

## Supplemental Materials for Case Study Project

This is an actual case. The names have been changed to protect the identity of the parties involved. You are to read this report and review the crime scene sketches and photos.

### CCJS 341 Case Study Project

#### Case Study

The assignment is to read the police reports which include evidence and results of analysis, review the crime **scene sketches, and photographs of the scene, as well as some constitutional challenges to the case in the form of a motions hearing. The motions are not specifically listed in this report, however, the defense filed a motion to suppress the 1. knife (which was later found to be the murder weapon) 2. DNA evidence and 3. confession. In your paper, explain why you believe, or don't believe, these items were legally obtained by law enforcement.**

The student will write a 10-12 page (cover page and bibliography not included in page count) report that addresses the issues listed below. References must include the text and at least three external scholarly sources that support the points made in the report. The paper must include the following:

1. **Discussion on the crime scene investigation and analysis of the evidence at the scene.**
2. **Discuss investigative steps and strategies involved in this homicide investigation.**
3. **Discussion on both interviews of witnesses and interrogations of suspects.**
4. **Explanations to counter defense efforts to suppress evidence. (constitutional challenges)**
5. **Provide an analysis of what you learned in class and how it was applied in this case. Include any glaring differences between the text and application process.**

The list above is to be used as guidance in collecting information for the final product, they are not to be listed and/or used as topical items in the final paper.

#### Formatting requirements

Your report should include the following:

1. a cover page with your name, project title, course, and date submitted
2. an introductory section that explains the purpose of the paper

3. your reflections on the case and how it was investigated
4. the body of the paper which addresses the five previously mentioned factors
5. a "Works Cited" section when you reference the text or other sources, which must be properly documented and cited

### **VIOLENT CRIMES UNIT INCIDENT REPORT**

**INCIDENT:** HOMICIDE

**DATE/TIME:** 11/3/00, 0030 to 0530 hours

**LOCATION:** 9170 Old Annapolis Road  
Columbia, MD 21045

**VICTIM:** Ashley Nicole Smith  
W/F, 4/21/86, 5'6", 140 lbs.  
5555 Star Circle  
Columbia, MD 21045

**SUSPECTS:** Scott Jory Jones  
B/M, 6/16/82, 6'2", 247 lbs.  
7777 Wind Place  
Columbia, MD 21045

Frederick James Johnson  
B/M, 6/21/79, 5'6", 140 lbs.  
6666 Mulberry Drive #204  
Baltimore, MD 21215

### **SYNOPSIS:**

On 11/3/00, the deceased victim was found by two truck drivers in a wooded area behind 9170 Old Annapolis Road. First responding patrol officers confirmed that the victim was dead of apparent stab wounds.

A 24 hour tip line was established along with an \$8,000 reward. Over the next several weeks, investigators conducted dozens of interviews and followed up on leads received through the tip

line. Near the end of November, three tips were received that led investigators to two suspects from the Grand Senior community. On 12/15/00, both suspects were questioned which led to one of the suspects being charged with 1<sup>st</sup> Degree Murder and on 12/21/00, the second of the two suspects was charged with 1<sup>st</sup> Degree Murder.

### **CRIME SCENE INFORMATION**

**TIME POLICE NOTIFIED:** 1046 hours

**TIME POLICE ARRIVED:** 1051 hours

**LOCATION:** 9710 Old Annapolis Road. The crime scene is a wooded area behind the parking lot of a Pizza Hut restaurant. The Pizza Hut is located on Bendix Road which is off which intersects with Old Annapolis Road just south of the crime scene.

**PRIMARY INVESTIGATOR:** D/CPL. Glenn Case

**SECONDARY INVESTIGATORS:** D/CPL. Brook Donovan and DFC. Nathan Rettig

**CID SUPERVISOR:** SGT. David Schickner

**CRIME LAB TECHNICIANS:** Doug Reed, Jim Roeder, Steven Swann

**REPORTING PERSONS:** William Joseph Birmingham

2222 Christian St.

Baltimore, MD 21223

Irvin Louis Fornoff

1111 Inverness Ave.

Baltimore, MD 21230

### **NARRATIVE**

**INITIAL PATROL RESPONSE      11/03/00**

On 11/3/00, 1046 hours, Howard County patrol units were dispatched to a wooded area behind 9170 Old Annapolis Road for the discovery of a female who appeared to be dead. PFC. Malcolm responded to the scene and met with Irvin Fornoff and William Birmingham who are truck drivers for Standard Medical Imaging. They reported that while making a U-turn in the parking lot behind the building, they observed a large red puddle that appeared to be fresh blood. The drivers exited their truck, looked down the embankment, and at that time, discovered the partially clothed victim lying in the woods. PFC. Malcom was

directed to the scene and confirmed that the body was that of a young deceased white female. The victim's face and neck were covered in blood. After a crime scene perimeter was established by other patrol units, several investigators, forensic technicians and the mobile command post responded to the scene. PFC. Malcolm maintained crime scene security with the assistance of barrier tape and other uniformed officers. For further details of patrol activities, see PFC. Malcolm's report.

## **INVESTIGATOR'S RESPONSE    11/03/00**

On 11/03/00, 1330 hours, D/CPL. Case, off-duty at the time, was contacted by Lt. Prozeralik and advised of the incident. D/CPL. Case responded to the scene, arrived at 1445 hours, and met with Sgt. Schickner and DFC. Fisher of the Violent Crimes Section.

D/CPL. Case was advised that the victim had not yet been identified. D/CPL. Case observed that crime scene technicians were nearly complete with their processing of the scene. The scene was photographed and videotaped from the ground and from a helicopter. D/CPL. Case was advised that several pieces of evidence had been collected from scene, including two black caps (dew rags) that were found near the victim's body. In addition, the victim's body had already been examined by Forensic Examiner D. Masters of the Office of the Chief Medical Examiner.

Sgt. Schickner assigned D/CPL. Case to be the primary investigator and directed him to the location of the body. D/CPL. Case observed a large puddle of bright red blood which was approximately two feet by three feet in between lines of a parking space on the north side of the parking lot. There were also several small drops of blood going south west from the large puddle. In addition, there were two drag marks from the large puddle approximately eight feet long going north towards a cement curb. On the other side of the curb was an embankment that dropped approximately six feet. The victim's body was discovered approximately 15 feet north into the woods from the curb. The victim was a white female with long brown hair. She appeared to be in her middle to late teens and was average height and weight. The victim was lying on her back with her head in a south west position (towards the parking lot) as if she were dragged by her feet or ankles. Her left arm was raised above her head in the direction of the parking lot and her head was facing to the left with her eyes shut. The victim's body was well preserved. Rigor mortis was present but not fixed.

D/CPL. Case examined the victim's body and observed several stab wounds to her neck and abdominal area. The right side of the victim's face and neck were covered in blood. Further examination of the body revealed that victim had also been stabbed once in her upper back. The victim was wearing a blue bra with a light blue

T-shirt that was rolled up. An examination of the T-shirt revealed that only two stab wounds cut through it. One cut through the shirt was in the upper back and the second was through the collar at the base of the throat. This would indicate that the abdominal wounds were inflicted after the shirt was rolled up and more than likely, after she was dragged into the woods. The victim was also wearing white panties with a "Power Puff Girl" logo and white socks. The victim was not wearing any jewelry but wore make up and fingernail/toenail polish. The victim's

jacket was located in the brush near the body. The jacket was large blue heavy winter jacket with "AT&T" embroidered on the left breast. The victim's pants and shoes were not located at the crime scene. As mentioned above, crime scene technicians located and collected two neoprene skull caps that were tied together. The caps were found within a few feet of the victim's body. Technicians also took swabbings of the skin of the victim's bare ankles in attempt to collect trace evidence left by the suspect(s).

A thorough search of the area for the murder weapon was conducted with negative results. The weather at the time of the discovery and throughout the crime scene investigation was clear and mild with temperature in the 50's until sundown.

#### **IDENTIFICATION OF VICTIM            11/03/00**

There was no form of victim identification found at the scene. In attempts to identify her, attendance/absentee rolls for local high schools was obtained. School Resource Officers also responded to the scene with yearbooks. DFC. Brian Markley of

the Youth Section recalled a runaway report that was made on 11/2/00 at 0755 hours. In that report, Crystal Smith reported that her daughter, Ashley Smith, had snuck out of her house the night before. Mrs. Smith advised that she discovered Ashley missing when she went to wake her up for school. DFC. Markley remembered that Ashley Smith had been found by her mother later that afternoon and returned home. DFC. Markley recalled that Ashley Smith was similar in physical description to the victim and retrieved a copy of the report and a photograph of her that was with the case file. D/CPL. Case and D/CPL. Donovan compared the photograph of Ashley Smith to the victim. Due to the amount of blood present on the victim's face and neck, detectives were unable to identify the victim by using only the photograph. Ashley Smith was a student at Grand Senior High School and contact with the school showed that Ashley was absent on 11/3/00. DFC. Markley made telephone contact with Mrs. Smith at about 1630 hours and learned that Ashley had snuck out of her house again the night before. DFC. Markley asked Mrs. Smith some follow-up questions for the runaway report such as descriptions and locations of scars/marks. Mrs. Smith told DFC. Markley that Ashley had a large mole in the middle of her back. The victim had a large mole in the middle of her back.

At 1703 hours, D/CPL. Case, D/CPL. Donovan, and DFC. Markley met with Mrs. Smith at her home at 8585 Black Star Circle in Columbia. D/CPL. Case asked her what kind of jacket her daughter usually wore. Mrs. Smith described the jacket that Ashley wore as a large, heavy, blue jacket with "AT&T" embroidered on the breast. She then went to the closet and found that it was not there.

