENTAL RECORD EXTRACT (REDACTED)

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BALTIMORE POLICE DEPARTMENT  
Forensic Services Division  
601 E. Fayette St.  
Baltimore, MD 21202

**Forensic Biology Report**  
Date Prepared: October 13, 2018

To: Det. Niedermeier  
Unit: Homicide  
Offense: Homicide

CC#: 998B05801

Victim: Hae Min Lee

Forensic Biology analyses were performed between August 14, 2018 and the date of this report.

1- Left fingernail clippings	Property # 99004672 3A
2- Right fingernail clippings	Property # 99004672 3B
3- Swab from bottle cap	Property # 99004542 1A
4- Swab from mouth of bottle	Property # 99004542 1B
5- Swab from white metal necklace	Property # 99004669 1A
6- Swab from yellow metal necklace	Property # 99004669 2A
7- Blood sample from back of shirt #1	Property # 99008991 1A
8- Blood sample from back of shirt #2	Property # 99008991 1B
9- Blood sample from back of shirt #3	Property # 99008991 1C
10- Swab from condom wrapper	Property # 99004517 1A
11- Swabs from longer wire	Property # 99004539 1A 1-2
12- Swabs from shorter wire	Property # 99004539 1B 1-2
13- Blood card - Hae Min Lee	Property # 99004674 1
14- Known blood sample - Jay Wilds	Property # 99018665 1
15- Blood card - Adnan Syed	Property # 99014198 1

The DNA analysis reported was performed using procedures that have been validated according to the Federal Bureau of Investigation (Quality Assurance Standards for Forensic DNA Testing Laboratories, Polymerase Chain Reaction (PCR) testing was performed using extracted DNA. The short tandem repeat (STR) loci D3S1358, D18S1656, D2S1445, D16S1228, D13S177, Fenta E, D16S539, D18S51, D2S1328, CSF1PO, Fenta D, TH01, vWA, D21S11, D7S820, D2S818, TPOX, D8S1179, D12S391, D19S433, FGA, D22S1045, D15S91, and amelogenin (gender indicator) were tested and the following conclusions are based on the data:

**Item 1 - Left fingernail clippings**

- The Left fingernail clippings yielded a DNA profile consistent with a single source, major female profile and one indeterminate minor allele. The major female profile is consistent with Hae Min Lee.

**Item 2- Right fingernail clippings**

- The Right fingernail clippings yielded a single source, female DNA profile consistent with Hae Min Lee.

**Item 3 - Swab from bottle cap**

- The swab from the bottle cap yielded inconclusive<sup>1</sup> DNA results.

**Item 4 - Swab from mouth of bottle**

- The swab from the mouth of the bottle yielded no DNA results.

**Item 5 - Swab from white metal necklace**

- The swab from the white metal necklace yielded no DNA results.



**Item 6 – Swab from yellow metal necklace**

- The swab from the yellow metal necklace yielded no DNA results.

**Item 7 – Blood sample from back of shirt #1**

- The blood sample from the back of the shirt #1 yielded a partial, single source, female DNA profile. Hae Min Lee is the source<sup>1</sup> of this profile.

**Item 8 – Blood sample from back of shirt #2**

- The blood sample from the back of the shirt #2 yielded a single source, female DNA profile. Hae Min Lee is the source<sup>1</sup> of this profile.

**Item 9 – Blood sample from back of shirt #3**

- The blood sample from the back of the shirt #3 yielded a single source, female DNA profile. Hae Min Lee is the source<sup>1</sup> of this profile.

**Item 10 – Swab from condom wrapper**

- The swab from the condom wrapper yielded inconclusive<sup>2</sup> DNA results.

**Item 11 – Swabs from longer wire**

- The swabs from the longer wire yielded inconclusive<sup>2</sup> DNA results.

**Item 12 – Swabs from shorter wire**

- The swabs from the shorter wire yielded a single source, female DNA profile. The profile is that of an unknown female (Unknown Female #1).

**Item 13 – Blood card – Hae Min Lee**

- The blood card from Hae Min Lee yielded a partial, female DNA profile.

**Item 14 – Known blood sample – Jay Wilds**

- The known blood sample from Jay Wilds yielded a full, male DNA profile.

**Item 15 – Blood card – Adnan Syed**

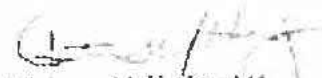
- The blood card from Adnan Syed yielded a full, male DNA profile.

*Future correspondence will be provided if samples are entered into the CODIS database. Notification will be made of any investigative information obtained or sample deletion.*

All relevant samples have been retained by the Baltimore Police Department as required by the Annotated Code of Maryland.

This report contains conclusions based on the interpretation and opinions of the below signed author.

This test is accredited under the laboratory's ISO/IEC 17025 accreditation issued by the ANSI-ASQ National Accreditation Board. Refer to certificate and scope of accreditation 17-0033.

  
Christina M. Harley, MS  
Forensic Scientist II – DNA Analyst

Date Issued  
10/13/18

Due to the complexity of the genetic information available or the possibility of incomplete detection of genetic information, no definitive conclusions can be made whether an individual may or may not be a contributor to the minor portion of the DNA profile. The current methods of analysis did not generate enough data to make a conclusion regarding the inclusion or exclusion of any individual.

<sup>1</sup> Based on an estimated world population of approximately 7.5 billion (7,500,000,000) people, a random match probability greater than 1 in 7.49 trillion (7,490,000,000,000) shows at least 99.9% confidence that the DNA profile is unique in the population. It was not used in statistics due to incomplete detection in the Victim standard profile. E-135317, Penta E, CSF1PO, Penta D, D21S11, D17S800, D16S808, TPSTX, and D22S10431.

STATE OF MARYLAND

v.

ADNAN SYED

Petitioner

\* IN THE  
 \* CIRCUIT COURT FOR  
 \* BALTIMORE CITY  
 \* Case No.: 199103042-046  
 \* Petition No. 10432

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\* \* \* \* \*

**JOINT PETITION FOR POST CONVICTION DNA TESTING**

Now comes the State of Maryland, jointly with Adnan Syed, hereinafter "Petitioner," and moves this Court to order DNA testing on specific items of evidence currently in the possession of the Baltimore City Police Lab, pursuant to Crim. Proc. § 8-201 and Md. Rules 4-704, 4-709 and 4-710. The parties also request the court to direct the Baltimore City Police Lab to release those items for testing to a mutually agreed upon lab.

**I. PETITIONER'S ARGUMENT IN SUPPORT OF PETITION AND REQUEST  
 A. GENERAL HISTORY**

a. *Md. Rule 4-704(a)(1)(a)* - Petitioner is currently incarcerated at Patuxent Institution under inmate identification #293-908.

b. *Md. Rule 4-704(a)(1)(b)* - On February 25, 2000, following a retrial, a jury in the Circuit Court for Baltimore City (J. Heard, presiding) returned verdicts of guilty against Petitioner for first degree murder, kidnapping, robbery, and false imprisonment. On June 6, 2000, Judge Heard sentenced Petitioner to life imprisonment for first degree murder, thirty years for kidnapping (to run consecutive to the life sentence), and ten years for robbery (to run consecutive to the life sentence but concurrent to the thirty years for kidnapping). The conviction for false imprisonment was merged for sentencing purposes.

c. *Md. Rule 4-704(a)(1)(c)* - On direct appeal, the Court of Special Appeals affirmed the



convictions in an unreported opinion; and, on June 20, 2003, the Court of Appeals denied Syed's petition for writ of certiorari. *Syed v. State*, No. 923, Sept. Term 2000 (filed March 19, 2003); *cert. denied*, 376 Md. 52 (2003).

Petitioner filed a Post Conviction Petition and a hearing was held On October 11, 2012 and October 25, 2012. On January 6, 2014, the Honorable Martin P. Welch issued a Memorandum Opinion and Order ("Memorandum Opinion I") denying post-conviction relief. Petitioner filed an application for leave to appeal. After granting leave to appeal on February 6, 2015, and receiving briefs from both the State and Petitioner, the Court of Special Appeals issued an order on May 8, 2015 staying Petitioner's appeal on the issue of ineffective assistance of trial counsel for failure to pursue a plea offer.

On remand, Petitioner filed, pursuant to CP § 7-104, a Motion to Reopen Post-Conviction Proceedings ("Motion to Reopen"). On February 3, 2016, the post-conviction court (Welch, J. presiding) began a five-day hearing to consider the issues raised. On June 30, 2016, the post-conviction court issued its "Memorandum Opinion II" and the court vacated Petitioner's convictions and granted him a new trial.

On August 1, 2016, the State filed an Application for Leave to Appeal. Petitioner then filed a Conditional Application for Leave to Cross-Appeal. On January 18, 2017, the Court issued an order granting the State's Application for Leave to Appeal and Petitioner's Conditional Application for Leave to Cross-Appeal. The intermediate appellate court further lifted the stay of Petitioner's first appeal imposed by the remand order and consolidated the appeals.

The Court of Special Appeals issued its decision on March 29, 2018 and determined that Petitioner was entitled to a new trial.

The State filed a Petition for Writ of Certiorari to the Court of Appeals. Petitioner filed a

Conditional Cross-Petition for Writ of Certiorari. The Court of Appeals granted certiorari. On March 8, 2019, the Court of Appeals reversed the Court of Special Appeals.

Petitioner timely filed a Petition for Writ of Certiorari in the Supreme Court of the United States. The Petition was denied on November 25, 2019.

d. *Md. Rule 4-704(a)(1)(d)*- Petitioner, through undersigned counsel, will pay the costs of testing as well as any costs associated with transporting this evidence by overnight mail, and any other related costs.

## **B. REQUEST FOR DNA TESTING**

Hae Min Lee (“Ms. Lee”) was last seen on the afternoon of January 13, 1999 at Woodlawn High School in Baltimore County, Maryland. Less than a month later, on February 9, 1999, Ms. Lee’s body, dressed in the same clothing in which she was last seen, was discovered in a shallow grave in Leakin Park in Baltimore City, Maryland. It was determined that Ms. Lee’s cause of death was manual strangulation. Through several interviews of a witness who ultimately became a codefendant, Baltimore City authorities came to believe that Petitioner was responsible for Lee’s death. Ms. Lee’s clothing was submitted for trace analysis, which recovered hairs and fibers. Ms. Lee’s cause of death, strangulation, and the manner in which her body was disposed of, indicate that her assailant was in close physical contact with Ms. Lee at the time of her death and burial.

Since this crime occurred, DNA testing has changed and improved drastically. For example, the lab identified by the State and Petitioner can now test for very small amounts of DNA such as “Touch DNA,” which is DNA that is left behind from skin cells when a person touches or comes into contact with an item. Ms. Lee’s clothing, shoes, and certain other evidence recovered from the scene have not been subject to DNA testing. Petitioner now seeks to perform forensic DNA testing on the aforementioned evidence to develop an autosomal STR profile or a Y-STR

profile. STR DNA testing is a well-established scientific test that is generally accepted as reliable by courts and routinely used by law enforcement officials to identify or exclude suspects as the source of DNA recovered from evidence samples. Petitioner seeks to use the most advanced DNA testing methodologies that are currently available to analyze the biological evidence collected from the scene in an effort to exculpate him.

Such intensive testing has never been done on the aforementioned evidence. This method of DNA testing has achieved general acceptance within the relevant scientific community.<sup>1</sup>

Petitioner is advised that the Baltimore City Police Lab has custody of this evidence and that it is available for testing, and that the evidence is related to the conviction. If Petitioner's DNA is not present on this evidence, this fact would be exculpatory and could provide a basis for a factfinder to determine that Petitioner is innocent. Further, an indication of DNA that excludes Petitioner could well have persuaded the fact finder to credit Petitioner's innocence claim that he asserted at trial.

Petitioner has consistently maintained that that he had no involvement in the disappearance and murder of Ms. Lee and he now seeks an opportunity to establish, through DNA testing, pursuant to Maryland Code Ann. Crim. Proc. § 8-201, that he had no involvement in the crimes. The testing sought has the scientific potential to produce exculpatory or mitigating evidence relevant to a claim of wrongful conviction or sentencing. (Maryland Code Ann. Crim. Proc. § 8-201(d)(1)(i)).

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<sup>1</sup> See e.g. *Raynor v. State*, 201 Md. App. 209, 224 (2011) (citing Williamson, Angela L., Ph.D., Bode Technology, January 2012, *Touch DNA: Forensic Collection and Application to Investigations*, available: <https://www.acst.org/wp-content/uploads/2012/01/Williamson.pdf>).



The requested items to be tested are: all pieces of the victim's clothing, shoes, recovered hairs, and other evidence submitted under numbers 99004666, 9908996, 99004672 (reference sample), and 99004674 (reference sample) collected pursuant to CC# 998B005801.

## **II. STATE'S RESPONSE IN SUPPORT OF ORDERING DNA TESTING**

The State asserts that additional now-available DNA testing in the instant case given Petitioner's contentions will assist greatly in evaluating Petitioner's post-trial claims. The State joins in the request that the court order DNA testing on all pieces of the victim's clothing, shoes, recovered hairs, and other evidence submitted under numbers 99004666, 9908996, 99004672 (reference sample), and 99004674 (reference sample) collected pursuant to CC# 998B005801.

## **III. JOINT PETITIONER AND STATE ARGUMENT: HEARING NOT REQUIRED IF PARTIES ARE IN AGREEMENT**

Md. Rule 4-709(b)(2) provides that a court may enter an order granting the petition for DNA testing without a hearing if the State and the petitioner "enter into a written stipulation as to DNA testing or a DNA database or log search and the court is satisfied with the contents of the stipulation." Here, both parties hereby stipulate to the DNA testing to be conducted and the items of evidence to be submitted for testing.


WHEREFORE, in consideration of Petitioner's argument in Section I, the State's response in Section II, and Petitioner and State's joint argument in Section III, the State and Petitioner jointly request that this Honorable Court:

1. Order Baltimore City Police Lab to release the aforementioned evidence to Forensic Analytical Crime Lab (FACL), or another third-party, accredited lab agreed upon by the State and Petitioner, so that DNA testing and analysis may be performed pursuant to Rule 4-709(b)(2); and
2. Grant any such further relief that the interests of justice may require.

**Points & Authorities:**

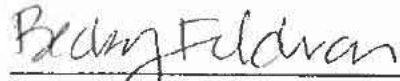
MD CODE ANN., Crim Proc. § 8-201  
MD. R. CR., 4-704, 4-709, 4-710  
*Arey v. State*, 400 Md. 491 (2007)  
*Arrington v. State*, 411 Md. 524 (2009)  
*Blake v. State*, 418 Md. 445 (2011)  
*Edwards v. State*, 453 Md. 174 (2017)  
*Gregg v. State*, 409 Md. 698 (2009)  
*Horton v. State*, 412 Md. 1 (2009)  
*Thompson v. State*, 411 Md. 664 (2009)

Respectfully submitted,



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Counsel for Petitioner



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Counsel for the State

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of March, 2022, a copy of the foregoing Joint Petition for Post Conviction DNA Testing, was delivered electronically to Becky Feldman, Assistant State's Attorney.

  
ERICA J. SUTER

**DONALD J. KRAPOHL****CURRICULUM VITAE**

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Blythewood, SC 29016, USA

E-mail: donkrapohl@c3acorp.com

Telephone: (803) 463-1096

Polygraph License: South Carolina, License #90.

**EMPLOYMENT HISTORY**

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Wells Fargo Investigative Services Position: Polygraph Examiner	1979 – 1985
Central Intelligence Agency Positions: Manager/Polygraph Examiner/ Researcher	1985 – 2006
National Center for Credibility Assessment Deputy Director	2006 – 2015
Capital Center for Credibility Assessment Director, Educational Services School Director: Behavioural Measures UK	2015 – Present

**EDUCATION**

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M.A., Psychology, The Catholic University of America, Washington, D.C., May 1994

B.A., Psychology, Saginaw Valley State University, University Center, MI, May 1979

**SPECIALIZED TRAINING**

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Munford Institute of Polygraphy. Atlanta, GA, 1979.

FBI's Advanced Polygraphy Course. University of Virginia, 1986.

University of Utah Advanced Polygraph Workshop, 1987.

Post-Conviction Sex Offender Testing, 2000.

Updated August 16, 2022

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## **PROFESSIONAL MEMBERSHIPS**

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American Academy for Forensic Sciences  
2019 - Present

American Association of Police Polygraphists  
2007 - 2019

American Polygraph Association  
1979 - Present  
President, 2006-2007, 2022 - 2023

American Society for Tests and Materials  
1997 - 2019  
2016 - 2018 Chair on Forensic Psychophysiology

Various State Polygraph Associations (Honorary)

## **EDITORSHIPS/PEER REVIEWER**

---

Editor-in-Chief, American Polygraph Association  
1997 - 2001, 2008 - 2014

Associate Editor, American Polygraph Association  
2015 - Present

Associate Editor, *European Polygraph*  
2013 - Present

Peer Reviewer, *Journal of Forensic Sciences*  
2018 - Present

## **SELECTED PROFESSIONAL PUBLICATIONS**

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### **Textbook**

Krapohl, D.J., and Shaw, P. (2015). *Fundamentals of Polygraph Practice*. Academic Press: San Diego, CA.

### **Chapters in Edited Books**

Krapohl, D.J. (2001). The polygraph in personnel screening. In M. Kleiner (Ed.) *Handbook of polygraph testing*. Academic Press: London.

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### **Research Articles**

Ansley, N. & Krapohl, D.J. (2000). The frequency of appearance of evaluative criteria in field polygraph charts. *Polygraph* 29(2), 169-176.

Buschman, J., & Krapohl, D. (2009). Onderzoek naar additioneel seksueel gedrag met kinderen in een groep van 38 kinderporno downloaders met behulp van gecombineerde zelfrapportage en polygrafie (Sexual History Disclosure Polygraph Examinations). *Tijdschrift voor Veiligheid*, 3. (In Dutch).

Buschman, J., Wilcox, D., Krapohl, D., Oelrich, M., & Hackett, S. (2010). Cybersex offender risk assessment: An explorative study. *Journal of Sexual Aggression*, 16(2), 197-209.

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- Krapohl, D.J. (2010). Short report: A test of the ESS with two-question field cases. *Polygraph*, 39(2), 124-126.
- Krapohl, D.J. (2020). Electrodermal response ratios: Scoring against the stronger of two comparison questions in search of an optimal minimum threshold. *European Polygraph*, 14(2), 10 – 16.
- Krapohl, D.J. (2020). Electrodermal responses: When is bigger really better? *Polygraph & Forensic Credibility Assessment: A Journal of Science and Field Practice*, 49(2), 104 – 109.
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- Krapohl, D.J., & Cushman, B. (2006). Comparison of evidentiary and investigative decision rules: A replication. *Polygraph*, 35(1), 55-63.
- Krapohl, D.J., & Dollins, A.B. (2003). Relative efficacy of the Utah, Backster, and Federal scoring rules: A preliminary investigation. *Polygraph*, 32(3), 150-164.
- Krapohl, D.J., & Dutton, D.W. (2000). Short report: Normative respiration data for criminal cases. *Polygraph*, 29(4).
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- Krapohl, D.J., and Goodson, W. (2015). Decision accuracy for the Relevant-Irrelevant Screening Test: Influence of an algorithm on human decision-making. *European Polygraph*, 9(4).
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Smith, K. and Krapohl, D.J. (2020 to present). Chart Scoring Practice. *APA Magazine*. Recurring column.

### **Instructional Articles**

Handler, M., & Krapohl, D.J. (2007). The use and benefits of the photoelectric plethysmograph in polygraph testing. *Polygraph*, 36(1), 18-25.

Handler, M., Nelson, R., Krapohl, D., and Honts, C.R. (2010). An EDA primer for polygraph examiners. *Polygraph*, 39(2), 69 – 108.

Kalafati, A., & Krapohl, D.J. (2018). The difference between the manual and automatic settings for the electrodermal channel and a potential effect on manual scoring. *Polygraph & Forensic Credibility Assessment*, 47(1), 37-44.

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- Krapohl, D.J. (2004). Tech Talk: Adding automation to polygraph testing. *APA Newsletter*, 37(1), 20-21.
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experience. *Polygraph & Forensic Credibility Assessment*, 47(1),  
37-44.

Stern, B.A., & Krapohl, D.J. (2004). The efficacy of detecting deception  
in psychopaths using a polygraph. *Polygraph*, 33(4), 201-213.

### **Case Studies**

London, P.S., & Krapohl, D.J. (1999). A case study in PDD  
countermeasures. *Polygraph*, 28(2), 143-148.

Stern, B.A., & Krapohl, D.J. (2003). The infamous James Alphonso  
Frye. *Polygraph*, 32(3), 188-199.

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study: The polygraph examination of Giovanni Ramirez. *APA  
Magazine*.

### **General Interest Articles**

Krapohl, D.J. (2009, May-Jun). Credibility assessment in the 21<sup>st</sup>  
century. *Communique*, 2-3.

Krapohl, D.J. (2011, Apr). Credibility assessment plays key role in  
intelligence. *Signal Magazine* (Supplement), 20-21.

Krapohl, D.J. (2012, May-Jul). A detail day to remember. *Jackson  
Journal*, 20-21.

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Magazine*.

Krapohl, D.J. (2015, Jul). The Concealed Information Test: An  
investigative aid. *California Investigators Magazine*.

Krapohl, D.J. (2016, Feb). Paradigm shift: Searching for trace  
evidence in human memory. *Police Chief Magazine*, 52-55.

Krapohl, D.J. (2018, Jul-Aug). The second hundred years: A choice  
point for the American Polygraph Association: Essay 1 of 3. *APA  
Magazine*, 51(4), 55-62.

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- Krapohl, D.J. (2019, Mar – Apr). Solomon et al. *APA Magazine*, 52(2), 55 – 57.
- Krapohl, D.J. (2019, May – Jun). Fidelity testing now and then. *APA Magazine*, 52(3), 74 – 76.
- Krapohl, D.J. (2021, Apr). Polygraph yesterday, today and tomorrow: An observation. *Canadian Association of Police Polygraphists Region 7 Newsletter*, 1, 7.
- Krapohl, D.J. & Dutton, D.W. (2016, Nov – Dec). Detection deception: Ancient lie detection trickery. *APA Magazine*, 49(6), 55-66.
- Krapohl, D.J. & Grubin, D. (2018, Mar – Apr). It ain't what you don't know that gets you into trouble. It's what you know for sure that just ain't so. *APA Magazine*, 51(2), 68-77
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## **MEDIA EXPERIENCE**

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### **Television**

Discovery Channel (2)  
MSNBC  
National Geographic Channel

### **Radio**

National Public Radio

## **WORKSHOP PRESENTATIONS**

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**National Academy of Science** Board on Behavioral, Cognitive, and Sensory Sciences (BBCSS). *Workshop on Field Evaluation of Behavioral and Cognitive Sciences-Based Methods and Tools for Intelligence and Counterintelligence*, September 22-23, 2009, Washington, DC. Invited presenter.

**National Science Foundation and Office of Science and Technology.**

*Workshop on the Use of Autonomic and Somatic Measures for Security Evaluations*, July 18-19, 2005, Arlington, VA. Invited presenter.

**Cyber Psych 2016 Conference**

*Possibilities and Pitfalls of Credibility Assessment Technologies*. April 25 – 28, 2016, Singapore. Invited presenter.

**Virginia Department of Professional and Occupational Regulation.**

Polygraph Examiners Task Analysis/Item Writing Workshop, July 12, 2005, Richmond, VA. Invited contributor.

**UK Government.** *Current Perspectives on the Accuracy and Potential Utility of Emerging Psychophysiological Credibility Assessment Tools within a Screening Context*, May 15, 2019, at MI5 Headquarters in London. With Professor Donald Grubin, M.D., invited presenters.

**INNOVATIONS**

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Electrodermally Guided Interview Assistance. A method to improve the effectiveness of multi-topic interviews.

Objective Scoring System (OSS), version 2. Algorithm currently on most North American computer polygraphs.

Continuous display of respiration line length to augment analysis of traditional recordings.

**EXPERT TESTIMONY**

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White Marlin Open, Inc., et al., v Phillip G. Heasley. United States District Court for the District of Maryland. Case 1:16-cv-03105-RDB. Civil Action No.: RDB-16-3105. May 23, 2017 (Polygraph).

Commonwealth of Massachusetts v Adeyemi Jaiyeoba. Superior Court Department of Trial Court. Daubert Hearing. Docket No. 1582CR00129. October 11-12, 2017 (Daubert Testimony).

Commonwealth of Massachusetts v Phillip Attardi. Brockton Superior Court. Indictment No. 1783-CR-0039, January 7 and June 9, 2020 (Daubert Testimony).



## **AWARDS**

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American Polygraph Association  
President's Award, 1999, 2012  
John E. Reid Memorial Award, 2000, 2006  
J.J. Heger Merit Award, 2001  
Leonarde Keeler Award, 2015

American Association of Police Polygraphists  
Holly S. Canty Memorial Award, 2009

Asociación Latinamerica de Poligrafistas  
Premio Harry Detwiler, 2011

## **POLYGRAPH SCHOOL INSTRUCTION**

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National Center for Credibility Assessment (1999 – 2013)

National Polygraph Academy (2016 – Present)

Behavioural Measures – United Kingdom (2016 – Present)

Academy of Polygraph Science – Latin America (2016)

American International Institute of Polygraph (2017)

MinDef Centre for Credibility Assessment – Singapore (2007, 2018)

## **SELECTED PRESENTATIONS**

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American Polygraph Association

Frequency of Diagnostic Features. Denver, CO, 1996.

Comparable Thresholds for 3- and 7-Position Scoring. San Diego, CA, 1997.

Moderator: Voice Stress Analysis. Washington, DC, 1998.

Summary of Effect of the Spot Score Rule. Ft. Lauderdale, FL, 2000.

Scientific Investigation of Best Practices. Albuquerque, NM, 2002.

Principles of multiple-issue polygraph screening: A model for applicant, post-conviction offender, and counter-intelligence testing. Reno, NV, 2003.

Principles of polygraphy: What science says. With Dr. Frank Horvath. Orlando, FL. 2004.

The Concealed Information Test. Orlando, FL, 2004.

Polygraph Scoring Research. San Antonio, TX 2005.

Validated Techniques. Las Vegas, NV 2006.

Validated Testing Principles. Indianapolis, IN 2008.

Technical Questions. Myrtle Beach, SC 2010.

Validate Principles: Update. Austin, TX 2011.

Research in Polygraph Techniques. Orlando, FL 2013

Valid Principles: Update for 2017. Las Vegas, NV 2017

Believing is Seeing. Austin, TX 2018

Test Questions: First Principles. Orlando, FL 2019

Canadian Association of Police Polygraphists.

Best Practices: Principles of Multiple-Issue Screening. Edmonton, Alberta, Canada. November 2007.

Validated Testing Principles. Ottawa, Ontario, Canada. August 2009.

Electrodermal Scoring: Evidence and Common Sense. Presented online August 18, 2020.

