
#2 Interviews of MISTLER Family
(Adam Walsh)

Walsh case tips keep coming in

Break still goal of retiring major

By TRISH POWER
Herald Staff Writer

HOLLYWOOD — It has been 10 years. There are no suspects or motives in one of the nation's most publicized kidnap and murder cases, but police continue to check every lead, follow every trail, hoping one day to find the person who killed 6-year-old Adam Walsh.

Maj. J.B. Smith was a sergeant in the robbery unit when Adam Walsh was abducted in 1981. On Friday, Smith will retire after 21 years with the Hollywood Police Department.



Adam

He will leave Florida but will not give up his hope that one day the Adam Walsh case will be solved.

Even 10 years after the murder, the department continues to receive letters with possible information about the case, most of them forwarded from calls to the Adam Walsh Resource Center and The National Center for Missing and Exploited Children.

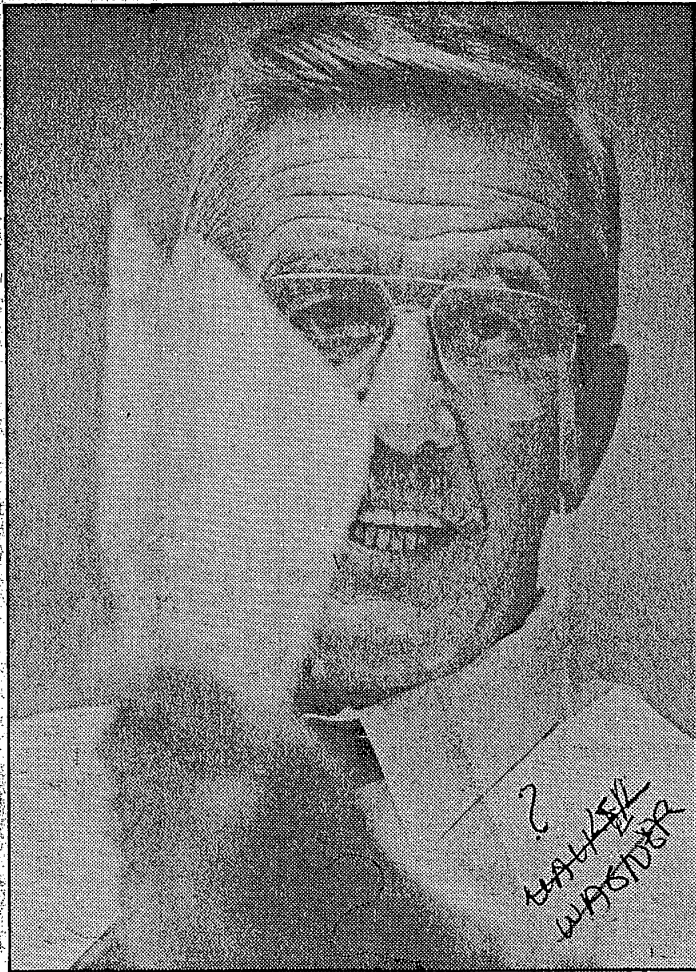
The 10th this year arrived Tuesday afternoon.

"It's a typical lead," Smith said. "There's very little information, but it can't be set aside. This could be the one we need."

Investigators have followed hundreds, maybe thousands, of leads. They have eliminated all of them, including the most promising suspects: Otis Toole and his lover, convicted one-eyed mass murderer Henry Lee Lucas.

"Otis Toole is probably the most complete investigation we've ever done to prove that somebody didn't do it," Smith said.

Toole confessed, recanted, con-



WALTER MICHOT / Miami Herald Staff

10TH TIP OF 10TH YEAR: Retiring police Maj. J.B. Smith holds the latest tip, received Tuesday, on the 1981 murder of Adam Walsh.

fessed, then recanted again. He never was charged. He is serving a life sentence in Florida State Prison for a 1982 Jacksonville arson/murder. He will have to serve at least 25 years before he will become eligible for parole. Lucas, who was on Death Row in a Texas prison, was extradited to Florida in December to stand trial in four other slayings.

Smith thinks it will be a tip, possibly from someone who saw something or knows something but was afraid to come forward, that eventually will lead to the murderer.

"I don't know of any homicide that's this old that's going to be solved because of legwork," Smith said.

There are others who still think about the case.

Dennis Neylon, one of the lead detectives in the case, is retired and lives in Colorado.

"It's probably one of the toughest cases I ever worked on," Neylon said. "The notoriety of the case was nationwide."

"I have to agree with J.B. Somebody's going to make a call," Neylon said. "A lot of cases are like that. You'll work it and work it and work it, and one day you get a call and it all comes together."

Adam Walsh was abducted from the Sears store in the Hollywood Mall — across the street from the Hollywood Police Department.

Two weeks later and 120 miles away, his severed head was found in an isolated canal by some fishermen. His body never was found.

Slayer gets life in prison; Lucas going back to Texas

The Associated Press

MARIANNA — Otis Elwood Toole has been sentenced to life in prison for four murders, but co-defendant Henry Lee Lucas will not be tried in the cases because Florida cannot afford his legal expenses.

Lucas, who once claimed he killed 600 people but later recanted his confession, will be returned to Texas where he has been sentenced to death for the 1979 slaying of an unidentified woman.

Lucas, 55, remained at the Jackson County Jail on Monday awaiting his return to Texas. He came within a few days of execution there last November before being granted a stay.

"What we anticipate is he'll be executed in Texas," State Attorney Jim Appleman said on Friday when Circuit Judge Russell Cole ordered Lucas returned.

Florida, plagued by a series of revenue shortfalls, has been unwilling to pay the cost of defending Lucas, Appleman said. He said the three small counties where the slayings took place do not have enough money to give Lucas an adequate defense.

The charges against Lucas have not been dropped. If he is not executed in Texas, Appleman said he intended to bring him back to Florida again for trial and would seek the death penalty if he is convicted.

As the result of a plea bargain, Cole sentenced Toole to four consecutive terms of life in prison, each without parole for 25 years, after pleading guilty to four counts of first-degree murder. He will be ineligible

for parole for 100 years.

"He has in fact received a death sentence," Appleman said.

Toole's life sentence and the failure to prosecute Lucas disappointed Jackson County Sheriff Johnny McDaniel. His father was one of the victims.

"I don't think any serial killer should live," McDaniel said. Taxpayers should not have to pay the upkeep for Toole for "as long as he draws a breath," he said.

McDaniel found his father, former Malone Mayor John P. McDaniel Sr., shot to death on Dec. 15, 1980. He was sheriff-elect when he answered a robbery call at a gasoline station where his father worked as an attendant near Campbellton. The other victims were Mary Ruby McCary of Washington County and Jerilyn Murphy Peoples and Brenda Jo Burton, both of Holmes County.

"How do you put a price tag on a murder case?" McDaniel said of the state's failure to try Lucas. "It's unreal. . . I'm a taxpayer here, too."

Toole had been sentenced to death in Jacksonville for another murder in 1985, but the Florida Supreme Court reversed that because of mental and physical handicaps and other mitigating circumstances. Appleman said it would be difficult to sustain another death sentence for Toole before the Supreme Court, which automatically hears all death cases.

From: **Phil Mundy**
Investigator
State Attorney's Office
Phone 305-831-6368
Pager 305-879-5288
Mobile

11/5

To: **Ralph Ray:**

In one of our conversations
I mentioned the 1991 poly-
graph of Wm. Myster. Just
to be sure I re-checked the
file and the attached is from
Haffman's July 1991
report.

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

SUPPLEMENT

THIS DETECTIVE THEN MADE AN APPOINTMENT WITH WILLIAM CARL MISTLER TO COME INTO HOLLYWOOD POLICE HEADQUARTERS AND FURNISH THIS DETECTIVE WITH A FREE AND VOLUNTARY SWORN STATEMENT CONCERNING THIS MATTER. ON JULY 29TH, 1991, AT 1240 HOURS, THIS DETECTIVE TOOK A FREE AND VOLUNTARY SWORN STATEMENT FROM WILLIAM CARL MISTLER. MR. MISTLER ADVISED THAT HE IS MARRIED SEVENTEEN (17) YEARS AND HAS BEEN LIVING IN SOUTH FLORIDA SINCE 1970. PRIOR TO 1970, HE WAS LIVING IN ERLINGER, KENTUCKY. MR. MISTLER FURNISHED THIS DETECTIVE WITH THE ADDRESS OF 2836 F STIRLING ROAD, HOLLYWOOD, TELEPHONE NUMBER: 920-6591 WHICH IS HIS EXTERMINATING BUSINESS. MR. MISTLER WAS VERY APPREHENSIVE ABOUT FURNISHING THIS DETECTIVE WITH HIS RESIDENCE ADDRESS DUE TO THE FACT THAT HE BELIEVED THAT THERE WOULD BE TREMENDOUS MEDIA COVERAGE SHOULD HIS NAME BE LEAKED TO THE PRESS REGARDING THIS HOMICIDE INVESTIGATION.

DURING THE TAKING OF MR. MISTLER'S STATEMENT, HE BECAME EXTREMELY EMOTIONALLY UPSET ON TWO (2) OCCASIONS DURING THE TAKING OF THIS STATEMENT. IT APPEARED THAT MR. MISTLER HAS A TREMENDOUS GUILT FEELING DUE TO THE FACT THAT THE INCIDENT THAT HE BELIEVES HE WITNESSED, MAY HAVE PREVENTED THE DEATH OF ADAM WALSH IF MR. MISTLER REACTED DIFFERENTLY TO THIS INCIDENT.

WILLIAM MISTLER WAS EMPHATIC ABOUT THE IDENTIFICATION OF THE WHITE MALE THAT HE SAW EXITING THE BLACK OVER WHITE CADILLAC AS BEING OTIS TOOLE. MR. MISTLER HAD SEEN BOTH TELEVISION AND NEWSPAPER PHOTOGRAPHS OF OTIS TOOLE AND IS 100% CERTAIN THAT THE PERSON THAT HE WITNESSED ON THAT DAY WAS IN FACT OTIS TOOLE.

THIS DETECTIVE THEN MADE AN APPOINTMENT WITH WILLIAM MISTLER TO TAKE A POLYGRAPH EXAMINATION ON TUESDAY, 07/30/91.