D/CPL. Case told Mrs. Smith that the dead body of a young girl had been discovered that there was a strong likelihood that it was Ashley. At that time, a police chaplain was requested and responded to the scene. Inked fingerprints of the body were taken from the crime scene. Ashley Smith had no fingerprints on file with HCPD to compare them to. In order to spare Mrs. Smith from making an "in person" identification, latent fingerprints were obtained

from Ashley's bedroom in an effort to make a positive identification. Results of the fingerprint comparison confirmed that Ashley Smith was the victim.

**INTERVIEW WITH VICTIM'S MOTHER 11/03/00**

Due to being her being distraught, only a brief interview with Mrs. Smith could be conducted. Mrs. Smith advised that she last saw Ashley alive at 2300 hours on 11/2/00. As mentioned above, Ashley was reported as a runaway on the morning of 11/2/00 and was in NCIC until Mrs. Smith found Ashley that afternoon and

brought her home. She advised that Ashley complied with her demands and they spent the evening together talking. Mrs. Smith and Ashley went to their respective bedrooms at 2300 hours. Mrs. Smith discovered Ashley missing again the morning of 11/3/00 when she went to wake her up for school. She placed a call to PFC. Brocolino, who took the report on 11/2/00, and told him but, assuming that Ashley would return home again, she did not make a formal missing person report.

Mrs. Smith advised that she and Ashley live in their townhouse alone. Ashley has an older brother, Tony Smith, 21 yrs., who does not live at home. Mrs. Smith and her husband, Robert Smith separated about three years ago and the divorce had recently been finalized. Before moving to Grand Senior, Mrs. Smith and Ashley lived in the family's home in Highland and Ashley would have attended River Hill High School. Mrs. Smith advised that the divorce had been hard on Ashley but that she seemed eager to start over in a new school with the opportunity to make new friends. Mrs. Smith and Ashley moved to their Grand Senior home in August of 2000 and Ashley enrolled in Grand Senior High School. A few months into the school year, Ashley's grades and behavior started to decline. Mrs. Smith advised that Ashley would get calls late at night from male subjects that she (Mrs. Smith) had never met. Before the runaway report that she made on 11/2/00, Mrs. Smith was not aware of any other time that Ashley had snuck out of the house after she had gone to bed.

Mrs. Smith advised that Ashley's best friend from school was a girl named Heather Thomas. She stated that Heather came home from school with Ashley almost every day and that Heather's parents would pick her up later. She felt that Heather would know who Ashley was within the hours before her death. Mrs. Smith advised that Ashley's current boyfriend was a subject named Jason Phelps who lives in the area. She stated that she first met Jason on 10/31/00 and was told by Ashley that he was 17 years old. To her knowledge, Ashley had known Jason for only a short time. Mrs. Smith provided information on two other boys that Ashley had dated since moving to Grand Senior: Patrick O'Donnell, W/M, 16-17, lives in the area and Jason Adams, W/M, 16-17, a student at Grand Senior High. Mrs. Smith provided information on two male subjects from Montgomery County that Ashley was close with: Robert More' is a boy that Ashley had dated for over a year. The other subject is a black male teenager named "Gabe" from Wheaton, MD.

As a result of her recent bad behavior and the high phone bills, she put a block on the phone which prohibited Ashley from making outgoing calls without a P.I.N. The phone was

programmed to allow Ashley to call only about four numbers without the P.I.N. such as Mrs. Smith's office, her father and neighbor in the event of an emergency.

While conducting the interview with Mrs. Smith, D/CPL. Case requested D/CPL. Donovan to record all incoming phone calls stored on Mrs. Smith's "caller I.D." box. Documented were the numbers, names, dates and times of the numbers that called prior to the discovery of Ashley.

Mrs. Smith advised that after she reported Ashley missing on the morning of 11/2/00, she went out looking for her. She found Ashley at approximately 1330 hours at the Grand Senior Village Center with a white male, 17-18 years of age with bleached

blond hair. She ordered Ashley into the car and she complied. When she asked her who the subject she was with was, Ashley identified him as "Kyle". She advised that when she asked Ashley where she had been all night, Ashley told her that she went out for a walk and walked to the home of a nearby friend named Kristen Williams. Ashley told her mother that while she was there, she fell asleep until morning.

A second interview with Mrs. Smith was scheduled for 11/4/00.

**INTERVIEW WITH HEATHER THOMAS                      11/03/00**

On 11/3/00, 1830 hours, D/CPL. Case and D/CPL. Donovan conducted an interview with Heather Thomas, W/F, 2/28/86 at her home at 8013 Riker Road in Elkridge. The interview was conducted in the presence of Heather's mother, Lisa Warner, and her husband, Mark Warner. Heather was not told that Ashley was murdered and Ashley's name had not yet been released to the media as the victim. Detectives questioned her as if they were investigating a runaway report. Due to the fact that Heather's younger sister, Crystal, was present and was causing a disruption during the interview, D/CPL. Case requested that the interview take place at the Northern District station. Before being transported to the Northern District station, Heather broke into tears and started crying. As noted above, this was before she was told by detectives that Ashley had been found dead.

The interview with Heather at the Northern District began at 1930 hours. She was placed in an interview room with D/CPL. Case and D/CPL. Donovan and the interview was tape recorded. At that time, Heather was told that Ashley had been found dead. Heather advised that she was Ashley's best friend. She advised that the last time she saw or spoke to Ashley was the evening 10/31/00. She advised that lately, Ashley has only been "hanging out with" she, Kristen Williams and Jason Phelps.

**VEHICLE SEEN LEAVING THE AREA OF THE SCENE                      11/03/00**

D/CPL. Case was advised that on the evening of 11/03/00, D/CPL. Jones received a call from a citizen reporting a reckless driver in the area of the crime scene at 0750 hours. At this time, investigators were unsure of the time of death. The vehicle, a blue or black four door, possibly a late 80's Toyota, with dark tinted windows was seen running the red light and speeding through the intersection of Bendix Road and Old Annapolis Road. The car was

occupied by two young black males.

**OTHER FRIENDS OF VICTIM INTERVIEWED**

**11/03/00**

**AUTOPSY CONDUCTED**

**11/04/00**

D/CPL. Case and D/CPL. Donovan attended the autopsy at the Office of the Chief Medical Examiner in Baltimore on 11/04/00 at 0915 hours. Doctors Titus and

Herawi conducted the autopsy with Dr. Titus as the doctor of record. The autopsy revealed that Ashley Smith suffered 34 stab wounds, most of them to her head and

neck. Three of the stab wounds to Ashley's head had enough force to fracture her skull. One of the stab wounds was in the middle of her upper back between her shoulder blades. There were 10 wounds to Ashley's abdominal area. Detectives suspected that these wounds may have been some of the last ones inflicted because evidence at the scene suggested that they were inflicted after Ashley had been dragged into the woods. Hemorrhaging was present in the abdomen and Dr. Titus advised that the abdominal wounds were not inflicted post mortem. Dr. Titus advised that the murder weapon was likely a single edged knife with blade dimensions of 3/4" to 1" in width and 3" to 4" in length. Petechia hemorrhaging and bruising to the neck was evidence that Ashley had also been manually strangled. Dr. Titus advised that the strangulation likely occurred before the stabbing and that the injuries sustained from the strangulation were not significant enough to have caused the death but stated that the strangulation could have caused her to be incapacitated before the stabbing. There were no obvious defense wounds present on Ashley's body. There were several superficial scratches but they were likely caused from being dragged through the thick brush into the woods. Ashley also appeared to have some bruising on her face.

Evidence collected by D/CPL. Case at the autopsy consisted of Ashley's blood soaked shirt, panties and bra. In addition, trace evidence such as fingernail clippings/scrapings, pubic/head hair samples, a blood card, and swabbings from the mouth, vagina and anus were turned over to D/CPL. Case. Ashley Smith's death was ruled as a HOMICIDE by strangulation and multiple stab wounds.

Dr. Titus would later advise that further microscopic examinations of the swabbings showed the presence of sperm from both Ashley's vagina and her anus. A toxicology exam of Ashley's blood indicated no illegal drugs, but a Blood Alcohol Content of .04 was detected from the blood in her heart and a .10 BAC was detected in her urine.

**2nd INTERVIEW WITH VICTIM'S MOTHER**

**11/04/00**

On 11/04/00, 1910 hours, D/CPL. Case re-interviewed Mrs. Smith at her home. Also present was Ashley's older brother, Tony and Mrs. Smith's friend/neighbor, Joyce Wronka of 8583 Black Star Circle which is right next door. D/CPL. Case asked Mrs. Smith to describe a typical day with Ashley. She advised that every week day, she

wakes up at 0545 and then wakes up Ashley for school. Ashley showers, dresses, and



they both try to leave the house by 0740. Mrs. Smith would drop Ashley off at school and then go to work. If she did not drive Ashley, she would normally walk to school with neighbor, Claire Brown. To her knowledge, Ashley did not get rides to school from anyone but her. When school let out, Ashley would walk home from school, usually with Heather Thomas. Mrs. Smith advised that she would get home from work around 1730 and is home most evenings with Ashley.

Mrs. Smith and Mrs. Wronka provided the following sequence of events that occurred from 11/01/00 to the time of the discovery.