Canadian Intelligence and Security Services (CSIS)

Successive Hurdles; Best Practices; Validated Techniques. Ottawa, Ontario, Canada. December 2019

#### Federal Interagency Polygraph Seminar

The Objective Scoring System. Baltimore, MD. 2000.

#### International Scientific and Practical Conference

Chart Interpretation; Validated Techniques. Minsk, Belarus.  
March 2017

#### Latin American Association of Polygraphists

In Spanish: El Concepto del Total de Minutos en una Gráfica (The Total Chart Minutes Concept). Republic of Panama. October 2000.

In Spanish: *Principios de Interpretacion de Graficas* (Principles of Chart Interpretation). Mexico City. June 2007.

#### Israel Polygraph Examiners Association

Best Practices: Chart Analysis. Dead Sea, Israel. January 2009.

Valid Polygraph Principles: Presented online. February 2021

#### Mexico Centro de Investigación y Seguridad Nacional (CISEN).

Cognitive Interviewing. Series of lectures in 2017 and 2018 for Mexican government polygraph examiners at 10 cities in Mexico under the auspices of the US Embassy and the Mérida Initiative.

#### Singaporean Ministry of Defence

Best Practices; Validated Testing Techniques. Singapore, October 2007

Basic chart interpretation. Singapore, September 2011.

#### Government of Ukraine (Through the US Embassy)

Test Question Construction; Validated Testing Techniques; Test Data Analysis. Kyiv, November 2021.

Presentations to State Associations (Various years)

Alabama	Michigan
California	Missouri
Florida	New Jersey
Georgia	North Carolina
Indiana	Oklahoma
Iowa	South Carolina
Kentucky	Texas
Maine	Virginia
Maryland	Utah
Massachusetts	Washington



Security Department

AT&T Wireless Services  
801 Northpoint Parkway  
West Palm Beach, FL 33407

# FAX COVER SHEET

TO: Bill Ritz

FAX NUMBER: 410 396 2257

FROM: Rose Ricciardi

PHONE NUMBER: 800-635-6840

FAX NUMBER: (888) 938-4715

TOTAL PAGES (INCLUDING COVER): ~~27~~ 24

MESSAGE: \_\_\_\_\_

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### How to read "Subscriber Activity" Reports

Please note: All call times are recorded in Eastern Standard time.

Type codes are defined as the following:

- Int = Outgoing long distance call
- CFO = Call forwarding
- Inc = Incoming Call
- Lcl = Outgoing local call
- Sp = Special Feature

When "Sp" is noted in the "Type" column and then the "Dialed #" column shows "4" and the target phone number" for instance "#7182225555", this is an incoming call that was not answered and then forwarded to voice mail. The preceding row (which is an incoming call) will also indicate "CFO" in the "feature" column.

Outgoing calls only are reliable for location status. Any incoming calls will NOT be considered reliable information for location.

Blacked out areas on this report (if any) are cell site locations which need a court order signed by a judge in order for us to provide.

CONFIDENTIALITY NOTICE

E2. 27



32	4102655632	01:13:21 PM	00:04:09	L651C
33	4102929704	01:13:27 PM	00:00:11	L651C
34	4102305312	12:30:19 PM	00:00:09	L651C
		TOTAL USAGE:	00:40:34	

P. 1454

Call Date:	01/13/1999	Call Time	Call Duration	Call Site
		HR:MM:SS	MM:SS:SS	

1	4109449232	10:30:37 PM	00:01:44	L651C
2	4108694698	10:29:40 PM	00:00:18	L651C
3	4103407374	10:02:44 PM	00:00:05	L651C
4	4103603657	09:57:14 PM	00:00:14	L651C
5	4109229704	09:10:42 PM	00:08:41	L651C
6	4109229704	09:02:47 PM	00:05:28	L651C
7	4103900384	09:02:46 PM	00:01:24	L651C
8	4103900384	08:05:43 PM	00:00:13	L651C
9	4103900384	08:04:44 PM	00:00:32	L651C
10	4103900384	07:16:22 PM	00:00:13	L651C
11	4103900384	07:09:45 PM	00:00:13	L651C
12	4103407374	07:00:21 PM	00:00:23	L651A
13	4103407374	06:59:31 PM	00:00:17	L651A
14	4103407374	06:24:37 PM	00:04:15	L651C
15	4103407374	06:09:45 PM	00:00:53	L651C
16	4109229704	06:07:09 PM	00:00:16	L651A
17	4109229704	05:28:24 PM	00:00:02	L651C
18	4432329704	05:14:07 PM	00:01:07	L651C
19	4109229704	04:58:54 PM	00:00:19	L651C
20	4107442609	04:12:01 PM	00:02:16	L651A
21	4107442609	03:18:48 PM	00:00:18	L651A
22	4107442609	03:18:11 PM	00:01:32	L651C
23	4107442609	03:12:45 PM	00:00:12	L651C
24	4107442609	03:12:04 PM	00:00:12	L651C
25	4107442609	03:12:04 PM	00:00:12	L651C
26	4107442609	03:12:04 PM	00:00:12	L651C
27	4107442609	03:12:04 PM	00:00:12	L651C
28	4107442609	03:12:04 PM	00:00:12	L651C
29	4107442609	03:12:04 PM	00:00:12	L651C
30	4107442609	03:12:04 PM	00:00:12	L651C
31	4107442609	03:12:04 PM	00:00:12	L651C
32	4107442609	03:12:04 PM	00:00:12	L651C
33	4107442609	03:12:04 PM	00:00:12	L651C
34	4107442609	03:12:04 PM	00:00:12	L651C
		TOTAL USAGE:	00:43:15	

Hi Deanna,  
 Here is a list of the calls made by the suspect on 1-13-99. What I'm hoping to accomplish is to have the engineer prepare a map or diagram of the calls outgoings and incoming from the cell site locations. This would aid in corroborate information provided to us by witnesses and discredit the suspects alibi.

Please call me and advise if this can be accomplished

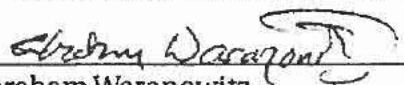
Call Date:	01/12/1999	Call Time	Call Duration	Call Site
		HR:MM:SS	MM:SS:SS	

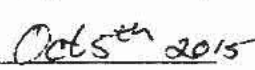
THANKS  
 [Signature]

## ABE WARANOWITZ AFFIDAVIT

I, Abraham Waranowitz, hereby affirm that the following is true and accurate to the best of my recollection:

1. I was a Radio Frequency (RF) Engineer, and I formerly worked for AT&T Wireless in the Baltimore-Washington area. I began working as an RF Engineer at AT&T Wireless in 1995 in Paramus NJ.
2. I was the State's expert witness with regard to cell tower technology in *State v. Adnan Syed*, Case Nos. 199103042-46. I was called as a State's witness and I testified on 2/8/00 and 2/9/00.
3. Just prior to my testimony, in the courthouse, Urick presented me with a document – which I was viewing for the first time – referred to as State's Exhibit 31. I remember reviewing one page of the document. Since this appeared to have ordinary AT&T cell site data on it, I accepted it as it was presented.
4. As an RF Engineer, I did not work with billing records (or subscriber activity reports) and had never seen AT&T Wireless billing or legal documents before I was presented with this document. RF Engineers worked with raw data from the switch. Billing records were separated from engineering activity for security and privacy.
5. What Urick did not tell me, or call my attention to, in relation to Exhibit 31, was that AT&T had previously issued the disclaimer that "Outgoing calls only are reliable for location status. Any incoming calls will NOT be considered reliable information for location."
6. If I had known that it was AT&T Wireless' legal policy for incoming calls to not be considered reliable information in determining cell phone location, I would have inquired further within my organization and attempted to learn why this disclaimer was issued.
7. If I had been made aware of this disclaimer, it would have affected my testimony. I would not have affirmed the interpretation of a phone's possible geographical location until I could ascertain the reasons and details for the disclaimer.
8. I consider the existence of the disclaimer about incoming calls to have been critical information for me to address. I do not know why this information was not pointed out to me.
9. I first conveyed the information above to Justin Brown and his cell tower expert, Jerry Grant, in a telephone call on September 29, 2015.

  
Abraham Waranowitz

  
Date



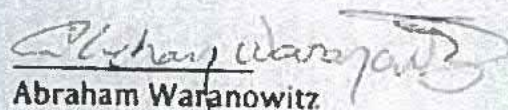
## AFFIDAVIT

I Abraham Waranowitz, hereby affirm that the following is true and accurate to the best of my recollection:

1. I am writing this affidavit to supplement my Affidavit dated 10/5/15.
2. I stand by my 10/5/15 Affidavit.
3. I have reviewed the cell phone documents at issue in this case, including Petitioner's exhibits PC2-15 and PC2-17; and Government's Exhibit B pp. 0360-0378.
4. After reviewing all these documents, I find the fax cover sheet legend ambiguous, specifically the definition of 'location' and which incoming calls are reliable.
5. However, I interpret this legend to most likely apply to both PC2-15 and Exhibit B pp. 0360-0378, and I interpret "location status" to most likely apply to cell tower locations (which can be used to estimate a cell phone's location).
6. Regardless of the interpretation, I had not seen the legend when I was asked to testify in the trial of Adnan Syed. In fact, I was shown what was then State's Exhibit 31 only while I was in the courthouse waiting to testify.
7. There was no fax cover sheet legend attached to State's Exhibit 31.
8. Had I seen the fax cover sheet and legend, I would not have testified that State's Exhibit 31 was accurate.

Date: Feb 5<sup>th</sup> 2016

Signature

  
Abraham Waranowitz





**IN THE CIRCUIT COURT  
FOR BALTIMORE CITY, MARYLAND**

ADNAN SYED,  
Petitioner,

v.

STATE OF MARYLAND,  
Respondent

\*  
\*  
\*  
\*

Petition No. 10432  
Original Case Nos. 199103042-46

\* \* \* \* \*

**AFFIDAVIT OF GERALD R. GRANT JR.**

I, Gerald R. Grant Jr., hereby affirm under penalty of perjury that the following is true and accurate to the best of my knowledge and recollection:

1. I am a Digital Forensics Investigator with expertise in Computer Forensics, Mobile Forensics and Historical Cell Site Analysis. I have been qualified as an expert in both State and Federal courts over fifty-five times total and twenty-two on Historical Cell Site Analysis alone. I am an AccessData Certified Examiner, Cellebrite Certified Operator, Cellebrite Certified Physical Analyst, Cellebrite Certified Mobile Examiner, Cellebrite Certified Advanced Smartphone Analysis Examiner, Cellebrite Certified Advanced Smartphone Extraction Examiner, Cellebrite Certified Evidence Repair Technician – Forensics, Cellebrite Iron Python Certified, systems analyst, programmer and trainer with more than 25 years of experience involving digital forensics, cell site analysis, social site investigations, eDiscovery and litigation support. I have been involved in hundreds of state and federal cases and have forensically examined well over a thousand devices. I am a national expert in Historical Cell Site Analysis and have worked on hundreds of cases involving



this type of evidence.

2. I am currently an Independent Digital Forensics Investigator / Consultant / Owner of JR Computer Consulting. I am also an Investigator (Specializing in Digital Forensics) for the Western District of New York Federal Public Defender's Office. I was previously the Computer Systems Administrator for the Federal Public Defender's Office of the Western District of New York, as well as the Acting Chief, National IT LAN Application and Policy Support Team for the Administrative Office of the United States Courts - Office of Defender Services. I am involved with many projects related to digital forensics and litigation support and I frequently lecture at national and local conferences. I have extensive knowledge of digital forensics, computers, operating systems, mobile devices, and cell site analysis. I have received hundreds of hours of training through my certifications, as well as developed and performed numerous training sessions for others. I have lectured over 150 times across the country since 2001 and have been involved in high profile civil and criminal cases.
3. My Current CV is attached to this affidavit.
4. I was asked by Attorney Erica Suter (Director, Innocence Project Clinic, Professor of the Practice University of Baltimore School of Law & Assistant Public Defender) to provide this Affidavit regarding the AT&T disclaimer regarding reliability of incoming calls. This disclaimer was on a fax cover sheet sent from Rose Ricciardi of AT&T to Bill Ritz of the Baltimore City Police Department on Feb. 22, 1999.

5. AT&T itself would be the most reliable source to answer why this disclaimer was included on the Fax Cover Sheet. However the answer does not appear to have been sought throughout the original trials in this case. Due to the lapse in time, this information was unavailable from AT&T during the legal proceedings that followed.
6. When a mobile device makes an outgoing call, the device itself chooses the tower/sector to utilize based on the cleanest, clearest, strongest, signal at that time. Once an outgoing call is in session, the cellular network system controls what tower/sector the device uses or gets transferred to (hand-off). An incoming call to a mobile device may have the communication signal sent to multiple towers in an area to notify the device of the call. In other words, the network cannot guarantee at the time of the incoming call that it knows exactly what tower/sector the device is listening on.
7. Based on the cellular technology at the time of incident in this case, I am aware that AT&T utilized a communication technique called TDMA (Time Division Multiple Access). This communication protocol allowed a mobile device to operate in "sleep mode" to conserve on batteries. Based on how a mobile device was located on an incoming call, a function like this could be one of the reasons a disclaimer was necessary. For example, it is possible that an incoming call could be recorded at the last registered tower/sector and not the current one when the signal is sent across multiple towers within an area.

8. Through my training, experience, research, communications, etc., I am aware of other ongoing issues with the reliability of Call Detail Records in cases more recent than 1999 in more than one cellular provider. Cellular networks are complicated systems consisting of many components. Many have grown through mergers with other companies, further complicating things. As technology evolves, changes need to occur to support new features. Like any other complex system, changes can introduce bugs, issues, etc. that can make specific data unreliable.
9. I am aware AT&T was in the process of upgrading from Analog systems to Digital systems in 1999. With technology quickly changing, new cellular towers/antennas being installed, and communication protocols being developed, it is not unlikely that reliability of specific data was in question.
10. At the very least, information about this disclaimer could have been investigated and additional information obtained answering any questions. That may have been easily done through the primary witnesses (Abe Waranowitz) who was a Radio Frequency Engineer from AT&T at the time.
11. It is my opinion that based on the disclaimer and other discrepancies in the records themselves, the incoming calls should not have been used as reliable data for location purposes.

  
Gerald R. Grant, Jr.

9/5/2022  
Date

## CURRICULUM VITAE

**Gerald R. Grant Jr.**

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Website - <http://www.jrcc.com>



### PROFESSIONAL SUMMARY

Mr. Grant is an AccessData Certified Examiner, Cellebrite Certified Operator, Cellebrite Certified Physical Analyst, Cellebrite Certified Mobile Examiner, Cellebrite Certified Advanced Smartphone Analysis Examiner, Cellebrite Certified Advanced Smartphone Extraction Examiner, Cellebrite Certified Evidence Repair Technician - Forensics, Cellebrite Iron Python Certified, systems analyst, programmer and trainer with more than 25 years of experience involving digital forensics, cell site analysis, social site investigations, eDiscovery and litigation support. He has been involved in many state and federal cases and has been qualified as an expert.

He is currently an Independent Digital Forensics Investigator/Consultant, and also an Investigator (Specializing in Digital Forensics) for the Western District of New York Federal Public Defender's Office. He was previously the Computer Systems Administrator for the NYW Federal Public Defender's Office, as well as the Acting Chief, National IT LAN Application and Policy Support Team for the Administrative Office of the United States Courts - Office of Defender Services. He oversees the NYW automation program, and is involved in national IT/digital forensic support for the Federal Defender Organization.

He specializes in computer forensics, cell phone forensics, cell site analysis, e-mail analysis, social media investigations, eDiscovery, litigation support and training. He performs forensic investigations on digital evidence involved in State and Federal Cases. He is based out of the Western District of New York but travels frequently around the country. He is involved with many projects related to digital forensics and litigation support. He lectures frequently at national and local conferences and conducts independent and group training.

He is a graduate of Bryant and Stratton Business Institute with an AS Degree in computer programming. He is also the recipient of many certificates in forensics, specialized computer training and programming. He has extensive knowledge of digital forensics, computers, operating systems, mobile devices and cell site analysis.

### EDUCATION

- **A.A.S. - Bryant & Stratton Business Institute, Computer Programming**

### PRE/POST EDUCATIONAL TRAINING/OTHER

- Computer Programming Course: B.O.C.E.S. Genesee County
- Computer Crime Seminar: Medaille College
- Yearly Training - Computer Forensics, Computer Automation, and Computer Related Litigation Support
- AccessData FTK (Forensic Tool Kit) BootCamp Course
- AccessData PRTK (Password Recovery Tool Kit) BootCamp Course
- AccessData Windows Forensics Course
- AccessData Certified Examiner (ACE)
- National Defender Investigator Association Training
- Regional Computer Forensics Lab "Capturing a Running Computer System"
- Regional Computer Forensics Lab "Decoding Digital Evidence"
- Regional Computer Forensics Lab "Digital Forensics and Social Media Evidence"
- Paraben Corporation "Mobile Training Level 3 - GPS & Cell Site Analysis"
- Cellebrite "Physical Analyzer - Advanced Decoding Techniques"
- Cellebrite "Password and User Lock Bypass"
- Cellebrite "Advanced Decoding Techniques"
- DFI "Host-based Forensics - DDoS Attack"
- Cyber Forensics 360 "Cellular Triangulation" (Cell Site Analysis)
- ViaForensics "Burner Phone Forensics"



- Guidance Software "Placing the Suspect Behind the Keyboard"
- Cellebrite "Mobile Forensics Fundamentals" (CMFF)
- Cellebrite "Certified Operator" (CCO)
- Cellebrite "Certified Physical Analyst" (CCPA)
- Cellebrite "UFED Cloud Analyzer - Unlock actionable intelligence from cloud data"
- Magnet Forensics "Mobile Chat & Social App Forensics"
- Guidance Software "Integrating GPS Data into Digital Investigations"
- Guidance Software "GPS Location Accuracy - Triangulation vs. Trilateration"
- Magnet Forensics "Evidence You Need for More Confessions, Plea Bargains and Convictions"
- Cellebrite "Certified Mobile Examiner" (CCME)
- Teel Technologies "Advanced Smartphone Forensics"
- Cellebrite "Physical Analyzer 5.0"
- AccessData/Binary Intelligence "JTAG & Chip-Off Mobile Forensics"
- Cellebrite "UFED Analytics Desktop"
- Magnet Forensics "Using Custom Artifacts and Dynamic App Finder to Investigate Mobile Chat Apps"
- Magnet Forensics "Taking the Mystery out of Android Marshmallow Analysis"
- Magnet Forensics "Methods for Parsing New Applications"
- Cellebrite "Overcoming the Challenges of Locked and Encrypted Mobile Devices"
- Magnet Forensics "Android Emulators"
- BlackBag Technologies "Advanced Windows Artifacts"
- Cellebrite "Advanced Smartphone Analysis" Certified Examiner (CASA)
- Magnet Forensics "Dig Deeper with AXIOM 1.1"
- Cellebrite "Fast-Track Your Investigations with Unique Analytic Engines"
- Magnet Forensics "The Good, the Bad, and the Useless: The Truth about Geolocation Data"
- Guidance Software "Overcoming Smartphone Forensics: Mobile Investigator"
- Magnet Forensics "Taking a Bite Out of Android's Tasty New Versions"
- Guidance Software "Uncovering Mobile App Evidence with EnCase Mobile Investigator"
- Magnet Forensics "Understanding Android Data Recovery in Forensic Investigations"
- Magnet Forensics "The Power of Integrated Digital Forensics"
- Magnet Forensics "AXIOM Cloud Preview"
- Magnet Forensics "Artifacts in the Cloud and the Impact on Forensics"
- Magnet Forensics "Connecting the Dots Between Artifacts and User Activity"
- AccessData "The Deep and Dark Web"
- Cellebrite "Discover Actionable Intelligence to Fight Child Exploitation"
- AccessData "How to Investigate Internet Artifacts"
- AccessData "Edge/Cortana Forensics"
- SANS/Magnet Forensics "Making IoT Relevant"
- AccessData "Forensic Analysis of the Windows Journaling Log"
- Paraben Corporation "6 Keys to Conducting Effective Smartphone Forensic Investigations"
- AccessData "How to Raise the Bar on Your Investigations"
- AccessData "macOS Forensics"
- AccessData "How to Use Advanced Searching Techniques"
- Cellebrite "Solve Your Case Faster with Evidence from the Social Media Public Domain"
- AccessData "Mobile Device Data on Computers"
- Guidance Software "Fighting Child Exploitation with Digital Forensics"
- AccessData "Detecting & Attacking TrueCrypt"
- AccessData "Basic Registry Analysis"
- Cellebrite "Challenges and Changes in the Use of Digital Evidence"
- AccessData "Windows Journal Analysis"
- Cellebrite "Access Mobile Device Evidence Faster Using Emergency Download Mode (EDL)"
- Magnet Forensics "Forensics in the Cloud: How To Conduct An Office 365 Investigation"
- AccessData "Dark Web"
- AccessData "Processing Mobile Evidence In FTK"
- Magnet Forensics "Mobile Trends, Tools And Methods"
- Cellebrite "Accessing Inaccessible Apps"
- Magnet Forensics "Mobile App Parsing – All About That Data"
- Cellebrite "Enhancing Investigations With The Internet Of Things"
- Magnet Forensics "AXIOM Advanced Mobile Forensics - AX300" Course
- Magnet Forensics "Connecting Artifacts And Users To Prove Intellectual Property Theft"
- Magnet Forensics "iOS 11 And Android Nougat/Oreo – An In-Depth Look At The Latest Mobile OSes"
- SANS Institute "No Tool Fits All - Why Building A Solid Toolbox Matters"
- Magnet Forensics "Unlocking iOS 11's Gates With GreyKey and AXIOM"
- Cellebrite Certified "Advanced Smartphone Extraction" Examiner (CASE)
- Magnet Forensics "Fraud, IP Theft, And An Intrusion: A Case Study With Gillware Digital Forensics"

- Cellebrite "Safely Extract Digital Evidence With Advanced EDL Methods"
- Cellebrite "The Convergence Of Physical And Virtual Data For Faster Discovery Of Evidence"
- Magnet Forensics "An In-Depth Look At Different Password Bypass Options"
- DME Forensics "Getting Started With DVR Examiner"
- Magnet Forensics "Apple's Tween Years: iOS' Maturation From 10 Through 11 And Into 12"
- Cellebrite "How To Incorporate Cloud Evidence Into Your Investigations For Maximum Results"
- Magnet Forensics "Memory Analysis For Investigations Of Fraud And Other Wrongdoing"
- Magnet Forensics "Hide, Seek, And Find: Memory Analysis For Fast Incident Response"
- Cellebrite "Incorporating Time Sequenced Video And Mobile Data Into Case Timelines"
- BlackBag Technologies "Physical Decrypted Images From Macs With The T2 Chip"
- Cellebrite "Getting Ready For The Future Of Digital Investigations: From Evidence To Intelligence"
- BlackBag Technologies "Finding Insider Threats: Digging Deeper"
- Magnet Forensics "macOS: Forensic Artifacts And Techniques That Are Essential For Mac Investigations"
- Cellebrite "Mastering The Mobile Device Challenge In eDiscovery"
- Cellebrite "Accessing The Inaccessible: Overcoming The Challenge Of Encryption"
- Cellebrite "Accessing The Latest iOS & Android Devices For Investigations"
- Udemy "Micro-Soldering "The Full Curriculum"
- BlackBag Technologies "Windows 10 Activity Timeline: An Investigator's Gold Mine"
- Cellebrite "Accessing Encrypted Mobile Device Evidence Using EDL (Emergency Download)"
- Cellebrite "Fact Or Fiction: What Do You Really Know About iOS 13"
- Cellebrite "Everything About Bootloaders"
- Hawk Analytics "Myths And Realities Of Cell Site Coverage Areas"
- Hawk Analytics "6 Things Every Prosecutor Needs To Know About Cell Phone Records In Court"
- Hawk Analytics "4 Major Carrier Breakdowns - How To Interpret Your Returns"
- Cellebrite Certified "Evidence Repair Technician - Forensics" (CERT-F)
- BlackBag Technologies "Solving The Mystery Behind Imaging A Mac Computer"
- Hawk Analytics "Call Detail Records: Best Practices for Legal Requests"
- BlackBag Technologies "BlackLight/APOLLO: "Use Apple Pattern-Of-Life Data In Your Investigations"
- Cellebrite "Detecting Mobile Malware When Time Is Of The Essence"
- BlackBag Technologies "Ask the Experts: A Deep Dive Into Keychain And Spotlight Artifacts"
- Magnet Forensics "AXIOM Interactive Training"
- Cellebrite "Part 1 - Basic Setup And Kickstarting The Investigation"
- Cellebrite "Part 2 - Leveraging Key Capabilities To Maximize The Review Process"
- Cellebrite "Part 3 - Leveraging Key Insights To Dig Deeper In UFED Physical Analyzer"
- BlackBag Technologies "Catalina: A Voyage Through Apple's New Artifacts"
- Teel Technologies "Faraday Shielding In A Nutshell"
- Hawk Analytics "Tower Dumps: 3 Analysis Methods To Add Value To Your Case"
- BlackBag Technologies "Digital Investigations For Mac & Windows: A Forensic Workshop"
- PATCtech "Cellular Records Analysis And Mapping"
- SecurCube "Call Detail Record Analysis/Cell Site Analysis LV.1"
- Teel Technologies "How To Find That Elusive EDL Point"
- Basis Technology "Autopsy Basics and Hands On"
- Magnet Forensics "Pattern of Life Analysis"
- Magnet Forensics "Reverse Engineering Android"
- BlackBag Technologies "Analyzing macOS with BlackLight's APOLLO Plugin"
- Teel Technologies "Preparing Memory Chips: A Look Into Chip-Off"
- Magnet Forensics "Evolution of Ransomware"
- Magnet Forensics "Investigating with AXIOM"
- Magnet Forensics "Utilizing Timeline Analysis"
- Magnet Forensics "Jailbreaking iOS Devices: Checkra1n! + Magnet ACQUIRE"
- Hawk Analytics "Carrier Breakdown Series - Sprint Returns"
- Magnet Forensics "Not Your Father's Forensics"
- Teel Technologies "CipherTrace - Cryptocurrency Forensics"
- Magnet Forensics "Cryptocurrency Investigations And Follow The Transaction Trail"
- Magnet Forensics "macOS Forensics: The Next Level - Taming the T2 Chip & More"
- Magnet Forensics "Exploring Apple's macOS Operating System Artifacts"
- Magnet Forensics "Internet of Things Forensic Challenge"
- Teel Technologies "Updating iOS Firmware!"
- Magnet Forensics "Performing Linux Forensic Analysis And Why You Should Care"
- BlackBag Technologies "Digital Investigations For Mac & Windows: A Forensic Workshop 2"
- Hawk Analytics "Carrier Breakdown Series - Verizon Returns"
- BlackBag Technologies "Trust But Verify: Digital Artifact Edition"
- Hawk Analytics "Carrier Breakdown Series - T-Mobile Returns"
- Magnet Forensics "Thwarting Mac T-2 Encryption & SIP With Remote Acquisition"

- Magnet Forensics "AXIOM Examinations - AX200" Course
- Hawk Analytics "Carrier Breakdown Series - AT&T Returns"
- BlackBag Technologies "Physical Acquisition And Analysis Of T2 Protected Macs"
- Hawk Analytics "Beyond The Map: 5 Ways To Take CDR Analysis To The Next Level"
- Magnet Forensics "Using File System Explorer In Magnet AXIOM"
- Cellebrite "Qualcomm Live Extractions"
- Hawk Analytics "Using Geo-Location OSINT Data To Further Your Investigations"
- Hawk Analytics "Cellular Technology, Mapping & Analysis Course"
- Cellebrite "Apple Diagnostic Logs - Phones and More"
- Magnet Forensics "Acquiring And Parsing Sysdiagnose Log Archives From iOS Devices In AXIOM"
- Hawk Analytics "The Importance Of Using The Correct Cell Site List"
- Magnet Forensics "Tips And Tricks Knowledge© Is Power - Analyzing The KnowledgeC.db"
- Hawk Analytics "Myths and Realities of Cell Site Coverage Areas"
- Cellebrite "Iron Python" Certified
- Cellebrite "UFED Advanced Extractions Part 1: APK Downgrade File System Extraction"
- Hawk Analytics "Creating A Successful Cellular Analysis Report"
- Oxygen Forensics "Decrypting iTunes Backups"
- Magnet Forensics "Chromebook Acquisition"
- Oxygen Forensics "Documenting Drone Telemetry"
- Oxygen Forensics "Using the OxyAgent Overtly And Covertly"

## ACADEMIC AND PROFESSIONAL SKILLS / INTERESTS

- More than 25 years of experience with data extraction / computer forensics / mobile forensics
- Programming skills in multiple computer languages
- Web page design / development
- Computer repair / troubleshooting
- Experience in all aspects of personal computers
- Extensive knowledge of DOS and all versions of Windows Operating System
- Extensive knowledge and experience with popular software applications
- Extensive knowledge of computer hardware and configurations
- Extensive knowledge with the technical workings of computer hard drives
- Extensive knowledge with computer forensics, mobile forensics and cell site analysis
- Lectured at a number of local and national conferences in regard to file structures, computer forensics, mobile forensics, cell site analysis, data recovery, GPS and other location information.
- Lectured on numerous technical subjects including DOS and Windows file systems, architecture and the boot process, DOS and Windows examination techniques and procedures, recovery of deleted files, date and time stamp definitions / alterations, recovering formatted disks, the process and problems in making duplicate copies of media, file type identification and the use of file viewing applications during examinations, archived files and compressed disks, data format conversion, and the examination of Windows swap and related files.
- Micro-Soldering processes & techniques
- Mobile device repair / troubleshooting
- Flasher Boxes / JTAG Boxes / ISP Boxes / Memory Programmers
- Advanced JTAG / ISP / Chip-Off processes and techniques
- Python Scripting/Programming

## PROFESSIONAL EXPERIENCE

**Digital Forensics Investigator/Consultant**, JR Computer Consulting, 1990 - Current. Independent Digital Forensics Investigator/Consultant. Primarily involved with computer forensics, cell phone forensics, cell site analysis and data recovery utilizing the latest techniques and software. Experienced in the latest computer and cell phone forensic tools including; Magnet AXIOM, Magnet IEF, Forensic Tool Kit (FTK), EnCase, Cellebrite UFED (Universal Forensic Extraction Device), Oxygen Forensic Detective, Elcomsoft iOS Forensic Toolkit, Cellebrite Inspector, Cellebrite Digital Collector, Passware, Mobile Phone Examiner, Paraben Device Seizure, BitPIM, NetAnalysis, HstEx, Mount Image PRO, Event Log Explorer, Gargoyle Investigator, Aid4Mail, Forensic E-Mail Collector, VMWare and many others.