TUESDAY, 07/30/91, AT 1500 HOURS, WILLIAM MISTLER ARRIVED AT HOLLYWOOD POLICE HEADQUARTERS AND WAS INTRODUCED TO DETECTIVE DIECIDUE WHO WOULD BE CONDUCTING THE POLYGRAPH EXAMINATION. UPON COMPLETION OF THE POLYGRAPH

SUPPLEMENT

EXAMINATION BY DETECTIVE DIECIDUE, HE INFORMED THIS DETECTIVE THAT THE RESULTS OF THIS POLYGRAPH WERE INCONCLUSIVE.

THIS DETECTIVE THEN SPOKE WITH WILLIAM MISTLER AND ASKED HIM IF HE WOULD BE WILLING TO UNDERGO HYPNOSIS IN AN ATTEMPT TO HEIGHTEN HIS RECALL OF THIS INCIDENT FROM TEN (10) YEARS AGO. MR. MISTLER STATED THAT HE WOULD UNDERGO HYPNOSIS TO ASSIST THIS AGENCY IN THIS INVESTIGATION.

THIS DETECTIVE THEN CONTACTED THE B.S.O. PSYCHOLOGICAL SERVICES UNIT, COMMANDER MARIE STEPNIKOWSKI, AND INFORMED HER OF THIS AGENCY'S INVESTIGATION. COMMANDER STEPNIKOWSKI ADVISED THAT SHE WOULD MAKE THE NECESSARY ARRANGEMENTS IN ORDER TO HAVE SUBJECT WILLIAM MISTLER HYPNOTIZED BY DOCTOR HARLEY STOCK, P.H.D., WITH THE B.S.O. PSYCHOLOGICAL SERVICES UNIT. AN APPOINTMENT WAS SET FOR FRIDAY, 09/02/91, AT 9 A.M.

FRIDAY, 09/02/91, AT APPROXIMATELY 0930 HOURS, WILLIAM MISTLER MET WITH THE UNDERSIGNED DETECTIVE AT HOLLYWOOD POLICE HEADQUARTERS. AT THAT TIME, THIS DETECTIVE AND WILLIAM MISTLER PROCEEDED TO THE B.S.O. PSYCHOLOGICAL SERVICES UNIT IN PLANTATION. AT APPROXIMATELY 0900 HOURS, WILLIAM MISTLER WAS INTRODUCED TO COMMANDER STEPNIKOWSKI, DOCTOR HARLEY STOCK, AND SERGEANT PHIL AMAVILLE OF B.S.O. PSYCHOLOGICAL SERVICES UNIT.

AFTER BEING INTRODUCED TO THE AFOREMENTIONED SUBJECTS, WILLIAM MISTLER THEN UNDERWENT A PREHYPNOSIS INTERVIEW. DURING THIS PREHYPNOSIS INTERVIEW, WILLIAM MISTLER BECAME EMOTIONALLY UPSET TO THE POINT THAT DOCTOR HARLEY STOCK INDICATED THAT THEY COULD NOT DO THE HYPNOSIS AT THIS TIME. A DECISION WAS MADE THAT A COGNITIVE INTERVIEW BE CONDUCTED WITH WILLIAM MISTLER AT THE SEARS MALL.

THIS DETECTIVE ALONG WITH WILLIAM MISTLER THEN RETURNED TO THE CITY OF HOLLYWOOD AND DROVE TO THE WEST PARKING LOT OF THE SEARS MALL. COMMANDER STEPNIKOWSKI, DOCTOR HARLEY STOCK, AND SERGEANT PHIL AMAVILLE ALSO ARRIVED AT

Investigative Assignment #96-02-0262

July 12, 1996

Investigative Report #2

TO: Ralph J. Ray, Jr.
Chief Assistant State Attorney

FROM: Philip J. Mundy
Investigator

SUBJ: Interviews of Martha, William and Joseph MISTLER

RE: Homicide Investigation of Adam Walsh

ENCL: (1) Statement of Martha Mistler
(2) Statement of Jason Mistler

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On June 28, 1996 the above parties were interviewed and sworn statements taken from Martha and Jason Mistler.

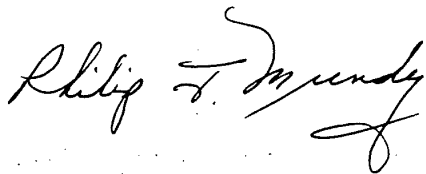
A brief interview was held with Mr. William Mistler and it was decided to delay taking a formal statement from him at this time to allow this investigator to prepare a photographic line up for Mr. Mistler to view. Mr. Mistler's interview revealed that he has never formally identified suspect Ottis TOOLE to authorities. He indicated that he recalled Det. Hoffman showing him some photographs one of which was a picture of TOOLE "standing hunched over and next to a lake." Det. Mark Smith has been requested to locate these photographs.

It was also brought to light during this interview that Mr. Mistler has never made a formal identification of Adam Walsh. In fact, further questioning on this subject brought out that Mr. Mistler cannot say that it was indeed Adam Walsh that he saw on July 27, 1981 outside the Hollywood Sears Store.

Page -2-

Mr. Mistler also indicated that Det. Hoffman had shown him photographs of a White Cadillac with a black vinyl roof with a dent in the back bumper. Mr. Mistler recalled there were several photographs showing all angles of the vehicle. He remarked that the vehicle did not have any stains on the hood and in his opinion the vehicle had been buffed thus removing any stains. Again, Det. Mark Smith has been requested to locate these photographs.

It is planned to interview Mr. Mistler at a future date when the photographs are available.

A handwritten signature in cursive script that reads "Philip J. Mundy". The signature is written in dark ink and is positioned above the typed name.

INV. PHILIP J. MUNDY

cc: Det. Mark Smith
Hollywood Police Dept.

000008

ENCLOSURE

1

Notes on Statement of Martha Mistler

Statement taken 6/28/96 by State Attorney Investigator, Philip Mundy, also present Det. Mark Smith, Hollywood Police Dept.

<u>Page #</u>	<u>Comments</u>
3	William Mistler left home between 11:30AM and Noon go to Sears. He returned in 40 - 45 minutes or between 12:30 and 1:00PM.
4	On return from Sears, William commented about the heavy traffic in the parking lot.
5	William did not appear to be upset when he returned.
6-7	Before 5PM, the family returned to Sears to purchase a badmitten set. She recalls hearing an announcement to the effect "Adam your mother is waiting for you." She saw a woman crying and concluded it was the boy's mother.
7	She saw Mrs. Walsh in the delivery pick-up area. Describes Mrs. Walsh as very upset and walking about as though looking for someone. She does not recall seeing anyone with her.
9	Arriving at Sears around 5PM, they did not see any police cars.
10	Does not see anyone that seemed to be with Mrs. Walsh.
11	Saw no activity in the store that caused her to become alarmed.
12	She did not hear her son Jason tell William about seeing Adam Walsh's father.
13	Learned Adam Walsh was missing when they returned from camping trip but didn't connect it to Sears.
14	Left for Ocala Forest on Tuesday, 7/28/81, returned about four days later.

<u>Page#</u>	<u>Comments</u>
15-16	Recalls friends of her son running up to them when they arrived home and telling then Adam Walsh was missing. She thinks it was by reading a newspaper account that she learned he was missing from Sears. A day or two after returning from the camping trip, William told her the boy was abducted the same day they were at Sears.
16-17	She saved all the news stories on the case and gives the reason for that as because it was a neighborhood boy.
18-20	The first time a photo of Otis Toole was made public, William commented that he knew him, that his face looked familiar to him.
21-22	Relates the first time William tells her that he saw Toole abduct Adam Walsh. She urges him to go to the police but he says the police are 100% sure of Toole, there are other witnesses, and he does not want to expose himself and risk an arrest of 20 years ago becoming known to his son.
22-25	She relates what William told her about what he saw at Sears.
26-29	Discussion of whether William ever told her it was Adam Walsh he saw and if so, why he didn't go to the police even before seeing Otis Toole's photo.
30-31	To her recollection, William said he was distracted and did not see the boy get into the vehicle or the vehicle drive off. He never told her the type of car.
31-33	<i>she did say neither saw boy get in car - see p. 22.</i> In 1991, she sees a news article saying Toole has never been charged and at her urging they contact Det. Hoffman.
33	Discusses polygraphs and hypnosis sessions.
34	William told her that Det. Hoffman told him that he saw Toole's twin brother.

Page#

Comments

35-37

Discusses calling the F.B.I. and the Walsh hotline and that William was very angry with Det. Hoffman.

37

Claims Det. Hoffman told William that the Walsh's do not want to go through a trial, and that the State Attorney's Office did not have the money to go through with this case.

Statement
MARTHA MISTLER

June 28, 1996
Inv. Philip Mundy

THIS IS GOING TO BE A WITNESS STATEMENT IN REGARD TO STATE ATTORNEY INVESTIGATION #96-02-262 AND HOLLYWOOD POLICE DEPARTMENT INVESTIGATION NUMBER #81-56073 AND THE FOLLOWING IS GOING TO BE THE STATEMENT OF MARTHA VAE, V-A-E, MISTLER, M-I-S-T-L-E-R, WHITE FEMALE, AS GIVEN TO STATE ATTORNEY INVESTIGATOR PHILIP J. MUNDY OF THE BROWARD COUNTY STATE ATTORNEY'S OFFICE. ALSO PRESENT IS DET. MARK SMITH OF THE HOLLYWOOD POLICE DEPARTMENT. THIS STATEMENT IS BEING TAKEN AT THE STATE ATTORNEY'S OFFICE AT 201 SOUTHEAST 6TH STREET, CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA ON FRIDAY, JUNE 28, 1996 BEGINNING AT ABOUT NOON.

THE FOLLOWING NOTATIONS WILL DISTINGUISH SPEAKERS:

PM: PHILIP MUNDY
MM: MARTHA MISTLER
MS: DET. MARK SMITH

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

MM: I do.

PM: For the record would you please state your full name and date of birth?

MM: Martha Vae Mistler, March 11, 1951.

PM: And where are you currently residing?

MM: 2612 Arthur Street, in Hollywood.

PM: How long have you been residing there ?

MM: 21 years.

PM: And you are married correct?

MM; Yes.

PM: And your husbands name?

MM: William, Bill.

PM: How long have you been married to Mr. Mistler?

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MM: 22 years.

PM: Children?

MM: One.

PM: And his name?

MM: Jason.