#### **11/01/00**

- 1430, Ashley calls her mother at work after school and told her that she was locked out of the house.
- 1630, Ashley calls back telling that she got in with the assistance of a locksmith neighbor.
- 1700, Mrs. Wronka comes home and sees Ashley in front of the house with Heather Thomas, Jason Phelps, and an unidentified white male.
- 1730, Mrs. Smith comes home from work and Ashley and her friends are still there. Mrs. Smith leaves shortly to go on a date with her boy friend.
- 1900, Mrs. Wronka hears loud music and what sounds like a party coming from the Smith house. She knows that Heather and Ashley were present and feels that more people were there but did not see them.
- 2030, Because of the block that was put on the phone line, Heather Thomas has to call her parents for a ride home from Mrs. Wronka's house.
- 2100, Tony Smith, Ashley's brother advised that he came over to work on something in the basement and discovered Ashley alone watching television. A short time later, he heard the phone ring but Ashley picked it up before he got to it.
- 2200, Tony leaves the house and discovers that Ashley had left the house sometime after the phone call.
- 2240, Mrs. Smith comes home from her date and Ashley was not home.
- 2300, Ashley comes home and Mrs. Smith questions her about her whereabouts. Ashley then told her that she fell asleep at the home of Kristen Williams. Mrs. Smith went to bed and ordered Ashley to do the same.

#### **11/02/00**

- 0540, Mrs. Smith got up at 0545, went to Ashley's room to wake her, and discovered that she was missing. She stayed home from work and made a runaway report to PFC. Brocolino.

- 1230, She called Heather Thomas who was home sick from school. Heather advised her that she did not know where Ashley was. Mrs. Smith asked her where Jason Phelps lived and Heather gave her directions. She went to Phelps's house looking for he and Ashley, but his brother told her that they were not there.
- 1330, Mrs. Smith was out looking for Ashley and found her at the Grand Senior Village center with a white male, 18-19 yrs., with bleached blond hair whom Ashley later identified as "Kyle". She ordered Ashley into the car and she complied. She took Ashley home and they spent the rest of the afternoon and evening at home with her.
- 1800, Mrs. Smith and Ashley had dinner together and talked about her sneaking out.
- 2300, Mrs. Smith was preparing to go to bed. Ashley was downstairs in the first floor powder room. Mrs. Smith thought that this was odd because that bathroom contains Ashley's makeup, hair brushes, etc... Ashley eventually came up stairs and went to bed.

**11/03/00**

- 0540, Mrs. Smith woke up and discovered that Ashley was missing again. She went downstairs to look for her and discovered that the back door was slightly ajar. There was no sign of forced entry. Mrs. Smith advised that Ashley was a smoker and would smoke out back and would often leave the door unlocked or ajar.
- 0800, Mrs. Smith called into PFC. Brocolino to advise him that Ashley snuck out again. She did not file a runaway report but went to work, assuming that Ashley would return on her own.

Mrs. Smith also provided information about a subject that Ashley has had a long distance relationship with over the phone and the Internet (American Online). Mrs. Smith showed D/CPL. Case a recent phone bill that had numerous long distance calls to (407) 339-6009 in Winter Park, Florida. Mrs. Smith advised that over \$5,000 worth

of calls had been made to the Florida number as well as a number in Silver Spring, Maryland to a friend of Ashley's who was a black male she knew only as "Gabe".

In order to get further information on the subject from Florida and "Gabe", Mrs. Smith suggested that D/CPL. Case interview one of Ashley's old friends from their old neighborhood named Whitney Robey.

#### **INTERVIEWS WITH FRIENDS/ACQUAINTANCES OF VICTIM 11/05/00**

Throughout the morning and afternoon of 11/5/00, D/CPL. Case and D/CPL. Donovan conducted numerous interviews with friends/acquaintances of Ashley. One interview would lead to the name of someone else to be interviewed. None of interviews proved to be useful and most of the statements were based on rumors.

## 2<sup>nd</sup> INTERVIEW WITH HEATHER THOMAS

11/05/00

Due to the fact that the above interviews provided information about Heather Thomas and Ashley having an interest in the same boy (Patrick O'Donnell), D/CPL. Case wanted to interview Heather a second time. D/CPL. Case located Heather and her parents at the Smith residence while they were paying their condolences to Mrs. Smith. D/CPL. Case asked Mrs. Warner permission to take Heather back to Northern

District for a second interview and she agreed.

D/CPL. Case would note that just prior to the start of the interview, Heather began to cry. D/CPL. Case asked her several times why she was crying and she refused to answer. She eventually regained her composure prior to questioning.

Heather denied having a relationship with Patrick O'Donnell and advised that she was not jealous because Ashley had been with him. She advised that she was with Ashley when they met him. She knew that Ashley had been sexually active with O'Donnell.

As mentioned above, D/CPL. Case had all of the calls stored on the Smith's "caller ID" recorded. Mrs. Smith advised that in the weeks prior to the interview, she

would write down names and numbers of incoming calls. In an effort to identify who Ashley was spending time with, she would call the numbers back and ask the person to identify themselves. She advised that one call recently came from (410)772-8420 and was listed to Beverly Berry. When she called the number back, a male answered the phone and identified himself as "Jay". D/CPL. Case would note that the "caller ID" registered a call from the same number at 1515 hours on 11/2/00. This would have been after the time that Mrs. Smith found Ashley at the Grand Senior Village Center and brought her home.

D/CPL. Case ran down a list of several names that had come up in the investigation and asked Heather to identify them and describe their relationship to either her or Ashley. Recalling the phone number to the Smith house that came in

on 11/2/00, D/CPL. Case asked Heather if she knew of anyone named "Jay" that Ashley may have hung out with. She then asked if "Jay" was white or black and D/CPL. Case told her that he did not know. After thinking for a few seconds, Heather advised that she knew a black male named "Jay" who was cousins with her close friend, Danielle Ritter. She did not say if Ashley was also acquainted with "Jay".

After the second interview with Heather, D/CPL. Case suspected that she was withholding useful information that would assist in the investigation. Heather was taken home and released to her parents. The interview was again tape recorded. (For further details of the interview, see transcripts of recording)

## INTERVIEWS AT GRAND SENIOR HIGH SCHOOL

11/06/00

On 11/06/00, a team of investigators made themselves available at Grand Senior High School for students who wished to provide information on the case. D/CPL. Jones, DFC. Scheiner, and DFC. Johnson conducted numerous interviews throughout the day. D/CPL. Case was briefed on most of the interviews and none appeared to be of any value to the investigation. As mentioned earlier, much of the content of the interviews with the high school students was based on rumor and speculation.

## **INTERVIEW WITH JASON PHELPS**

**11/06/00**

On the afternoon of 11/6/00, Jason Phelps voluntarily came to the Northern District station for questioning. He also agreed to submit to a polygraph examination. D/CPL. Walsh of the Polygraph Unit administered the exam which took approximately 1.5 hours. According to DFC. Walsh, the results of the pass/fail exam showed that Phelps was being deceptive. It is undetermined exactly what question(s) that Phelps

had problems with. At 1805 Phelps was placed in an interview room with D/CPL. Case and D/CPL. Walsh for a post test interview.

Phelps advised that he had been dating Ashley for over a week and had sex with her one time. He advised that Ashley spent the night with him from the night of 11/1/00 to 11/2/00 after they walked Kristin Williams home from work. That night, they had sex for the first and only time. The afternoon of 11/2/00, he was with Ashley and his friend Kyle Berry at the Grand Senior Village Center. Ashley was afraid that she was going to get in trouble with her mother so Phelps volunteered to walk to her house and try to "smooth things over" with Mrs. Smith. He walked to Ashley's house but there was no answer. As he walked back to the Village Center, he saw Ashley and her mother in the car together driving back home. He advised that it was the last time that he saw Ashley.

After further questioning, Phelps re-thought his previous statement. He then advised that he was last with Ashley late on 11/2/00 and they walked Kristen Williams home. He advised that he walked her home around 0100 on 11/3/00. Due to the interview with Kristen Williams, D/CPL. Case felt that Phelps was getting his dates confused. Phelps admitted that he smokes large amounts of marijuana and drinks alcohol daily. He does not work and stated that his days "run together" and he gets confused about dates and times. Phelps also advised that he owns and regularly carries a red "butterfly" knife.

Phelps repeatedly denied having any involvement in the murder or having any information about it. After further questioning, Phelps appeared to get frustrated and asked to be taken home. Before taking him home, D/CPL. Case asked Phelps for written consent to search his home for evidence related to the murder and to have his

blood drawn for forensic testing. Although he was angry and felt that he was being treated as a suspect, Phelps agreed to the requests and stated that he would do anything to assist with the investigation.

D/CPL. Case and D/CPL. Donovan transported Phelps to Howard County General to have blood drawn. At 2030 hours, R.N. John Lyons drew one vial of blood from Phelps and

turned it over to D/CPL. Case. Head and pubic hairs were also collected from Phelps. D/CPL. Case and D/CPL. Donovan then transported Phelps to his home at 8706 Tamar Drive. Phelps was going to turn over his butterfly knife to detectives and found that it not where he last left it. He advised that his father probably found it and took it. At that time, Phelps's father, Jeffrey Phelps arrived home. He advised that he did take the knife and subsequently turned it over to D/CPL. Case. Nothing else of evidentiary value was seized from Phelps's house.

**INTERVIEWS CONTINUE 11/07/00**

**HCPD HOLDS COMMUNITY MEETING 11/07/00**

On the evening of 11/07/00, the Howard County Police hosted a community meeting at the auditorium of Howard High School to address concerns of citizens. The audience was addressed by the Public Information Officer and the Chief of Police. D/SGT. Schickner, DFC. Johnson, and DFC. Shaffer were the investigators present to take any tips or information that attendees wanted to provide. Information received at the meeting was passed along to D/CPL. Case for follow up.