**Investigator (Specializing in Digital Forensics)**, Federal Public Defender's Office, Western District of New York, 2010 - Current. Provides all computer forensics, cell phone forensics and cell site analysis for the Western District



of New York Federal Defender Organization. Also provides all forensic support, as needed, for other FPD offices in the U.S. Provides computer forensics, cell phone forensics, cell site analysis and automation support for the CJA, (Criminal Justice Act), panel of lawyers on Federal Cases.

**Acting Chief, National IT LAN Application and Policy Support Team**, Office of Defender Services, Federal Public Defender's Office - Western District of New York, 1999 - 2007. Provided automation and computer forensics support/management for the entire Federal Defender Organization. Involved nationally in all factors involving automation equipment as it relates to the offices. Provided computer forensics, cell phone forensics, cell site analysis and automation support for the CJA, (Criminal Justice Act), panel of lawyers on Federal Cases Nationally. Set all national automation standards for the entire Federal Defender Program. Spoke at many national and local conferences involving forensics, technical, and legal subjects related to computers.

**Computer Systems Administrator**, Federal Public Defender's Office, Western District of New York, 1994 - 2010. Provided computer forensics, cell phone forensics, cell site analysis and all automation for the Western District of New York Federal Defender Organization. Involved locally in all factors involving automation equipment as it relates to the offices. Provided computer forensics, cell phone forensics, cell site analysis and automation support for the CJA, (Criminal Justice Act), panel of lawyers on Federal Cases.

**Corporate Computer Sales**, CompuAdd Computers, 1988 - 1990. Involved with Major Corporate Accounts dealing with all factors of computer systems in the Western District of New York.

## PROFESSIONAL MEMBERSHIPS, HONORS AND AWARDS

Monroe County Bar Association:

- 1999 Presidents Award for development of the MCBA Web Site

Administrative Office of the U.S. Courts - Office of Defender Services

- 2005 Recognition for Effort and Support of National E-Mail Project Team
- 2007 Recognition for Commitment and Accomplishments of National Work

## SEMINARS / TRAINING / LECTURES

Date	Seminar/Training	Lecture Topic(s)
09/26/2001	Monroe County Bar Association	Computers and Ethics: Security and Privacy Issues
10/30/2001	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	Computer Enhanced Presentation of Evidence
04/05/2002	Greater Rochester Association of Women Attorneys	Computers and Ethics: Security and Privacy Issues
08/12/2002	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
12/06/2002	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	Update on Courtroom Technology
07/22/2003	New York State Defenders Association	Computer Forensics in Child Pornography Cases
09/22/2003	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
11/13/2003	Western New York Chapter of The Women's Bar Association	Ethics and Technology
11/15/2003	New York State Defenders Association	Computers and Ethics: Security and Privacy Issues
06/30/2004	Monroe County Bar Association	Obtaining and Working with Electronic Evidence
09/01/2004	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
03/30/2005	Federal Judicial Center Investigators and Paralegal Specialists Seminar	Computer Search Warrants: Fourth Amendment Issues and Litigation Strategies
06/22/2005	Administrative Office of the U.S. Courts - ODS Training Branch - Trial Advocacy Workshop	Introduction to PowerPoint and Trial Director

Date	Seminar/Training	Lecture Topic(s)
08/31/2005	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
09/07/2005	Monroe County Bar Association	Overview of Computer Forensics
10/21/2005	New York State Court of Claims	Legal Ethics & Technology - Computer Forensics
04/19/2006	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
04/26/2006	Federal Judicial Center Investigators and Paralegal Specialists Seminar	Technology and the Fourth Amendment: Current Issues in Criminal Litigation - Computer Forensics
06/08/2006	Monroe County Bar Association	Ethics and the Internet: A Technical View
07/27/2006	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
09/07/2006	Administrative Office of the U.S. Courts - ODS Training Branch - Complex Litigation Seminar	Computer Search Warrants: Fourth Amendment Issues and Litigation Strategies
09/13/2006	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
09/21/2006	National Defender Investigator Association	Technology and the Fourth Amendment: Current Issues in Criminal Litigation - Search Warrants / Computer Forensics
10/06/2006	Southern Federal Defender Program - ALS - CJA Panel Training	Computer Forensics: How to Address Issues in Pornography Cases
02/09/2007	Administrative Office of the U.S. Courts - ODS Training Branch - National CJA Winning Strategies Seminar	Computer Forensics: Issues in Pornography Cases
04/19/2007	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
05/03/2007	Federal Public Defender's Office PAE - CJA Panel Training	Technology and the Fourth Amendment: Current Issues in Criminal Litigation
05/04/2007	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	Technology and the Fourth Amendment: Current Issues in Criminal Litigation - Search Warrants / Computer Forensics
06/29/2007	Federal Public Defender's Office SD/ND - Remote Seminar	Computer Forensics / Cell Site Information / Cell Phone Forensics
07/26/2007	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
08/28/2007	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
11/17/2007	New York State Association of Criminal Defense Lawyers	Computer Forensics: Technical Issues in Criminal Cases
11/30/2007	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	Technology and the Fourth Amendment: Current Issues in Criminal Litigation - Cell Site Information / Cell Phone Forensics
01/15/2008	Digital Rochester - Knowledge Upgrade Series v18	Getting the Evidence: Computer Forensics
02/02/2008	New York State Association of Criminal Defense Lawyers	Computer Forensics / Cell Site Information / Cell Phone Forensics
02/11/2008	Rochester Institute of Technology	Forensic Investigation, Laws and Technology
04/03/2008	Judge Feldman's Chambers -Visitors from Russia	Forensic Investigation, Information and Demonstration
04/23/2008	WXOV AM Radio - New Rochelle, NY - Don't Worry Murray Show	Computer Forensics / Cell Phone Forensics / Cell Site Analysis
06/12/2008	Administrative Office of the U.S. Courts - ODS Training Branch - National CJA Winning Strategies Seminar	Technology and the Law: Computer Forensics
07/21/2008	New York State Defenders Association	Technology issues in Criminal Defense (Computer and Cell Phone Forensics)
04/06/2009	Monroe County Bar Association	Computer Technology - Defending Child Enticement Cases - Social Sites / IM / Forensics
07/30/2009	Judge Feldman's Chambers -Visitors from Russia	Forensic Investigation, Information and Demonstration

Date	Seminar/Training	Lecture Topic(s)
10/10/2009	Monroe County Public Defender's Office / New York State Defenders Association / Easton Thompson Kasperek & Shiffrin	Technology Based Evidence: How to Find It and Use It to Your Advantage
10/30/2009	New York State Association of Criminal Defense Lawyers	Computer Forensics / Cell Site Information / Cell Phone Forensics
11/04/2009	Monroe County Bar Association / Greater Rochester Association for Women Attorneys	Cyberstalking and the Potential for Privacy Intrusion the Electronic Way
02/11/2010	Monroe County Public Defender's Office	Technology Based Evidence - Practicing in The New Age - Part 1
02/19/2010	Monroe County Public Defender's Office	Technology Based Evidence - Practicing in The New Age - Part 2
04/24/2010	New York State Defenders Association - Family Court Practitioners / Adult Representation in Family Court	Admissibility of text Messages, E-Mails, and Social Networking Sites
07/22/2010	Judge Feldman's Chambers -Visitors from Russia	Forensic Investigation, Information and Demonstration
09/23/2010	Administrative Office of the U.S. Courts - ODS Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, ISYS Indexer, Lexis/Nexis CaseMap Suite
10/13/2010	Queens County Bar Association - CLE	Technology Based Evidence - Practicing in The New Age - Computer Forensics / Cell Phone Forensics / Cell Site Analysis
11/05/2010	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	eDiscovery - Issues and Solutions for the Modern Case
01/20/2011	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
04/07/2011	Federal Public Defender's Office TXW - El Paso CJA Seminar	Investigation Tools "Technology & Litigation Based Evidence"
09/22/2011	Administrative Office of the U.S. Courts - ODS Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, ISYS Indexer, Lexis/Nexis CaseMap Suite
10/29/2011	NYSACDL - Annual Fall Syracuse CLE Seminar	Overview and Introduction to Electronic Evidence Presentation and Trial Preparation
11/05/2011	Annual El Paso Criminal Law Seminar	Investigation Tools "Technology & Litigation Based Evidence"
11/19/2011	NYSDA / Monroe County Public Defender - Defending Against Snitches & Using and Challenging Scientific Evidence Seminar	Cell Site Analysis "What to Get, How to Get It, and How to Use It"
01/03/2012	Administrative Office of the U.S. Courts - ODS Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, ISYS Indexer, Lexis/Nexis CaseMap Suite
02/24/2012	Legal Aid Society - CLE Training	Computer Forensics / Cell Phone Forensics / Cell Tower Analysis
03/10/2012	NYSDA Twenty-Sixth Annual Metropolitan New York Trainer	Cell Site Analysis "What to Get, How to Get It, and How to Use It"
03/15/2012	The Second Circuit Judicial Council and the Federal Defenders of New York Adobe Training CLE	Use of Adobe Acrobat to manage the discovery in small and medium size criminal cases
04/19/2012	National Defender Investigator Association Seminar	Cell Phone Forensics & Cell Site Analysis
05/10/2012	The Northern District of New York Federal Court Bar Association	Overview and Introduction to Electronic Evidence Presentation and Trial Preparation
07/09/2012	Federal Defenders of New York Case Study	Computer Forensics
07/19/2012	Administrative Office of the U.S. Courts - ODS Training Branch - Law & Technology Workshop	Introduction to PowerPoint and Trial Director
09/13/2012	Administrative Office of the U.S. Courts - ODS Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, ISYS Indexer, Lexis/Nexis CaseMap Suite

Date	Seminar/Training	Lecture Topic(s)
11/02/2012	Ceremonial Court - Buffalo, NY - Digital Forensic Evidence in Criminal Cases	Computer Forensics
11/08/2012	New York State Defenders Association - eDiscovery Seminar	Introduction to Adobe Acrobat, CaseMap, TimeMap, Trial Director, iPads in the Courtroom
11/16/2012	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	iPads in the Legal World, Courtroom Technology and Beyond
01/03/2013	Administrative Office of the U.S. Courts - ODS Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, ISYS Indexer, Lexis/Nexis CaseMap Suite
02/12/2013	Legal Aid Society - CLE Training	Cell Phone Forensics / Social Site Investigations
03/14/2013	Cornell University Law School Lecture	Cell Phone & Computer Forensics / Social Site Investigations
04/05/2013	Legal Aid Society - CLE Training	Cell Phone & Computer Forensics / Cell Site Analysis / Phishing & Spoofing Technology
04/10/2013	Gilberti Stinziano Heintz & Smith PC - Training Seminar	Introduction to eDiscovery, Adobe Acrobat, CaseMap, TimeMap, ISYS, PowerPoint and Trial Director
07/22/2013	New York State Defenders Association Annual Meeting & Conference	Forensics - CP Cases - P2P and Beyond / Social Media Investigations - The Next Trial Frontier
08/09/2013	Administrative Office of the U.S. Courts - ODS Training Branch - Multi-Track Federal Defense Seminar	The Digital Aspects of a CP Case and Using Experts / iPads, New Technology and Mobile Computing
09/28/2013	Oneida County Public Defender - 2013 Criminal Law Academy Seminar	Social Media - Understanding and Using in Cases (Live Investigation Demonstrations / Cell Phones - What These Devices Reveal About Us (Cell Phone Forensics / Cell Site Analysis)
11/07/2013	Office of The Wisconsin State Public Defender - 2013 Annual Criminal Defense Conference	Cell Site Analysis / Computer Forensics
12/13/2013	New York State Association of Criminal Defense Lawyers - Weapons for the Firefight 2013 CLE Seminar	Computer Forensics / Social Site Investigations
03/20/2014	Cornell University Law School Lecture	Cell Phone Forensics / Computer Forensics / Cell Site Analysis
06/12/2014	Benjamin N. Cardozo School of Law - National Forensic Science College	Cell Phone Forensics / Cell Site Analysis
09/05/2014	Legal Aid Society - Cell Site Analysis Training	Cell Site Analysis - Hands-on Group Training
09/11/2014	Nassau County Bar Association	Cell Phone Forensics / Cell Site Analysis
09/17/2014	Administrative Office of the U.S. Courts - DSO Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, dtSearch Indexer, Lexis/Nexis CaseMap Suite / Cell Site Analysis
09/27/2014	Ontario County Public Defender / New York State Defenders Association - Investigator Training	Cell Phone Forensics / Cell Site Analysis
10/09/2014	Federal Public Defender's Office NYE/S - CJA Training	Cell Phone Forensics / Cell Site Analysis
10/22/2014	Federal Public Defender's Office Atlanta - CJA Training	Cell Phone Forensics / Cell Site Analysis
02/25/2015	Federal Public Defender's Office El Paso - CJA Training	Cell Phone Forensics / Cell Site Analysis
03/05/2015	Administrative Office of the U.S. Courts - DSO Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, dtSearch Indexer, Lexis/Nexis CaseMap Suite / Cell Site Analysis
03/12/2015	Cornell University Law School Lecture	Cell Phone Forensics / Cell Site Analysis
04/15/2015	Federal Paralegal & Investigator Seminar / National Defender Investigator Association Seminar	Cell Site Analysis / Cell Phone Forensics
04/25/2015	NYSACDL Syracuse Spring CLE Seminar	Cell Phone Forensics
04/30/2015	NACDL/Innocence Network Post Conviction Training	Cell Site Analysis
05/07/2015	Connecticut Public Defender Service - Cell Phones - Science & the Law Seminar	Cell Phone Forensics / Cell Site Analysis
05/28/2015	National Seminar for Federal Defenders	Cell Phone Forensics / Cell Site Analysis

Date	Seminar/Training	Lecture Topic(s)
06/03/2015	Monroe County Bar Association - Criminal Justice Section	Cell Phone Forensics
06/05/2015	Arkansas Association of Criminal Defense Lawyers - Annual Meeting & CLE	Computer Forensics / Cell Phone Forensics / Cell Site Analysis
06/12/2015	Benjamin N. Cardozo School of Law - National Forensic Science College	Cell Phone Forensics / Cell Site Analysis
06/18/2015	Federal Public Defender's Office FLS - CJA Conference	Cell Site Analysis
07/09/2015	US Courts NYW Intern Lecture/Training	Cell Phone Forensics
07/22/2015	Administrative Office of the U.S. Courts - DSO National Computer Systems Administrator Seminar	Cell Site Analysis / Cell Phone Forensics
09/11/2015	National Defender Investigator Association - Forensic Science & Criminal Defense Investigations Seminar	Cell Site Analysis / Cell Phone Forensics
10/29/2015	Cornell University Law School Lecture	Cell Phone Forensics
01/08/2016	Monroe County Bar Association - Family Law Section	Social Media as Evidence / Cell Phone Forensics
02/13/2016	CACJ/CPDA Capital Case Defense Seminar	Cell Phone Forensics / Cell Site Analysis
02/20/2016	Federal Public Defender's Office Hawaii - CJA Training	Cell Phone Forensics / Cell Site Analysis
03/10/2016	Administrative Office of the U.S. Courts - DSO Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, dtSearch Indexer, Lexis/Nexis CaseMap Suite / Cell Site Analysis
03/18/2016	NACDL - Taking the Fear out of Forensics Seminar	Cell Phone Forensics / Cell Site Analysis
04/15/2016	NYSACDL - Cross to Kill 2016 Seminar	Cell Phone Forensics / Crossing a Cell Phone Expert
05/03/2016	Federal Defender Investigator & Paralegal Seminar	Instructed Multiple Hands On Workshops - Cell Phone Forensics & Reader Program / Cell Site Analysis
05/19/2016	NACDL - Making Sense of Science IX: Forensic Science & the Law Annual Seminar	Cell Phone (Mobile) Forensics
06/10/2016	Benjamin N. Cardozo School of Law - National Forensic Science College	Cell Phone Forensics / Cell Site Analysis
09/22/2016	Administrative Office of the U.S. Courts - DSO Training Branch - National Techniques in Electronic Case Management Workshop	Introduction to Adobe Acrobat, dtSearch Indexer, Lexis/Nexis CaseMap Suite / Cell Site Analysis
11/03/2016	Cornell University Law School Lecture	Cell Phone Forensics
11/04/2016	Federal Public Defender's Office NYW - Federal Criminal Defense Practice Seminar	Cell Phone Forensics / How to Cross an Expert
12/07/2016	NYSDA / Legal Aid Society - 3 <sup>rd</sup> Public Defense Investigator Training: Principles & Practice	Cell Phone Forensics / Cell Site Analysis
03/11/2017	NYSDA / Legal Aid Society - 31 <sup>st</sup> Annual Metropolitan New York Trainer	Cell Phone Forensics / How to Cross an Expert
04/11/2017	University at Buffalo School of Law Lecture	Mobile Forensics
10/26/2017	Cornell University Law School Lecture	Cell Phone Forensics / Cell Site Analysis
10/31/2017	Monroe County Bar Association - My Firm Got Hacked and Taken Hostage: Anatomy of a Cyberhacking	Ransomware / Backups
11/01/2017	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis
11/15/2017	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis ( <i>continued</i> )
01/17/2018	University at Buffalo School of Law Lecture	Expert Witness / Cell Phone Forensics / Cell Site Analysis
02/27/2018	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis
03/01/2018	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis
03/22/2018	Missouri State Public Defender Spring Training	Cell Phone Forensics / Cell Site Analysis
03/26/2018	NAPD Investigator & Social Worker / Sentencing Advocates Conference	Cell Phone Forensics / Cell Site Analysis

Date	Seminar/Training	Lecture Topic(s)
06/08/2018	Benjamin N. Cardozo School of Law - National Forensic Science College	Cell Phone Forensics / Cell Site Analysis / Location Information
10/08/2018	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis / Location Information
10/18/2018	The College at Brockport, State University of New York	Cell Phone Forensics / Cell Site Analysis / Location Information
11/08/2018	Cornell University Law School Lecture	Cell Phone Forensics / Cell Site Analysis / Location Information
01/16/2019	University at Buffalo School of Law Lecture	Cell Phone Forensics / Cell Site Analysis / Location Information
01/18/2019	Cuyahoga County Public Defender's Office	Cell Phone Forensics / Cell Site Analysis / Location Information
02/17/2019	CACJ/CPDA Capital Case Defense Seminar	Cell Phone Forensics / Cell Site Analysis / Location Information
04/04/2019	FJC - Capital Habeas Unit (CHU) National Conference	Cell Phone Forensics / Cell Site Analysis / Location Information
04/25/2019	Mississippi Public Defenders Spring Seminar	Cell Phone Forensics / Cell Site Analysis / Location Information
06/07/2019	Benjamin N. Cardozo School of Law - National Forensic Science College	Cell Phone Forensics / Cell Site Analysis / Location Information
08/29/2019	Federal Law Clerk Seminar - Western District of NY	Mobile Forensics / Location Information
09/26/2019	NJOPD Forensic Science Conference	Mobile Forensics / Location Information
10/24/2019	Cornell University Law School Lecture (Courthouse)	Mobile Forensics / Cell Site Analysis / Location Information
10/31/2019	The College at Brockport, State University of New York	Mobile Forensics / Cell Site Analysis / Location Information
01/15/2020	University at Buffalo School of Law Lecture	Cell Phone Forensics / Cell Site Analysis / Location Information
02/13/2020	Federal Law Clerk Seminar - Western District of NY	Cell Site Analysis / Location Information
04/29/2020	University at Buffalo School of Law Lecture (via Zoom)	Cell Phone Forensics / Cell Site Analysis / Other
09/02/2020	Federal Public Defender's Office (CAC) (via Zoom)	Cell Site Analysis / Location Information
11/06/2020	Office of The Wisconsin State Public Defender - 2020 Virtual Conference (via Zoom)	Mobile Forensics
01/20/2021	Cardozo School of Law / In The Trenches: Understanding and Challenging Faulty Digital Forensics (via Zoom)	Panel Discussion: Mobile Forensics / Computer Forensics / Cell Site Analysis / Location Information
02/18/2021	NJOPD Forensic Science Conference (via Zoom)	Cell Phone Evidence: What You Need to Know
05/20/2021	San Bernardino Public Defender Training (via Zoom)	Cell Phone Evidence: What You Need to Know
06/10/2021	Benjamin N. Cardozo School of Law - National Forensic College (via Zoom)	Cell Site Analysis
07/30/2021	NV-FPD Investigator & Paralegal Training (via Zoom)	Cell Phone Evidence: What You Need to Know
08/06/2021	Texas Criminal Defense Lawyers Association - Innocence for Lawyers Seminar	Cell Phone Evidence: What You Need to Know
11/01/2021	Cornell University Law School Lecture (Courthouse)	Mobile Forensics / Cell Site Analysis / Location Information
03/04/2022	Monroe County Bar Association (via Zoom)	A Litigator's Guide to Understanding Digital Forensic Evidence: Mobile Forensics / Cell Site Analysis / Location Data
06/13/2022	Benjamin N. Cardozo School of Law - National Forensic College	Mobile Device Forensics and Geolocation Information
08/16/2022	Federal Defender Investigator & Paralegal Seminar	Mobile Device Forensics and Location Information

Last Updated - 08/26/2022

This is a taped interview of Jay W. Wilds. Mr. Wilds is a black male, ah 19 years of age. His date of birth is...is...is [REDACTED]. Mr. Wilds resides at 6118 Rich Avenue in zone 28. Today's date is the 28th. of February. It's approximately 1:30 in the morning. My name is Detective Gregory MacGillivary. Present is Detective William Ritz. We're at 601 E. Fayette Street. The offices of Homicide, specifically the Colonel's Conference Room.

MacGillivary: Um Mr. Wilds, for your...for this record can you please state your full name?

Wilds: Jay W. Wilds.

MacGillivary: And how old are you sir?

Wilds: 19.

MacGillivary: And what is your date of birth?

Wilds: [REDACTED].

MacGillivary: And where do you reside?

Wilds: 6118 Rich Avenue.

MacGillivary: Um Mr. Wilds, prior to us stating this ah.... starting this tape um we filled out an Explanation of Rights at which point you read your Rights, is that correct?

Wilds: Yes and I fully understand it.

MacGillivary: And you read one through five out loud?

Wilds: Yes sir.

MacGillivary: Okay, and after each of the lines you did something, what was that?

Wilds: I signed "yes" and my initials.

MacGillivary: Okay. And you fully understand those Rights, correct?

Wilds: Yes sir.

MacGillivary: And after you read the five ah there was another line that you read?

Wilds: Yes.

MacGillivary: Ah can you read that for me?

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PAGE TWO

STATEMENT OF: Jay W. Wilds

Wilds: Yes. "I am willing to answer questions and do not want an attorney at this time. My decision to answer questions without having an attorney present is free and voluntary on my part."

MacGillivary: Okay. Um Mr. Wilds, this office is currently investigating a homicide ah that occurred on the 13th. of January, 1999 involving a Hae Lee?

Wilds: Yes.

MacGillivary: What if anything can you tell me about that?