PM: I knew it was a he. And how old is Jason today?

MM: 25.

PM: Back in 1981 you were residing at the address you just gave me correct?

MM: Yes.

PM: And you were married to Mr. Mistler?

MM: Yes.

PM: At that time Jason would have been how old?

MM: 10 going on 11.

PM: He was in school?

MM: Yes.

PM: Which school did he go to?

MM: That would have been Olson Middle School.

PM: Were you employed at that time?

MM: I worked with my husband at his business, Mistler Exterminating.

PM: I am going to take you back if you recall back on Monday, July 27, 1981. On that particular day it is a matter of record that a young boy named Adam Walsh was abducted from the vicinity of the Sears, Roebuck store in the City of Hollywood. Do you recall that occurring?

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MM: Yes.

PM: On that particular day do you recall what you were doing, what happened that day, if you do just narrate for me what happened.

MM: Well we were getting ready to go on a camping trip up into the National Forest.

PM: We would be your husband, and your son?

MM: My husband, yea, and we noticed that our lantern didn't have the bags that go over the flame there, so Bill had said I am going to run up to Sears and get the bags for the lantern, and that is what he did.

PM: How far away from Sears are you?

MM: Five minutes.

PM: And do you have a recollection of approximately what time he left for Sears?

MM: I know it was at lunch time so it had to be about 11:30 maybe later than that.

PM: How much later could it have been tops?

MM: 12:00 a little bit after 12 not much.

PM: Do you have a recollection of what time he came back, or if not the exact time, how much time elapsed?

MM: Maybe 40-45 minutes at the most. It has been a long time.

PM: So we are talking somewhere between 12:30 and 1:00?

MM: Yes.

PM: When he went to Sears the first time because we know there was a second visit, did he go by himself?

MM: Yes.

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PM: And what was he driving when he went there?
MM: I believe it was a Nissan truck, one of our company trucks.
PM: Is that like a pickup truck or enclosed truck?
MM: A pick up truck, a Nissan pickup.
PM: Was there writing on it?
MM: Yea.
PM: What was the name of the company?
MM: Mistler Pest Control.
PM: He returns approximately 45 minutes later, and when he returns does he mention anything to you that something had occurred that was unusual?
MM: Only that it was really crowded in the parking lot and people were honking horns.
PM: What did he say about that, that you can recall?
MM: Only that it got kind of aggravating because of the traffic. There was so much traffic. In the parking lot. When you normally go up there you go in, you park and you are done. But there seem to be a lot of traffic, people backed up.
PM: And he related that to you.
MM: Yea. That's all he said.
PM: In the past I am sure there were probably times when either he or you together or you yourself went from your home to the Sears store?
MM: Yes.
PM: And as you said it takes about 5 minutes?
MM: Yea, about 5 minutes maybe a little longer to hit the red lights.

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PM: I think you said he was going to purchase like one particular item, he knew what it was?

MM: Yea.

PM: You were packing to leave. So when it took 45 minutes did you find that unusual?

MM: No. Sometimes he has the tendency to look around especially in the tool section.

PM: But when he returned you remember him saying something about the traffic?

MM: Yea how crowded it was in the parking lot there.

PM: Was that pretty much the end of any conversation about his visit to Sears?

MM: Yea. He just showed me the bag of the lantern bags and said well I got it. I said ok.

PM: He didn't seem upset when he came back?

MM: No, no. When Bill is upset you will know he is upset, but nothing unusual at all.

PM: I would assume that you folks continued to pack and get ready to go, and does there come a time when you have to go back to the Sears store?

MM: Yea, we decided we would take a badminton set with us and there was something else, the other I don't know if it was maybe a frisbee or volleyball. I am thinking more of the volleyball because we had the net. But I remember the badminton set.

PM: So tell me how this happens, how you go back to Sears?

MM: We were just sitting around the house and he says, do you want to take something else up there with you because he knows I don't fish, he knows I don't ride three wheel, we had these three wheel atc vehicles and I don't ride those so I says do you want to go get something like badminton, volleyball and he said sure. And so that is when we went back up.

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PM: Do you remember approximately what time of day that was?

MM: No I know it was in the afternoon but no I can't remember.

PM: Were we starting to get towards the dinner hour? Because we are saying afternoon, let's kind of think about that.

MM: It was before 5:00 because we hadn't eaten dinner yet. So I know it was before 5.

PM: And who all went back this time?

MM: Both my husband and myself and Jason our son.

PM: What were your plans after going to Sears? Were you going to leave Hollywood or?

MM: We were going to stay home that night and leave out early the next morning.

PM: Alright so you go back to Sears and I assume Bill is driving?

MM: Yea.

PM: Ok again if you would narrate the best you can remember what happens when you go back to Sears?

MM: I remember going into the toy section because the sport section I believe is right near it and I heard an announcement over the PA system about Adam your mother is waiting for you and I saw which I assumed was Adam's mother, I have never seen the Walsh's I never ever saw the Walsh's, and I just saw her crying and me and Bill we had an experience with our own son in reference when they said your mother is waiting for you, the first thing came to my mind was the fact that we had lost our little boy down in Key West when he was very small for approximately three to five minutes which seemed like hours and I just looked at Bill and we remembered we got Jason back in 5 minutes. Maybe the little boy was underneath the clothes sitting out in the middle of the kid's I know my son use to climb underneath there. I didn't think anything of it but I saw Reve and she was crying and she seemed a little panic but I know how I was and I figure oh everything will be find she will find he will be underneath some clothing.

=====

PM: How did you know who she was at that point?

MM: Just her reaction, well I know her name now because of all the publicity behind it but I assumed because she was crying and seemed so panic that must have been the little boy's mother that they were requesting to come to the desk. I knew they never requested children to come if everything is ok.

PM: So where was she located at this time?

MM: The thing I remember is just because we were at the back of the store where there was delivery pickup there and where the toys use to be at. I just remember her back in the back area, I would say the west side, the west north side of the building which is back in that corner. And she was back there.

PM: Did she appear to be with anyone?

MM: I don't remember, I just remember her just crying, crying and very upset.

PM: W\$ere there other people standing around?

MM: That I can't remember. I can't remember if anyone was there or not. I am sure someone had to be close by but I never saw that I can remember if anybody being around her at the time. It was like she was looking, she would walk, she would look here and she would look there and that is about all I can remember.

PM: Do you remember by any chance what she was wearing?

MM: No.

PM: Did anybody seem like they were trying to comfort her?

MM: I can't remember. Again the store was very busy and there was a lot of people around there, they could have been close by and I wouldn't have even noticed it.

PM: When they made this announcement, from what you are telling me did you make the conclusion that apparently there was a little boy was missing in the store?

MM: Yea. Just by looking at her.

=====

PM: And hearing the announcement?

MM: Yea. I knew she was upset and I knew it wasn't a fact that she was crying because she was sick or anything or in any pain she was just too active, she was looking for something and crying. And I know how I was when I was looking for my own son and how panic I got, so I just me and Bill just looked at each other and said everything is going to be alright. If this is her son they will find him, he will be under the clothes racks somewhere.

PM: Your son was very fairly young so I don't imagine he had any comment about this activity that was going on?

MM: No he didn't remember, he always stood beside us, he wasn't the type of a kid when he was little like that to really pay attention to anything.

PM: Would it be fair to say that your husband made the same conclusion that there was a boy missing in the store?

MM: Yea. Bill was more I think was more sensitive to those things, I don't know why but he just had a look on his face. I remember the look on his face and then I looked at him and again it was just like re-living that whole experience down in Key West with our own child. Then because we found Jason, we just assumed just like Jason use to do climb under clothes racks, kids climbing under there falling asleep, my niece did it you know we just figured everything would be fine.

PM: Did you and Bill have any conversation at that time about the announcement and seeing the woman crying?

MM: No. Other than

PM: Just that it would be alright?

MM: He will be alright, he will be fine.

PM: Who said that you or Bill?

MM: I believe I said it only because again Jason use to climb under the racks and him and my niece would get under there and we couldn't find them and of course we went a little crazy but within minutes we would see a leg sticking out or hear the giggling underneath.

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PM: And you headed to the sporting goods department right?

MM: Yea.

PM: Did you just continue on your way?

MM: Yea, we didn't think anything about it then. We paid for our merchandise and went back home and finished packing what we had to pack and it never entered our mind that anything seriously had happened over there.

PM: When you and Jason and Bill arrived at the Sears store somewhere before 5:00 did you notice any police cars?

MM: No.

PM: How was the traffic at that time?

MM: I can't remember.

PM: Light, moderate heavy? Did you have any problem parking?

MM: I don't think we had any trouble parking. No I didn't think we had any trouble parking.

PM: When you pulled into the Sears lot did Bill make any comment about the difference in the traffic as opposed to his first visit?

MM: I don't believe so.

PM: When you entered the store and particularly when you see this woman crying and the announcement, at any time while you were in the store do you recall seeing any uniformed people, being the Hollywood Police or store security?

MM: I believe I saw I believe was a black female security, she was the only one that I saw. But I didn't see a lot of activity as far as if someone had taken a child or anything. I didn't really pay much attention to the activity that was going on. Other than Reve kind of being upset very upset.

PM: When you say she was moving around, I'm trying to get a feel for that and a picture of that I mean. She was standing what section of the store was it?

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MM: I am assuming it was near the where we were at I believe the toy section and the sports section was right beside the toy section in the back part there in the northwest corner of that building. I don't know how to explain it. She was like she was looking.

PM: When you describe her she is standing and she is crying she obviously is upset, but there doesn't appear to be a crowd of people around her or three or four people? She seemed to be alone?

MM: They could have been just standing there looking at merchandise too. I didn't see anybody near her or holding on to her or saying or consoling her don't worry, we will find him, we will find him, I didn't see anything like that.

PM: So when she moved around again I am trying to get a feel for that how far would she go from like one position to from where she was standing to another? Just a few feet or was she racing up and down the aisle?

MM: Well she was going down the aisle and then she would come back. She wasn't running, she was just face pace and just looking. The only thing that caught my eye was her kind of look on her face a scared look like any mother would have.

PM: When she would go back and forth like that did she seem like she was alone then or did somebody like trail after her?

MM: I couldn't say because of the people in there, I don't I couldn't tell who was with her. If they were with her or if they were there just shopping.

PM: Do you remember if she was saying anything when she did that?

MM: No.