**FUNERAL OF ASHLEY SMITH 11/08/00**

D/CPL. Case, D/SGT. Schickner and DFC. Shaffer attended Ashley's funeral. The memorial service took place in the chapel at Meadowridge Memorial Park and the

Interment was in the mausoleum of the cemetery. The funeral was attended by several hundred people, mostly high school aged. D/CPL. Case recognized several as persons that had been interviewed. While the service was taking place, detectives were scanning the parking lot looking for any vehicles that matched the description of the car that was seen speeding away from the intersection of Old Annapolis and Bendix

Road on the morning of 11/3/00. License plates of cars even remotely close were written down. Other police personnel present were crime scene technicians J. Roeder and D. Read. They were assigned to video tape attendees as they entered and exited the chapel.

**INTERVIEWS CONTINUE 11/08/00**

**INTERVIEW WITH ASHLEY'S PSHYCO-THERAPIST 11/09/00**

On 11/09/00, 1050 hours, D/CPL. Case spoke by phone with Ashley's pshyco-therapist, Ronnie Emden. She advised that she started seeing Ashley in March of 1999 for depression over her parent's divorce and she provided the following information.

- Ashley was impulsive and did not make good decisions.
- Ashley had a learning disability.
- Ashley was a "fighter" and would get into a physical confrontations.

- Ashley had an anger management problem and was taking Prozac for it.
- Ashley had a poor relationship with her father and had not seen him for two months prior to the murder.
- Mrs. Smith took Ashley out of therapy over the summer, but placed her back in therapy in October, 2000 because Ashley's grades were suffering and she was skipping school.

**FIELD SEARCH OF ROADS AROUND CRIME SCENE                      11/10/00**

On 11/10/00, 0900 hours, investigators met at the crime scene to begin a thorough field search of the roadsides in the area.

Investigators broke into two teams and walked along the road sides of East and West bound Old Annapolis Road. In addition, Bendix and Mellenbrook Roads were checked. At 1020 hours, D/CPL. Case was contacted and advised of the recovery of potential evidence.

**RECOVERY OF KNIFE ON BENDIX ROAD                      11/10/00**

On 11/10/00, 1020 hours, while conducting the field search, D/CPL. Case was contacted by Major Spalding and advised that a citizen had just turned in a knife that was found on Bendix Road. D/CPL. Case immediately responded to the Northern District station and met with PFC. Seifert who recovered the knife from a citizen who approached him.

D/CPL. Case viewed the knife and would describe it as a folding lock blade knife with what appeared to be dried blood on the blade. The handle of the knife was made of a dark wood with brass colored ends with decorative scrolling. The dimensions of the blade were approximately one inch thick at its thickest point and approximately four inches long. One side of the handle was broken and was held together with a porous tape that appeared to be medical tape. There were no manufacturers markings and/or engravings on the knife.

D/CPL. Jones was provided with photographs of the knife and assigned to track its origin. He was advised by an employee of a knife company that the knife was probably from China or Pakitsan. D/CPL. Jones was advised that the knife would be cheap and could have possibly been bought at a flea market. (For further details, see supplement by D/CPL. Jones)

D/CPL. Case was directed to the citizen who turned in the knife, identified him as Richard Wayne Myers, (W/M, 3/28/59), and placed him in an interview room. Mr. Myers provided the following information:

- He is a driver for B.F.I. trash service and drives the commercial route on the Old Annapolis Road corridor. On Mondays, Wednesdays, and Fridays, he empties the trash dumpsters at the Wendy's, Columbia Academy, and Pizza Hut on Bendix Road.

- On Friday, 11/3/00, at 0530 hours, he had just emptied the dumpster at the Pizza Hut and was preparing to make a left turn from the driveway on to Bendix Road.

- There was a car turning right on to Bendix from the driveway across the street and he waited for the car to make its turn. When it did, he noticed that the car ran over something shiny in the right hand, southbound lane of Bendix Road.

- He often finds tools and other things while doing his job and stopped to see what it was. At that time, he discovered the knife in the open position with the blade locked. He closed the knife and put it in his truck. He observed that there was a red substance on the knife but thought that it was some sort of syrup or paint.

- At the end of the day, he placed the knife on the back floor of his car and forgot about it.

Mr. Myers advised that later that day and in the days following, he heard on the news that a young girl had been stabbed to death but never paid attention to the location of the incident. On the evening of 11/9/00, he again heard a news broadcast of the story, but this time, he heard the location of Bendix Road. He immediately thought of the knife that he had found and decided to turn it in to police.

Mr. Myers also advised that before he turned on to Bendix Road from Old Annapolis, he observed a subject walking on the east bound side of Old Annapolis and took notice of him because he usually does not see pedestrians at that hour. He described the subject as a black male, 5'9" to 5'10", 200 lbs, late teens to early twenties wearing a dark jacket and a cap. A composite sketch of the subject was developed and the picture was released to media in an effort to identify a potential witness to the crime.

## **INTERVIEWS CONTINUE**

**11/10/00**

## **EVIDENCE TO CELLMARK DIAGNOSTICS FOR DNA ANALYSIS**

**11/13/00**

On 11/13/00, Mr. R.C. Bartley, Supervisor of the HCPD Forensic Services, arranged for the transportation of evidence, collected from the crime scene and autopsy to Cellmark Diagnostics in Germantown for DNA analysis. The evidence consisted of the following items:

#4129 (A)	Folding pocket knife
#4129 (D)	Tape removed from knife handle
#4129 (E)	Broken pieces of knife handle
#4860 (A&B)	Two head rags (dew rag caps)
#4860 (15-18)	Blood swabs
#4860 (19-20)	Swabbings of victim's ankles
#4444 (1)	Known blood sample of victim

#4444 (5-7) Oral, Anal, and Vaginal swabs from victim

#4444 (12) Victim's panties

Cellmark would verbally relay to Mr. Bartley about a two weeks later that the victim's blood matched the DNA from the blood that was on the knife. In addition, male DNA had shown up on several pieces of evidence to include, the dew rags, the knife handle and the swabbings of the victim's ankle.

**MEETING WITH AACO POLICE-HOMICIDE DETECTIVES**

**11/16/00**

On 11/16/00, D/CPL. Case met with homicide detectives from the Anne Arundel County Police to compare the Ashley Smith homicide to an open 1993

stabbing/murder of a 14 year old girl in their jurisdiction. After reviewing the cases, it did not appear that they were related.

**INTERVIEWS CONTINUE**

**11/16/00**

**3<sup>rd</sup> INTERVIEW WITH HEATHER THOMAS**

**11/21/00**

Since the last interview with Heather Thomas, D/CPL. Case attempted to have Heather scheduled for a polygraph examination. One was arranged but at the advice of an attorney, her parents canceled it. They refused a polygraph but granted permission for a third interview.

On 11/21/00, 1750 hours, D/CPL. Case interviewed Heather Thomas a third time. The interview was conducted in the presence of her mother, Lisa Warner in an interview room in the CIB office at the Northern District. With Mrs. Warner and Heather's permission, the interview was tape recorded. Heather did not provide any more information than in the previous two interviews with her and she insisted that she was not holding back any information. At the conclusion of the interview, D/CPL. Case asked Heather a series of test questions for a Voice Stress Analyzer Exam. The following is the questions that Heather was asked and her response to them.

- 1) Is your name Heather Thomas? Yes
- 2) Are you at the police station today with your mother? Yes
- 3) Is today November 21, 2000? Yes
- 4) Did you kill Ashley Smith? No
- 5) Were you present when Ashley was killed? No



- 6) Were you with her in the hours before her death? No
- 7) Did you sneak out of your house the night she died? No
- 8) Do you know who killed Ashley Smith? No
- 9) Are you withholding any information about Ashley's murder? No

D/CPL. Case took the tape of the interview to Det. Shelly Madison of the Anne Arundel County Police Homicide squad, who is a certified Voice Stress Analyzer operator. After reviewing the tape, Det. Madison scored Heather Thomas as truthful on questions 1 thru 5 but deceptive on questions 6 thru 9.

**INTERVIEWS CONTINUE                      11/22/00**

**ADDITIONAL EVIDENCE TO CELLMARK DIAGNOSTICS                      11/29/00**

On 11/29/00 the following pieces of evidence were transported to Cellmark

Diagnostics:

- #4437 (3)                      Known blood sample of Jason Phelps
- #4129 (F)                      Known oral swabs of Richard Myers (the citizen who turned in the knife)

**INTERVIEWS OF MORE L.R.H.S. STUDENTS                      11/30/00**

On 11/30/00, D/CPL. Case conducted three more interview of Grand Senior High students. The first is of a male student that Ashley was involved in a fight with earlier in the year and the last two were female acquaintances.

**LEAD DEVELOPED THROUGH THREE PHONE TIPS**

To assist in the investigation, within days of the murder, an \$8,000 Reward for information was publicized and a 24 hour phone tip line was established. Over 100 phone calls with various information has been received. The majority of the leads had been followed up on and were not proven to be valuable. Documented below are three tips that were received within days of each other from different sources that provided information that, through investigation, were later linked together.

To preserve the integrity of tips that would be received as a result of the tip line, minimal information about the murder was released to the media. No information as to the number of and the location of the stab wounds was released to the media as public information. In addition, the fact that Ashley Smith had also been strangled was also not released, not even to her mother.

**11/25/00**

On 11/25/00, at 2329 hours, an unidentified female caller contacted the Howard County Police Southern District Duty Officer with information. The caller advised P.O. Mark Heron that Ashley Smith had been having sex with five boys. Two of the boys live in Baltimore and the other three live in Columbia. One of the subjects was identified only as "Freddy" and he was described as a black male, short in height. The caller advised that "Freddy" has a cousin named "Danielle". The caller provided another name of a suspect, but could only give the first name of "Scott" and stated that "Danielle" was pregnant by "Scott".