Wilds: Um at....on the evening of ah 1/12/99 um

Ritz: [REDACTED] right?

Wilds: Yes. On [REDACTED] on the evening of [REDACTED] um Adnar had called me and we chatted ah we made plans for the next day evening. That morning he called me and we took....we were going to the Mall. He asked me if I could do him a favor.

Ritz: Can you recall what time he called your house ah Jay?

Wilds: Um a little after ten, about ten forty-five, quarter to eleven. I woke....that's when I woke up. I showered so it was about an hour before I left. Ah we left the house, on the way to the Mall he asked me if I could do him a favor.

Ritz: Did he come to your house and pick you up?

Wilds: Yes sir.

Ritz: Which type of vehicle was he driving?

Wilds: Ah Honda Accord.

Ritz: And what color is that vehicle?

Wilds: Um gold or tan.

Ritz: Is that a two door or a four door vehicle?

Wilds: Four door.

Ritz: So he came to your house about quarter of twelve, you said it was about an hour later after he called



PAGE THREE

STATEMENT OF: Jay W. Wilds

your house?

Wilds: Yeah.

Ritz: He picks you up and where do you go from that point?

Wilds: Um we headed toward Westview Mall. Um we did a little shopping together. Um on the way of taking him to school and to go back to class, on the way to school he had asked me if I could pick him up from, he didn't say where he just asked me if I could pick him up.

Ritz: Does he give you his car?

Wilds: Um hum and he leaves his cell phone in the glove box.

Ritz: Why does he give you his car?

Wilds: Um so I could finish doing, while he was in school and what.

Ritz: What time do you drop him off back at school?

Wilds: About lunch time, so it's about twelve-thirty.

Ritz: When you take him back up to school, what school are you referring to?

Wilds: Oh I'm sorry, Woodlawn High.

Ritz: And where do you drop him off at this school?

Wilds: In the rear.

Ritz: Then what do you do?

Wilds: I go to Mark Pusateri house.

Ritz: And where is that located?

Wilds: Um I don't know the exact address, it's right off of ah Ingleside Avenue.

Ritz: Prior to dropping Adnar off at school, does he have a conversation with you about what he was going to do that day or

Wilds: Um he tells me he's going to kill Hae. I didn't believe him, I mean

PAGE FOUR

STATEMENT OF: Jay W. Wilds

Ritz: The conversation where Adnar tells you he's going to kill Hae, where does that conversation take place?

Wilds: In his car. It started off talking about girls and Steph's birthday was coming up, you know. We've **inaudible** this, that and the other. "I can't like I can't believe what Hae did to me, broke my heart like that." Um

Ritz: What did he mean by that?

Wilds: He said that she was...she just....they've been together for a while, she just all of a sudden like "I don't want to be with you." He couldn't believe someone could be that heartless, or something like that. That was our conversation how the topic come up **inaudible** and I figured you know him bitching about her breaking his heart, him saying he's going to kill her and one in the same type of conversation but it didn't fire any warning signals or nothing.

Ritz: When he said he was going to kill her, did he make any mention of how or ah when he was going to kill her or anything like that?

Wilds: Um he said today, that's all he said. He didn't say how, when, where.

Ritz: If you can, I know it's been five or six weeks, try and recall his exact words if you can?

Wilds: "I'm going to do it. I'm going to kill that bitch."

Ritz: Does he...does he refer to her by name, but the conversations about her, so when he says "I'm going to do it, I'm going to kill that bitch" you assumed that he's talking about Hae Min?

Wilds: Yeah.

Ritz: Does he say anything else about what he's going to do?

Wilds: Not at that point in time, no.

MacGillivray: Did you believe ah him during this conversation?

Wilds: Not in the context of the conversation, it didn't, no.

PAGE FIVE

STATEMENT OF: Jay W. Wilds

MacGillivary: Okay. And you were talking about Hae Lee?

Wilds: Yes.

MacGillivary: So when he indicates that he's going to kill her,

Wilds: It was Hae Lee he was talking about, yes.

MacGillivary: Okay.

Ritz: You dropped him back off at school you said sometime around twelve-thirty at the rear of the school?

Wilds: Uh huh.

Ritz: You go back over to Mark Pusateri house?

Wilds: Uh huh.

Ritz: And where's that located again, I'm sorry

Wilds: Off of Ingleside, I don't know the exact address, but the street starts with a "C" and it's right off of Ingleside Avenue.

Ritz: Okay. When you arrive at Mark's house, what do you do?

Wilds: Sit down, video game out.

Ritz: Who was home at that time?

Wilds: Just me and Mark.

Ritz: Do you recall what time you arrive at the house?

Wilds: No, not exactly. I know a little while his sister came in the house.

Ritz: And who is his sister?

Wilds: Jen.

Ritz: I'm sorry?

Wilds: Jen Pusateri.

Ritz: Do you know what time she comes home?

Wilds: I know she gets off of work about twelve-thirty and she works in Ellicott City so fifteen minutes

PAGE SIX

STATEMENT OF: Jay W. Wilds

from Ellicott City.

Ritz: And how old is Jen?

Wilds: Excuse me, I think she's eighteen.

Ritz: And how old is Mark?

Wilds: 15.

Ritz: So you're there playing video games, it's you, Mark and Jen in the house?

Wilds: Yes.

Ritz: Are there any other people or adults in the house?

Wilds: No.

Ritz: What happens throughout the afternoon?

Wilds: I was sitting play waiting game, you know, he's like "I'm going to call you, I need a ride."

Ritz: So you're playing this waiting game, waiting for him to give you a call?

Wilds: Uh huh.

Ritz: Does he call you at some point in time?

Wilds: Yeah.

Ritz: What time does he call you?

Wilds: Um, time I remember talking to him, actually having a conversation with him, was about three-forty something.

Ritz: Going back to when you dropped him off, does he give you a time that he's going to call you?

Wilds: He told me about three o'clock.

Ritz: About three o'clock, so he...you're waiting around, he finally calls about three-forty?

Wilds: Yes.

Ritz: Than what do you do?

PAGE SEVEN

STATEMENT OF: Jay W. Wilds

Wilds: Go and pick him up from a place in the city where I went....I went to pick him up from off of Edmondson Avenue at a strip and he ah he pops the trunk open and

Ritz: You say that...on Edmondson Avenue off of a strip, do you recall any cross streets on Edmondson Avenue where you go to meet him?

Wilds: I don't know by name but I can tell them to you by sight.

Ritz: Okay so he gives you the street name?

Wilds: Uh huh.

Ritz: And you're familiar with it, you know how to get there or does he give you directions?

Wilds: Um he told me...he give me a street name and I'm familiar enough to get to where he's at, using land marks and stuff like that.

Ritz: How long does it take for you to get there from ah Mark and Jens house to this address on Edmondson Avenue?

Wilds: With traffic and stop lights, probably about twenty minutes.

Ritz: You arrive twenty minutes later at this location on Edmondson Avenue, then what happens?

Wilds: Um I drove.....I followed him to.....I followed him out into...

Ritz: Do you get out of your car when you get on Edmondson Avenue and have any conversation with him?

Wilds: Uh huh, yeah.

Ritz: Tell me about that.

Wilds: Um we got out, oh and we....he's walking around with red gloves on um

Ritz: What kind of gloves are they?

Wilds: Regular winter gloves with ah

Ritz: Cloth gloves or

PAGE EIGHT

STATEMENT OF: Jay W. Wilds

Wilds: Yeah, they're like wool with ah leather palms and...and that sparked you know, "what the fuck you walking around with gloves on for" and then, I'm sorry, um and then he goes "I did it, I did it. You don't fucking believe me, I did it." He pops the trunk open and he's like "she's all blue up in there inaudible in the trunk."

Ritz: When you see this person in the trunk, who is that person?

Wilds: Hae Lee.

Ritz: Do you know Hae Lee?

Wilds: Yes.

Ritz: And how do you know Hae Lee?

Wilds: Ah I sat next to her in Biology.

Ritz: So you see her in the trunk of the car, you said she's blue, do you recall what type of clothing she's wearing?

Wilds: Um a black skirt, um some like inaudible stockings um and ah a white blouse.

Ritz: Okay, does she have her shoes on?

Wilds: No.

Ritz: So you're standing there, he pops the trunk, does he use a key to get into the trunk or does he use the inside latch ah trunk release?

Wilds: He used a key.

Ritz: After he shows you her body in the trunk and tells you that he finally did it, then what happened?

Wilds: We argued for like ah about five minutes on the corner and ah we start drawing attention arguing so he's like "get in the car, follow me" so I get in the car and I follow him and we end up at the Route 70 Park and Ride off of ah um what is that, ah Cooks Lane.

Ritz: Okay, when you say you get in the car and follow him whose car are you driving?

PAGE NINE

STATEMENT OF: Jay W. Wilds

Wilds: His.

Ritz: And what kind of car is that again?

Wilds: Ah an Accord, a gold Accord with four doors.

Ritz: And he's driving another vehicle?

Wilds: Uh huh.

Ritz: What type of vehicle?

Wilds: It was Hae's car, I knew it was Hae's car. I seen her in it before.

Ritz: What type of vehicle is that?

Wilds: A silver...small silver four door.

Ritz: Do you know what make and model it is?

Wilds: No.

Ritz: But you know that to be Hae Lee's car?

Wilds: I seen her driving it from school, back and forth a couple of times, yeah.

Ritz: After you guys are arguing on the street, drawing attention to yourself, he tells you to follow him, you get back in his car and begin to follow him up to a park and ride on Route 70, off of Cooks Lane?

Wilds: Where 70 ends.

Ritz: Okay, then what happens?

Wilds: He gets back in the car.

Ritz: What do you do with her car?

Wilds: He leaves it there.

Ritz: Does he remove the body from the...

Wilds: No.

Ritz: Her car?

Wilds: No, no, nothing just gets in the car.

PAGE TEN

STATEMENT OF: Jay W. Wilds

Ritz: He gets into his car?

Wilds: Yes.

Ritz: Okay, are you still driving?

Wilds: Yes.

Ritz: Then what happens?

Wilds: Um we went um we dropped an L back in the woods, back at the State Park.

Ritz: You dropped an L, what does that mean?

Wilds: Smoked a blunt. Um

Ritz: Back in the State Park, where exactly are you referring to?

Wilds: Ah Hill...I think it's Hilltop...no, it's cliffs back off of River Road.

Ritz: How long are you guys back at the cliff?

Wilds: Probably like thirty minutes.

Ritz: Okay, you say you smoked a blunt back there, that's marijuana?

Wilds: Yeah.

Ritz: When you first met Adnar

Wilds: Uh huh?

Ritz: When he called you, you went down Edmondson Avenue?

Wilds: Yes.

Ritz: Did he appear to be high or intoxicated? Did he seem alright to you?

Wilds: No he didn't. He, thousand yard stare, it wasn't, I know like, if it had to be a drug it probably be like Acid or something, it wasn't, it was like you know a thousand yard stare. It wasn't somebody was drunk, somebody high. I know what they look like you know what I mean?



PAGE ELEVEN

STATEMENT OF: Jay W. Wilds

Ritz: Well he just killed somebody, could it be like he's out there because of that?

Wilds: Maybe, I mean

Ritz: Was he talking out of his head, saying there's Martians coming to get him or anything?

Wilds: No, he wasn't....he was probably calm, cool and collective.

Ritz: Calm, cool and collected, he's able

Wilds: He just had...he just had a thousand yard stare on his face. He calm, talking to me you know.

Ritz: Well his minds probably going a thousand miles a minute, he's telling you to follow him, he's...he has this plan, he's able to think things out clearly would that be true?

Wilds: From what I observed, yes.

Ritz: Okay, so you guys go down to the Cliffs, smoke a blunt, then what do you guys do?

Wilds: I took him back to school.

Ritz: You leave her car at the park and ride?

Wilds: Yes.

Ritz: What time do you take him back to school?

Wilds: Um I don't recall, the sun was going down. Ah I don't....if I had to guess probably like four-thirty.

Ritz: Okay, you said he had on these ah red cloth gloves with ah leather on the palms?

Wilds: Yes.

Ritz: What other type of clothing was he wearing?

Wilds: Um a blue rain suit jacket, and I don't remember what kind of pants he had on.

Ritz: What happens after you drop him off at school, is there come a point in time when you go back to school and pick him up?

PAGE TWELVE  
STATEMENT OF:

Jay W. Wilds

Wilds: Yeah, uh huh.

Ritz: How do you know what time to go back to school?

Wilds: He called me on the cell phone.

Ritz: Do you recall what time he called you?

Wilds: Um maybe like six forty-five, something like that.

Ritz: When he calls you at six forty-five, where exactly are you?

Wilds: Ah I think I was at my house.

Ritz: You're at home?

Wilds: Yes.

Ritz: You leave home, you go back over to school to pick him up?

Wilds: Uh huh.

Ritz: Than what do you do?

Wilds: He ah tells me take him back to Route 70 Park and Ride.

Ritz: Okay, when you take him back there, is the car still there?

Wilds: Yes.

Ritz: Then what do you do?

Wilds: No wait, before that happened we were...we were eating and ah police officer called him on the phone and then we cut the meal short because we got to go back to the Park and Ride.

Ritz: When a police officer called him on the phone, do you recall what time that was?

Wilds: No I don't, but I remember it, I remember 'cause he kept saying...yes no...yes no...

Ritz: Did he tell you he was talking to a police officer?

Wilds: Uh huh.

PAGE THIRTEEN

STATEMENT OF: Jay W. Wilds

Ritz: Did he tell you what that conversation was about?

Wilds: Ah he said that Hae didn't pick up her cousin, they already looking for her.

Ritz: You already knew that she didn't pick up her cousin 'cause she was in the trunk of the car?

Wilds: Yeah.

Ritz: What happened after the conversation with the officer?

Wilds: Um ah he ah he got kind of frantic and we had to go back and get the car...we went back and got the car and ah than we went back to my house. I gave him a shovel, gave him a pick. He ah

Ritz: When you go back to your house, who drives...drives Hae Lee's car?

Wilds: We didn't have Hae's car then.

Ritz: When he gets the call from the officer, where are you guys? Are you up at the Park and Ride?

Wilds: No, we're in a restaurant. We were sitting down and eating.

Ritz: Where was that? What...what's the name of the restaurant?

Wilds: Um I think it was McDonalds on Rolling Road.

Ritz: McDonalds on Rolling Road?

Wilds: Yeah.

Ritz: The conversation with the officer, how long does that take place?

Wilds: Ah it was pretty long, about fifteen minutes.

Ritz: After the conversation, you guys leave McDonalds?

Wilds: Go to my house and um he asked me for a pick and shovel. I give him all that shit.

Ritz: Um

PAGE FOURTEEN  
STATEMENT OF:

Jay W. Wilds

Wilds: He said take him back to the Park and Ride, I took him back to the Park and Ride um he told me follow him, drove me all around inaudible. Got back to Leakin Park he said um...I pulled up next to him he's like "we'll park up around the corner. I'll be there in a second." Um I went up around the corner, after a while it was like ten minutes, fifteen minutes.

Ritz: You go up around the corner, you still within a view of ah Hae Lee's car?

Wilds: No

Ritz: Was it way out of sight?

Wilds: Yes.

Ritz: How did he knew that you just didn't leave him there?

Wilds: He didn't.

Ritz: So you're up around the corner, so than what happened?

Wilds: We dropped her car back around the corner and um I was turned around so he thought I left him. He's walking around the streets and I picked him up and ah

Ritz: What does he say to you?

Wilds: He says "she was heavy" and um he starts to throw up and than he ah was like "you got to take me back there. I got to bury her." And than ah we argue um for about five minutes so we go back, we park the car and pull off up the side of the road.

Ritz: Describe the pull off, what does that look like? Are there any

Wilds: Um it's like white...white ah you know the highway dividers?

Ritz: The Jersey Wall?

Wilds: Yeah.

Ritz: Like you see on a medium strip

PAGE FIFTEEN

STATEMENT OF: Jay W. Wilds

Wilds: Yeah.

Ritz: The concrete barriers?

Wilds: Yeah, it was some of those around, a couple of wood posts and it's snow on the ground and um I seen her jacket on the ground.

Ritz: What kind of jacket was that?

Wilds: It was blue and red.

Ritz: Was it a nylon jacket, cloth jacket?

Wilds: Yeah, it was nylon.

Ritz: What exactly was that on the ground?

Wilds: Um in the...in the walkway...in the path and ah I went back there and ah she's kind of like laying against a log and he asked me to help him dig. We argued some more than ah I started digging a hole and

Ritz: Who started digging a hole?

Wilds: Adnar start digging and um threw up once more and he ah finished the hole and put Hae in there, face first.

Ritz: Okay, if we can just back up for a second Jay, the jacket was on the ground. You said it was red and blue, in the walkway, did anybody pick up the jacket?

Wilds: Oh he picked it up...he picked it up.

Ritz: What did he do with the jacket?

Wilds: Put it um inaudible

Ritz: So you guys walk back, how far do you walk back once you park your car ah

Wilds: Not that far, probably like twenty yards the most.

Ritz: Okay. Describe to me when you're walking back, what the geographical area looks like?

Wilds: Um

PAGE SIXTEEN  
STATEMENT OF:

Jay W. Wilds

Ritz: You said there was a tree there?

Wilds: It's like a marsh area from ah like a river bed or something.

Ritz: Okay

Wilds: And ah there's like a...there's a log with a palm of a tree and there's snow on the ground, there's like a whole bunch of old brush around.

Ritz: When he...Adnar is digging a hole, describe for me how deep a whole he digs?

Wilds: Not that deep, maybe like shin deep.

Ritz: You say shin deep, about two feet?

Wilds: No, no, um maybe a foot.

Ritz: Where is Hae Lee's body when he's digging the hole?

Wilds: Right next to where he's digging.

Ritz: After he completes digging the hole, than what happened?

Wilds: He throws her in there.

Ritz: Does he ask you to help him pick her up? He said you know, she's heavy.

Wilds: Yeah he asked me a whole bunch of times to help him carry her and drive her car and all that shit.

Ritz: When he asked you to pick her up, describe to me where you grab her or how did you assist him?

Wilds: I didn't.

Ritz: You didn't grab her feet and help him slide her over to the hole?

Wilds: I didn't touch her.

Ritz: When he puts her body in this shallow grave, describe to me how she is positioned?

Wilds: She's ah like her head's facing away from the road, ah like her arm's kind of like twisted behind her back and she's ah kind of leaning on her side.

PAGE SEVENTEEN

STATEMENT OF: Jay W. Wilds

Ritz: Is she face up, face down?

Wilds: Face down.

Ritz: She's face down, what side is she laying on?

Wilds: Her right I think.

Ritz: Right side?

Wilds: Yeah.

Ritz: The clothing that she had on, you described she had a black skirt on?

Wilds: Yeah.

Ritz: Ah a white blouse?

Wilds: Yes.

Ritz: Any other clothing?

Wilds: Stockings.

Ritz: When Adnar put her in the shallow grave did you see her shoes?

Wilds: No.

Ritz: What happened to her shoes?

Wilds: He told me he left them in the car.

Ritz: He told you he left them in the car?

Wilds: Uh huh.

Ritz: As he's digging the shallow grave and ah can you describe for me what the lighting conditions are, is it dark out than or

Wilds: Yeah.

Ritz: Is it just starting to get dark?

Wilds: Dark, it's been dark for a couple of hours.

Ritz: Well how are you guys able to see as you're going back there, you're not digging in the dark?

PAGE EIGHTEEN

STATEMENT OF: Jay W. Wilds

Wilds: Yeah he was. It wasn't no flash light or nothing like that to dig a hole. There was snow on the ground inaudible it wasn't like inaudible

Ritz: How was the lighting conditions, was it a full moon, do you recall?

Wilds: Ah I can't recall but it was enough light. I couldn't read a book or nothing but I mean I could count change in my hand if I had to.

Ritz: How long does it take Adnar to dig the grave?

Wilds: Like a half an hour.

Ritz: And during the digging process do you assist him at all?

Wilds: No, not at all. I sat there and smoked a cigarette on a log. It's kind of like I don't believe what happened.

Ritz: What happens after he places her in the grave, does he cover her up?

Wilds: No, he throws up first than he covers her up.

Ritz: When he covers her up does he shovel the dirt back on top of her?

Wilds: Yeah.

Ritz: Than what happened?

Wilds: Than we left um

Ritz: When you guys leave, is her coat still out there or does he pick it up on the way back out?

Wilds: He threw it when we were walking in, it wasn't.. on the way back it was gone inaudible on the way in.

Ritz: When you guys walk back to the road way, you get back into the vehicles, which vehicle do you get into?

Wilds: The ah Accord.

Ritz: And which vehicle does he get into?



PAGE NINETEEN

STATEMENT OF: Jay W. Wilds

Wilds: Um Hae's car, the silver car.

Ritz: Where do you guys go to from the park?

Wilds: Um we went down, we went to Belvedere first than he ah drove me over back over to this side of town.

Ritz: What is on Belvedere?

Wilds: Um the Players Club, inaudible it's a strip, you figure the strip's already hot anyway. Um

Ritz: You guys go over there and just listen to music or

Wilds: No, no. He was looking for a place to leave the car.

Ritz: Okay.

Wilds: And um he figured to leave it on the strip since it was hot anyway, he would just inaudible and ah he didn't like that one so we drove back on this side of town and down off of Route 40 or Edmondson Avenue, which I do not recall, ah we went to a strip up there and parked the car back back in ah inaudible strip I mean off ah a little side street.

Ritz: After he parks the car there, than what happens?

Wilds: He moves it...he didn't like that spot so he moved to another spot. After he moved it to the second spot then he got out the car and acted like he was carrying her purse and her wallet and he had some other stuff in his hand and ah

Ritz: Did he have her book bag?

Wilds: Maybe, I think it could have been. Yeah, yeah he was carrying a whole lot of stuff. It wasn't you know just his things, it was a whole lot, he had all her stuff.

Ritz: When he gets all these articles out of the car, are they in the front seat area, the back seat, the trunk?

PAGE TWENTY

STATEMENT OF: Jay . Wilds

Wilds: Oh I didn't...I didn't see, I mean I just seen him digging in the car. I couldn't tell where he was getting stuff from.

Ritz: Describe the location where he parks this car, do you know what street it's on?

Wilds: No, it's not on a street, it's like a where a bunch of row homes, in the back of a bunch of row homes on like a parking lot.

Ritz: Do you know what area of town it is, is it in Baltimore city, Baltimore county?

Wilds: Yeah, it's on the west side of Baltimore city.

Ritz: Okay, so he parks the car there, he gets all these articles belonging to Hae Lee, out of the vehicle?

Wilds: Yes.

Ritz: Then what happened?

Wilds: Um I said "fuck this" and drive myself home and on the way home he's like "stop here, stop behind

Ritz: He gets in the car with you?

Wilds: Yes.

Ritz: Okay.

Wilds: And I drive myself home and on the way home he's like "stop here." We stopped at ah Westview and one of the dumpster's behind Westview he threw all the stuff in. Um

Ritz: When you say Westview, Westview Shopping Center?

Wilds: The Mall, yeah.

Ritz: Try and think if you recall which dumpster it was or where it's located on the parking lot.

Wilds: Two or three of them, it's one I know was like a recycle dumpster, um like the first one as you come in in the back, like where the buses are and the bank is and the rest of the stuff went in like ah the one near the movie theater.

PAGE TWENTY-ONE

STATEMENT OF: Jay W. Wilds

Ritz: What happened after he discards the articles in the dumpster's?

Wilds: Um we argue um we argue some more, went to the 7-11 and than inaudible.

Ritz: The area where Adnar parked the car and got all the things out of it, had you gone back to that location to see if the car was still there?

Wilds: I was...during the commute I made an effort, yeah out of my way to see if it still was there, yeah it was.

Ritz: When was the last time that you went out of your way to see if the car was still there?

Wilds: Four days ago, so the 24th.

Ritz: When you went back to the location where he left it that night, was the car still there?

Wilds: Yes.

Ritz: Does he have keys to that vehicle?

Wilds: No.

Ritz: What did he do with the keys?

Wilds: He put those in the dumpster also.

Ritz: How do you know that?

Wilds: I saw them.

Ritz: Do you recall what type of clothing you had on?

Wilds: Ah um I think I had on a pair of tan jeans, some work boots and a plaid coat, like a wool plaid coat.

Ritz: And where's that clothing today?

Wilds: I discarded it.

Ritz: You discarded the clothing?

Wilds: Yeah.

Ritz: Where did you discard the clothing?

PAGE TWENTY-TWO

STATEMENT OF: Jay W. Wilds

Wilds: Um I put mine in the trash at my house, put it out in the trash?

Ritz: Why did you do that?

Wilds: I didn't want to be roped up in anything, anyway, any how.

Ritz: Since this happened back on January the 13th

Wilds: Yes.

Ritz: How many times had you been in contact with Adnar or how many times has he contacted you?

Wilds: All together probably about a dozen.

Ritz: And during those dozen times, was there any conversation about

Wilds: Many references he made light about the situation, ah

Ritz: He made light of the situation?

Wilds: Yeah, and he ah

Ritz: How did, what do you mean by that?

Wilds: He joked about it, like said how it was cool, how he knew it went down and everyone was looking for her and how ah but then on the same token he, the next day he'd be like "I can't believe I did it" and feel bad and shit so

Ritz: The twelve occasions or these conversations that you had with him, is that prior to the body being found, say from

Wilds: Not all of them...not all of them, probably about five or six times I talked to him after that.

Ritz: Okay, so half the conversations were prior to February the 9th. when her body was discovered in Leakin Park?

Wilds: Yeah.

Ritz: The other conversations are subsequent?

Wilds: Yeah.

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PAGE TWENTY-THREE

STATEMENT OF: Jay W. Wilds

Ritz: When he's joking about ah you know he can't believe what he did, ah were those conversations prior to the body being found?

Wilds: Ah

Ritz: He's making light of the situation?

Wilds: Before and after.

Ritz: Other than him making light of the situation laughing about it, what else, what was the context of the other conversations?

Wilds: Um if I knew where he could get weed. Um

Ritz: Any conversations pertaining to

Wilds: Oh about knew...he knew ah I'm involved in it, it's too late um ah references to the fact that he could get at my girlfriend, I mean

Ritz: When he said he could get at your girlfriend, what did he mean by that?

Wilds: Like "oh you know me and Stephanie are friends, you can't say nothing to her."

Ritz: When was the last conversation that you had with Adnar?

Wilds: Um probably, I think that was either yesterday or the day before.

Ritz: And the most recent conversation you had with him

Wilds: Yeah.

Ritz: What was the content of that conversation?

Wilds: Um I had learned that you guys were looking for me and

Ritz: How did you learn that?

Wilds: Ah a lot of people told me. Friends of mine told me that you guys want to question me and so I went to him and I said you know "what the fuck did you get me wrapped up in." He just told me "calm down, everything will be okay."