PM: Apparently you guys go to the sporting goods, you make a purchase and leave. When you leave do you see her when you leave?

MM: No I don't believe, I don't remember seeing her no.

PM: And same question basically when you leaving do you see any uniform people?

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MM: I don't remember seeing any uniform people.

PM: Did you notice or did it appear that there was some kind of commotion type thing going on?

MM: I don't -

PM: You know the activity in the store. You know you have been there probably many times, did anything see different that you became alarmed about or suspicious of?

MM: No, no. Only her being so upset.

PM: When you exit the store itself to go back to your vehicle do you see any police cars or anything at that time?

MM: No.

PM: It is still daylight right?

MM: Right, yea.

PM: If you can remember can you tell whereabouts when you go to the Sears store where you parked and which entrance you go in?

MM: I think we I can't be sure but I believe we parked back there which was a garden center through the back and then you would go in right where the toy section, I believe that is the entrance we went in but I don't remember where we parked at whether it was down from that door or a couple of lanes over but I think we went through where the toy section was in that back corner.

PM: Do you remember as you past through the toy section, do you remember if there were any children there?

MM: No. I couldn't tell you because there were parents there who had little children but they were real small little kids. I didn't see a group of kids standing around in fact I can't be sure.

PM: You don't remember anything unusual going on in the toy section do you?

MM: Not at that time no.

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MS: Did you ever see anyone that you now know as John Walsh, did you ever see him at the store prior to leaving?

MM: I'm not sure whether that was him. You know he looks so different, it may have been him again I didn't pay much attention when I was up there because I can't remember if I saw him or not, I can't, I only remember seeing Reve that is the only one.

PM: Do you recall anybody mention the name Walsh?

MM: No. Other than well Bill had told me, he had asked me if I remembered about saying to Jason, Oh that is Adam's dad and I couldn't remember hearing that out of Jason. Jason may have known him because he played down at the playground right across the street from Adam's house. And I believe John use to have a little baseball league or something down there and Jason knew I guess all the kids knew who he was because they would all play down at the playground down there. But I had never seen, I would see Reve and her big checker car come by my house and only the gray car what the car was never her personally sticking her head out or anything but I would see her come by my house. Again I didn't know who she was at the time.

PM: The comment by your son, you didn't hear that did you?

MM: I don't remember of hearing it.

PM: And when did Bill mention it to you?

MM: That has been -

PM: He didn't mention it that day?

MM: No, no. The first time I remember him saying something to me was when I believe we were up in the Hollywood Police Department and he asked me Marty do you remember Jason pointing John Walsh out and I don't remember.

PM: When you saw Reve running around did you happen to notice anybody that would have been about her age, a male perhaps well dressed or at least in a shirt and tie?

MM: No.

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PM: So I assume after you leave the store you go back home?

MM: Yes.

PM: And does anything else occur that evening unusual? You stayed home that evening?

MM: Well we continued to pack and we were outside most of the time. No not at all.

PM: When did you first become aware that Adam Walsh had been reported missing?

MM: When we got back from camping. I believe I read it in the paper or heard it on the news or maybe even Jason some of Jason's friends because I believe we were gone for a couple of days and we got back I believe someone came over and said something to Jason but I remember hearing it on the news that he was missing and at first I didn't know who he was. And the name didn't ring a bell.

PM: The Walsh thing?

MM: Yea.

PM: Going back to the night you visit Sears, after you go to Sears you go back home and finish packing so I take it you don't watch any television or listen to the radio on that evening?

MM: No I usually just read newspapers.

PM: How about the rest of the family, do they watch the news or -

MM: I don't believe anybody really I don't believe we even had the T.V. on that night because we were piling our truck putting the stuff in our truck getting everything ready that Bill and Jason were taking with their Honda's the ATC's, making sure they had gas and everything, sleeping bags, just what you would need to go on you know making sure I had everything and then starting to put it in the truck so we could leave very early the next morning.

PM: Did you leave very early the next morning?

MM: Yea I believe we did.

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PM: And you went to the Ocala National Forest did you say?

MM: Yea up to the National Forest.

PM: So that would have been Tuesday July 28th?

MM: Yea.

PM: Was it just you and your husband and son?

MM: Yea. I believe that was all that was with us in our truck. We had camping trips before with friends of ours but I couldn't tell you whether they were with us at that time. They see I can't remember if there was anybody -

PM: When you go to Ocala National Forest, you will have to help me with this because I am not a camper, what do you guys do, just stay in a tent or a cabin or inside a trailer?

MM: No we are in a tent and sleeping bags and I don't even think we had a radio with us that time.

PM: And you certainly don't get the newspaper delivered?

MM: No not there.

PM: When do you come from Ocala?

MM: I think we were only up there a couple three or four days and I believe we came back.

PM: Do you remember what day of the week it was when you came back?

MM: No.

PM: So you come back three or four days later?

MM: Yea I think it was three or four days.

PM: Does there come a time when you come back to Hollywood that you learn about the Walsh disappearance?

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MM: Yea. Like I said I'm not sure but I believe some of Jason's friends first come running over. I don't think we were even out of the truck when the kids come over some of Jason's friends came over and said oh did you hear Adam's missing. Again I didn't know who Adam was. But Jason apparently did. And then I read it in the newspaper.

PM: When did you learn that he was missing from the Sears store?

MM: I couldn't tell you. It would have had to been from the newspaper.

PM: In relation to your turning back from the camping trip can you think about how long it was before you found out about the fact that this young boy was missing from Sears? And my next question is did you associate it with the date you visited Sears?

MM: I know I believe my brother came up and took my newspapers because we had the newspapers delivered and they were in the back. It had I probably read it when we got back in one of the papers. And I never put to and to together that this was the little boy that was up at Sears that time.

PM: Did there ever come a time and if so when, that you became aware that Adam was missing from the Sears store on the same day that your family visited the Sears store?

MM: I believe Bill had mentioned to me that oh I was up there that day when that happened I think that was the day after we came back or maybe two days I believe he had said something, Oh that little boy that was when we went up to get I went up to get the lantern bags and we picked up the badminton set. That little boy was grabbed from there.

PM: So correct me if I get this wrong, you return from your trip and you learned from the neighborhood children that a boy named Adam is missing?

MM: Yea, right.

PM: You learned from the newspapers that he is missing from Sears?

MM: Yes.

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PM: And it is from your husband that the connection is made that the boy Adam is the boy missing from Sears on the day you people visited?

MM: Yea.

PM: He makes this connection on the day of your return from the camping trip or?

MM: I would say the day after. He just nonchalantly said we were up there that day. And I said Oh, again I it has been so long.

PM: This is probably we are talking very very early part of August right?

MM: Yea.

PM: You went away on July 28th, you were gone three or four days that puts you around the 1st part of August correct?

MM: I would say so yea.

PM: And Adam has been missing for several days. Do you recall if there is now a lot of media attention or public information being put out that you yourself were able to learn about, posters or anything?

MM: The next thing I remember hearing was they were talking about a young boy who had said he had seen someone take grab a little boy and pull him in a van, the van that is when the news media about the van that they saw. They put out a description of the van and I think a day later they added a step ladder to the back of the van making it clearer as to the description of this vehicle.

PM: Do do sort of continue to follow this story?

MM: I cut every piece of newspaper out on it.

PM: You did?

MM: Yea.

PM: Why did you do that?

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MM: I don't know, I don't know. I guess maybe once I found out it was a neighborhood boy. That was about it. It just because it was a neighborhood boy.

PM: Have you ever done that before with anything that became public like that?

MM: No.

PM: Have you kept those things?

MM: Yea from the time, from the anniversary I guess it was in 1991 when the 10 year anniversary they had I think it was in the Herald again I cut it out. The head detective who said that they did their most complete investigation in proving a man innocent and that for some reason that is when I started pulling all these things out and Bill has all the papers I cut out and there is a few at home I guess. But those are lately that happened after February this past February.

PM: But early on you took an interest in this case right?

MM: Yea.

PM: Which most people did right?

MM: Again I think it just happened because of my own son and him that child being so young.

PM: As I recall there was a lot of media attention given to the child being missing and then eventually of course there finding his remains and then later of course the rest or the implication of an individual in the abduction, so this thing got a lot of media attention.

MM: I would say the first three weeks you couldn't turn the T.V. on without something coming up.

PM: Ok and information came out about where the child was missing from, when he was missing, his age, his parents, photographs on the child, etc., etc. right?

MM: Yea.

PM: When did your husband tell you if he ever did about this incident that he says he observed?

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MM: I can't remember. I don't I think it was when the first time Ottis was brought in, when a picture of Ottis I think was put out and all of a sudden Bill said God you know I have seen this person and again he I don't know when it all came when he put it all together. But I believe the first time they showed a picture of Ottis Toole was when he came out and said something to me about it.

PM: And what do you recall him saying?

MM: Only that God that man looks familiar. I have seen that man.

PM: Were you watching the same thing the same picture, was this on T.V.?

MM: This was on the news.

PM: So you were watching it? He is watching it?

MM: Yea.

PM: And he says "God I have seen that person somewhere before".

MM: Yea somewhere before.

PM: And that is pretty much it, he doesn't say where he saw him in connection with -

MM: I don't think he can even connect it at that time. I think it took more, I think it was if I remember correctly Ottis said he did it and then he didn't do it, then he did it and then he didn't do it you know it was like a ball game up there. And then Bill kind of kept quiet for awhile. He really didn't mention anything.

PM: Let me say at this first sighting this individual, you don't recall when that happened what year do you?

MM: No I don't.

PM: But it was the same time that apparently the media gets attention that this individual is claiming he had something to do with the Walsh killing?

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MM: Yea.

PM: You are watching the news and this comes on and I assume in their narration of the story is that he is being connected to the Adam Walsh disappearance and murder correct?

MM: Yes.

PM: And the comment made about Ottis Toole at that time is something to the effect what is it?

MM: I have seen this man somewhere.

PM: No when he says that, in what sort of tone this best that you can describe?

MM: He wasn't excited or anything, he just normal talk.

PM: Did you ask him anything about his comment, like where did you see him?

MM: I couldn't tell you. I don't remember. Knowing me I probably said what are you talking about and he said the face Marty looks familiar. And I said Bill you know you are an exterminator you see a lot of people out there, you are on the road you see a lot of people you could have seen this man anywhere. And he said he just looks familiar, it is his face.