D/CPL. Case and other investigators assigned to this investigation have conducted over 100 interviews of residents of the Grand Senior community and students of Grand Senior High School. Neither the names "Freddy" or "Scott" had ever come up

before. When the tip came in on 11/25/00, D/CPL. Case recalled hearing the name Danielle Ritter from the second interview with Heather Thomas which is documented on

page 16 of this report. At that time, D/CPL. Case was attempting to identify a subject named "Jay" who may have called Ashley the day before the murder. Heather advised that she knew a black male named "Jay" who was a cousin of her friend, Danielle Ritter. D/CPL. Case conducted a Howard County Police Records Computer check on the name Danielle Ritter and located a 15 year old living at 8888 #202 Tamar Drive in the

Grand Senior neighborhood of Columbia. Further computer checks on Danielle Ritter for known associates were negative for the names of "Scott", "Freddy", or "Jay". In addition, the computer checks did not show a link between Ashley Smith and Danielle Ritter or a link between their associates.

#### **11/26/00**

On 11/26/00, 2150 hours, a caller identified as Monica Martin provided third hand information that she got from a close friend that was afraid to call. According to

Ms. Martin, her friend has a boyfriend whom the killer confided in. She identified the killer as Michael Stewart, B/M, 19 years old from Columbia. Computer checks through

HCPD records revealed a Michael Anthony Stewart, B/M, 4/13/80 of 9760 Basket Ring Road in Columbia.

DFC. Denise Walk was assigned to follow up on the tip. She made contact with Ms. Martin by phone on 11/30/00. At that time, Ms. Martin advised that the friend that she was calling for was in fact her daughter. She refused to provide her daughter's name or her boyfriend's name. She advised that Michael Stewart told her daughter's boyfriend that he was at a party in which Ashley was present with 3 to 4 other males

and they were all drinking. She stated that Stewart tried to get sex from Ashley and when he was turned down, he beat and raped her. Ms. Martin could not provide any additional information other than the party was to have taken place at a house in Oakland Mills.

#### **11/30/00**

On 11/30/00, 2050 hours, an unidentified female caller contacted the Howard County Police Northern District Duty Officer with information. The caller advised P.S.A. Bob Ackley that four black males were involved in the murder of Ashley Smith. Three of the subjects allegedly got Ashley drunk and took advantage of her. When they finished with her, they were planning on driving her home as long as she did not tell anyone what had happened. One of the suspects identified as Frederick Johnson, black male, 5'6" to 5'7", small build, A.K.A. "Freddy" apparently did not believe that the victim would not report the incident and stabbed her in the head and neck. The caller advised that two of the suspects were scratched up by the victim. The caller advised that the incident took place in a Blue Ford Escort with Wisconsin registration (RFG-520) and that blood and vomit from Ashley is still in the car. The driver of the Ford Escort was identified by the caller as a light skinned black male, tall and heavy-set named "Scott" who lives on Sweetwind Place. The caller advised that Frederick Johnson lives at 8888 #202 Tamar Drive in Columbia and he is known to carry knives. Before hanging up, the caller advised that she was not positive that Johnson was "Freddy's" last name. The caller advised that she got the information "from someone".

D/CPL. Case would note that the call from 11/25/00 and the call from 11/30/00 both mentioned suspect names of "Scott" and "Freddy". Danielle Ritter's name was mentioned in the first tip and her address (8888 #202 Tamar Drive) was mentioned in the second tip as the address for Frederick Johnson.

Computer checks conducted by D/CPL. Case through the MILES computer system revealed that the owner of the blue Ford Escort with Wisconsin registration (RFG-520) was a Ricky Francis Baumann, W/M, 6/17/54 of 7777 Sweetwind Place in Columbia. Howard County Police records on 7777 Sweetwind Place revealed a Scott Jory Jones, B/M, 6/16/82, who is 6'2", 247 lbs. Further investigation revealed that Scott Jones is Ricky Baumann's step-son.

D/CPL. Case conducted a Howard County Police Records computer check on the name Frederick Johnson with negative results. A computer check through the CJIS revealed a Frederick James Johnson, black male, 6/21/79, that had a physical description of 5'6", 140 lbs and a Baltimore address.

## **INVESTIGATION & SURVEILLANCE OF SUSPECTS BEGINS 12/1/00**

On the night of 12/1/00, at the request of D/CPL. Case, the Howard County Police Street Drug Unit conducted a surveillance of Scott Jones. The units on the surveillance were provided with a recent arrest photograph of Scott Jones and an MVA picture of Frederick Johnson. Jones's home at 7777 Sweetwind Place is a short distance from 8888 Tamar Drive. At 2230 hours, Jones was visually observed as he walked from his home to apartment #202 of 8888 Tamar Drive. A cigarette that Jones discarded was collected by D/SGT. Joyce was collected for DNA analysis. During another surveillance, a cigarette that Johnson discarded was also collected.

The address of 8888 #202 Tamar Drive is in the Bentana West apartment complex. On 12/5/00, in response to a State's Attorney's Subpoena, the rental office turned over a copy of their file for 8888 #202 Tamar Drive to D/CPL. Ferrera who gave it to D/CPL. Case. The apartment was leased to John and Juanita Ritter, the parents of Danielle Ritter. There was no Freddy or Frederick Johnson listed as an occupant of the apartment. However, on their lease application, the Ritters listed for an emergency contact, Mrs. Ritter's parents, Mr. & Mrs. James C. Johnson of Baltimore. An Internet computer check through the Auto Track system found Mr. James C. Johnson linked to a Frederick James Johnson, black male, 6/21/79 (the same subject that was discovered through the CJIS computer check). This discovery linked Frederick James Johnson to the Ritter's apartment at 8888 #202 Tamar Drive and showed that Johnson was somehow related to the Ritters.

On 12/5/00, Jones was again placed under surveillance by Howard County Police detectives. At one point in the surveillance, an unidentified black male showed up on foot at Jones's home and entered. The units on the surveillance had an MVA photo of Johnson, but were unable to positively identify the subject as him. Later in the afternoon, Scott Jones and the unidentified black male drove off in the Ford Escort with Wisconsin tags (RFG-520). The vehicle was followed by the surveillance units to the area of Guilford Road. At that time, a marked patrol unit was called to the area to assist by stopping the vehicle for an equipment violation (broken headlight). P.O. Gummo conducted a traffic stop of the vehicle and identified Scott Jones as the driver. The passenger identified himself to P.O. Gummo via his Maryland driver's license as Frederick James Johnson, 6/21/79. (For further details of these and other surveillance of Jones and Johnson, see supplements by members of the surveillance team).

A criminal history check shows that as an adult, Jones was arrested and convicted for the sale of a handgun to a minor. Jones has a history of arrests and convictions as a juvenile. In one case, he was convicted of two counts of 1<sup>st</sup> Degree Assault and in another, he was convicted for the charge of a Concealed Deadly Weapon which was a knife. Johnson has two arrests an adult involving a theft and CDS violation.

## **LINK BETWEEN ASHLEY SMITH AND SCOTT JONES DISCOVERED**

As noted on page seven of this report, on the first day of the investigation, D/CPL. Donovan recorded all incoming calls that showed up on the "Caller I.D." box at the Smith residence. The date range of the calls captured was from 10/30/00 to 11/03/00. D/CPL. Case discovered an incoming call on 10/30/00 at 0813 hours. The number and name that appeared for that date/time was (410) 740-7496, Janet Jones. D/CPL. Case would note that the name that appears on the "Caller I.D." box is the name of the subscriber to that phone number, not necessarily the caller. Janet Jones is the mother of Scott Jones and the phone number, (410) 740-7496, shows up in Howard County Police computer records as being listed to the Jones residence at 7777 Sweetwind Place, Columbia, MD 21045.

D/CPL. Case would note that 7777 Sweetwind Place is approximately a half mile from Ashley Smith's home at 8585 Black Star Circle and that 8888 #202 Tamar Drive is one block closer.

The investigation into Scott Jones also revealed that he has a younger sister named Crystal Jones who is 15 years old. Due to them being close in age and living near each other, D/CPL. Case felt that the possibility existed that Crystal Jones and Ashley Smith knew each other and that Crystal Jones could have made the call to the Smith residence on the morning of 10/30/00. D/CPL. Case contacted Mrs. Smith and asked her if she was familiar with the Jones family or the names Janet, Scott or Crystal. Mrs. Smith stated that she did not know anyone by that name and was unaware if Ashley was friends with anyone with the last name of Jones. D/CPL. Case made contact with Mr. Steve Drummond of the Howard County Board of Education to find out where Crystal Jones attends school and her attendance for 10/30/00. Mr. Drummond advised that Crystal Jones was a student at the Gateway School and that she was present at school and on time on 10/30/00. He further advised that she would have been in class by the time the call was made at 0813 hours.

### **INFORMATION FROM THE CALLERS IS CORROBORATED**

D/CPL. Case would note that two of the three callers provided information and refused to give their names even though an \$8,000 reward has been offered. In

regards to the information provided by the two anonymous callers, the following points have been corroborated:

\* In the tip received on 11/30/00, the caller advised that "Freddy" stabbed Ashley Smith in the head and neck. The number of and location of the stab wounds was not released to the media as public information. The media was only provided with the fact that Ashley Smith was stabbed to death. Therefore, the only persons who would know that Ashley Smith was stabbed in the head and neck other than police personnel close to the investigation are the suspects and the people that they may have told.