PAGE TWENTY-FOUR

STATEMENT OF: Jay W. Wilds

Ritz: Where did this conversation take place?

Wilds: Um I believe it was in front of my house in inaudible

Ritz: Other than you saying "what the fuck did you do, why did you get me wrapped up in this" what did he say?

Wilds: He just told me "ain't nothing going to happen, they don't know shit and stay cool."

Ritz: Was anything else said during that conversation?

Wilds: Um he told me that he knew somebody, I mean ah I use to be involved in some illegal activities and um people on the west side, he told me that..the jest of what he told me was that he knew a west side hit man so I mean there wasn't....I wouldn't call it a threat but he was letting me know.

Ritz: In a round about way that what if you said something to the police that

Wilds: Yeah 'cause I told him I mean I was like you know if they come to me I ain't going to you know, fuck around and you know I'm just going to tell them inaudible. He's like "you know who I know." That's all he said to me.

Ritz: Prior to us turning the tape on Jay, we had a conversation with you.

Wilds: Yes.

Ritz: And during that conversation we spoke probably for about a half hour, forty-five minutes, the information that you provided during this interview was it the same information that you provided during the first interview?

Wilds: No.

Ritz: During the first interview there were a lot of inconsistencies

Wilds: Yes.

Ritz: And there are too many to go over but you kind of disassociated yourself from all the information you provided in this interview.

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10/26/2021

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PAGE TWENTY-FIVE

STATEMENT OF: Jay W. Wilds

Wilds: Yes.

Ritz: Why is that?

Wilds: Scared.

Ritz: All the information you provided during this interview has it been the complete truth?

Wilds: To the best of my knowledge.

Ritz: At anytime during this interview did Detective MacGillivray and I threaten you in anyway, coerced you or force you to make this interview?

Wilds: Inaudible.

Ritz: Did we make any promises to you?

Wilds: No sir.

Ritz: Are you presently under the influence of any drugs or alcohol?

Wilds: No sir.

Ritz: You understand everything that's taken place here?

Wilds: Yes.

Ritz: Detective MacGillivray?

MacGillivray: I do believe you covered it.

Ritz: Before we stop the tape and it's due to run out in about two minutes, ah if you need more time than that ah if there's anything else you omitted during this interview, questions that I didn't ask you, given the opportunity to ah you know give us that information ah anything else that

Wilds: That I think you guys should know?

Ritz: Yes.

Wilds: Um one conversation he told me that he strangled her, um another conversation he wanted me to revisit the body with him.

Ritz: When was that conversation?

PAGE TWENTY-SIX

STATEMENT OF: Jay W. Wilds

Wilds: Prior to her being found.

Ritz: Let me stop you for just a second ah Jay, we'd like to get into that, the tape is going to run out in a minute. The time now is 2:09 A.M. on Sunday, ah February 28th. We're going to terminate ah stop the interview just for a second so we can flip the tape over to side B.

BEGINNING OF SIDE B

Ritz: This is Detective William Ritz again. I'm about to resume the interview with Jay Wilds. The time now is 2:10 A.M. once again on Sunday, February the 28th. Jay, you started to say that you recall a couple of conversations. During one of those conversations he told you that he strangled Hae. If you would, going back if you can recall the conversation he had concerning um strangling her.

Wilds: Um he told me he thought she was trying to say something while he was strangling her. Um he told me that she kicked like ah knocked off the ah windshield wiper thing in the car and that was it. The other conversation went

Ritz: If I could just stop you for a second, the windshield wiper thing meaning the manuel switch where you turn the windshield wipers on and ah turn the windshield wipers on?

Wilds: Yeah.

Ritz: That got broken during the attack on her?

Wilds: That's what he told me.

Ritz: So when he actually strangles her, this is taking place inside her vehicle, is that the impression that you got?

Wilds: Yes.

Ritz: Did he say where that took place?

Wilds: No.



PAGE TWENTY-SEVEN

STATEMENT OF: Jay W. Wilds

Ritz: Did he ever make any mention on how he got inside her vehicle or how he stopped her or how he got her attention that afternoon?

Wilds: No.

Ritz: The other conversation you said you had with him and what was that again?

Wilds: He wanted me to revisit the body.

Ritz: And when did that conversation take place?

Wilds: Um prior to Hae Lee's death.

Ritz: How did all that come about?

Wilds: He just, he said ah "you got to take me back there um I need to cover it more."

Ritz: And did you take him back there?

Wilds: No.

Ritz: Where did that conversation take place?

Wilds: Ah I think it was at my job, at the inaudible.

Ritz: He came to your place of employment, would that be the video store or F & M.

Wilds: I think it was like my first or second night at the video store.

Ritz: Since January the 13th, have you ever gone back out to Leakin Park to visit the grave site?

Wilds: No.

Ritz: Do you know if, other than Adnar asking you that night he came in the video store, did he ever make mention that he did go back out to the park to revisit the grave site?

Wilds: No.

MacGillivray: Did ah you....when did you realize someone had found ah Hae's remains?

Wilds: I was sitting at work and I seen it come across the news one night when I was sitting at work.

PAGE TWENTY-EIGHT

STATEMENT OF: Jay W. Wilds

MacGillivray: Do you remember what day that was?

Wilds: No I don't recall.

MacGillivray: And ah do you recall what the news broadcast said?

Wilds: It just said that the search for her was over and down there they showed the crime scene, that was it.

Ritz: The crime scene that they showed on t.v., was that the location that you described to me with the concrete barriers and

Wilds: Yes.

Ritz: And the fallen down tree?

Wilds: Yes.

Ritz: Have you told anyone about this incident?

Wilds: Um, yeah I did. That night I told my friend Jen Pusateri that if anything ever did happen to me

Ritz: You told, I'm sorry, who did you tell?

Wilds: Jen Pusateri.

Ritz: Jen Pusateri?

Wilds: Yeah so that if anything ever did happen to me like get locked up or sent to jail that at least somebody would really know what happened.

Ritz: During your conversation with Miss Pusateri, what exactly did you tell her?

Wilds: I...I didn't give her a whole lot of details. I just told her that Adnar killed Hae, about how he popped the trunk and showed me the body and shit.

Ritz: Other than telling Jen that night on January the 13th, do you recall where that conversation took place?

Wilds: Um I think we were in a car somewhere. I don't remember where we were driving to.

PAGE TWENTY-NINE

STATEMENT OF: Jay W. Wilds

Ritz: Other than telling her that night, have you told anyone else, told your girlfriend, your mother?

Wilds: No, I didn't tell my girlfriend, my mother. I think I told my friend Chris that he...that he killed her. I think he's the only other person I told.

Ritz: And what is Chris' full name?

Wilds: Christopher Lee Baskerville.

Ritz: And do you know his address?

Wilds: Ah no. He's at college, he goes to school at Morgan.

Ritz: Do you have a phone number or pager for him?

Wilds: Um yeah, I have a pager for him.

Ritz: And what is that number?

Wilds: 1-800-5-SPRINT um and his box number is 2557300.

MacGillivray: I didn't get Christopher's last name.

Wilds: Baskerville.

MacGillivray: Basketville?

Wilds: Basker.

MacGillivray: Baskerville?

Wilds: Yes.

MacGillivray: And he's a student at Morgan?

Wilds: Yes. He may be inaudible.

Ritz: Other than you being with Adnar that night do you know of any other persons that Adnar had confided in or bragged to that ah he killed Hae Lee?

Wilds: No but I imagine somebody else um maybe Tyad. I think he might have said something to ah...I don't think he told Tyad he killed Hae but he told Tyad he killed someone.

MacGillivray: Tyad?

PAGE THIRTY

STATEMENT OF: Jay W. Wilds

Wilds: Tyad.

Ritz: How would you spell that?

Wilds: T Y A D.

Ritz: And who is Tyad?

Wilds: Just a friend of his.

Ritz: Do you know Tyad's last name?

Wilds: Inaudible.

Ritz: Do you know where Tyad lives?

Wilds: No.

Ritz: Do you happen to know his phone number?

Wilds: No.

Ritz: How old is Tyad?

Wilds: He's either 19 or 18.

Ritz: And how do you know or why do you know that Adnar has told Tyad what happened?

Wilds: Because of how Tyad is.

Ritz: Has Tyad ever mentioned to you that Adnar has told him what happened?

Wilds: No.

Ritz: I'm just trying to get an idea

Wilds: Oh yeah, you have to understand Tyad like for a lack of better choice of words, he's into that type of stuff, you know what I mean?

Ritz: Into what, I don't know what you said.

Wilds: Like murders, killing, you know. He don't care I mean he talks about how it was wonderful in Pakistan, stuff like that.

Ritz: Tyad is also from Pakistan and a Muselum?

Wilds: Yeah.

PAGE THIRTY-ONE

STATEMENT OF: Jay W. Wilds

Ritz: Is there anything else that you can think of Jay that ah would help us in our investigation?

Wilds: Um, you guys might be able to find some dirt in his car um

Ritz: Would that be from your shoes?

Wilds: From both of ours, a shovel was in there to.

Ritz: Um did you still have the shovel's and the pick that

Wilds: No, he threw those in the dumpster at Westview to.

Ritz: All the tools that he used?

Wilds: Yeah. Um, I'm trying to think, um

Ritz: Before during the interview prior to turning the tape on, you stated to Detective MacGillivary and myself that you'd be willing to take us out and show us where the vehicle's parked.

Wilds: No problem.

Ritz: Ah are you still willing to do that?

Wilds: Yes sir.

MacGillivary: Also you can show us where ah initially that day you met up with him on Edmondson Avenue?

Wilds: It's only four blocks down from the car is.

MacGillivary: Is there anything else that you'd like to add to this?

Wilds: Um I feel bad that you know I didn't come forward and do anything inaudible. I feel bad, I mean I feel like I could have stopped it somehow by you know maybe if I had paid more attention or you know inaudible. I just feel bad about it, that's all. That's all I have to say.

MacGillivary: Jay why would Adnar call you?

Wilds: Like the criminal element of Woodlawn.

Ritz: Is that a real or a perceived reputation?

PAGE THIRTY-TWO

STATEMENT OF: Jay W. Wilds

Wilds: Inaudible perceived, it's like how...how the student body teases him you know. I mean teachers who really know me know that I'm not like that, you know, you get a certain reputation.

Ritz: Because of the contacts you have with helping him get his marijuana, he thinks that you're in that element that ah...that you'd be willing to assist him in ah disposing the body?

Wilds: I would guess so, that I would know someone or know where something but

Ritz: The last conversation you had with Adnar and he said "just be cool, and don't worry about a thing did he make any mention that the police were onto him, what his plans were?"

Wilds: No but I'd watch out 'cause um a prior conversation that we had he told me that ah when the cops first went to his house you know his father's Muselum and his father is all...he said his father freaked out and he told him we have family in Pakistan so I mean, that's the only place I think he'd go.

Ritz: Does his father know of his involvement, do you think that ah he just told his family?

Wilds: No, I doubt if he does.

Ritz: Why would his father bring up a conversation about "we have family in Pakistan" if the police were just coming there and inquiring and it didn't have anything to do with him?

Wilds: Muselum's families are, they're like that, the police presence shows up they think their all going to jail, I mean just like brothers on the corner while you run, you're chasing, you know what I mean?

Ritz: I understand.

MacGillivray: Alright ah I believe that concludes this interview. Ah at this point.

Wilds: Inaudible

Ritz: Okay. Ah that concludes this interview. The time now is 2:21 A.M. on Sunday, February 28th, 1998.

MacGillivray: 9.

PAGE THIRTY-THREE

STATEMENT OF: Jay W. Wilds

Ritz: 99, I'm sorry.

Wilds: You have been up for a while.

Ritz: Yes.

This taped interview was transcribed by:

OALII Dolly Dobrzycki, CIB/DED on 13 March 1999.

Police Department  
Baltimore, Maryland

LAPED

CI/209

Case Number \_\_\_\_\_

INFORMATION SHEET

Name JAY WILDS Nickname \_\_\_\_\_

Race B Sex M Age 19 D.O.B. [REDACTED]

Height 6' 4" Weight 162 Complexion Light

Address 4 MILBRED ST. APT E SS# [REDACTED]

Home Phone \_\_\_\_\_ Date and time of interview 3/15/99 1500

Parent's name \_\_\_\_\_ Address \_\_\_\_\_

Boy/girlfriends name \_\_\_\_\_ Address \_\_\_\_\_

Last School Attended \_\_\_\_\_ Grade \_\_\_\_\_

Employer \_\_\_\_\_ Address \_\_\_\_\_

Employers Phone \_\_\_\_\_ Hours of employment \_\_\_\_\_

RELATIVES IN BALTIMORE NOT LIVING WITH WITNESS

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Read and Write Yes  No \_\_\_\_\_

Under the influence of drugs Yes \_\_\_\_\_ No

If yes explain \_\_\_\_\_

Alcohol Check One Sober  Had Been Drinking \_\_\_\_\_ Intoxicated \_\_\_\_\_

Description of clothing at time of interview (note in bloodstained top, etc.) BLACK COAT, BLUE PANTS, BROWN SHOES

Note any injuries NA

Meals Provided \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Detective MALCOLM LIVING Detective RITZ

10/26/2021 MPA 16-250-264



POLICE DEPARTMENT  
BALTIMORE, MARYLAND

EXPLANATION OF RIGHTS  
Form 69

EXPLANATION OF RIGHTS

Name: JAY WILDS Address: 4 MILORED CT.  
Age: 19 Education: 12TH GRADE COMPLETE  
Date: 3/15/99 Time: 1505

YOU ARE HEREBY ADVISED THAT:

1. You have the absolute right to remain silent. JW yes
2. Anything you say or write may be used against you in a court of law. JW yes
3. You have the right to talk with a lawyer at any time, before any questioning, before answering any questions, or during any questioning. JW yes
4. If you want a lawyer and cannot afford to hire one, you will not be asked any questions, and the court will be requested to appoint a lawyer for you. JW yes
5. If you agree to answer questions, you may stop at any time and request a lawyer, and no further questions will be asked of you. JW yes

I HAVE READ THE ABOVE EXPLANATION OF MY RIGHTS, AND I FULLY UNDERSTAND IT.

Jay Wilds  
Signature

I am willing to answer questions, and I do not want any attorney at this time. My decision to answer questions without having an attorney present is free and voluntary on my part.

Jay Wilds  
Signature

G. S. MacGILLICRAN ASMP DET 6422 D410  
Officer's Printed Name Officer's Signature Rank Unit Sequence No.

Witness: D. Williams Witness: \_\_\_\_\_

STATEMENT

Date: 3/15/99 Time: 1516 hrs

Testing 1,2,3. Testing 1,2,3. This is a taped interview of Jay Wilds. Mr. Wilds is a black male, 19 years of age. His date of birth is [REDACTED]. Mr. Wilds resides at 6118 Rich Avenue, zone 28. Today's date is the 15th of March. It's approximately 20 minutes after 6 at night. My name is Detective Gregory MacGillivray. Present is Detective William Ritz. We're at 601 E. Fayette Street, the offices of Homicide, specifically the Colonel's conference room.

MacGillivray: Mr. Wilds for the record could you please state your full name?

Wilds: J. W. Wilds.

MacGillivray: And how old are you sir?

Wilds: 19.

MacGillivray: What's your date of birth?

Wilds: [REDACTED]

MacGillivray: And where do you reside?

Wilds: Um, building 4, apartment E, Mildred Court.

MacGillivray: That is correction, you live, you have moved since your first interview, correct?

Wilds: Yes.

MacGillivray: And that's number 4 Mildred Court, Apartment E, as in Edward?

Wilds: Yes.

MacGillivray: Mr. Wilds this office is currently investigating a Homicide of Hay Lee. What if anything can you tell me about th



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incident. And before I get into that I need you to clarify one thing. We read you your Explanation of Rights, isn't that correct?

Wilds: Yes.

MacGillivray: And you, I fill out the top and your read 1 through 5?

Wilds: Yes.

MacGillivray: And after reading each of those, you did something after each questions, is that correct?

Wilds: Yes.

MacGillivray: And what did you do?

Wilds: I initialed and wrote the word yes.

MacGillivray: And why did you do that?

Wilds: To state that I understood my rights?

MacGillivray: And you understand your rights?

Wilds: Yes.

MacGillivray: Fully understand them?

Wilds: Yes.

MacGillivray: Okay, um, why don't you go ahead and tell us what you know about the death of Hay Lee.

Wilds: Starting.

MacGillivray: Starting with the 12th?

Wilds: Okay, um, on ah, morning of the 12th, I had a left out, went shopping with a friend of mine, and ex-friend of mine and ah, we ah,

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went to ah, ah, I just believe went to Wal-Mart. I pick up little things, it was [REDACTED] Um, he dropped me at my house and returned to school. Later that day um, oh, I'm sorry. Prior to that we had had a conversation um, topic of the conversation was ah, relationships. During the conversation he stated, um, that he was gonna kill that bitch, referring to Hay Lee. Ah, I didn't, I took it with contexts and stand out my inaudible. We went, he dropped, he turned me to my house ah, I paged Jennifer Pusaterry, um, no I'm sorry. Yes, I paged Jennifer Pusaterry um, we had went to Gelston Park. Um, she had her dog with her. There I told her what the conversation me and Adnarn had had earlier that day. And he reaction was just about the same and then ah, later that day I went to Champs ah, [REDACTED] Returned home about 10 o'clock, received another call from Adnarn. This time he had told me ah, that we're gonna hook up tomorrow. And that was it for the 12th.

MacGillivray: Let me go back. You indicate that ah, on the 12th, which is.

Wilds: [REDACTED]

MacGillivray: [REDACTED] Adnarn calls you and you go out?

Wilds: Yeah Thursday morning.

MacGillivray: Where did you go?

Wilds: Just across the street to Wal-Mart.

MacGillivray: Did you walk?

Wilds: Um, actually yes we did, he left his car in my parking lot.

MacGillivray: Did you have a conversation with him?

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Wilds: Yes, um, I stated to him that [REDACTED] and [REDACTED] the day, right, day right after. How long we had been together and that seem to spark um, little bit of motion in him and he began to talk about Hay.

MacGillivray: Hey being his former girlfriend?

Wilds: Yes.

MacGillivray: And during this conversation, what did he tell you?

Wilds: Um, he told me that she had broke his heart. That was extremely wrong for anyone to treat him that way. Um, that he couldn't believe how she stood and looked him face to face and told him she didn't love him and could be that heartless. And he told me, he said, almost jokingly, I think I'm gonna kill her, yeah, I think I'm gonna kill her.

MacGillivray: However, the whole purpose of him being with you that day was to ask you for your assistance?

Wilds: Yes.

MacGillivray: Of killing her?

Wilds: Yes, not some much in killing her, but in dispose.

MacGillivray: In disposing of her body?

Wilds: Yes.

MacGillivray: Ah, does he tell you how he's gonna do it that day?

Wilds: No, but he tell me that ah, he's gonna do it in her car. Um, he said to me that he was going to ah, tell her his car was broken down and ah, ask her for a ride. And that was, and that was it, that.

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MacGillivray: That was it, that's all he told you that day?

Wilds: That, yeah, oh that he was gonna kill her, but it wasn't, he didn't give any details he just said um.

MacGillivray: He didn't know how?

Wilds: Huh.

MacGillivray: You didn't know how he was gonna kill her?

Wilds: No, no.

MacGillivray: But he told you he was, he was gonna kill her?

Wilds: Yes.

MacGillivray: Because she had broke his heart?

Wilds: Yes.

MacGillivray: And that night he contacted you again?

Wilds: Yes.

MacGillivray: And made plans to meet with you on the 13th?

Wilds: Yes, to come, I'm sorry.

MacGillivray: Were he could give you his car and cell phone to assist him?

Wilds: Yes.

MacGillivray: And you'll explain that later correct?

Wilds: Yes.

MacGillivray: Um, what time did he show up at your house the next day?

Wilds: Um, I believe he called me first. Um, he probably showed up at about 11, a little after 11, 11:30, 11, 11:30.

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MacGillivary: And were did you go?

Wilds: We went to Security Square Mall.

MacGillivary: And were you in his car?

Wilds: Yes.

MacGillivary: Who was driving?

Wilds: He was.

MacGillivary: When you went inside Security Mall, what stores did you go to?

Wilds: I went to ah, Small Hut in the center of the store, I'm mean the center of the Mall near the Food Quart. I brought ah, charm bracelet for my girlfriend. Ah, I think I also went in the Hechts, to look at some perfume. Um, and.

MacGillivary: Did you purchase anything in Hechts?

Wilds: No.

MacGillivary: Did Adnarn purchase anything in Hechts?

Wilds: Not to my knowledge no.

MacGillivary: Did he purchase anything during this little shopping spree?

Wilds: Ah maybe some lunch, but that was it. Like a soda and a bite to eat, but that was it.

MacGillivary: What did you do then?

Wilds: Um, we left the Mall, I took him to school, I dropped him off in the back of the school. He went up to class, he left his cell phone in the car with me. He told me he'd call me. Um, I went back to my friends Jenny's house and waited for him to call.

MacGillivary: Okay now at this point, you know why he's leaving the car with you?

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Wilds: Yes.

MacGillivray: And why is that?

Wilds: Cause he said he was gonna kill Hay.

MacGillivray: And the reason you have the car and the cell phone was why?

Wilds: To pick him up from wherever he was gonna do this at.

MacGillivray: Okay, and you had talked about this why you were shopping that day?

Wilds: The details of ah, the car and all.

MacGillivray: The events how they were going to plan out.

Wilds: He he, that day he told me yes. He told me um, I'm gonna leave you with my cell phone and my car, I need you to come get me, yes.

MacGillivray: After?

Wilds: After he had killed Hay yes.

MacGillivray: Okay, so you take him to school, and why do you take him to school?

Wilds: Ah, he was, he had said that he had to get back for his next class, his teacher would miss him.

MacGillivray: Do you know which class that was?

Wilds: No.

MacGillivray: Do you know what time it was when you took him back to school?

Wilds: It was, I would have to say between quarter to 12, and quarter after 1.

MacGillivray: Quarter of 12?



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Wilds: I mean quarter to 1, and quarter after 1, I'm sorry.

MacGillivary: Okay, was this after lunch?

Wilds: Yeah it was after the lunch time.

MacGillivary: And were did you drop him off?

Wilds: In the rear of the school.

MacGillivary: And you left?

Wilds: Yes.

MacGillivary: Were did you go?

Wilds: Jennifer Peachenterry's house.

MacGillivary: And were does she live?

Wilds: Ah, Conway, I think that's the name of her street. She lives in Edmondson Heights.

MacGillivary: Edmondson Heights?

Wilds: Yes.

MacGillivary: How long did it take you to get from the High School.

Wilds: Um-hum.

MacGillivary: To her house?

Wilds: Five minutes or less.

MacGillivary: Was anybody home?

Wilds: Ah, yes her brother was.

MacGillivary: Did you have the occasion to go inside?

Wilds: Yes we entered, we went down the basement, we played video games probably for about half and hour, and hour before anyone had called.

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MacGillivray: Was Jennifer home?

Wilds: Not yet.

MacGillivray: What time does she get home?

Wilds: She gets off work at about 12:30. Takes her, she lolly gags in the house I'd said probably about 1:30.

MacGillivray: Do you have any conversation with her about what is going to occur?

Wilds: Ah, yes. Later that afternoon we had went out to her car. I think we had ran to the store, come back to get some soda or something like that. And we sitting in her car and I told her that ah, I think that ah, Adnarn was gonna kill Hay.

MacGillivray: You didn't think, you knew?

Wilds: I.

MacGillivray: He told you he was going to.

Wilds: Lots of people say things, but that's.

MacGillivray: But he told you.

Wilds: Yes.

MacGillivray: And you had his car and you had his cell phone.

Wilds: Yes.

MacGillivray: Okay, and you told Jennifer this.

Wilds: Yes.

MacGillivray: While you sitting in in, in her car?

Wilds: Yes.

MacGillivray: Or were you in his.

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Wilds: No we were in her car.

MacGillivray: Okay, um, at some point you left?

Wilds: Um-hum.

MacGillivray: Jennifer's house?

Wilds: Yes.

MacGillivray: Do you have any idea what time that was?

Wilds: About 3:40.

MacGillivray: 3:40?

Wilds: Yeah.

MacGillivray: Was Jennifer still there?

Wilds: Yes.

MacGillivray: And where were you going?

Wilds: I was going to pick up Adnarn.

MacGillivray: Had you gotten a phone call from him?

Wilds: Yes on the cell phone.

MacGillivray: While you were at Jennifer's house?

Wilds: Not on the cell phone while I was at Jenn's, he had called on a hard line, while I was at Jenn's and then um.

MacGillivray: Adnarn had called on the cell phone?

Wilds: Yes.

MacGillivray: Inaudible.

Wilds: I know, I'm sorry. Adnarn had called on the hard line while I was Jenn's house.

MacGillivray: Okay.

Wilds: Um, he had told me he was, he inaudible, he was gonna need me to pick him up at a certain time, that was 3:30. I waited until 3:30, he didn't call, I left the house, ah with his car and cell phone.

MacGillivray: Meanwhile while, while you were at Jennifer's house, did you receive any phone calls on your cell, on Adnarn's cell phone?

Wilds: Yes.

MacGillivray: And how many phone calls did you receive?

Wilds: 3.

MacGillivray: And what was the nature of the calls?

Wilds: Um, one was ah, to check and see if the phone was on.

MacGillivray: And who made that call?

Wilds: Adnarn, Um, the other, the other was ah, the other was, I was telling him that I was gonna be there. That's were I was gonna be at, that was the 2nd one. And the 3rd one, I can't, it was very short, I can't remember what we conversated about.

MacGillivray: And then is when he called you on Jennifer's telephone?

Wilds: Yes.

MacGillivray: And that was given you instructions or what was the phone conversation?

Wilds: Ah, I'm leaving school. He told me he was leaving school then.

MacGillivray: Were did he tell you he was going?

Wilds: He didn't say, he just said he was leaving school. Told me, I assumed he was leaving with Hay, but he just said he was leaving school.

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MacGillivray: Where were you suppose to meet him?

Wilds: Ah, he didn't give me a set place. He called, I had my, I left Jenn's house because he didn't call me at the time that he said he was. And at that time I was half way between my house and Jenn's house. And he told me to meet him at Best Buy.

MacGillivray: So now after your phone conversation or Jennifer's telephone.

Wilds: Yes.

MacGillivray: You left?

Wilds: Yes.

MacGillivray: And while, enroute to your house.

Wilds: Yes.

MacGillivray: You received a phone call from Adarn?

Wilds: Yes.

MacGillivray: On his cell phone?

Wilds: Yes.

MacGillivray: Which is in your possession?

Wilds: Yes.

MacGillivray: And the conversation was what?

Wilds: Um, that bitch is dead, come and get me, I'm at Best Buy.

MacGillivray: How long does it take you to get from the time he calls you to tell you that Hay was dead.

Wilds: Yes.

MacGillivray: Until the time you got to Best Buy?