PM: This person didn't look familiar to you right?

MM: Not at all no.

PM: Do you recall what the news showed of this individual?

MM: No I don't.

PM: You know some time they will just show a face, sometimes he could be walking around.

MM: I don't know if it is a I don't know I couldn't tell you. I can't remember. It could have been a still photo of him, it could have been a video of him, I don't think a video no. I think it was a still photo of him.

PM: Do you recall if there were details being given out on that news broadcast as to what his connection was with Adam Walsh?

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MM: I couldn't remember. I don't know what they were saying.

PM: Do you remember if the T.V. station was showing anything else besides his picture? You know another location or a picture of the boy.

MM: They may have shown a picture of Adam just that one picture that they had on all the posters.

PM: The one with the ball cap?

MM: Yea I think that was it.

PM: So this comment is made basically just to gee he looks familiar which many people say about all kinds of people. And so there is no big significance to this event?

MM: Not for me anyway. Again my husband's funny about things. He will sit back and he keeps a lot inside. He is not one to oh yea I seen this guy here I saw this guy there. He just at that moment says I've seen this guy somewhere.

PM: After that news cast, before I finish with that, just for the record at that time when he says he looks familiar he never says that evening that he connected that individual to Sears or Adam Walsh?

MM: No.

PM: After that incident, when is the next time there is any connection between Bill's visit to Sears and yours with the Adam Walsh case? When is it that somebody brings that up either Bill or the police?

MM: I don't know.

PM: Was it the next day?

MM: I don't think so. Again I'm not really sure.

PM: When this photograph of Toole is on television do you remember if not that particular day but soon thereafter did you gain knowledge from the media or any source that apparently the police were looking very closely at this individual as being responsible for the Walsh kidnapping?

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MM: I'm sorry I can't remember.

PM: You didn't?

MM: No I didn't.

PM: There eventually came a time when you did I assumed?

MM: Well eventually Bill sat down and he told me what he had seen that day when he went up to Sears the first time.

PM: I'm trying to establish if you had any independent knowledge after that first viewing of what is happening with this Toole individual.

MM: No I just assumed because he looked like a Wacko he was a Wacko and he looked awful strange and I guess I shouldn't judge people on their appearance but this guy there was something about this guy that looked very strange.

PM: So after that first viewing on the news cast and comment of he looks familiar, do you have a recollection of when the next time you have some sort of incident involving the Walsh investigation? Either Bill sitting down talking to you or the police talking to you or Bill whatever, you follow what I am saying? What is the next thing that happens?

MM: The only other thing I can remember is when Bill sat me down and he told me what he saw that day, what he saw whether it was in relevance to what was going on at the police department I don't know he just explained to me how exactly what happened that day, what he saw, how the little boy stood there, he didn't cry.

PM: When did that happen? When did he have this conversation with you?

MM: It was I'm just not sure.

PM: Well in relation to the time that Toole hits the news media, can you give me an idea of weeks, months or years after that that Bill sits down and gives you this narration?

MM: I would say, Ottis when they first when he first admitted to it and then he denied it and then he came up again and admitted to it I think that is when Bill sat down and told me. The second time he admitted to doing it I believe that is when Bill sat down and said Marty I've seen him, this is the man that took that child.

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And I said well the police say and that is when the whole Mr. Martin and all them and they would claim well we got our man, he is the one, 100 percent sure this guy did it and Bill sat back and said well I saw him. He is the man, he is the man I saw with that little boy and I said well don't you think you better go talk to somebody about this. And at first he was a little hesitant due to the fact Mr. Martin 100 percent sure this man did it and everything else and Bill said well he had things at the time when he was younger he spent some time in jail and my son didn't know anything about it so Bill figured they have this man they say they have this man they know he did it he is going to be arrested for it, there are people there that are claiming that know he did it. Why should I have to go and expose my past even though it was twenty some years ago that this incident happened with Bill, why should I open myself up to that. And then he didn't say anything.

PM: How did you feel about that?

MM: I back my husband 100 percent on anything he does. That is why we probably have been together for so long. We back each other and I felt he knew what was best and I wasn't going to force him to do something that he wasn't prepared to do or didn't want to do. We had to take into consideration our son at that time. He was very young. We didn't know if he would understand the situation if Bill had gotten him when he was younger so we just preferred that they got this man, this man is going to hang for this, they don't need him.

PM: As best as you can remember, tell me what your husband related to you as to what he saw?

MM: When he pulled into Sears he came in on the west side of the mall. There is only one way we go to Sears, there is only one section we go in because the opening is right there. He said I pulled up there Marty and traffic it looked like the whole parking lot was full. It looked like a huge parking lot, there was car after car after car. There was a lady in the front of him in a car and she was stopped only due to the fact that cars in front of her were stopped. And he says the guy behind him I believe blew his horn and I just for some reason happened to look up and he saw this grungy looking guy. Now there was a woman and I believe he said that she had a couple of kids there and the little boy was just standing there. And then he said Marty when I looked over and he watched in the rear view mirror he said he took the little boy by the arm and brought him around I believe it was the front of the car and had the little boy get in. I said well was the little boy

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crying or doing anything. He said no. He just stood there. And he said then the guy behind him I believe was going to get his camera out and turn around and take a picture. He may have done that. Taken a picture and then just put the camera back in.

PM: This is who?

MM: Bill. He was in the truck. He was still in his truck. He was waiting for the traffic to move so he can move forward.

PM: Ok I was asking you about the camera. You said he kept a camera -

MM: Yea he always kept his camera in his glove compartment and I believe he said something, I think I took a picture of this car and he was looking in the rear view mirror watching this guy and it was like this guy was watching him. And he said I was ready to get out of the truck and go see what this guy was because the little boy and the man, the little boy I guess was dressed neat and clean and here was this grungy man. And again that was when he described the man to me and he said Marty there was just something definitely wrong here but the little boy didn't make any motion, didn't make any movements as to like I don't belong to this guy and he said sometime grandpas are out in their yard they are working in their yards they are dirty and grungy but the grandchild comes over they go to the store together he said that was the only thing that kept him from jumping out and that the little boy wasn't crying or pulling from him or anything.

PM: So you didn't take a picture?

MM: No.

PM: And did he describe the individual to you?

MM: Yea. He told me he was filthy dirty. His hair he called his hair red and I said red hair and he goes yea you know you get out in the sunlight and the sun hits it and maybe it has a contrast of red in it. And his shirt was soiled and had perspiration marks on it like the men have not had the shirt off in a very long time or maybe he was working in a yard and was just filthy from working out in the yard. He mentioned to me about his eyes and how it turns. The one would stay straight and the other turns because he looked directly at the man and he said it was weird how his like his one eye was following me and the other eye was just there. He

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said it just didn't look right. The man and the little boy but then there was another woman who was standing very close to them with her children so he just assumed maybe it was grandpa takes grandson up to Sears, went up there to get something for the lawn, he just said he looks very dirty and the color of his hair and his eyes.

PM: Did he describe to you the scene anything happen with grandfather and the boy?

MM: He just said he saw him take him by the arm and guide him it was like guiding him around the front of the car and he said the little boy wasn't pulling away, wasn't crying, he didn't give Bill the indication that I don't belong with this man you know something is wrong here help me.

PM: Where did they tell you they were standing when he sees them?

MM: Outside right there I can't remember if the garden department was there, it use use to be, it wound up there but right outside again it is the northwest corner, there are two doors, there is a door here and here is Park Road and then there is a door over here. Bill said it was on this door right here which would be the northwest door. Maybe the northwest exit and entry door. Then they had another door on the north side of the building.

PM: And does he tell you where these two people go?

MM: No. Only that they took, all he saw was the man take the little boy by the arm and guide him around the front of the car. And then by that time the guy behind him is blowing his horn, the woman up front has moved and he is just moving further forward.

PM: Did Bill describe this car to you at that time?

MM: No.

PM: Did he ever describe it to you?

MM: Not that I can remember.

PM: Did he ever say he had seen that car either before or after that incident?

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MM: No.

PM: I think you said when he pulled in, the traffic is kind of backed up?

MM: Yea everything is backed up. Whether they were having a sale that day I don't know. He said people were lined he said the whole parking lot looked like it was filled. It was all parking lot. But there were no lanes to go to drive through.

PM: Did he give you any indication as to how long he had observed the boy and the van?

MM: He didn't give me a time as in minutes or anything no. He stood there, he was there as long as the woman up front was stopped because someone was in front of her and like I said it was like on and on and on people until they moved he had to sit there and when he looked over is when he saw Ottis and that is when he was telling me about the weird eye he had and how filthy he looked.

PM: And this conversation comes to you sometime after the chief's news conference?

MM: This conversation came when Ottis said yea I did it. He admits to it the first time and then he denies it and then I believe he admits to it again and then denies it. And that is when Bill sees him on T.V. I believe that is when he saw him on T.V. and says that is the guy Marty. That is the guy.

PM: So it was sometime after the abduction of Adam that you get this story from Bill and it is sometime after he sees Ottis on T.V. for the first time?

MM: I believe so yes.

PM: But you can't put a date or month even to it?

MM: I really wish I could but I can't.

PM: Now prior to him seeing them and telling you these things, there as we said before there was a lot a media attention to the abduction and Adam's picture was all over the place and I would assume that you saw it and I presume your husband saw it?

MM: Yes.

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PM: Now this was before Ottis Toole's photograph appears on the news so I am wondering can you tell me how it is that he doesn't recognize Adam?

MM: I have no idea. Unless it was just the way the hat was on his head because Bill said the little boy had like an oversized hat on that was pulled kind of down.

PM: Did he say what kind of a hat?

MM: I guess a baseball hat that is what they are all known as. But he kept saying it was such a big hat on him. It wasn't a child's hat it was a big hat that a grown up would wear or maybe like the plastic piece in the back wasn't pulled tight enough. He said it kind of fell forward on his head.

PM: But he never he had seen photographs of Adam Walsh right?

MM: Yea by that time everybody had seen photographs.

PM: And he never made the connection that this is the same boy he saw with this older man?

MM: Not that I know of. No not to be anyway. He didn't say anything to me about it.

PM: Has he ever said to you that the boy he saw with this older man was in fact Adam Walsh?

MM: Oh yea.

PM: When does he tell you this?