\* Since the autopsy uncovered no signs of a forcible sexual assault, the press officer of the Howard County Police Department released to the media that there was no obvious physical evidence of a sexual assault. In the tip received on 11/25/00, the caller advised that Ashley Smith had been having sex with five boys and the caller from 11/30/00 advised that Ashley Smith had "been taken advantage of" by the suspects. That information would indicate that both sources had information about the crime that would only be known by the suspects or persons whom they told. Evidence collected from Ashley Smith's body indicate that she was involved in sexual activity in the hours prior to her death. Vaginal/Anal swabs, along with stains from Ashley Smith's panties revealed the presence of sperm.

\* In the tip from 11/30/00, the caller advised that Ashley Smith had been drinking alcohol prior to the murder and in fact, a BAC of .04 was discovered through toxicology exams.

\* In the tip from 11/30/00, the caller advised that the incident took place in a Blue Ford Escort with Wisconsin plates (RFG-520). The caller further advised that the car was driven by a subject named "Scott" who lives on Sweetwind Place. The investigation revealed that the owner of the Ford Escort, (WI-RFG520) , Ricky Baumann lives at 7777

Sweetwind Place and has a step-son named Scott Jones.

\* In the tip from 11/25/00, the caller advised that three of the suspects lived in Columbia and the caller from 11/30/00 advised that "Scott" and "Freddy" live in Columbia. The caller from 11/25/00 linked "Scott" and "Freddy" together along with a girl named "Danielle". The caller from 11/30/00 advised that "Freddy" lives at 8888 #202 Tamar Drive in Columbia. The investigation has revealed a Danielle Ritter of 8888 #202 Tamar Drive. As mentioned above, computer

checks through MVA, CJIS, MILES and Howard County Police records show an

address for Scott Jones at 7777 Sweetwind Place in Columbia. The investigation into the rental file of John and Juanita Ritter, the parents of Danielle Ritter, showed a relation to a James Johnson who in turn is related to a Frederick James Johnson, B/M, 6/21/79. In four surveillance by detectives, Jones and Johnson have been linked together and to the Ritter's apartment at 8888 Tamar Drive #202.

\* In the tip received on 11/25/00, the caller advised that "Freddy" was a black male, short in height. The caller from 11/30/00 advised that "Freddy" was a black male, 5'6" or 5'7" with a short bush haircut and that "Scott" was a black male, tall, heavy-set and light complected. Computer checks through MVA and CJIS on Frederick James Johnson show a height and weight of 5'6", 145 lbs. Computer checks on Scott Jones show a height and weight of 6'2", 247 lbs. and a light complexion.

#### **ADDITIONAL EVIDENCE TO CELLMARK DIAGNOSTICS**

**12/6/00**

On 12/6/00, the following pieces of evidence were transported to Cellmark Diagnostics:

#4437 (10) Cigarette butt from Frederick Johnson

#4196 (1) Cigarette butt from Scott Jones

#4444 (2-3&10-11) Victim's fingernail clippings and accompanying bags

#### **INVESTIGATORS MEET WITH F.B.I. IN QUANTICO, VA**

**12/6/00**

On 12/6/00, D/CPL. Case, D/SGT. Schickner, DF. Rettig and DFC. Walk traveled to Quantico, Virginia to meet with criminal profilers from the F.B.I.'s National Center for the Assistance with Violent Crimes. D/CPL. Case conducted a presentation of the facts of the case to a group of 11 criminal profilers and F.B.I. agents. It was the groups opinion that Ashley Smith was killed by someone that she knew but that the

suspect or suspects were not likely to be in Ashley's close inner circle of friends. They advised that the suspect or suspects were older than Ashley and probably lived in close proximity to her.

#### **SEARCH WARRANTS PREPARED AND OBTAINED**

Over the next several days, D/CPL. Case prepared search warrant applications and affidavits for the following persons, premises, and vehicles.

- 1) Scott Jory Jones, B/M, 6/16/82
- 2) Frederick James Johnson, B/M, 6/21/79
- 3) 8888 #202 Tamar Drive, Columbia, Maryland 21045
- 4) 7777 Sweetwind Place, Columbia, Maryland 21045
- 5) 1986 Ford Escort VIN: !FABP319XGW149712

On 12/13/00, Scott Jones appeared in Circuit Court for sentencing for a violation of probation. At that time, Judge Gelfman committed him to the Howard County Detention Center. On 12/14/00, D/CPL. Case appeared before the Honorable Judge Diane Leasure of the Circuit Court for Howard County and was granted the five search warrants listed above.

**INTERVIEW WITH SCOTT JONES CONDUCTED 12/15/00**

On 12/15/00, with a writ, DFC. Bob Bates of the Warrant/Fugitive squad removed Scott Jones from the Howard County Detention Center and transported him to the Southern District Station. Jones was then placed in interview room #1. At 0900 hours, D/CPL. Case and DFC. Rettig entered the room unarmed. Upon entry by the detectives into the interview room, the sound in the room was audio taped and monitored from the monitoring station in the CIB office. Jones was offered food and drink and he declined. At that time, D/CPL. Case read Jones his Miranda Warnings by using HCPD form # 1230. Jones waived his rights both verbally and written.

D/CPL. Case advised Jones that he was investigating the murder of Ashley Smith and that he was one of several persons that were being questioned about it. At the start of the interview, D/CPL. Case did not advise Jones that he and Frederick Johnson were suspects and told him that he was being questioned in an effort to gather information about the case that he might have heard.

Listed below is a summary of some of the key points that were noted during the interview with Jones.

\* When asked how well he knew Ashley Smith, Jones advised that he had met her only once in his entire life. He stated his sister, Crystal knew Ashley and he met her while with his sister at "Jack's" (a restaurant at the Grand Senior Village Center) about two weeks before the murder.

\* Jones advised that he had heard that Ashley had been sexually active with a lot of guys but emphasized that he was not one of them. He had heard that Ashley had been sexually active with Jason Phelps and Patrick O'Donnell, both of whom he knows.

\* Jones advised that he first heard about the murder the Monday after it happened, 11/6/00.

\* Jones advised that his sister did not know Ashley well but was friends with Ashley's friend, Heather. He was not sure of her last name but advised that he met her for the first time the same time that he met Ashley. He has spoken on the phone with Heather a few times when she has called his sister and has seen her about five times at the Grand Senior Village Center. He would later identify a photograph of Heather Thomas as the Heather that he knew.

D/CPL. Case asked Jones to share any rumors that he may have heard about the murder that were circulating through the neighborhood of Grand Senior.

\* Jones advised that he heard that Patrick O'Donnell committed the murder. He also heard that Jason Phelps did it because she was three months pregnant by him and that's why she was stabbed in the stomach.

D/CPL. Case would again note that the fact that Ashley Smith was stabbed in the stomach was never released as public information. In the approximately 100 interviews that were conducted in this case prior to the interview of Jones, no one else had mentioned hearing that Ashley had been stabbed in the stomach. Several other inaccurate accounts of where she was stabbed or how she was killed was relayed to D/CPL. Case but not stomach wounds.

\* When asked where he heard that Ashley was stabbed in the stomach, Jones said, "someone told me". When asked who told him, he said that his mother told him. When asked how his mother knew where Ashley was stabbed, he advised that his mother, who is a nurse at Mt. Sinai hospital, heard it from a co-worker. He advised that the person who told his mother that was a relative or close friend to the Smith family. He also advised that his sister told him of Ashley's stomach wounds.

D/CPL. Case asked Jones to describe what he does on a daily basis after he advised that he was unemployed.

\* Jones advised that he "hangs out" with his friend, Jay and his girlfriend Danielle Ritter. He advised that Jay is just a nickname and that his friend's real name is Frederick Johnson and he is from West Baltimore. He advised that Jay is Danielle's cousin and although Johnson's mother lives in Baltimore, he has been staying with Danielle and her family for the last few months because "they chill everyday".

\* Jones advised that Johnson was with him at "Jack's" the night he met Ashley but did not think that Johnson met her. He advised that he and Johnson did not hang out with Ashley and Heather because he thought that they were too young and insisted that he only met Ashley that one time.



\* Jones advised that he used to carry a knife but does not anymore. He advised that everybody carries a knife.

\* Jones described Johnson as being very quiet. He advised that Johnson stays out of trouble and is going to enlist in the Marine Corps. After being a Marine, Johnson wants to be a "cop" in Baltimore or Prince Georges County.

Due to the fact that Jones has a sister and a girlfriend, not much older than Ashley Smith, D/CPL. Case asked Jones if he and Johnson were concerned about a killer of a young girl on the loose in Grand Senior and asked if they watched the news often to learn updates on the investigation.

\* Although they are both unemployed, and just spend their time, "hanging out together and chillin", Jones advised that he was much too busy to watch television and therefore, did not follow developments of the investigation.

D/CPL. Case asked Jones for his opinion on why he thought Ashley Smith was murdered.

\* Jones suggested that Ashley "may have been out with some guys or something", and that they could have been "drinking in the woods or something". Jones then suggested that Ashley may have run away from home, met up with some guys, could have gotten beaten and then wanted to go home. He then said, "They probably killed her because she threatened to tell on them for keeping her."

\* Jones advised that guys in his neighborhood are known to take girls on the wooded paths in the area and get them drunk. They then make sexual advances on the girls. Jones advised that he has done this a few times, but since he has a girlfriend, has not done it lately.

\* Jones advised that he could not assume what had happened to Ashley because he did not know her well enough. He insisted that he had not heard and did not know anything about the homicide. He said that he was clueless and would be the last person to know because no one tells him anything.