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Wilds: Um, he started to tell me about the story. He said ah, I think she was try to say something, and then I cut him off right there cause it's a little disturbing and he ah, close the trunk and told me to follow him. So he got into Hay, Hay, Hay's car and I got in his car and I followed him.

MacGillivary: And were did you go?

Wilds: We went to the Route 70 parking lot.

MacGillivary: And why did you go there?

Wilds: That's were he decided to keep the car until a later time.

MacGillivary: Did he park the car?

Wilds: Yes.

MacGillivary: Did he get out of the car?

Wilds: Yes, he got out of the car and proceeded to go through the trunk and the back seat and ah, several items he picked up and moved around and stuff like that. And then he came over to his car, um, told me to pop the trunk. I popped the trunk, he placed a whole bunch of items in the trunk and then he got in the driver's seat and we switched places and I got in the passenger's seat.

MacGillivary: The items that he took out of ah, Hay's car, what were they?

Wilds: Um, I know one of them to be his track bag. It's a black bag with ah, white writing on it. The other look like a book bag, a black book bag with a brown bottom and ah, like her keys, um, and her wallet.

MacGillivary: What do you do then?

Wilds: Um, we leave there, ah, on the way to Forrest Park, I place a phone call to ah, a friend of

mine ah, see if he could get any weed. We ah, I took, I, I didn't talk to him, I got his machine, he wasn't home.

MacGillivray:

Who is that?

Wilds:

Ah, Patrick.

MacGillivray:

Patrick.

Wilds:

I don't know his last name.

MacGillivray:

And how do you know Patrick?

Wilds:

I use to work with him at Pet Smart and ah, and UPS.

MacGillivray:

Where does he live?

Wilds:

Um, right off of ah, Athol. Um, I can't remember, Firm Valley I think it's called.

MacGillivray:

You know the address?

Wilds:

No.

MacGillivray:

And why did you call him?

Wilds:

To get narcotics.

MacGillivray:

To get narcotic.

Wilds:

I'm sorry, marijuana.

MacGillivray:

Marijuana?

Wilds:

Yeah.

MacGillivray:

However, he wasn't home?

Wilds:

No.

MacGillivray:

Did you get an answering machine?

Wilds:

Yes.

MacGillivary: How long do you think you were on the telephone?

Wilds: Um, the machine it a'll ring 4 or 5 times before the machine a'll pick up. There's a long song on there. Um, then his sister comes on, maybe like 4 minutes.

MacGillivary: Were do you ah, what do you do then after.

Wilds: Um.

MacGillivary: The phone message.

Wilds: We head to Forrest Park to see if we couldn't find that corner salesman there um. We go down there, we buy 2 dime sacks. Um, we turn around, I believe we stopped to get blunts on um, Rogers and Gwynn Oak, Gwynn Oak and Rogers on the corner of Gwynn Oak and Rogers.

MacGillivary: During the trip from ah, Route 70, over to Forrest Park were you ah, buy marijuana?

Wilds: Yes.

MacGillivary: You made the phone call to your friend?

Wilds: Yes.

MacGillivary: First.

Wilds: Oh.

MacGillivary: And he wasn't there. Did anybody else use the phone?

Wilds: Yeah um, Adnarn, I can't remember whether he received a call or placed a call, but I do remember he was talking to a girl um, I can't remember her name. He put me on the phone with her for like 3 minutes, I said hello to her.

MacGillivary: Were did she ah, live?

Wilds: Ah, Silver Springs.



MacGillivary: Do you recall her name?

Wilds: No I don't.

MacGillivary: Is there anything significant about this conversation that you remember?

Wilds: No nothing out of the ordinary.

MacGillivary: You have any idea why Adnarn would call this individual in Silver Spring, after he had just.

Wilds: No and.

MacGillivary: Strangled his girlfriend?

Wilds: I don't and ah, I have no idea why he would call. And and there conversation didn't pertain to anything that he had just done. So.

MacGillivary: No.

Wilds: No I don't.

MacGillivary: Okay, um how long did that conversation last?

Wilds: It was a pretty long conversation, maybe like 7-8 minutes, 10 minutes, something like that.

MacGillivary: And he gave you the phone?

Wilds: Yeah some point in the conversation, he gave me the phone, told me to speak to the chick.

MacGillivary: And what did you say to her?

Wilds: I said a couple of words, hey, who are you, how old are you, um, were do you live at.

MacGillivary: Okay, were do you go from there?

Wilds: Ah, we proceed to the spot call the Cliff. It's in Patapsco State Park.

MacGillivary: And what do you do there?

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Wilds: Ah, we roll up ah, blunt and smoke marijuana.  
Um, then ah.

MacGillivray: While while you're at the cliff?

Wilds: While we're at the cliff, we're standing  
over looking a whole bunch of stuff at this  
cliff, you know. He starts ah, telling me about  
how it was when he killed her. How ah, he said  
he ah, wrapped his hands around her and her  
throat and she ah, started kicking him, and he  
said he looked up to make sure nobody was  
looking in the car at him. And ah, he said she,  
he was worried about her scratching him,  
getting her, his skin underneath her  
fingernails. And that ah, she was trying to say  
something. He said that he thinks that she was  
trying to say that she was sorry, but that's  
what she deserved and ah, that she had broken  
his heart. And that's.

MacGillivray: What was your reaction?

Wilds: I asked him a questions, I said ah, grant it  
you didn't like her, but ah, you you really  
think she deserve to die. And he said that  
anyone who who treats him like that, anyone who  
could stand in his face and be that heartless  
deserves to die.

MacGillivray: How long do you think you were at the cliff?

Wilds: 20 minutes to a half and hour.

MacGillivray: Other than that conversation was there anything  
additional?

Wilds: Um, he had said to me, he wondered were he was  
gonna put the body at.

MacGillivray: Did you make any suggestions?

Wilds: None at all.

MacGillivray: Did he name any locations?

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Wilds: None at all.

MacGillivray: Um, he didn't say, you know what about here you know, he didn't name up a half dozen locations and you gave him thumbs up or thumbs down?

Wilds: Um, I just, nah he ah, said something to me ah, to the effect of the State Park, where we were, a little bit up the river, but I told him people walk up and down there. That was the only thing that.

MacGillivray: Okay, um, what happens then?

Wilds: We leave there, um, I believe, can you bare with me for a minute I. Um, okay we left there ah, I take him, I took him back to school and I dropped him off.

MacGillivray: Why did you take him back to school.

Wilds: He told me that I had to take him back to school because he needed to be seen there.

MacGillivray: So he basically wanted to go back to school to be seen by who?

Wilds: Ah, his co-students I guess, I mean a couple of classmates.

MacGillivray: Was he going to a certain event?

Wilds: Ah, his practice, his track practice.

MacGillivray: Track practice.

Wilds: Yes.

MacGillivray: So he wanted an alibi?

Wilds: Yes.

MacGillivray: He wanted to be seen by the people at track?

Wilds: Yes.

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MacGillivray: And you guys had discussed that?

Wilds: He he just told me that he needed to be seen. Yes he told me that he needed to be seen at track practice.

MacGillivray: Did you agree with him or disagree?

Wilds: Um, I could of cared less really, but I agreed with him.

MacGillivray: You took him back?

Wilds: Yes.

MacGillivray: How long did it take you to get from the cliffs.

Wilds: Um-hum.

MacGillivray: To his school?

Wilds: Um, 13-15 minutes.

MacGillivray: Any phone conversations?

Wilds: Um, yeah he talked to 2 people, but I, I don't remember who or what what he talked about.

MacGillivray: You have any idea inaudible.

Wilds: I think one was to his mother, the other I don't, I don't know.

MacGillivray: Okay, did he call his mother, or did his mother call him?

Wilds: I think his mother called him, I'm not sure, but I think.

MacGillivray: Um, you dropped him off at school?

Wilds: Yes.

MacGillivray: Were did you drop him off at school?

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Wilds: In the front.

MacGillivray: Were do you go?

Wilds: I go, I was on my way home, but then I stopped off at Gelston Park and ah, ah, I smoked another blunt before I went home. And then, I, I think I may have, may have gone, yeah, I went to Christy and Jeff's. And he called me from the cell phone there and then I left Christy and Jeff's hang out.

MacGillivray: You leave, after you dropped Adnarn off.

Wilds: Ah-huh.

MacGillivray: In the front.

Wilds: Right.

MacGillivray: Circle correct?

Wilds: Right.

MacGillivray: He goes in the front?

Wilds: Yes.

MacGillivray: You leave.

Wilds: Yes.

MacGillivray: You go to Gelston Park.

Wilds: Yeah.

MacGillivray: You smoke another blunt?

Wilds: Right.

MacGillivray: Ah, after you smoke a blunt you go to Christy and Jeff's?

Wilds: Yes.

MacGillivray: Was anyone there?

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Wilds: Yes.

MacGillivray: Who?

Wilds: Ah, both Christy and Jeff were home.

MacGillivray: And you go inside?

Wilds: Yes.

MacGillivray: And how long did you stay?

Wilds: It wasn't very long um, it's probably like 10-20 minutes before he called again for me to come and get him from practice. It wasn't very long.

MacGillivray: While you were inside Christy and Jeff's.

Wilds: Yes.

MacGillivray: Did you tell them what happened?

Wilds: No.

MacGillivray: They have no idea what occurred?

Wilds: At this time, at this point and time no, I said nothing to them.

MacGillivray: Had you called them first?

Wilds: I think so, but when you call Christy and Jeff you always get the machine, they don't never pick up, the screen all there calls, so.

MacGillivray: While you were with Christy and Jeff did you get high?

Wilds: Yes.

MacGillivray: While inside?

Wilds: Yes.

MacGillivray: This is before you pick up Adnarn?

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Wilds: Yes.

MacGillivray: Okay, how long were you there?

Wilds: Ah, I remember the track practice got out at about quarter to 6, so that's, that's when I left.

MacGillivray: And how did you know that it.

Wilds: I still had his cell phone, he called me.

MacGillivray: He called you?

Wilds: Yes, I went back I got him and then we returned to Christy and Jeff's.

MacGillivray: How long did it take you to get from Christy and Jeff's back to Adnarn?

Wilds: About inaudible right there, probably like 15 minutes, at the most.

MacGillivray: Pick Adnarn up?

Wilds: Yes.

MacGillivray: He gets in the car?

Wilds: Yes.

MacGillivray: Are you driving or is he driving?

Wilds: He's now driving.

MacGillivray: You go back to Chris'.

Wilds: Yes.

MacGillivray: Takes you another 15 minutes?

Wilds: Yes.

MacGillivray: Are you having any conversation with Adnarn at the time?

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Wilds: Um, to the effect yes, don't tell anyone. Um, he said that he couldn't believe he killed somebody with his bare hands. That all the other mother, mother fuckers, referring to like, hoods and thugs and stuff think they hard core, but he just killed a person with his bare hands.

MacGillivary: So at this point he's bragging about it?

Wilds: Um, basically.

MacGillivary: He was proud of it?

Wilds: Yes.

MacGillivary: Did he indicated while he was at practice that he confided in anybody?

Wilds: No.

MacGillivary: Did he talk about any anything that he had to do with practice?

Wilds: He just said he had to run a lot.

MacGillivary: He had to run?

Wilds: Yeah and that he was late.

MacGillivary: He was late?

Wilds: Um-hum.

MacGillivary: Getting there?

Wilds: Yes.

MacGillivary: Anybody give him a hard time?

Wilds: Inaudible I don't know.

MacGillivary: So you go back to Christy and Jeff's house?

Wilds: Yes.



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MacGillivray: You go inside?

Wilds: Yes.

MacGillivray: What happens there?

Wilds: We smoke again. Um, he's feeling a little nausea from a cigarette that I'd given him prior to going in the house. So he sits away from the group. Um, we stay there for awhile until ah, we're interrupted by a phone call. He wakes up and he answers his phone, he ah, it's a Hay, Hay's family, there looking for Hay's. He tells them he has no knowledge were she is. Um.

MacGillivray: How long is that phone conversation take?

Wilds: It was short, it was probably like 5 minutes. Um, they said that she suppose to pick up her cousin or something and ah, that ah, he ah, had he seen her, does he know anything like that. Then ah, few minutes later, he got a call from the Police Department and that's.

MacGillivray: How how do you know Adnarn got a call from the Police Department?

Wilds: Um, because that's what he does, he holds the phone away and says police. And at that time I started panicking.

MacGillivray: Were you inside the apartment, or outside the apartment.

Wilds: We're in, we were just leaving. We were stepping from the foyer into the hallway. And ah, he he he, he talks to the cops and um, I hear the beginning of the conversation he lied to him and tells him he doesn't, he doesn't know were she is, he hasn't seen her. Tells him to look for her old boyfriend um, that, that ah, that's just how she is. She's a flighty person like that, um, check with her friends. Um, there was more of the

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conversation, but at towards the end of the conversation we're reaching near the door. So I stepped out and lit a cigarette. And I just heard him at the end of the conversation giving his phone number to the cops and telling them ah, that he's muslim and don't call his house cause his parents and stuff like that.

MacGillivray: When you guys are inside the apartment and his cell phone rings and he tells you it's the police. Christy and Jeff are sitting there.

Wilds: Yes.

MacGillivray: Do they know what's going on?

Wilds: No.

MacGillivray: Do you tell them what's going on?

Wilds: Not at that time?

MacGillivray: You leave?

Wilds: Yes.

MacGillivray: The the cell phone conversation ends with the police officer?

Wilds: Yes.

MacGillivray: What does Adnarn say to you?

Wilds: Um, he tells me we have to get rid of the body, we have to get rid of the body, we have to get rid of the body, they already looking for it.

MacGillivray: And you get back in the car?

Wilds: Yes we get back in his car, he's driving.

MacGillivray: And were do you go?

Wilds: We go back to 70 Parking Ride. Um, he gets out of his car, tells me to follow him. We

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get, he gets into her car um, he drives it we drove um, around to a whole bunch of different places. Ah, some off of ah, Roland Road, ah, some off of Dogwood Road. Um, finally he he goes down pass Lincoln Park, he ah, he um, no this is wrong, I'm sorry, I miss something. We leave Christy and Jeff's and ah, I asked him to drop me off. And we go back to my house and when we're standing on my porch that's when he tells me that we have to go back, we have to get rid of the body, we have to get rid of the body. There's 2 shovels that are kept with tools next to my porch. Um, there's picks, axes, all kinds of stuff along with it there. Um, he grabs the shovels and says we have to get rid of the body, have to get rid of the body. And I, I tell him um, I don't have anything to do with it, and he tells me he knows what I do, he knows who I'm associated with. And that he could turn me into the Authorities. So I get back in his car.

MacGillivray: What was that all about?

Wilds: Um.

MacGillivray: Was he threatening you?

Wilds: With knowledge of illegal activity yes.

MacGillivray: And the illegal activity was what?

Wilds: Ah, um, drug trafficking, distribution of drugs.

MacGillivray: You use to sell drugs?

Wilds: Yes.

MacGillivray: And he knew that you sold drugs?

Wilds: Yes.

MacGillivray: So he was telling you, if you tell anybody about this, he was gonna turn you in for drugs?

STATEMENT OF: Jay Wilds

Wilds: Yes.

MacGillivray: Okay, what did he go with the tools?

Wilds: Um, put them in the back of his car, in the back seat. Um, he still driving, now we proceed from my house to 70 Parking Ride.

MacGillivray: Any telephone conversations?

Wilds: Um, not in between my house and 70 Parking Ride, no.

MacGillivray: Okay, continue.

Wilds: Um, we leave the 70 Parking Ride, he's driving Hay car now and I'm following him. Um, we end like I said, we drove around the lot, we end up going down Franklinton Boulevard. He ah, he stops her car, actually he pulls over to the side and tells me to ah, ask me if I could help him and I told him fuck no, I'm not touching none of her stuff. I'm not helping you drag her out of the car, none of that. you know. And um, he says okay. So then he drives her car up around the corner and ah, parks its and we park his car down at the burial site and.

MacGillivray: Hang on here. You, when you leave your house, you put the tools.

Wilds: Yes.

MacGillivray: Into, into his car?

Wilds: Yes.

MacGillivray: You go to Route 70?

Wilds: Yes.

MacGillivray: He gets out of his car?

Wilds: Yes.

STATEMENT OF: Jay Wilds

MacGillivray: Gets into Hays car?

Wilds: Yes.

MacGillivray: And he drives from there to Lincoln Park?

Wilds: Yes.

MacGillivray: And he.

Wilds: Not straight there but.

MacGillivray: And your following him?

Wilds: Yes.

MacGillivray: Not straight there, did you make any stops?

Wilds: No stops, but it wasn't, it wasn't the most direct route, no.

MacGillivray: Okay however, you eventually make it to Lincoln Park?

Wilds: Yes.

MacGillivray: Now do you park around the corner?

Wilds: Not, not now. We're, we're sitting um, side by side, blocking both lanes. And he's talking to me, he asked me am I gonna help him. Like get out of the car and stuff and I, I told him no, hell no, fuck that. And so then he's like okay and he drives her car up around the corner and ah, I follow him. Once we get up around the corner, he gets back in his car. We come back down um, we pull into this little ah, spot, it has like white pillar that are there from the highway. And we go 20 yards back or so and ah, he start digging.

MacGillivray: Why did you pick this location?

Wilds: That's were he wanted. Ah, I couldn't convince him to do anything like, he he, anything I said it just kind a, it was like I don't know.

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STATEMENT OF: Jay Wilds

MacGillivray: Have you ever been in this park with him?

Wilds: No.

MacGillivray: You followed him?

Wilds: Yes.

MacGillivray: How did he know to pull over right there?

Wilds: Cause along the road there's a small ah, I don't know how to explain it, like a viewpoint Parking lot.

MacGillivray: Parking spots.

Wilds: Parking spots on the side of the road, all up and down the road. And that was the only one that was open. All the rest had been buried up.

MacGillivray: So you parked both cars up around the corner?

Wilds: Both both cars are sitting. Both of them are still running, none of them are parked. When we conversate about whether I'm gonna help him or not. Um, then both cars go off around the corner, we park Hay Lee's car. He gets back in his car, we drive back down to were the spot, the spot he'd chosen. We dig, um, maybe a half and hour.

MacGillivray: When you walked from were you parked the car.

Wilds: Yes.

MacGillivray: Into the woods?

Wilds: Yes.

MacGillivray: Who led the way?

Wilds: Adnarn.

MacGillivray: Did it seen like he had been there before?

Wilds: Possibility.

MacGillivray: I mean it's a wooded area?

Wilds: Yes.

MacGillivray: Did you take a specific route back there?

Wilds: We followed the path, it wasn't.

MacGillivray: You followed a path?

Wilds: Yeah it wasn't, it wasn't very far.

MacGillivray: Is there a visible path in the.

Wilds: No.

MacGillivray: However, you made your way back there?

Wilds: Yes.

MacGillivray: Was it a path of less resistance?

Wilds: I would guess that would, that would be fair to say yes.

MacGillivray: Okay, and why did you choose the location that was chosen?

Wilds: That's were he said he wanted to bury her, he said that was, you know what inaudible.

MacGillivray: Did he give you the impression that he had been there before?

Wilds: Yes.

MacGillivray: Why?

Wilds: Why, because he knew that there was ah, I had heard a noise and I looked up and inaudible a small creek that ran behind there.

MacGillivray: Do you have the digging tools at this point?

Wilds: No.

MacGillivray: What happens?

Wilds: Um, dig a small hole, put the shovels back in the back seat of his car. Um, I get in the driver seat of his car, he gets in the passenger seat. I drive him back up around the corner to Hays car. Um, he asked me to help him again up there. Like I said before I told him no I'm not touching none of her shit, none of her, none of that stuff. He ah, he gets back in Hays car, he drives back down around the corner. A long time ago's by maybe like, almost a half an hour. And ah, after that he reappears back around the corner. Um, he gets back in his car, um, instructs me to drive down to the small, excuse me, the small parking lot area. Um, to get out of his car um, bring the shovels. He ask me to help him bury her, I, we argue. Um, he throws dirt ontop of her and she was already, I'm sorry. Um, we we we pull back into the parking lot and on the way back there, there's a coat laying there on the ground. And ah, I said who's coat is that and he picks it up, and like flings it way back in the woods. And ah, then I walk up and Hays laying in the hole with her head facing away from, on her, on her stomach face down with her arm behind her back. And ah, he ask me if I was gonna help. And I told him fuck no and he starts to shoveling dirt onto of her. And after ah, we leave there um, ah.

MacGillivray: Let me stop a minute.

Wilds: Yes.

MacGillivray: You helped him dig the hole?

Wilds: Yes.

MacGillivray: How long did it take you both.

Wilds: Ah-huh.



STATEMENT OF: Jay Wilds

MacGillivray: To dig the hole?

Wilds: 20-25 minutes.

MacGillivray: And both cars are parked back in the parking spot?

Wilds: No, just his car. Her car had been moved to the ah, spot around the corner prior to us digging the hole.

MacGillivray: How deep did you make the hole?

Wilds: Oh, maybe 6 inches at the most. It wasn't very deep at all.

MacGillivray: Who did most of the digging?

Wilds: Ah, it was.

MacGillivray: Both of you?

Wilds: Yeah.

MacGillivray: Equal work.

Wilds: I wouldn't say that but yeah.

MacGillivray: Okay, um.

Wilds: Um, doing the time of this digging we received a phone call to ah, cause I was suppose to meet some people in ah, a couple of minutes. And I remember when I was waiting um, for him, when I, when he was trying to pick out he spot, I had remembered I suppose to meet some people and received a phone call from them. And I didn't even get a chance to talk to um, he told ah, that ah, I was busy and that I have to call them back.

MacGillivray: Did he tell you who was on the phone?

Wilds: I later learned that that was inaudible.

MacGillivray: And ah, what happens then?

STATEMENT OF: Jay Wilds

Wilds: Um, like I said afterwards ah, we had walked, we brought the the car back. He taken Hay out, um, I asked him how how the hell did he get her from the road to hole, he just told me she was heavy as shit. That's all he said. And ah, he buried her.

MacGillivary: Did you help put dirt ontop of her?

Wilds: I didn't help put dirt ontop of her, I helped dig the hole. Um, I couldn't, I couldn't do it.

MacGillivary: Were you going to?

Wilds: Possibly, but like I got there and shovel was in my, I just couldn't throw dirt ontop of her. I mean I couldn't do it. And um, we left ah.

MacGillivary: Before you leave.

Wilds: Yes.

MacGillivary: You had indicated in our conversation before that Adnarn had gotten sick?

Wilds: Yeah, yeah he did um, on.

MacGillivary: How many times did he get sick?

Wilds: Twice.

MacGillivary: And were was that?

Wilds: The first time that he threw up was ah, up around the corner, when he had brought the car back from being away from her a long time. That's when I had assumed that he took the body out of Hays car and put in back in the hole. He drove back up around the corner and he threw up once there, and ah, ah, right after he finish burying her, we're, we're getting back in his car and he threw up once there.

MacGillivary: It was on the parking area?

STATEMENT OF: Jay Wilds

Wilds: Yeah.

MacGillivray: What do you do then?

Wilds: Um, hum, we drive to Westview on, I told him take me home. And on the way going home we pass by Westview and he says I better get rid of this stuff.

MacGillivray: You got 2 cars?

Wilds: Oh I'm sorry, I apologize. Um, I'm missing.

MacGillivray Okay.

Wilds: Top spots. Um, yes I'm sorry. We leave, we we still do have 2 cars. Um, he he ah, motion for me to follow him. I follow him, we're driving around all in the city. I asked him were in the hell are we going and um, he says were's a good strip at, I need a strip. So we drive ah, down Edmondson Avenue, off of one of those cross streets before you get to the brake, you know were I'm talking about. And um, it seems like he knew were this place was cause there's a parking lot, but it's in the middle of whole bunch of houses. And the stripes on the streets, the cross streets that runs, so it's not like you could of just saw it.

MacGillivray: What's a strip?

Wilds: Oh were they sell drugs.

MacGillivray: Okay, this is an area were people are selling drugs?

Wilds: Yeah.

MacGillivray: So you been to this neighborhood before because you've purchased drugs there?

Wilds: I been through, through, not that exact spot, but the neighborhood yes.

MacGillivray: And your following him?

STATEMENT OF: Jay Wilds

Wilds: Yes.

MacGillivray: And it's for a significant amount of time, am I correct?

Wilds: Yes.

MacGillivray: How long?

Wilds: Probably about 30 minutes.

MacGillivray: Eventually, he selects a spot?

Wilds: Yes.

MacGillivray: And where is that spot?

Wilds: It's like way back um, up this alley, across this grass and no one's parking on.

MacGillivray: And what does he do?

Wilds: Um, oh he stops and he digs in his car some I don't know what he was getting, he dug in the car some more, parked it, took the keys with him and came and got in the other car.

MacGillivray: Any items that were in Hays car, in her possession were they brought into his car?

Wilds: Um, the only items I definite that were her's that he had, he had her wallet with all of her, all of her identification, um credit cards, all that, her keys definite. Those they only 2 things definitely I knew were her's that he brought from the one car to the other.

MacGillivray: What else did he bring?

Wilds: Ah, a little bag, like a a black bag, and oh, gloves.

MacGillivray: Describe the gloves for me?

Wilds: They were red wool gloves, with a leather inaudible and with a stitching around the edges.

STATEMENT OF: Jay Wilds

MacGillivray: Okay, so now he's back in his own car?

Wilds: Yes.

MacGillivray: Who's driving?

Wilds: Ah, right now I think I'm still driving.

MacGillivray: Okay were do you go?

Wilds: We go to Westview.

MacGillivray: And what do you do?

Wilds: Um, in the back of Westview there's some dumpsters. He instructs me to stop at these dumpsters. Um, he gets out, we both get out of the car. He gets out he throws some of the stuff into the, a recycling dumpster. He gets back in, he's driving now, I'm in the passenger seat. We go down to the next, like 2 dumpsters down and he throws all the rest of the stuff in there.

MacGillivray: All the rest of what stuff?

Wilds: All of the rest of her possessions.

MacGillivray: What about the tools?

Wilds: The tools are placed in another dumpster ah, couple, couple more down.

MacGillivray: Now you guys taken any precautions and ah, not dropping things within his car. Are you.

Wilds: There weren't like the items that he took weren't really small items, nothing that you wouldn't know were in your possession. He didn't, not that I noticed he didn't have anything small that would be dropped or inaudible.

MacGillivray: You indicated he had, he had Hays wallet?

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STATEMENT OF: Jay Wilds

Wilds: Yes.

MacGillivray: And that he was going through her.

Wilds: Yes.

MacGillivray: Cards.

Wilds: He didn't start to go through card until we had actually pulled up to the dumpster. He didn't open her wallet and start to go through any, any of her things until we actually pulled up to the dumpster.

MacGillivray: What kind of cards was he taken out?

Wilds: Um, credit cards, ID cards, bank cards.

MacGillivray: Did he say anything inaudible.