MM: I would say when they arrested Ottis, I will call it like the first time or second time when he admitted doing it. I believe when they showed Ottis on T.V. when he first saw the picture of Ottis is when he kind of said to me, boy that guy looks familiar and then he says Marty that is the man that had that little boy. I said little boy because he just said these are the two that I saw up at Sears.

PM: Now this is we are going back now to the first time he sees Ottis and his picture?

MM: Yea.

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PM: Which at that time only says he looks familiar?

MM: Yea. And then when he admits to it the second time when Ottis said OK yea I did it, and that is when Bill says that is the guy that took him. I would say the second time that Ottis admitted to doing it is when Bill said to me he is the one that I saw up there.

PM: Ottis?

MM: Yea.

PM: But when is the first time he tells you with certainty that the boy he saw was Adam Walsh?

MM: I can't remember that.

PM: Is it possible that he never told you that?

MM: No he has told me I just don't know when. I don't know when he told me that.

PM: Has he described the boy to you that he saw. The boy he saw as he described him to you?

MM: When?

PM: Has he ever described the boy he saw. You described a big hat, did he tell you anything more about the description of the boy?

MM: I believe he said something about his clothing, other than shorts, shirt but I believe he was so I think he was more talkative about that hat, the hat is something he remembers very vividly because it was sitting crooked on the little boy's head but it was big and you could tell it was big. But I couldn't give you a month, a day.

PM: Either you don't remember a specific description of the boy, right he didn't give you an item by item? He didn't give you colors?

MM: No. He may have given me colors but I don't remember.

PM: Do you have a recollection of Bill ever telling you the boy I saw was Adam Walsh?

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MM: I believe he did. But I don't know when. I don't believe it was not before Ottis came forward it was never before. It was always afterwards. I learned most of it after Ottis was brought in.

PM: Trust me there is a reason for all these questions. And it doesn't go it goes to the accuracy of what Bill is related to us. Adam gets abducted ^{on} the day ~~the~~ guys are planning your trip, and then you go away and come back but there is still a lot of attention like I said earlier and the pictures of Adam are all over the place and Bill sees these pictures but he doesn't make a connection that that is the boy that he saw?

MM: I don't know. Like I said -

PM: But if he had this would have been before Ottis had come to ~~light~~ if he had he sees a picture of Adam Walsh being a victim of a kidnapping, missing from Hollywood Mall, you know your husband a lot better than I do, would he be the type of man that would have said my god that is the boy I saw I better tell the police. Would that have been his reaction?

MM: I would think so yea. Again I am not -

PM: But that didn't happen?

MM: I don't think so no.

PM: We are talking before Ottis Toole comes to ~~light~~ ^{light} ~~life~~?

MM: I don't believe he said anything really to anyone before because it didn't seem out of the ordinary. What he saw -

PM: What I am getting at I don't want to get off track, is from the time Adam is missing and prior to Ottis Toole anybody even hearing about him, there is a great deal of media attention as well as I think private posters and so forth displaying Adam's photograph and what I am asking you is during that period of time Bill had to have seen a photograph and so what I am wondering is can you tell me why at that point he didn't come even just you and say this is the boy I saw with that man at Sears?

MM: He never mentioned to me that I can remember to me about it. Because he never -

PM: If he never mentioned -

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MM: I don't know why.

PM: So the next thing that happens sort of is that Ottis Toole's picture comes on and then there is a couple more news stories and then finally he sits down and says let me tell you what happened when I went to Sears that day, do I have that correct?

MM: Yea. I believe that is what happened.— I could be mistaken too you know again I can only tell you what I can remember and it is a very long time ago.

PM: When he sits down and tells you these things and you have explained why he had decided not to go to the police and that is why during his narration of that he tells you that Toole is the man he saw?

MM: When he saw Toole is when he said to me, and I am almost certain on this, that is the man I saw up at Sears.

PM: That is not what ~~he~~ tells you the very first time he sees Toole, this is what he tells you when you are sitting down correct, do I have it right?

MM: This is what he tells me the second admission of Ottis. I did it. And Bill is looking at it and I am pretty sure again I don't want to me inaccurate.

PM: I don't want to confuse you, the first time he sees Toole he says that individual looks familiar, the first time?

MM: Yea.

PM: And that is the end of it?

MM: I believe that was the end of it.

PM: But then you see him again and he says that is the man I saw?

MM: I believe so.

PM: But this time we are all aware that Toole has confessed to abducting Adam Walsh correct?

MM: Yea.

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PM: When does he tell you that Adam Walsh is the boy he saw?

MM: I don't

PM: When does Bill acknowledge if he ever does that that is the boy Adam Walsh is the boy he saw? And if that didn't happen then don't say it did. I'm not trying to force you to say something.

MM: I can't remember. He may have said that was Adam. But I don't remember.

PM: Now after you have this conversation and he describes what he says he saw that day, by the way did he ever tell you he actually sees the boy get in or get put in a vehicle?

MM: No. It is a fact that he sees Ottis guiding the boy around the front of the car. And by that time the guy behind him is blowing the horn and he is about ready to get out and his words are I'm ready to get out and punch this guy in the face and go over there but I had no reason to really pay attention to the man and the little boy because the little boy is not giving me any signs that something is wrong here. This man is taking me without wanting me to go and he says traffic started to move and the man tooted his horn again and he was moving looking for a spot to park.

PM: Who was?

MM: Bill. Moving the truck through the parking lot trying to find a spot to park. By the time I believe he gets out of the truck everything you know Ottis is gone.

PM: So he doesn't see the boy get into the car or get put into the car?

MM: Not that I know of.

PM: If there had been a struggle at that point he didn't see it?

MM: No. Had there been a struggle - If the boy had even been crying Bill would -

PM: Don't mistake me now, what I am asking you is he describes to you that he sees this and pays attention to it because something doesn't apparently seem quite right. But then somebody honks at him and he moves and when he goes back to that scene that scene is no longer there?

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MM: Right it is gone.

PM: And you remember him telling you that?

MM: Yep. Ottis the man the strange man and the boy and the vehicle. He never told me what kind of vehicle it was.

PM: So we made an assumption that they got into that car?

MM: Yea. He is assuming that they got into the car because nobody's there anymore. I believe he did tell me that the woman and her two children were with her whether they were her grandchildren or her children were there. But the strange person and the little boy is gone.

PM: Now he relates that to you sometime around the time that the Chief of Hollywood announces this Toole fellow is the guy. And he is satisfied that there is really no reason for him to go forward to the police because they seem to have a substantial case correct?

MM: They say they had a substantial case.

PM: But that is his reason for not going forward?

MM: Yes, yes.

PM: When is the next time after that that anything happens that effects you and Bill in regard to Adam Walsh?

MM: At the anniversary of I believe it would have been the 10 year anniversary of the abduction.

PM: 1991?

MM: Yea. And they had a piece in the paper. They have a man a big photo I guess he was the head detective at the time and I am in the house just going through my newspapers and Bill is up on the roof, he was putting some shingles on our roof and I saw this and I kind of go out there because it kind of caught my eye that according to this news article this is Hollywood's most explicit investigation to prove someone who is innocent. And I caught that and I thought wait a minute here, Bill saw this man, this man isn't innocent. So I go outside or he may have even come in the house and I said Bill here is an article in reference to Adam Walsh and

=====
I said Ottis Toole has never, he was never convicted of that crime and he said I don't want to read about it Marty. I said I think you better read this article, and he said no I don't have time, I got to get this work done I don't have time for it. Now whether he said that because he just wanted to forget about it or whether he was really busy wanting to get the work done. So then again he comes in for lunch and I have the newspaper here and I have his lunch here and he knew he wasn't going to let him go on this and that is when he read it and we looked at each other and I said **Bill we have to do something. We can't let this man get away and he said I know.** And I believe it was that night or the following night that we went to a pay phone and called Hollywood Police Department in reference to this Adam Walsh case. And I believe at that time Jack Hoffman was on vacation so we waited I believe for another week and Bill called him back. And that is when Bill went up there and Bill was up there several times and then I went up there I was up there once. And that was that.

PM: You were up there at their invitation?

MM: Yep.

PM: But you don't recall giving a statement?

MM: No. No I did not.

PM: How long were you there roughly that somebody was actually talking to you?

MM: I would say maybe I talked to Jack Hoffman for about 35 minutes maybe 40 minutes. Because I didn't want my family to put through that they didn't have to be put through. But I didn't want this man and either did Bill after what he had told me through the time and I didn't want this man to be like free or even not convicted because he is the one that did it. And I believe Bill when he told me that he saw him there. I had no reason not to.

PM: Now did Det. Hoffman show you any photographs of Ottis Toole? Or did he show you any photographs at all?

MM: He didn't show me any photographs of anything.

PM: Do you know either by being present or by Bill telling you if Det. Hoffman showed your husband any photographs?

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MM: Not to my knowledge no not that I know of.

PM: You said Bill had to go back several times?

MM: Yea he went back several times. There were times of polygraph test.

PM: He took a polygraph?

MM: He took I believe two, two maybe three polygraph tests.

PM: Do you know the outcome of the polygraphs?

MM: No I don't.

PM: And he never told you, Bill?

MM: No not that I can remember.

PM: He took one for Det. Hoffman?

MM: Yea.

PM: And the other two?

MM: He took well Hoffman Jack Hoffman was on this with Bill four years ago and he is the one that got the polygraph test and then he also is the one who got Bill to go to a hypnotist. I believe the first time whether it worked or not I have no idea, the second time I guess he went under hypnosis.

PM: When did these other two polygraphs take place?

MM: Before the hypnosis.

PM: So he had three polygraphs before he did hypnosis?

MM: Two or three polygraphs.

PM: This is what Bill tells you?

MM: That is what he told me.

PM: You weren't present?

=====

MM: No I wasn't.

PM: And do you know where they took place?

MM: No I don't. I know the hypnosis session was not done at Hollywood Police Department. I know Bill said they went somewhere in Fort Lauderdale.

PM: And then after the hypnosis, polygraphs does anything happen after that?

MM: Like what?

PM: Anymore connection with the Hollywood Police, does he ask when the man is going to be charged or if he is going to be charged?

MM: Oh Bill asked so many questions, I mean there were things he had asked them if he, because Mr. Hoffman had told him well I am going up to see Ottis Toole and Bill said fine and I don't know what police procedures are whether they are allowed to tell you what is going on or not. Apparently Hoffman did not really say too much to Bill other than you saw his twin brother you didn't see him.