D/CPL. Case then asked Jones about the kind of vehicles that he owns and/or operates and asked him when the last time Ashley Smith was in his car.

\* Jones advised that he currently does not have a car that was operable. He has owned a pick-up truck, a Suzuki Samuri, but most recently, drove a blue 1986 Ford Escort that is owned by his step-father.

\* When asked if Ashley Smith had ever been in the Escort, Jones insisted "No", and again stated that he had only seen Ashley one time.

D/CPL. Case later asked Jones when was the last time that Ashley Smith was in his Escort.

\* Jones replied, "She's never been in my car." When asked if his car was searched for trace evidence from Ashley, would there be any present? Jones answered, "I don't know. It's not my car for you to search. Jones was asked the same question three more times and he insisted that Ashley Smith had never been in his car.

Jones was told that the opinion that he gave on what may have happened to Ashley was very consistent with the tips that came in.

\* Jones became defensive and said that he just assumed what happened and really did not know. He then said, "You're trying to make me out to be a suspect, trying to pin it on me."

At this time, the interview became more accusatory and D/CPL. Case told Jones that he and Johnson have been named as suspects by two anonymous callers.

\* Jones again denied any involvement and suggested that detectives check his phone records and that would prove that he did not have any contact with Ashley Smith. D/CPL. Case informed Jones that his phone number appeared on the Smith's caller I.D. on 10/30/00 at 0813. He said that his sister must have made the call but as mentioned above, it was confirmed that Crystal Jones was in school at the time of the call.

D/CPL. Case told Jones that search and seizure warrants had been issued for his person and the Ford Escort WI (RFG-520). He was advised that a blood sample would be taken from him and his Ford Escort was going to be seized for a trace evidence examination.

\* Jones then abruptly said, "I'll tell you the truth. She has been in my car before but not that night." He advised that he lied earlier because he did not want his name involved in the investigation.

\* Jones went on to explain that he and Johnson met Ashley and Heather at "Jack's" about three days before the murder. He advised that later that night, he and Johnson picked up Ashley in front of her house and they all drank Barcardi together in the parking lot of Grand Senior High School. He advised that Ashley performed oral sex on Johnson that night in the car and that he did not touch her.

\* Jones insisted that was the only time that Ashley Smith was ever in his car and continued to insist having no information or no involvement in the murder.

At one point during questioning, Jones said, "I'd rather go to jail than be a snitch." And after further questioning, he said, "I'll just tell you what I know." Jones then described the events that took place in the hours before the murder of Ashley.

\* Jones advised that he and Johnson were together when they met Ashley and Heather and that they really were drinking with Ashley three nights before the murder in the parking lot of Grand Senior High.

\* Jones advised that when they met the girls, Johnson asked Heather for her phone number. Since she spent so much time at Ashley's house, Heather gave Ashley's phone number. Johnson called to talk to Heather but she was not there so he spoke with Ashley instead and talked her into going out drinking with them later that night.

\* Jones advised that the night of 11/2/00, they decided to call Ashley again because, "They call up bitches & shit" and Johnson said, "Let's call her. She's a freak." Jones advised that he and Johnson were at his home in Baltimore when they called Ashley. They arranged to meet her at the top of Black Star Circle at 2400 or 0030 hours.

\* Jones advised that they drove around and drank E&J brandy and that all of them "got real drunk". They drove around for over an hour drinking, smoking, and listening to music. He began to get low on gas so he pulled into the parking lot of the Pizza Hut.

\* Jones advised that they continued to talk, drink, smoke and listen to music. He advised that he was driving, Ashley was in the front passenger seat and Johnson was in the rear seat in the middle.

\* Jones advised that his memory was not clear because he was so drunk but thinks that Ashley was only partially clothed. He remembered that Ashley vomited in the car while sitting in the front seat. She then got into the back seat with Johnson and gave him oral sex. Jones then advised that he "touched her a little". He would later advise that he and Ashley were "play wrestling" with each other and she scratched his hand leaving a small cut.

\* Jones then remembered that Johnson and Ashley got out of the car and he stayed in the driver's seat. He thought that Johnson had sex with her outside the car.

\* Jones advised that he heard yelling and a few moments later, saw Johnson dragging Ashley into the woods. He could not hear what they were yelling about but heard Ashley scream. He would later advise that shortly after hearing the yelling, he saw Johnson stab Ashley four times in the neck.

\* Jones advised that he never got out of the car. He advised that after Johnson dragged Ashley into the woods, he came back to the car and said that he had stabbed her a few more times down in the woods. Jones advised that he asked Johnson why he did it and he said that Johnson told him that Ashley "bit his dick" and scratched him. They agreed to never talk about the incident again.

\* When told that two dew rags were left at the scene of the crime, Jones advised that Johnson wore two rags because he owned two that had holes in them, so he just overlapped them. (Jones statement is corroborated by the fact that the two dew rags that were collected at the scene had one inside the other.

Jones was asked to describe the knife that Johnson had used in the stabbing.

\* Jones described the knife as a folding "Buck" knife with a locking blade. He described the handle as a red wood with black grain. He further advised that the handle was broken and was held together with tape. (Jones's description of the knife was consistent with the knife that was turned over to police on 11/10/00)

Jones would identify a photograph of the knife and sign it.

\* Jones was fearful of evidence from him being on the knife and informed D/CPL. Case that he had handled the knife several times before the incident and said that he and Johnson play with it a lot.

\* Jones advised that he was with Johnson when he purchased the knife at a flea market in South Carolina for about \$10.00. At the same flea market, Jones bought himself a stun gun.

As mentioned above, Jones advised that he touched Ashley "a little" while she was in the car. D/CPL. Case asked Jones if he had any sexual contact with her.

\* Jones advised that he did not think that he had sex with Ashley. He advised that she was touching him. D/CPL. Case asked him if had kissed her or fondled her and he said, "No". D/CPL. Case asked Jones if Ashley preformed oral sex on him and he said, "No" and then immediately changed his answer and said that she

did. Jones then said, that Ashley was a "freak" and that he did not ask for the oral sex, she just did it.

Referring to the tips that indicated that multiple suspects were responsible for the murder, D/CPL. Case asked Jones if anyone else was present at the time of the

murder and he said, "No". Jones advised that after Johnson got back in the car, they drove straight to Danielle Ritter's apartment at 8888 #202 Tamar Drive. He stated that when they got there, he confided to Danielle what had happened and later learned from her that Johnson told her what had happened about a week later. Jones insisted that he told no one else about the incident. Jones advised that he and Johnson never talked about the murder again.

The interview with Jones concluded at 1217 hours. For further details of the interview, see transcription of the tape recording.

## **SEARCH AND SEIZURE WARRANTS EXECUTED**

**12/15/00**

At that time, surveillance units assigned to watch Frederick Johnson reported that he had exited 8888 #202 Tamar Drive and entered a vehicle. The units, led by D/SGT. Mark Joyce were instructed to take Johnson into custody and transport him to the Southern district.

Due to the additional information on the murder provided by Jones, the five search warrants that were granted by Judge Leasure were re-written to include the new information. D/CPL. Case presented the five new warrants to Judge Leasure in her chambers and they were granted.

D/CPL. Sprinkle collected hair samples from Jones. Then Jones was transported to Howard County General Hospital by DFC. Holocker for the collection of a blood sample pursuant to a search and seizure warrant. See supplements by those investigators for further information.

A team of investigators split up into two groups. D/CPL. Sprinkle led a group of investigators to execute a search and seizure warrant at the home of Scott Jones at 7777 Sweetwind Place. DFC. Walk maintained custody of the 1986 Ford Escort as it was towed from Jones's residence to the Northern District processing bay. D/CPL. Jones led another group of investigators to execute a search and seizure warrant at 8888 #202 Tamar Drive.

While at the Ritter's apartment, D/CPL. Jones interviewed Danielle Ritter on tape in the presence of her parents. Danielle advised D/CPL. Jones that Jones confided to her about the murder the morning after it happened. She told D/CPL. Jones that Jones told her that he and Johnson had stabbed and murdered Ashley. She also told D/CPL. Jones

that before the murder, Jones and Johnson had taken Ashley to a house in Oakland Mills where they and some other male subjects consumed alcohol. The house was the home of a Michael Stewart who was one of the persons present. (For further details of the interview, see supplement of D/CPL. Jones). As mentioned on page 32 of this report, the name Michael Stewart and the information about of a party with drinking was provided in a phone tip by Ms. Monica Martin on 11/26/00. Ms. Martin reported that Michael Stewart was the alleged killer but as mentioned before, her information was third hand.

#### **INTERVIEW OF FREDERICK JOHNSON**

**12/15/00**

On 12/15/00, 1600 hours, Frederick Johnson was removed from his cell and placed in interview room #1 of the Southern District. Present in the room with D/CPL. Case was DFC. Rettig and both were unarmed. At that time, D/CPL. Case reviewed Johnson's Miranda Warnings with him by using HCPD form #1230. At time, both verbally and written, Johnson invoked his right to have an attorney present during questioning. At that time, all questioning ceased.

At that time, DFC. Rettig left the room to retrieve restraints before walking Johnson back to the cell block leaving D/CPL. Case alone in the room with him.

Johnson asked D/CPL. Case if there was a warrant for him. D/CPL. Case explained to him that a search warrant had been granted for his person and that he was going to be charged with a crime. Johnson asked what crime and D/CPL. Case told him "murder". Johnson then asked, "of who?" D/CPL. Case told him, "Ashley Smith". After a few seconds of silence, Johnson asked, "I'm getting charged for that?" At that time, DFC. Rettig re-entered the room and Johnson was escorted back to his cell by both investigators.