Wilds: Ah, he showed me the picture of them been to the prom, but he threw it away too.

MacGillivray: Were did he throw that away?

Wilds: In the dumpster with the rest of the stuff.

MacGillivray: Did he pull out her driver's license?

Wilds: No.

MacGillivray: Make any you know comments about that?

Wilds: No the only thing he showed me was a picture. He just kind a flipping the picture and like shu... and.

MacGillivray: Was he looking for something within the wallet?

Wilds: He seemed like it, um.

MacGillivray: For example?

Wilds: He said he was that he was flipping threw her wallet, he was like she ain't got no cash. And

that was all he had said to me, but I, I mean he he doesn't need money, he's not, he doesn't need money, he just.

MacGillivray: He dumps Hays property in a dumpster?

Wilds: Yes.

MacGillivray: However, you still have the tools?

Wilds: Yes.

MacGillivray: And what does he do with those?

Wilds: We drive for a couple of dumpster down, he pulls them out of the back seat places them in the dumpster.

MacGillivray: Then what do you do?

Wilds: From there um, we leave, we go up Route 40. On the way up Route 40, I think I may have paged my friend Jen, back to, paged her from his phone to my house. Um, I get out of his car, I go in my house, Jenny calls me back, I tell her I need, I need to talk to her, um, its real important. And for her to come and get me. She comes right over, um, I take my clothes from that day, I put them in a plastic bag. Um, I go out to to the car with Jen. I tell her what happened. She ah, she says to me um, she really can't believe it, and I tell her stay away from him. And I tell her if I get locked up that she'll, she'll be the one person that really knew that I didn't Hay.

MacGillivray: Why would you tell her that?

Wilds: Because he's was bound to get caught. I mean it was just.

MacGillivray: Why would you tell Jen that you were not the one who killed Hay. What significant's is that?

Wilds: Because I know that I would of, I would go to jail for it, so I told Jen, I'm, I'm sorry.

STATEMENT OF: Jay Wilds

MacGillivray: I mean, did you kill her?

Wilds: No.

MacGillivray: Why would you tell her that you weren't the one who killed her? Why would you kill her?

Wilds: I told her that if I ever go to jail she knows what happens and she knows the truth.

MacGillivray: Well she knew before hand?

Wilds: I don't know then, I mean.

MacGillivray: You told her.

Wilds: I said that to her, I said Adnarn killed Hay.

MacGillivray: You told her before Hay.

Wilds: I said I told her yep.

MacGillivray: Was killed that Adnarn was gonna kill Hay?

Wilds: Yes.

MacGillivray: Whether she believed it or not, you told her?

Wilds: Right.

MacGillivray: So afterwards.

Wilds: I said, I got in the car and this was my exact words, Hay's dead. If I ever go to jail, you know that I didn't kill Hay.

MacGillivray: Okay, and when you went back to your house after Adnarn dropped you off, did you change your clothes?

Wilds: Yes.

MacGillivray: And what did you do with the clothes?

Wilds: I put them in a plastic bag, I.



STATEMENT OF: Jay Wilds

MacGillivray: Which articles of clothing that you had on that you put in the bag?

Wilds: Um, plaid coat, ah, tan jeans, and a pair of boots.

MacGillivray: What did you do?

Wilds: I put them in a bag and ah, we went to F & M I think to purchase something and on the way up.

MacGillivray: Jen had come over to your house to pick you up?

Wilds: Yes, ah-huh.

MacGillivray: You had told her what had occurred?

Wilds: Yes.

MacGillivray: And you got in the car with her.

Wilds: Yes.

MacGillivray: And you were gonna dump your clothes?

Wilds: Yes.

MacGillivray: And what dumpster did you go too?

Wilds: F & M, the one behind the ah, F & M inaudible on Route 40.

MacGillivray: And what did you throw in there?

Wilds: All my clothes, it was ah, they were in a giant plastic bag.

MacGillivray: The same night?

Wilds: Um, I think I may had held on to my boots, until the day after, but yeah the same night.

MacGillivray: Well your contradiction yourself.

Wilds: I'm saying, the other articles of clothing.

MacGillivray: You threw away what clothing on the 13th?

Wilds: My pants and my coat.

MacGillivray: And you didn't throw away your boots that night?

Wilds: Right.

MacGillivray: So on the 14th you threw away your boots?

Wilds: Yes.

MacGillivray: And were did you throw away your boots?

Wilds: In the dumpster in front of my house.

MacGillivray: Okay, after you threw away your clothing.

Wilds: Yes.

MacGillivray: Did you go somewhere else?

Wilds: Yes.

MacGillivray: Were?

Wilds: We returned to the shovels at Westview.

MacGillivray: And what did you do?

Wilds: I removed my fingerprints from them, I wiped them down?

MacGillivray: And why?

Wilds: I didn't wanna be associated with the crime.

MacGillivray: And why did you get rid of your clothing?

Wilds: I ain't wanna be associated with the crime.

MacGillivray: From there.

Wilds: Yes.

STATEMENT OF: Jay Wilds

MacGillivray: Were did you go?

Wilds: Um, from there I went to my girlfriend Stephanie's house. Um, she had a late game. I stopped, it was [REDACTED] I spoke to her, we chatted for a little bit. Then we left there and I went to Christy and Jeff's were I remained for the rest of the evening. After I left there I returned home.

MacGillivray: Okay, while you at Christy and Jeff's.

Wilds: Yes.

MacGillivray: Did you tell them what happened?

Wilds: Um, not totally, but to the effect. Not not exactly what happened, but I.

MacGillivray: What did you tell Christy and Jeff?

Wilds: I said to them um, so you guys don't get in any trouble if the cops come ask you guys that we he was never here.

MacGillivray: And?

Wilds: And that was it.

MacGillivray: What did they say?

Wilds: What did he do, and I was like ah, it's it's better if you not know.

MacGillivray: Did you tell them.

Wilds: Ah, maybe later, at that time I don't, I don't remember what I. I may had told Jeff, I may had told her boyfriend Jeff, but I know I didn't tell Christy.

MacGillivray: What did you tell Jeff?

Wilds: Um, if I had told him, my my exact words were would of been that dude killed his girlfriend.

STATEMENT OF: Jay Wilds

MacGillivary: Not if you told him.

Wilds: Okay I'm sorry.

MacGillivary: What did you tell Jeff?

Wilds: That dude killed his girlfriend.

MacGillivary: And what did Jeff say to you?

Wilds: For real. Ah, snap.

MacGillivary: That it. Were you guys getting high then?

Wilds: Yes.

MacGillivary: At what point do you leave?

Wilds: It was probably about 11:30, midnight.

MacGillivary: Where do you go?

Wilds: Home.

MacGillivary: And who is driving at this point?

Wilds: Jen.

MacGillivary: Detective Ritz?

Ritz: Thank you, this is Detective Ritz um, for the record. Jay if we can just go back.

Wilds: Yeah.

Ritz: Ah, ah, the beginning of the 12th. You received a telephone call. Let me back if I can even further then. During the pre-interview, we sat here and we spoke for awhile and you stated that Adnarn, on at least 3 or 4 different occasions, said that he was gonna kill Hay Lee.

Wilds: Yes.

Ritz: Ah, what, tell me a little bit about those conversations?

Wilds: Um, those conversation ah, I don't know like people, you know talking about relationships and ah, I had mentioned to him how long me and my girlfriend had been together. And that [REDACTED]. Um, I think Stef had wanted to invite them somewhere, but they weren't together. And he was like ah, ah, she broke my heart, I couldn't believe someone would be that heartless. She she looked me right in my face and told me she didn't love me, after all that time. I think I gonna kill that bitch.

Ritz: Prior to January the 13th, ah, when Hay Lee is murder. When did these conversations take place? How close or ah, to January the 13th?

Wilds: Um, maybe like starting 4, 5 days before.

Ritz: July the um, excuse me [REDACTED] is [REDACTED]

Wilds: Yes.

Ritz: You said that Adnarn had called your called your house. And you kind a hand an inkling what was gonna take place ah, the following morning, or the following afternoon?

Wilds: Um-hum.

Ritz: What was that conversation. What made you think that ah, January the 13th, would be the day that Adnarn would kill Hay Lee?

Wilds: He told me um, that we're gonna hook up the next day and that, he said, he said that's what he said, I gonna do it, I'm gonna kill her.

Ritz: What was his exact words, if you remember?

Wilds: Um, I gonna do it tomorrow yoh.

Ritz: And what did you take that to mean?

Wilds: Killing inaudible.

Ritz: So you knew the night before, what time does this conversation take place?

Wilds: About 11, but it wasn't like, I don't know um, I'm sorry inaudible.

Ritz: So he calls you sometime around 11 o'clock, this is [REDACTED] and says, something to the effect tomorrow I'm gonna do it.

Wilds: Yeah.

Ritz: And you interpret that was, tomorrow sometime he's gonna kill Hay Lee?

Wilds: So he says yes.

Ritz: When he says I'm gonna do it tomorrow, does he make any reference to the, in that conversation that he's definitely gonna kill or are those words used?

Wilds: Um, not but the reason I thought he meant Hay was because, from what I can remember from that conversation it was ah, about girls and stuff. And he was like this shits fucked up man, I'm a do it tomorrow, I'm gonna kill her yoh. Alright I don't know if he said I'm gonna her, but he definitely said I'm gonna do it tomorrow. And the conversation prior, the contexts of the conversation prior was a.

Ritz: If I may.

Wilds: Yes.

Ritz: Adnarn calls you for what?

Wilds: To tell me.

Ritz: Why, why does he call you?

Wilds: To tell me that we're gonna hook up the next day.

STATEMENT OF: Jay Wilds

Ritz: Why does he even have.

Wilds: Oh I'm sorry.

Ritz: Any relationship with you?

Wilds: He calls me for drugs, marijuana is why we hang out.

Ritz: Okay, that's it.

Wilds: Right.

Ritz: He doesn't call you to bend your ear on his relationship problems?

Wilds: No.

Ritz: He calls you because you can get things done.

Wilds: Do I know where I can hook up at.

Ritz: And he calls you so you can get weed?

Wilds: And people only call me at 11 o'clock to hook up.

Ritz: So he calls you that night to tell you I'm gonna kill her and I need your assistance?

Wilds: No, he calls me wants to know if he could hook up and he's gonna kill her.

Ritz: Okay, but you take that as, he's gonna need your assistance?

Wilds: Okay, yes.

Ritz: Okay, while we have, before I go on to the next questions Jay, it's about 7:18 p.m. the tapes gonna run out in 2 or 3 minutes. What I'm gonna do is stop the tape now and flip it over to side B. Ah, once again the time is 7:18 p.m.

STATEMENT OF: Jay Wilds

Wilds: You know, in the car I think I'm gonna kill her yeah. He said, he said that a lot. Ah, I conversated with his several occasions, he said that.

Ritz: But apparently you took him at heart because after he told you that, later that day you and Jen went Gelston, Gelston Park and you told Jennifer that.

Wilds: Yes.

Ritz: That Adnarn was gonna kill Hay Lee. So apparently he said something that made you think that he was actually gonna go threw with it.

Wilds: Yes he did, it wasn't, I mean it was just I'm sorry.

Ritz: He was no no longer joking around that he was gonna do it?

Wilds: Right it wasn't like you know, you can look in somebody's face and see a chuckle or a smile it's stone cold, I think I'm gonna kill that bitch.

MacGillivary: You took it so seriously that you told Jennifer?

Wilds: Yes.

MacGillivary: And what did Jennifer say?

Wilds: I don't think she believed me. Ah, I don't remember exactly what she said, but I don't think she believed me.

MacGillivary: Jennifer never really like Hay, correct?

Wilds: Yeah, I mean.

MacGillivary: So I mean, did she actually even care?

Wilds: Not really.



MacGillivray: Did she say you know, oh I can't believe this, we've gotta stop this?

Wilds: No.

MacGillivray: What did she say to you?

Wilds: Ah.

MacGillivray: Oh well?

Wilds: That mother fucker is crazy yoh.

MacGillivray: And that's it, okay.

Ritz: At that point wouldn't you believe ah, Adnarn was actually gonna kill her and you told Jennifer and ah, she just says, the mother fucker is crazy yoh. Why didn't you at that point, you had information or at least your told information. Whether or not he was serious but you took him as being serious at the time that he told you this. Why didn't you notify somebody. Or why didn't Jennifer notify somebody, or get together and say hey look we gotta do something. He said he was gonna kill her, he despises her, the relationship is over. You know here you have information, something's gonna take place, whether you believe it not, you kind a believe it. And you do absolutely nothing.

Wilds: Number one, I kind a believed him, you right cause people shoot off at the breeze all the time, I'm gonna kill you. I mean if that was the case I be dead 5 times over now. Number 2, it was, it had just been like a couple of weeks before I got my ass kicked by a cop, for no reason. And ah, a couple days after that I got beat up again. So I mean, I wasn't like about to just walk up in a police station and be like oh hey here's what's about to go down.

Ritz: I'm not saying, you know, that would of been the smart thing to do is notify the police. You could of notified someone that you trusted. A Clergyman.

Wilds: I'm not religious.

Ritz: Some kind of Official, or something like that. You have information, he's gonna kill her and maybe you can help me understand this. The following day your home, your in bed sometime around 10:30, Adnarn gives you a call. Says I'll be over in an hour. You and he go to Security Mall and walk around and go to Hecht Company, you buy your girlfriend a bracelet. At that point and time he makes mentioned of the fact again, that he's gonna kill Hay Lee. I think at that point, when he told you about it, the 12th, you made mentioned that to your girlfriend. He gives you his car keys. He gives you his cell phone, he tells you the time that he's gonna call you. That he's gonna kill her, and you do absolutely nothing. Help me understand your train of thought, or why you do absolutely nothing at that point.

Wilds: Um, Adnarn knows a lot of things about, like to the effect of criminal activities. So I mean it wasn't.

Ritz: Your selling marijuana.

Wilds: So if I go to the cops and say hey, this guy is gonna kill her. He'll say well no I'm not he's crazy. But there's this drug dealer and this is were he gets his shit from and this is who he deals with and he's got a rap sheet this long, and go get his ass.

Ritz: Well you've never been arrested, but one time, so.

Wilds: Well one time.

Ritz: You don't really have a rap sheet.

Wilds: On on, on the records one time, but I got my ass kicked plenty of times inaudible that one arrest plenty of times. Dogs sicked on me,

frisked down in front of my own house with fucking gun point, Helicopters and shit with keys in my hand. And a name tag that says Jay Wilds on it, you know what I mean. It's not, it's not just, you know I mean seriously man I've been coming home some people whipped out guns, made me lay in the street in the snow. Walk into my own house, just so they can say I was the wrong dude, you know what I mean.

Ritz: These are police that do that to you?

Wilds: Yes.

Ritz: So you didn't trust any police?

Wilds: I didn't, no.

Ritz: Later on when you dropped him off at school, he makes a comment that he has to be seen by people, or that's at track practice. When you pick him up after track practice, were in relations in school do you pick him up, in front of the school, over by the gymnasium?

Wilds: In front of the school.

Ritz: Is there anyone else out there that see's him getting into his car, or see's you picking him up at that time?

Wilds: There had be, but I don't, I wasn't.

Ritz: Does he make a scene at any one, say hi to them just to, as an alibi to draw attention to yourself or the car?

Wilds: He could of said good bye to someone, but not that I noticed. I, I wasn't that focused um, on his movements. I mean possibly he could of spoke to some ah, I catch you later.

Ritz: After you go to Best Buy parking lot, you said in the, the pre-interview that there may of been a reason why he picked that particular spot?

Wilds: Yes.

Ritz: What was that reason again?

Wilds: A later learned that that's were they used to have sex.

Ritz: They use to have sex, Jay, I mean Adnarn and Hay Lee? They use to have sex on the parking lot?

Wilds: Yes.

Ritz: Adnarn and Hay Lee? How did you come about that information?

Wilds: He told me later.

Ritz: And what was the conversation concerning that?

Wilds: Ah, I can't believe I killed her were I use to fuck her at.

Ritz: After you say Hay Lee's body in the trunk of the car and I can understand, you said you don't, you didn't like the police and apparently they don't like you for whatever reason. Whether it's real or perceived on your part. The, I can understand that you didn't believe that he may go through with it, he may have been joking, may of been 99 percent serious and one percent joking around.

Wilds: Well I mean even if I figured something was gonna happen, and you get to the point were they argue, they'd fight, he get locked up or something stupid, or something like that, I didn't think he'd really kill her.

Ritz: After you go over to Best Buy and he pages you and you meet him at the telephone booth, go over to ah, the area of the parking lot were he car is placed, or parked on the parking lot. When he opens up the trunk and you see her body inside the trunk of the vehicle, you

described her body, you said her lips were blue and everything. Once he closes the trunk and and ask you to follow him, he gets in his car, you get in your car.

Wilds: Her car.

Ritz: He gets in her car and your driving his car. At that point there's a phone booth on the other side of the building. And your driving off the parking lot, why don't you stop your car and say, call the police, and say someone had just committed a murder. There's a body in the trunk of the car?

Wilds: I don't know, I just feared and I, I, and you don't understand like, like how it is.

Ritz: Who are you afraid of, if you make an anonymous phone call, you give a description of her car. Give a description of Adnarn and say there's a body in the trunk of that car. You give them the tag number of the car.

Wilds: Can we stop for a second.

Ritz: Yes.

Wilds: A few seconds.

Ritz: Well if you have any questions you can ask me on tape.

Wilds: I don't understand this line of questioning inaudible.

Ritz: I'm trying to understand why you go through all this and.

Wilds: First it was just like shook and then after that ah, I was part of it, so I mean I couldn't just, you know what I mean. I had just as much not called, like you said before when he said he was gonna kill her to the point of when I was standing there looking at her in the trunk

I didn't call to the point of, I dugged the hole, you know what I mean. It's, it's all those looping together if I didn't step out at one I couldn't just say well her it is in the middle, I'm just gonna call the cops.

Ritz: Oh I understand what he has over you or if your involved in this from the very beginning. If he paid you any money to help him ah, if your were part of the conspiracy part. Once he's planning all this because it took a lot of careful planning. He had this planned out cause you made mention of the fact that when he's strangling her, in her vehicle that he's worried about her scratching him to get any tissue or any ah, inaudible evidence underneath her fingernails?

Wilds: Yes.

Ritz: So he's thought about all this.

Wilds: Yes.

Ritz: He's thought about it to the point were he gives you his car, his cell phone, he tells you were to meet him, calls you to the location, has you following him around to ah, the parking ride over on Route 70. Ah, to the point were your involvement in, in this is beyond belief, other than you being afraid of the police. Either he has paid you something, or.

Wilds: Like I said he knows that I sold drugs. I mean that was, that was, I mean that's, he could get me locked up for that, I mean. I'm sure if I ratted him out for killing Hay, that he wouldn't hesitate to turn me over for selling drugs.

Ritz: I mean that's, well I'm just trying to understand in my mind what your logic is and your way of thinking.

Wilds: Yeah I mean I wasn't just through the whole situation I, I don't deal with dead bodies everyday man, I don't, you know what I mean that's not something I run around and look at, you know what I mean. If somebody pops a trunk and there's a blue body in there it's gonna upset me and I'm not gonna need. Like I didn't, I don't, in my mind I don't think to the presence of let's call the cops. It's never, that never crossed my mind. I could be getting shot at, and I wouldn't be let's call the cops.

Ritz: In your mind and presence of your mind, does it ever occur to you to disassociate yourself and say, hey look, you know this is really serious shit here. Somebody dead in the trunk of the car, see you later?

Wilds: I tried, after I said that to him, you know fuck you I'm not helping you, but then that's what he said to me.

Ritz: At any point did Adnarn ever threaten you with physically with any ah, type of weapons or anything like that?

Wilds: No weapon no inaudible.

Ritz: When you go out to Lincoln Park with him, you said you ah, driven through ramp for about an hour before you came out Lincoln Park you went up to Patapsco State Park, rode through there. When you get out to Lincoln Park, you described a little pull off there, the Jersey wall the the inaudible. Can you describe the location um, were the grave site is were you guys walked back too?

Wilds: Its about 20 yards back.

Ritz: And in the interview.

Wilds: A fallen tree next to it.

Ritz: There's a fallen tree?

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STATEMENT OF: Jay Wilds

Wilds: Yeah.

Ritz: And you'd also made made mentioned there's a creek running.

Wilds: Yeah.

Ritz: In between the fallen tree or behind.

Wilds: Behind behind there.

Ritz: Behind were the grave site was. Detective McGillivary do you have any other questions I just want to look over my notes real quickly.

MacGillivary: We ah, interviewed you originally on um, if I recall correctly the 28th of February, is that correct?

Wilds: Ah, yes.

MacGillivary: Okay, and we went, took an intensive interview.

Wilds: Okay.

MacGillivary: And we taped that interview.

Wilds: Yeah.

MacGillivary: And there were a lot of inconsistencies

Wilds: Yes.

MacGillivary: And to start with, you indicated that you didn't know before Adnarn killing Hay. You didn't have any idea.

Wilds: Yes.

MacGillivary: But that's wrong?

Wilds: Yes.

MacGillivary: You did have knowledge.

Wilds: Yes.



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STATEMENT OF: Jay Wilds

MacGillivray: Before?

Wilds: Yes.

MacGillivray: And in fact, he asked you to assist him?

Wilds: Not in killing him no.

MacGillivray: Not in actually the murder, however, assisting him in the process before hand and after?

Wilds: He never asked me until like, he asked me to come and get him. It's wasn't anything of disposing the body. He never asked me none of that until the actual day.

MacGillivray: Okay, um, also you had indicated that when he calls you to assist him that he was at Franklinton and Edmondson Avenue?

Wilds: Yes.

MacGillivray: Is that correct?

Wilds: Yes.

MacGillivray: Were he pops the trunk and shows you the remains?

Wilds: Yes.

MacGillivray: Okay.

Wilds: Yes.

MacGillivray: That wasn't true?

Wilds: No sir.

MacGillivray: Ah, he actually killed her.

Wilds: Yes.

MacGillivray: At Best Buy?

Wilds: To my knowledge.

MacGillivray: To you knowledge?

Wilds: Yes.

MacGillivray: You weren't present for that?

Wilds: No sir.

MacGillivray: Why did you lie about the location?

Wilds: Ah, I figured there was camera's there or somebody had spotted him during what he was doing.

MacGillivray: But if you actually didn't assist in her murder.

Wilds: I'm associated with it.

MacGillivray: Why would you lie about the location?

Wilds: Because I'm associated, I'm associated with it.

MacGillivray: But you did lie?

Wilds: Yes.

MacGillivray: Okay, um, you also told us that after the events of the day. After Hay had been killed, after you, after Adnarn had buried the remains that you met Jennifer Pusatelly at Westview Mall?

Wilds: Right.

MacGillivray: With Adnarn?

Wilds: Right.

MacGillivray: Is that truth, that night?

Wilds: No.

MacGillivray: In front of Value City?

Wilds: No.

STATEMENT OF: Jay Wilds

MacGillivray: No?

Wilds: No.

MacGillivray: Did you dump your clothes that night with Jennifer?

Wilds: Yes.

MacGillivray: Okay um, you also left out that fact that you went to Christy and Jeff's?

Wilds: Okay, yes.

MacGillivray: On the first interview?

Wilds: Yes.

MacGillivray: And why is that?

Wilds: I didn't want them to be involved.

MacGillivray: You didn't want them to be involved?

Wilds: I didn't, I didn't yeah I didn't want her to be questioned by the police and all that stuff and.

MacGillivray: You also indicated ah.

Wilds: Trying to protect my friends profession.

MacGillivray: That you, you did indicate that you had purchased marijuana, or called.

Wilds: Pete.

MacGillivray: Pete to buy mar, marijuana. You left that out also?

Wilds: Yes.

MacGillivray: The taped interview that you're given us right now, is that the truth?

Wilds: To the best that I can possibly humanely at this point and time remember it, that is the truth.

MacGillivary: Did you kill Hay Lee?

Wilds: No sir I did not.

MacGillivary: Were you there when Adnarn killed Hay Lee?

Wilds: No sir I was not.

MacGillivary: Were you on Best Buy's parking lot when Hay was killed?

Wilds: No sir I was not.

MacGillivary: Well how do you know?

Wilds: Pardon me.

MacGillivary: How do you know that you weren't?

Wilds: At what point and time, how do I know.

MacGillivary: Right.

Wilds: Cause when I showed up he was on the phone.

MacGillivary: Okay, that's all the questions I have.

Ritz: Jay ah during the pre-interview Detective McGillivary showed you a picture of Adnarn?

Wilds: Yes.

Ritz: And some clothing that he was wearing.

Wilds: Yes.

Ritz: Like ah, we'd begin ah, to show you this photograph.

Wilds: Yes.

Ritz: Can you describe the jacket that he's wearing in the photograph?

Wilds: It's a blue rain suit jacket, with ah, a yellow line.

Ritz: Have you ever seen that jacket before?

Wilds: Yes sir.

Ritz: When was the last time you seen Adnarn wearing the jacket?

Wilds: On the night of the murder.

Ritz: That was the jacket he was wearing on the night of the murder?

Wilds: Yes sir.

Ritz: Your absolutely positive?

Wilds: Um, to to the best that I can remember, yes.

Ritz: Okay, he also showed you another photograph of a shirt that was found inside Hay Lee's car.

Wilds: Yes.

Ritz: And what I would like for you to do is show you the same photograph.

Wilds: Yes.

Ritz: Ah, is that photograph Detective McGillivary showed you earlier?

Wilds: Yes it is.

Ritz: You recognize that shirt?

Wilds: No I do not.

Ritz: Have you ever seen it before?

Wilds: No I haven't.

Ritz: Does that shirt belong to you?

Wilds: No sir.

Ritz: Do you recall if Adnarn was wearing it the night of Hay Lee's murder?

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STATEMENT OF: Jay Wilds

Wilds: Um, I don't think this is the shirt he had on no.

Ritz: Do you recall what type of shirt he had on that evening?

Wilds: I think it was vertically striped and not horizontal. Um, it was a brownish tan color, it wasn't inaudible.

Ritz: Okay, there was ah, map booklet found on the back seat of Hay Lee's car when it was recovered. I like to show you a photograph of that to see if you recognize it or if have ever seen it ah, that map before?

Wilds: No I haven't.

Ritz: Okay.

MacGillivray: Did Adnarn make any reference to this map?

Wilds: No he didn't.

Ritz: I like ah, to Jay these photograph that I've shown you can you just place your initials on the bottom of them, one of the map, and also today's date. And also the photograph of Adnarn and the jacket you signed. Said that when your with Adnarn, as you pulled around to the dumpsters on Value City, you recall that one of the dumpsters that he placed her wallet and keys in was a cardboard recycling dumpster?

Wilds: Yes.

Ritz: And how do you know that?

Wilds: It said it on the side.

Ritz: And you thought that the police would of recovered the property, or someone would of turned it over because of what reason?