PM: When did Hoffman tell him that?

MM: It was towards the end of our association with Mr. Hoffman. I am not sure whether Bill may have written down the date of that or not. But I know Bill was very upset over it very angry. He went as far as to call John Walsh's hot line. I believe we called the FBI in Dade County or Broward County I don't know which one we had to go to. It was the fact that because Jack Hoffman and we know he wasn't being honest with us because Bill had caught him in several discrepancies especially after we talked to the FBI. And Bill got very angry and he was upset because of the lying and that is when we called John Walsh's hot line. We called the FBI and they Bill told them look Hollywood Police is blowing smoke up my ass and yours. Now I have things to say and you know who do I talk to? Because Mr. Hoffman had kept telling Bill he was working with the FBI, he was working with an agent.

PM: Who was?

MM: My husband. He told Bill he was working with an agent from the FBI.

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PM: You mean Hoffman says he is working with an agent with the FBI?

MM: Yea.

PM: But that was not true?

MM: Not to my knowledge because the FBI had told he kept referring it either one was referring to a him and when we called the FBI they referred the agent as a woman a female and Jack Hoffman kept saying that he was dealing with a male agent a man. He kept calling him distinguishing a male from a female.

PM: Do you know who Bill spoke with at the FBI or who you spoke to?

MM: No. Bill may know the name of the person I believe he talked to a female on the phone. He may have got -

PM: But they acknowledged that they were involved in the investigation and working with the Hollywood Police?

MM: No, no. They didn't say anything. So then of course Bill said well I don't think they are going to come out and tell me what's exactly going on. I just want to know -

PM: What happened with the Adam Walsh call to the John Walsh hot line?

MM: Nothing. We never got called back.

PM: Who called Bill or you?

MM: I believe I may have dialed but Bill spoke.

PM: Do you know was it made anonymously or did you have to give your name?

MM: No I think Bill gave his first name.

PM: Not like you didn't say here is my name, here is my number call me back?

MM: No I think he did. I think he gave his full name because we figured they would call us back that day.

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PM: Did he give his number?

MM: Yea. His phone number.

PM: You remember that?

MM: I am almost positive on that yea.

PM: So assuming they followed through on it it should be at least a record of that call?

MM: I would think so yes.

PM: Now that would have happened after 1991 right?

MM: Yes.

PM: In the same year perhaps? Because apparently -

MM: I don't know how long Jack Hoffman worked with Bill. I don't know how long the investigation was going on or how long he was involved, I don't know when Mr. Hoffman left Hollywood Police Department.

PM: Do you know about how long it was the call for John Walsh or Adam Walsh hot line was after the announcement that Toole wasn't charged?

MM: Well it was in 1991. It had to be in 1991 or maybe even early 1992. I don't know how long Bill from the time he started with Hollywood Police Department with Jack Hoffman to the time Bill was sitting out in the back yard when Mr. Hoffman called and told Bill that yes I have been in contact. He told Bill he had been in contact with the Walsh family. He told Bill that he had gone up to the prison and talked to Ottis and that he believed Ottis and I think that was really what set Bill off was the fact that you saw Ottis' twin brother. You didn't see him. It think that upset Bill and I think that is what got Bill to call the FBI. I think he did he tell me he wrote no he didn't write a letter. No he called them.

MS: Are you certain he did or didn't write a letter?

MM: I'm not sure. I wish I was but I am not sure. I know the phone call because I was there that day when he made the call.

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PM: No that happens in 1991 and maybe gone into 1992?

MM: Yea it just depends how long Bill and Mr. Hoffman were associated working on this.

PM: And then apparently the police leave it with you people this is it, I mean he isn't going to be charged, not enough to go forward or whatever, and do things kind of settle down?

MM: Oh yea things settled down. He Bill's main concern was that the Walsh family knew that there was someone out there that had seen this man and their child. And Mr. Hoffman said yea I have been in contact with the family. Then Bill says, you have talked, he kept saying you have personally talked to the Walsh's and I believe Jack Hoffman said yes. But they don't want to proceed with this because they don't want to go through the pain of a trial and everything else. The Walsh's especially Reve Walsh did not want to go through the pain of having to open all this up again through a trial. And then he said to me it seemed kind of strange I mean really this is a murder trial. I don't know whether the parents can stop it from going through with it or not and then he came back and told us that the State Attorney's Office didn't have the money to go forward with this. Again which I thought was very strange. But then I don't know the law, I don't know what goes on up here.

PM: Now these statements that Hoffman is making, are you present and hear him make these or he makes them to Bill and he tells you?

MM: No to Bill and Bill tells me.

PM: You never do anything independently of Bill do you to pursue the case. You don't call the police or anything right?

MM: No. We are assuming -

PM: You said you dialed the number for the hot line ok but fine but you didn't take up a banner and go running anywhere?

MM: No.

PM: I am not criticizing you I'm just making sure you didn't.

MM: It wasn't until it when Mr. Hoffman said gave the remark to Bill in reference to you saw Ottis' twin brother. And that kind of angered me because he, I assumed I looked at it well here is a

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man that is going to jail who is talking to a convicted criminal
and he believes him and not my husband. I almost headed to Lantana
and the National Enquirer. I was so angry.

PM: That is loyalty.

MM: I was really angry.

PM: Now after that flurry of activity with Det. Hoffman, I
take it things sort of settled down for a while and then apparently
something else happens that brings this thing back out again?

MM: There may have been I think Mr. Smith's arrival at our
door. And that was in '94. September 18, 1994 on Friday because
I was up north and is when you came there and spoke to one of my
servicemen Daniel and Bill said that is when it all started up
again. I also have to say that after Bill was hypnotized the first
time or second time he kept telling me that things he was getting
flashes that the hypnosis guy said this is this will happen. You
will be sitting there and something is going to come into your
head. Don't be alarmed by it because this is all natural.

PM: It is.

MM: That is when a lot you know the license plate number. I
can't remember whether I don't remember Bill of ever saying
anything to me about the color of Adam's clothes. I mean this was
yellow this was orange. But he kept mentioning about the red hat,
the red hat is standing out in his mind.

PM: After Det. Smith enters the scene, are you aware of what
occurred with Bill as far as the investigation goes after that?

MM: Yea kind of yea as far as what he is allowed to tell me.

PM: Who Bill?

MM: Bill yea.

PM: What has he told you?

MM: Only that you know that he reopened the investigation,
that he just that reopened the investigation. He trusts Mark.

PM: What about Bill's part in the investigation? Has he
related what his part has been since Det. Smith entered the
investigation?

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MM: No not really no. I kind of want to keep, I, after Friday when they opened up the files on this in the courtroom I was never so scared in my whole life. I wanted to actually pack up and move and get out.

PM: Why was that cause you knew your name was in there?

MM: Not only the name but what happened. These people came to our house. One lady banged so hard -

PM: You mean the media?

MM: Yea. One lady banged so hard on my window I thought she was going to come through it. She went to every window on the front of my house. And I kept saying to Bill I think I will go north for a while you deal with this and he said oh no your not. Your staying here.

PM: Bill sits down way back in we didn't mention the year but it is when Ottis Toole finally appears on T.V. sometime after that he sits down and says "well let me tell you what I saw the day I went to Sears" and he gives you this narration right?

MM: Yea.

PM: That is the first full blown narration that you received from Bill correct?

MM: That I can remember.

PM: After that is there ever a time when he sits down and goes into great detail about it again?

MM: He may have. I am not sure.

PM: Well you mentioned something about a license tag number?

MM: That was after well with Jack Hoffman when they went for the hypnosis he said he remembered certain numbers on that and a I think it was the county he could remember partial of the county and numbers on it.

PM: So he came back and relayed that to you? This wasn't a big sit down thing, let me tell you what happened kind of thing?

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MM: No. He just you know when he came in and I said well how did everything go, and he said pretty good. The hypnosis guy said that I would start remembering things, I would be getting flashes about things and I am not sure whether he told me that day that he remembered the tag number and the county number or whether it was after he left the hypnosis a couple days later.

PM: So you related pretty much everything you remember him telling you?

MM: Yea.

PM: Up to today?

MM: Yea exactly.

PM: Again I only met Bill just today and I am aware of the information he has given in various interviews. In the years that you have been married and did you know him before I mean a long time or was it?

MM: About a year.

PM: So it is like 23 years?

MM: 23 years, married 22.

PM: Besides this Adam Walsh thing what would you say the most dramatic thing that happened to Bill?

MM: Losing our little boy down in Key West.

PM: What happened there?

MM: He just got we went down there with friends and Jason must have been 3 years old maybe going on 3 and we were there were rooms that were connected and Jason had walked into our friends room who had a little baby there and we assumed he was in there. And what happened they fell asleep, I fell asleep and Jason got out the door and instead of staying in the same building he some how got across, there was a crosswalk and got into the other building. And I think when I got up and walked in there and I didn't see him there god we were right on the water and he loved the water and I thought oh my god and he was only gone for maybe 5 minutes but it seemed like hours.

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PM: And that had an impact on yourself and Bill?
MM: Oh my god yea.
PM: Did anything ever happen to Bill that you weren't apart of that was somewhat dramatic?
MM: It could have been his upbringing.
PM: Meaning?
MM: His father was an alcoholic, his mother was an alcoholic and my understanding that there was some physical abuse from his father. He disassociated with himself with his father I believe it was at the age of 18 or 19.
PM: How old is Bill now?
MM: 48 I think. He will be his birthday is in November.
PM: So he was like 32 or 33 when this happened?
MM: Yea.
PM: Was Bill drinking then?
MM: No. Bill hasn't -
PM: Doing drugs?
MM: No. Not that I can remember not at that time. He is a recovering alcoholic.
PM: How would you describe his ability to recall things that have happened in the past?
MM: Amazing. He can remember things, his details of things, his perceiveness on things. He is very good at that.
PM: What other things has he related to you in great detail other than this that you can recall?
MM: I don't know what you mean by that.

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PM: Has he ever seen an accident or did he ever see some traumatic event take place that he came home and related to you in his great detail as he related this?

MM: No nothing -

PM: I am asking you this to get an idea of his ability to recall things.

MM: Not that I can remember. I know about his childhood only because he has told me some and his grandmother always verified. He told me things that most people don't tell somebody when they first meet them but I knew everything about Bill before we were even married.