Wilds: Um, when it went through the paper mill it would either fuck the machine up, or somebody would see it.

STATEMENT OF: Jay Wilds

MacGillivary: I don't know if we covered this or not. When you were at ah, Christy's house.

Wilds: Um-hum.

MacGillivary: Adnarn received a telephone call?

Wilds: Yes.

MacGillivary: And who was that from?

Wilds: Ah, police. Actually he received 2. The first one from Hay's family, there inquiring were she was, second one was from the police, there inquiring were she was.

MacGillivary: Okay do you recall what kind of statements he made to the police?

Wilds: Um, I knew them to be totally false, he told them he had no knowledge of were she was. Um, he gave them other people's name to try to look for her and told him that that was her personality.

Ritz: Said that, find inaudible, go over that again. During the pre, pre-interview you said um, maybe you wanna try her new boyfriend that she may be with him?

Wilds: Yes.

Ritz: And also that he and ah, Hay Lee had been broken up for awhile?

Wilds: Yes.

Ritz: You also said that she may have just ran off and also told them that he may wanna check with some of her friends?

Wilds: Yes.

MacGillivary: Is there anybody that you know of that Adnarn told about this murder?

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STATEMENT OF: Jay Wilds

Wilds: One hundred percent, no I don't.

MacGillivary: Okay what percent possibly?

Wilds: I have to say that, I knew he told somebody um, that he killed somebody. I don't necessarily know that he told somebody that he killed Hay. But I know he told somebody that he killed somebody. It was on a phone conversation later in the car. Um, I don't know who he's talking to, I can speculate, I think it was Tia.

MacGillivary: When was this?

Wilds: Ah, probably like 2 or 3 days, 4 days after.

MacGillivary: After?

Wilds: After he killed her.

MacGillivary: Okay and why were you in the car with.

Wilds: Why was I in the car with him. I was leaving from my house, going to work.

MacGillivary: He was taking you to work?

Wilds: Yeah.

MacGillivary: Now this is the guy that got you involved in something.

Wilds: Yeah but he also.

MacGillivary: Why is he over your house taking you to work?

Wilds: He dropped off my girlfriend. I had her car, cause I had driven her home from work the day before, the morning before.

MacGillivary: He dropped your girlfriend up your house?

Wilds: He came from school to my house, with my girlfriend.



STATEMENT OF: Jay Wilds

MacGillivray: Weren't you concerned?

Wilds: Yes.

MacGillivray: About.

Wilds: Yes.

MacGillivray: Him being with your girlfriend?

Wilds: Yes.

MacGillivray: Why would he have.

Wilds: I didn't, I didn't have knowledge that she was gonna get a ride from him. She didn't tell me hey I'm getting a ride with Adnarn. And after that, at point and time I told her to stay away from him and don't talk to him. I didn't tell her why, I didn't give her reason.

MacGillivray: Did you ever tell him to stay away from your girlfriend?

Wilds: Yes.

MacGillivray: But he gave her a ride home. Didn't that piss you off?

Wilds: Yeah and he, he looked me in my face and he told me you know we go to school together, he know her friends.

MacGillivray: Did Adnarn give you any money to you, to help him in the situation?

Wilds: No.

MacGillivray: In this murder?

Wilds: No.

MacGillivray: Nothing?

Wilds: Nothing.

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STATEMENT OF: Jay Wilds

MacGillivray: Did he buy you marijuana?

Wilds: No.

MacGillivray: The marijuana that you purchased on Forrest Park, who brought that?

Wilds: He brought it, but it's not uncommon for people to buy a bag and smoke together.

MacGillivray: Had he given you money?

Wilds: Um, yes he loaned me a couple of bucks before.

MacGillivray: How much?

Wilds: Um, it was a hundred dollars.

MacGillivray: When did he lend you this money?

Wilds: Ah, prior to Hay's being killed. Ah, probably 4 weeks before.

MacGillivray: So about a month before he leant you a hundred dollars?

Wilds: Yes.

MacGillivray: Did he lend you a hundred dollars or did he give you a hundred dollars?

Wilds: He leant me a hundred dollars because I had paid him fifty of it back.

MacGillivray: Why would he lend you a hundred dollars because you paid him back?

Wilds: No, I'm saying, I'm saying that's why it was a loan.

MacGillivray: He leant you a hundred dollars?

Wilds: Yes.

MacGillivray: For what?

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STATEMENT OF: Jay Wilds

Wilds: To buy weed.

MacGillivary: And you paid him fifty dollars back?

Wilds: I had spent the money. I didn't go buy the weed, I then cause it was time period I had spent the money, um, so ended up having to pay the money back to him.

MacGillivary: And you only paid him fifty dollars?

Wilds: So far I only paid him fifty dollars.

MacGillivary: And you were gonna pay the rest of it back.

Wilds: Yes.

MacGillivary: He did not give you anything else?

Wilds: No.

Ritz: When you paid him the fifty dollars, how did you pay him?

Wilds: I wrote him a check.

Ritz: And has that checked been cashed?

Wilds: Yeah it was ah, I got it back cancelled?

Ritz: And when did you write him the check, do you recall?

Wilds: I don't remember, I have to look at the date on the check. It was after the death of Hay though.

Ritz: You still have the canceled check?

Wilds: Yeah it's at my house.

MacGillivary: Alright I believe that concluded this interview. However Detective Ritz has an additional question.

Ritz: Just a few last questions um, Jay. Um, are you presently under the influence of any drugs or alcohol right now?

Wilds: No sir.

Ritz: And prior to this interview and Detective McGillivary went over that, you were advised of your Miranda Rights?

Wilds: Yes.

Ritz: You understand all your rights?

Wilds: Yes.

Ritz: At any time during the 1st interview and this interview that we've conducted her today. Has Detective McGillivary or myself threaten you in any way, coerced you in any way, offered any inducements, or promises to you at all?

Wilds: No.

Ritz: This afternoon ah, prior to coming down to the Homicide office ah, your girlfriend Stefanie dropped you off at inaudible on Frederick Avenue?

Wilds: Yes.

Ritz: And Detective McGillivary and I, this pre-arranged, we picked you up at that location, brought you down to Homicide Unit?

Wilds: Yes.

Ritz: During this interview and the last interview, how would say you've been treated by Detective McGillivary and myself?

Wilds: Fairly.

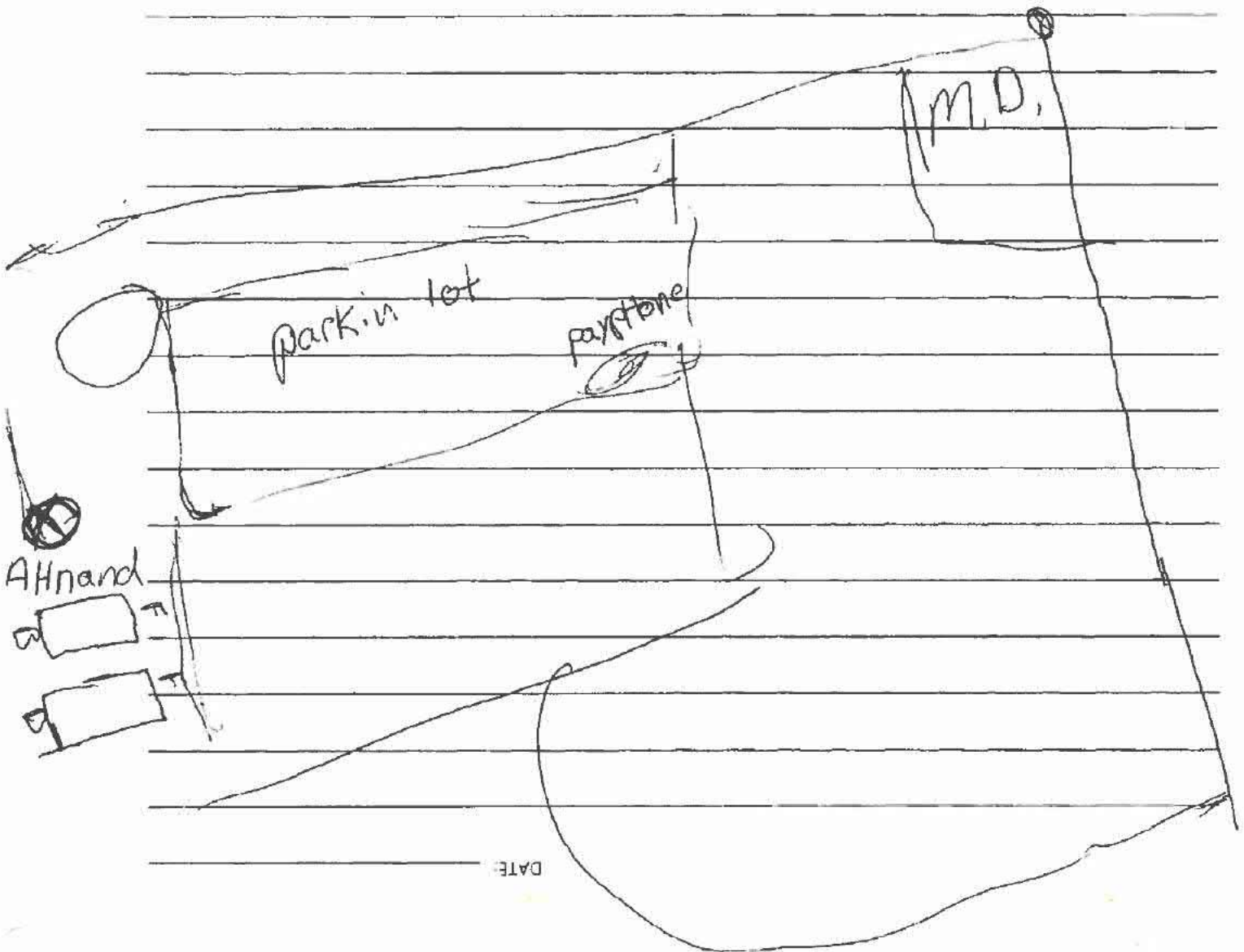
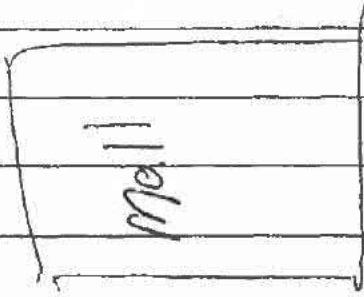
Ritz: I have no further questions.

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STATEMENT OF: Jay Wilds

MacGillivray: I believe that concludes this interview.  
It's the 15 of March, it's approximately 15  
minutes of 8.

Tape transcribed by Jackie Taylor on 3/27/99.



DATE: \_\_\_\_\_

REPLY

CONTINUATION

JAY wilds  
3/15/99

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## AFFIDAVIT OF BECKY KLING FELDMAN

1. I am providing this statement to the Court for the purpose of detailing the discovery of *Brady* material in the case of *State v. Adnan Syed* (Case Nos. 199103042 – 046).
2. I began working for the State's Attorney's Office (SAO) for Baltimore City in December, 2020, to be the Chief of the new Sentencing Review Unit.
3. Defense counsel for the Defendant, Erica Suter, approached my office regarding her client, Adnan Syed, and possibly pursuing a Juvenile Restoration Act motion. (The Maryland General Assembly passed the Juvenile Restoration Act on March 30, 2021 and was vetoed by the Governor on April 8, 2021. Two days later, the Legislature overrode the veto. The Act went into effect on 10/1/2021. The Act, in part, allows those convicted as juveniles (under the age of 18), who have served at least 20 years in prison, to file a motion with the court to request a reconsideration of their sentence.) My unit reviews and responds to all Juvenile Restoration Act motions filed in Baltimore City.
4. Ms. Suter transferred case and mitigation-related materials to me on October 2, 2021. I began reviewing the case soon thereafter.
5. I do not have personal knowledge as to how and where the State's Attorney's Trial file was maintained from 1999 through the time it was delivered to the Attorney General's (AG) Office.

I also do not have personal knowledge as to when the Trial File was delivered to the AG Office. However, when I began reviewing this case in October, 2021, the file was still in the possession of the AG's Office.

6. On May 12, 2022, I requested the SAO Trial File from AG Office. Specifically, I requested copies of: 1) any reports regarding the investigation; 2) cell phone reports & records; and 3) witness interviews. After several more communications regarding logistics, on June 3, 2022, the AG's office offered to allow me to come their office to view the file and copy any documents I needed. On June 22, 2022, I went to the AG's office to review the files.
7. The entirety of the trial file, as well as the post-conviction and appellate files, were contained in approximately 17 boxes. It appeared that in the first 7 boxes (or so) mainly contained the SAO Trial File. The remainder of the boxes mainly contained documents related to the post-conviction and related appeals.

8. On June 22, 2022, I was able to go through several of the boxes and photocopied various documents. Later that day, I scanned the documents and sent them to defense counsel. It was at this time that it was discovered that 2 of the documents I scanned contained potential *Brady* material.
9. Without going into details that could compromise our ongoing investigation, the two documents I found in the State's Trial File are documents that were handwritten by either a prosecutor or someone acting on their behalf. The documents are detailed notes of two separate interviews of two different people contacting the State's Attorney's Office with information about one of the suspects. Based on the context, it appears that these individuals contacted the State directly because they had concerning information about this suspect.
10. One of the interviews relayed that one of the suspects was "upset" with the victim and that "he would make her [Ms. Lee] disappear. He would kill her." Based on other related documents in the file, it appears that this interview occurred in January, 2000. The interview note did not have exact date of this interview.
11. In the other interview with a different person, the person contacting the SAO relayed a motive for that same suspect to harm the victim. Based on other related documents in the file, it appears that this interview occurred in October, 1999. The interview note did not have exact date of this interview.
12. The documents were difficult to read because the handwriting was so poor. The handwriting was consistent with a significant amount of the other handwritten documents throughout the SAO Trial File.
13. Based on the information in these interviews, defense counsel and the State conducted a fairly extensive investigation into this individual, which remains ongoing. The State would note that based on the investigation that resulted from finding this information, the State believes that this suspect had a motive, opportunity and means to commit this crime.
14. Ms. Suter has possession of the defense attorney's trial file. According to Ms. Suter, those *Brady* documents were not in the file; nor were there any notes that resembled, in any way, the information that was contained in the State's notes. The information also was not contained in any of the disclosures made by the State during the trial. I think it is fair to characterize that we were both shocked to see these documents.
15. On June 27, 2022, I visited the AG's Office again to review the documents in more of the boxes. I seem to recall that I was able to review all of the remaining boxes at that time.



16. Because of the concerning nature of the *Brady* material, I decided to review the files again in the event I missed anything. I re-reviewed all of the boxes on July 29 and August 11, 2022. No other documents that I would characterize as containing potential *Brady* information were located.
17. At all times throughout this review, I worked collaboratively with defense counsel, Ms. Suter, and kept her apprised of developments and new information about suspects. She likewise did the same regarding her investigative efforts.
18. To date, the SAO Trial File is still in the possession of the AG's Office. However, I was given access on multiple occasions, upon my request, to view the files and make photocopies of the documents contained in the boxes.
19. I understand that many attorneys and advocates have reviewed this file, or portions of this file, over the years. I do not have personal knowledge as to what parts of the file were made available to them. I also do not know why these documents were not previously discovered.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

9.19.2022  
Date

Becky Feldman  
Signature

YOUNG LEE, AS VICTIM'S  
REPRESENTATIVE,

Appellant,

v.

STATE OF MARYLAND

\* IN THE  
\* COURT OF SPECIAL APPEALS  
\* OF MARYLAND  
\* September Term, 2022  
\* No. 1291  
\* (Cir. Ct. No. 199103042)

\* \* \* \* \*

**ORDER**

Having reviewed and considered the following motions and responses, it is this 4<sup>th</sup> day of November 2022,

1. ORDERED, that upon consideration of Adnan Syed's "Motion to Disqualify Office of the Attorney General as Counsel for the State of Maryland or Strike the State as a Party to the Appeal," the State's opposition thereto, and Mr. Syed's reply to the State's opposition, Mr. Syed's motion is DENIED; and it is further
2. ORDERED, that upon consideration of "Appellant's Response to This Court's Order to Show Cause Why Young Lee's Appeal Should Not be Dismissed as Moot," together with Mr. Syed's reply to Mr. Lee's response, the provision of this Court's October 12 Order directing the appellant to show cause is deemed satisfied. This appeal shall proceed; and it is further
3. ORDERED on the Court's own initiative, that the Clerk of the Circuit Court for Baltimore City is directed to transmit the record to this Court, forthwith; and it is further
4. ORDERED that the appellant's brief shall be filed on or before December 9. The State's brief and the brief of Mr. Syed shall be filed on or before January 9, 2023. The parties are directed to brief (1) whether this appeal is moot, (2) whether this case,

even if moot, warrants the Court's exercise of its discretion to issue an opinion on the merits despite mootness, and (3) the merits of whether the notice Mr. Lee received in advance of the circuit court's *vacatur* hearing complied with the applicable constitutional provisions, statutes, and rules; and it is further

5. ORDERED that this appeal shall be scheduled for consideration in the February 2023 session of this Court; and it is further
6. ORDERED that upon consideration of Mr. Syed's "Motion to Strike Exhibit A to Appellant's Response and Reply to Responses by Appellant and the Office of the Attorney General / Motion to Strike Appendix to Appellant's Response," the appellant's opposition thereto, and Mr. Syed's further reply in support of the motion, Mr. Syed's motion is DENIED.

FOR A PANEL OF THE COURT  
(consisting of Nazarian, Beachley, Albright, JJ.)



(JUDGE'S SIGNATURE APPEARS ON  
THE ORIGINAL OF THIS DOCUMENT)

\_\_\_\_\_  
Anne Albright, Judge

YOUNG LEE, AS VICTIM'S  
REPRESENTATIVE,

Appellant

v.

STATE OF MARYLAND AND  
ADNAN SYED,

Appellees

IN THE

APPELLATE COURT OF

OF MARYLAND

No. 1291

September Term, 2022

Cir. Ct. Nos. 199103042-46

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### MOTION FOR RECONSIDERATION

Appellee, Adnan Syed, by counsel, Erica J. Suter, Director, UB Innocence Project Clinic and Brian L. Zavin, Chief Attorney, Office of the Public Defender, Appellate Division, files this Motion for Reconsideration of the Court's opinion pursuant to Rule 8-605 for the following reasons:

The Court reinstated Mr. Syed's convictions and remanded for the circuit court to conduct a new vacatur hearing based on an error that Appellant did not allege: a violation of the right to notice of a hearing he could attend in person but in which he would not be allowed to participate. Notably absent from the Court's opinion is any discussion of how Appellant satisfied his burden of demonstrating that the purported error was not harmless. *See Crane v. Dunn*, 382 Md. 83, 91 (2004) ("It is the policy of this Court not to reverse for harmless error and the burden is on the appellant in all cases to show prejudice as well as error.").

Even in cases involving a violation of a criminal defendant's constitutional right to be present, Maryland courts have held that automatic reversal is not the norm. In *State v.*

*Hart*, 449 Md. 246, 262 (2016), the Supreme Court of Maryland explicitly held that “[w]hen a violation of a criminal defendant’s right to be present is at issue, we apply the harmless error analysis.” “Prejudice will not be conclusively presumed,” the Court explained, so the standard for harmless error set forth in *Dorsey v. State*, 276 Md. 638 (1976), applied: “If the record demonstrates beyond a reasonable doubt that the denial of the right could not have prejudiced the defendant, the error will not result in a reversal of his conviction.” *Id.* at 262-63 (quoting *Noble v. State*, 293 Md. 549, 568–69 (1982)). *Cf. Reeves v. State*, 192 Md. App. 277, 300 (2010) (“Finally, even if we were to hold that the trial court’s failure to conduct a more extensive investigation into the voluntariness of appellant’s absence and its decision to allow the verdict to be rendered in his absence were abuses of discretion, any error was harmless. An error is harmless if we are convinced beyond a reasonable doubt that the error in no way influenced the verdict.”).

Similarly, other courts that have considered cases in which defendants were required to appear remotely rather than in person have reviewed for harmless error. *See, e.g., Hager v. United States*, 79 A.3d 296 (D.C. 2013) (violation of defendant’s right to be physically present during voir dire not harmless where record did not show that “defendant was able to meaningfully participate”); *Gibson v. Commonwealth*, 2021 WL 3828558, \*4 (Ky. Aug. 26, 2021) (error in conducting sentencing by video conference harmless where, *inter alia*, “hearing allowed all participants to see and hear one another”); *People v. Anderson*, \_\_\_ N.W.2d \_\_\_, 2022 WL 981299, \*7 (Mich. Ct. App. March 31, 2022) (error in conducting sentencing hearing by video conference harmless where “[t]here is no evidence, inference, nor indication that defendant’s treatment likely would have been different had he been

face-to-face with the sentencing judge”); *State v. Taylor*, 198 N.E.3d 956, 966-67 (Ohio Ct. App. 2022) (violation of defendant’s right to be physically present at sentencing harmless where his “interests were represented by defense counsel who was physically present in the courtroom; no objection was raised as to his physical absence; appellant was able to see and hear the courtroom and to be seen and heard by the courtroom; although he chose not to, appellant was permitted the opportunity to make a statement; and appellant advances no argument on appeal that his physical absence prevented a fair hearing”); *State v. Byers*, 875 S.E.2d 306, 318-19 (W.Va. 2022) (State failed to demonstrate beyond a reasonable doubt that requiring defendant to appear remotely for sentencing was harmless where court was “left to simply speculate as to the sentence Mr. Byers might have received had he been physically present”).

It bears noting that Appellant is not a criminal defendant, and so Appellant must show, and this Court must find, that “the error was likely to have affected the verdict below[.]” *Flores v. Bell*, 398 Md. 27, 33 (2007). “The focus of our inquiry is on the probability, not the possibility, of prejudice.” *Id.* See also *I. W. Berman Properties v. Porter Bros.*, 276 Md. 1, 11–12 (1975) (“An error which does not affect the outcome of the case is ‘harmless error.’”). To establish reversible error, Appellant therefore must show, and this Court must find, that the result of the vacatur hearing would have been different had he been permitted to observe the hearing silently in person rather than, as happened, participate over Zoom.

Because Appellant’s asserted right of participation was the crux of his argument before the Court, Mr. Syed did not argue previously that Appellant failed to meet his burden

of demonstrating that the outcome would have been different. If, as Appellant contended in his brief and at oral argument, he was entitled to act as a party by presenting and refuting evidence, then Mr. Syed would have been hard-pressed to argue that the denial of *that right* was harmless. However, this Court's holding is far more limited. The right to be physically present, with no corresponding right to participate, is susceptible to harmless error analysis under the circumstances present here: a motion to vacate filed by the State, joined by the defense, and granted by the court.

Nothing in the record gives even the slightest indication that the circuit court would have reached a different result if Appellant had been afforded the rights to which the Court holds he was entitled. Indeed, as the Court observes, the circuit court allowed Appellant the opportunity to speak, although neither the vacatur statute nor rule authorizes it. If the circuit court was not persuaded to deny the State's vacatur motion under these circumstances, it beggars belief to suggest that it would have denied the motion had Appellant been physically present in the courtroom and addressed the court as he did remotely at the vacatur hearing. It is equally inconceivable that the Court would have reached a different conclusion had Appellant remained silent.

As it stands, the Court's opinion permits two inferences, neither of which is justified. The first is that errors affecting the rights of victims' representatives can never be harmless even where, as here, the right in question is provided for by statute. By contrast, and as noted above, courts in Maryland and elsewhere have held that the violation of a similar constitutional right of a criminal defendant may be found harmless.

In the alternative, the Court may be announcing a new rule of law that *anytime* a court requires a party or, as here, a non-party, to appear remotely, the error is *per se* reversible. The number of cases impacted by such a rule in just the past few years when our courts operated remotely is likely quite high. But even post-pandemic, the impact will be staggering. Just last week, the Supreme Court approved rules allowing trial courts to require remote participation in certain proceedings over the objection of the parties. Supreme Court of Maryland, 214th Rules Order, at 396-400 (April 21, 2023).<sup>1</sup> Tellingly, even when the consent of the parties is required to allow for remote participation, the new rules make no provision for objections by non-parties, including victims and victims' representatives. Under this Court's opinion, compliance with the rule will lead invariably to reversible error.

Assuming the Court has not singled out victims' representatives for special treatment not available even to criminal defendants, and assuming the Court does not wish to open the floodgates to claims of reversible error, it should reconsider its decision to reverse in this case. Through video and the presence of his attorney in the courtroom, Appellant was able to convey the gravity of the proceedings for his family. Before this Court should be willing to take the drastic and unprecedented step of reinstating the criminal convictions of an individual whom the State has declined to prosecute, it at a minimum should require Appellant, like all other litigants, to demonstrate that any errors committed by the trial court were not harmless.

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<sup>1</sup> <https://www.mdcourts.gov/sites/default/files/rules/order/ro214.pdf> (last checked April 25, 2023).



WHEREFORE, Appellee respectfully requests that this Court reconsider its opinion and, unless Appellant is able to demonstrate prejudice in accordance with established precedent, affirm the judgment below.

Respectfully submitted,

/s/ *Erica Suter*

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/s/ *Brian Zavin*

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Counsel for Appellee

**CERTIFICATION OF WORD COUNT  
AND COMPLIANCE WITH RULE 8-112**

1. This motion contains 1,505 words.
2. This motion complies with the font, spacing, and type size requirements stated in Rule 8-112.

*/s/ Erica Suter*

\_\_\_\_\_  
Erica J. Suter

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 26<sup>th</sup> day of April, 2023, a copy of the foregoing in the captioned case was delivered via the MDEC system to:

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*/s/ Erica Suter*

\_\_\_\_\_  
Erica J. Suter

YOUNG LEE, AS VICTIM'S  
REPRESENTATIVE,

Appellant,

v.

STATE OF MARYLAND

Appellee.

\* IN THE  
\* APPELLATE COURT  
\* OF MARYLAND  
\* September Term, 2022  
\* No. 1291  
\* (Cir. Ct. No. 199103042)

\* \* \* \* \*

**ORDER**

Upon consideration of appellee Adnan Syed's Motion for Reconsideration, it is this 2nd day of May 2023,

ORDERED that the motion is denied because it is based on an argument not previously raised.

FOR A PANEL OF THE COURT  
consisting of Wells, C.J., Graeff, Berger, JJ.

CHIEF JUDGE'S SIGNATURE  
APPEARS ON ORIGINAL ORDER



*Gregory Wells*, Chief Judge

ADNAN SYED,

Petitioner

v.

YOUNG LEE, AS VICTIM'S  
REPRESENTATIVE, ET AL.,

Appellee

IN THE

SUPREME COURT

OF MARYLAND

September Term, 2023

No. 7

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**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this 15<sup>th</sup> day of August, 2023, a corrected copy of the redacted Joint Supplemental Record Extract in the captioned case was delivered via the MDEC system:

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/s/ *Erica Suter*

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Erica J. Suter