PM: You know we all have our faults and some of us are better at some things than others, his ability to recall, his ability to describe later in detail certain things because we are talking about testimony hear which is varies and I am trying to get an idea of him in the past. There might have been that there was something that he was able to relate to you that was in great detail that you would say oh boy wow you can remember -

MM: When it came to vehicles, cars because he loves restoring cars, he could tell things that I would say this person about scratches on it, how it got hit, probably what angle it got hit on to get that type of dent in it. Nothing traumatic is - I don't believe he ever witnessed an accident that I know of.

PM: I was just trying to get a feel.

MM: But when it comes to vehicles because he is such an automobile freaky kind of person restoring them, he is so precise in how even a fender. I mean we went to a Corvette thing and he pointed out things that layman couldn't tell but you bring in a body man or an engine man in and they would be odd -

PM: I am just concerned that there might be some reason he couldn't remember certain things. But that is good. Do you remember anything else about the Adam Walsh case that I haven't asked you about that you think I should know?

MM: No.

PM: And I want you to be honest and don't worry about criticizing anyone that has had contact with you in the past, did any part of the investigation that you feel that hasn't been given the treatment it should have I want you to tell me.

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MM: Well when it came to Mr. Hoffman that I don't know it was a man that I saw one time that told me I believe your husband. I believe every word your husband has said. And then turns around and more or less oh you just saw something you didn't see this man. And when Mr. Smith here took it over I trust him I don't know why but I feel comfortable with him and he has been honest. Whereas I found with Mr. Hoffman he wasn't.

PM: Mark do you have anything you want to ask before we close?

MS: Ask and answered everything.

PM: Do you mind, what will happen is this will be transcribed typed up, I will read it over and if I have missed anything do you mind if I contact you?

MM: Not at all that will be fine.

PM: I may not even have to take a statement, I may just have to call you on the phone and say look I am reading something here that doesn't make sense can you have to clarify by it or I may have to put you on record again and clarify something, no problem?

MM: That would be no problem at all.

PM: Can I get your phone number?

MM: 922-1914, that is the home and I can give you my business phone, 920-6591.

PM: This will conclude the statement at approximately 1:30 PM.

STATEMENT TERMINATED

ENCLOSURE

2

Statement
JASON MISTLER

June 28, 1996
Inv. Philip Mundy

THIS WILL BE A STATEMENT REGARDING STATE ATTORNEY INVESTIGATION NUMBER 96-02-262, HOLLYWOOD POLICE DEPARTMENT CASE NUMBER 81-56073 AND THE FOLLOWING IS GOING TO BE THE STATEMENT OF JASON THOMAS MISTLER, M-I-S-T-L-E-R, WHITE MALE, DATE OF BIRTH, FEBRUARY 6, 1971 AS GIVEN TO STATE ATTORNEY INVESTIGATOR PHILIP J. MUNDY OF THE BROWARD COUNTY STATE ATTORNEY'S OFFICE. PRESENT FOR THIS STATEMENT IS DET. MARK SMITH OF THE HOLLYWOOD POLICE DEPARTMENT. STATEMENT IS BEING TAKEN ON FRIDAY, JUNE 28, 1996 BEGINNING AT ABOUT 1:42 PM AT 201 SOUTHEAST 6TH STREET, IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY FLORIDA.

THE FOLLOWING NOTATIONS WILL DISTINGUISH SPEAKERS:

JM: JASON MISTLER
PM: PHILIP MUNDY

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

JM: Yea.

PM: For the record will you please state your full name and your date of birth?

JM: Jason Thomas Mistler, 2/6/71.

PM: Where do you currently reside?

JM: At my parents house.

PM: And the address?

JM: 2612 Arthur Street, Hollywood.

PM: Are you employed?

JM: Yes.

PM: Where do you work?

JM: Wizard Industries.

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PM: Where is that?

JM: Griffin Road, Fort Lauderdale.

PM: What is your social security number?

JM:

PM: Jason, back in 1981 you were like 10 years old correct?

JM: Yes.

PM: And you were living with your parents right?

JM: Right.

PM: And that would be William and Martha Mistler?

JM: Yes.

PM: Do you have any recollection or independent recollection of going to the Sears, Roebuck store in Hollywood, Florida on that day in 1981, July 27th?

JM: No.

PM: No, ok back in 1981 did there ever come a time where you became aware that a young boy named Adam Walsh was missing?

JM: No.

PM: Never?

JM: No.

PM: When you came back, you went on a camping trip in July of 1981 right?

JM: Right.

PM: With your mother and father?

JM: Yes.

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PM: Do you remember returning from that camping trip and somebody telling you that a boy was missing?

JM: Yea.

PM: Who told you that?

JM: My friend Chris Gulomb.

PM: How do you spell that?

JM: G-U-L-O-M-B.

PM: Do you remember what he told you?

JM: Yea that Adam was missing and he was a friend of his on his baseball team.

PM: Do you know that to be Adam Walsh?

JM: Yea.

PM: Did you know Adam Walsh?

JM: I knew who he was, I never associated with him.

PM: So this friend of yours told you that he was missing and do you remember anything else about Adam Walsh case?

JM: No. Just what I saw on T.V. afterwards.

PM: Did your father ever tell you anything that he knew about the Adam Walsh case?

JM: No.

PM: And other than that boy telling you, have you have any other connection with that case, has the police questioned you or have you given any statements to anybody about it?

JM: No.

PM: Do you have any information today that you need to relate to us about the case?

Statement/JASON MISTLER
Asn #96-2-262/June 28, 1996

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JM: No.

PM: This will conclude the statement at about 1:45 PM.

STATEMENT TERMINATED



MICHAEL J. SATZ
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 S.E. SIXTH STREET
FORT LAUDERDALE, FLORIDA 33301-3360

PHONE (954) 831-6955

CONFIDENTIAL

POLYGRAPH EXAMINATION REPORT

TO: Ralph J. Ray, Jr.
Chief Assistant State Attorney

FROM: Terrill L. Gardner
Polygraphist/Investigator

DATE: February 14, 1996

SUBJECT: William C. Mistler

CLASSIFICATION: Witness/HW81-056073

Please be advised that the above named subject voluntarily submitted to a polygraph examination in order to determine his truthfulness concerning his contentions with regards to the above captioned case.

The purpose of the examination was to determine whether or not the subject was telling the truth when he claimed that the events that he related to the Hollywood Police regarding the 1981 abduction of Adam Walsh are from what he personally saw.

The facts concerning this case were provided the examiner by a transcript of the statement given to Hollywood Detective Hoffman, and interviews with Hollywood Detective Mark Smith and you.

The examination was conducted by the undersigned on February 13, 1996, Room 605, Broward County Courthouse.

During the pre-test interview, data was collected by the examiner concerning the subject's personal history, arrest record, educational history, as well as the subject's medical, physical and psychological background. There was nothing indicated in this information which would make this subject unfit for polygraph procedure.

Page -2-

Continuing on with the pre-test interview, the subject stated that all of the information that he has related in his sworn statements and interviews are things that he knows from what he personally observed in July of 1981 when Adam Walsh was abducted. Mr. Mistler advised that hypnotism had been attempted on him two times, and that alot of his recollections came after these sessions.

He advised that the license tag number, the dent in the rear bumper of the Cadillac and the fact that Adam Walsh was wearing a red ball cap are examples of what he has recalled after the hypnotic sessions. Mr. Mistler remained adamant that he was not confusing things that he saw on television, read, or heard from others with what he personally observed in July of 1981.

Following the pre-test interview and a thorough review of the questions to be used on the examination, the following pertinent test questions were propounded to the subject during the course of the test:

5. Have you lied about any of the details of Adam Walsh's abduction in July of 1981? NO

7. Are you lying when you say that all of the details of the Adam Walsh abduction are from your personal observations? NO

In the examiner's opinion, the subject's responses on his polygrams indicated consistent psycho/physiological reactions to the aforementioned questions.

It is further the opinion of this examiner, based upon the subject's polygraph examination that the subject was not being truthful when he stated that all of the facts he has related about the Walsh abduction were from personal observations.

Respectfully submitted,



Terrill L. Gardner
Investigator/Polygraph Examiner
Office of the State Attorney

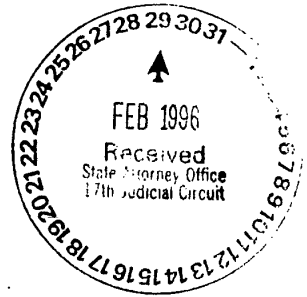
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MICHAEL J. SATZ
 STATE ATTORNEY
 SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
 BROWARD COUNTY COURTHOUSE
 201 S.E. SIXTH STREET
 FORT LAUDERDALE, FLORIDA 33301-3360

PHONE (954) 831-6955

CONFIDENTIAL
POLYGRAPH EXAMINATION REPORT



TO: Ralph J. Ray, Jr.
 Chief Assistant State Attorney

FROM: Terrill L. Gardner
 Polygraphist/Investigator

DATE: February 23, 1996

SUBJ: William C. Mistler

CLASS: Witness/HW81-056073

Pursuant to your request, I conducted a second polygraph examination on above named subject.

The purpose of this examination was to pursue specific details of Mr. Mistler's statements regarding what he says he witnessed during the abduction of Adam Walsh.

The examination was conducted by the undersigned on February 21, 1996, Room 605, Broward County Courthouse.

Mr. Mistler's background data was updated from the 13th of February, when his first test was administered, and nothing had occurred which would make him unfit for polygraph procedure.

Page -2-

After a review of Mr. Mistler's previous statements regarding the abduction of Adam Walsh, the following pertinent questions were propounded to the subject during the course of the test:

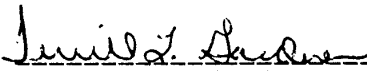
5. Did you lie when you said that you personally observed Otis Toole in a dark over white Cadillac in July of 1981?
NO.

7. Did you lie when you said that you personally observed Otis Toole put a young boy in a dark over white Cadillac in July of 1981? NO.

In the examiner's opinion, the subjects response on his polygrams indicated consistent reaction to the aforementioned questions.

It is further the opinion of the examiner that the subject was not being truthful when he stated that he personally observed Otis Toole with Adam Walsh and a dark over white Cadillac in July of 1981.

Respectfully submitted,



Terrill L. Gardner
Investigator/Polygraphist Examiner
Office of the State Attorney

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