D/CPL. Case and DFC. Rettig responded to the home of Heather Thomas to interview her again. Heather was home but her parents were not so no interview was conducted. In addition, D/CPL. Case and DFC. Rettig attempted to find Crystal Smith and inform her that an arrest had been made in the murder of her daughter. After several unsuccessful attempts the

investigators returned to the Southern District. At that time, Lt. Prozeralik advised that he saw Scott Jones in the cell block and he advised that Jones wanted to speak again.

## **SECOND INTERVIEW OF SCOTT JONES**

**12/15/00**

Jones was removed from the cell block and at approximately 1840 hours, was placed in interview room #1. Jones was told that other interviews had been conducted and that information that has been received, conflicted with the information that he provided.

\* Jones insisted that had told the truth about everything. When told that Danielle provided information about the party at Michael Stewart's house, Jones denied going there. He again insisted that everything he told before was the truth and said there's "no way my story is changing". He also denied even knowing a subject named Michael Stewart.

\* After a few more questions, Jones admitted that he, Johnson, and Ashley were at house in a town house in Oakland Mills earlier in the night and said that he was with, Mike Stewart, his brother, Martice and a third subject that he did not know. He described the third subject as a light skinned black male, tall, and wore corn rows.

\* Jones then stopped and said, "I'm gonna tell the real whole story." He then advised that he did not receive oral sex from Ashley in his car but stated that it was in the bathroom of Mike Stewart's basement. After the oral sex, he went outside and got sick.

\* Jones advised when he left the bathroom, Ashley was still in there and Johnson went in there with her. Jones advised that he passed out upstairs and two hours later, Johnson woke him and wanted to leave. He and Johnson then left with Ashley. He insisted that when they left, there was no indication that Johnson wanted to kill Ashley or he would not have gone with him. Jones advised that he knew that he would be in more trouble if he knew prior to the murder that it was going to take place.

\* Jones advised that he did not see anyone else at the party have any sexual contact with Ashley but advised that he was told by Michael Stewart a week later that he had sex with her.

\* Jones advised that Johnson wanted to drive around more and finish their alcohol. He advised that Ashley showed no signs of not wanting to be with them. He advised that he was too drunk to drive and decided to pull over behind the Pizza Hut.

\* Jones then insisted that everything that happened from that point on was consistent with the first statement that he gave.

Jones was very curious about anything that Johnson may have said during an interview. DFC. Rettig told Jones that Johnson had given a statement that was consistent the one that he gave only that the roles were reversed and that Jones actually did the stabbing. Jones was again asked if the murder was premeditated.

\* Jones then advised that Johnson had planned to kill Ashley when they left the party but that he (Jones) did not know of his plans until after the murder.

\* Jones then said, "I'm gonna go ahead and say it now. No point in hiding anything else." He then stated that Johnson told him after the murder that he raped Ashley at the party and killed her because he was afraid that she would report it.

\* Jones advised that he did not know if anyone else at the house was involved in the rape. Jones admitted that he lied about the earlier motive that he gave for Johnson killing Ashley.

Jones was asked if other than the stabbing, did he witness Ashley being assaulted in other way.

\* Jones advised that while Johnson and Ashley were outside the car, he thinks that Johnson was "choking her". He advised that he saw through his rear view mirror that Johnson's hands looked like they were around her throat. (As mentioned above, the fact that Ashley Smith was strangled was never released as public information)

\* Jones advised that he did not provide the above information earlier because he was still trying to help Johnson.

The second interview with Jones ended at 1935 hours and he concluded it by saying, "I think I told you everything". The investigators then exited the interview room for a brief time.

At 2000 hours, D/CPL. Case and DFC. Rettig re-entered the interview room to take Jones back to the cell block. At that time, Jones initiated a conversation by asking investigators questions about what crime, if any, was he going to be charged with. Jones was told that his question could not be answered at that time. Jones was explained

that DNA evidence had been recovered from Ashley's skin on her ankles that indicated that a male had touched her there, perhaps when dragging her into the woods.

Jones asked if there was no DNA evidence that linked him to the crime, would he be cleared and he was told no. Jones was then asked where he may have touched Ashley Smith during the night.

\* Jones advised earlier that he and Ashley had been "playing around" and were wrestling with each other in the car. During this interview, he changed the location of the wrestling to Michael Stewart's house.

\* Jones was asked specifically if his DNA would match what was recovered from Ashley's ankles and he said, "I don't think I touched her ankles." He was asked the same question again and he said that his DNA should not be present. He then again stated that he never exited his car during the murder and was then said that he was sure that his DNA would not match with what was recovered.

\* Jones was asked that if he never got out of the car, why didn't he drive away and leave Johnson behind once he knew that he had stabbed Ashley. Jones stated that he was in shock and did not know what to do. He said that he knew that what he did was not the right thing to do but said that Johnson was his friend and he did not want to leave him there.

The interview with Jones concluded at 2015 hours and he was then escorted back to the cell block.

**BLOOD & HAIR COLLECTED FROM JOHNSON 12/15/00**

At 2205 hours, D/CPL. Case and DFC. Rettig, transported Johnson to the Emergency Room of Howard County General Hospital to obtain a blood sample, pursuant to the search and seizure warrant. At 2215 hours, R.N. Beverly Dorsey collected two small vials of blood from Johnson and turned them over to the custody of D/CPL. Case. Johnson was then transported back to Southern District and placed back in interview room #1. At 2245 hours, D/CPL. Case recovered samples of Johnson's pubic and head hairs. He was then escorted back to the cell block.

**FREDERICK JOHNSON CHARGED WITH 1<sup>ST</sup> DEGREE MURDER 12/16/00**

On 12/16/00, D/CPL. Case completed a charging document that charged Johnson with one count of 1<sup>st</sup> Degree Murder. He was transported to the District Court

Commissioner's office and committed to the Howard County Detention Center without bail. Due to efforts to keep Jones and Johnson separate, the custody of Jones was transferred to the Anne Arundel County Detention Center.

**SCOTT JONES'S MOTHER & SISTER INTERVIEWED 12/16/00**

On 12/16/00, 1130 hours, D/CPL. Case was contacted by phone by Janet Jones, the mother of Scott Jones. She questioned whether or not her son would be charged with any crimes pertaining to the murder of Ashley. D/CPL. Case told her that a decision regarding her son had not been made yet. D/CPL. Case made an appointment to meet her at her mother's home at 6628 Deep Run Parkway in Elkridge at 1230 hours. Janet Jones and her daughter, Crystal Jones were questioned about Scott and Johnson's history together. They provided the following information.

\* Janet Jones advised that she, her mother, her daughter, and Scott went on a family trip together to Myrtle Beach, SC in late August of 2000. They went with a group on a bus and when a seat became available at the last minute, Frederick Johnson joined them.

\* Janet Jones advised that Scott and Johnson went to a flea market and bought stun guns, fireworks, knives and brass knuckles. Crystal Jones said that she was present when her brother and Johnson bought the above items.



\* Crystal Jones was shown a photograph of the knife that was recovered and identified it as a knife that she saw Johnson buy at the flea market. She advised that she had seen Johnson with the knife numerous times.

\* Janet Jones advised that Johnson and Scott were very close and that Johnson often slept at their house.

\* When asked if she had ever told her son that she heard, through co-workers the location and number of stab wounds to Ashley, Janet Jones advised that she had never heard anything about the wounds.

\* Crystal Jones advised that about a week after the murder, Heather Thomas told her that Ashley had been stabbed 8-10 times in the stomach. Heather's sister, Crystal, also told her that.

Janet Jones also advised that Scott Jones was assaulted by several inmates upon his return to the Howard County Detention Center the evening of 12/15/00. D/CPL. Case has since retrieved a copy of the detention center incident report which lists the names of, and statements given by the inmates that assaulted Jones.

#### **INTERVIEW OF MICHAEL STEWART**

**11/16/00**

Shortly after this lead developed, Michael Stewart was arrested for a robbery and was incarcerated in the Howard County Detention Center. D/CPL. Case met with Stewart at the detention center at 1335 hours. Just prior to meeting with Stewart, his brother, Martice Stewart was interviewed by D/CPL. Jones and gave a detailed statement about what went on at their house between Jones, Johnson, and Ashley. (For details of that interview, see supplement by D/CPL. Jones). When told that his brother had already given a detailed statement, Michael Stewart provided the following information.

\* Stewart advised that he has known Scott Jones since elementary school and recently was employed with both Jones and Johnson.

\* Stewart advised that the night of the murder, he, his brother, Martice and friend, Raynell were just hanging around his house when the phone rang late. Jones called and asked if he and Johnson could come over with some "freak" named Ashley. Jones also told him to get some liquor.

\* Stewart advised that he and Raynell drove to the Three Nines Tavern and bought some E&J Brandy. He acknowledged that because of what Jones said on the phone, he was expecting some sexual activity with Ashley.

\* Stewart advised that when they arrived at about 2400 hours, they all went down to the basement and talked and played video games. Ashley appeared to already be drunk and continued to drink more brandy, becoming more drunk.

\* Stewart advised that after they were there for about 45 minutes, Jones and Johnson began to initiate a "sex act" with Ashley and she turned him down. Jones became very angry and started smacking her in the face and was calling her a "bitch". Jones advised that he "was gonna take care of her".

\* Stewart advised that Ashley was crying. He and his brother told Jones to stop smacking her and just take her home.

\* Stewart advised that Jones kept saying, "I'm thorough, I'm thorough". At one point, Jones asked Stewart for some trash bags. Stewart refused and told Jones to not do anything stupid and "just take the girl home". During the time that they were there, Johnson kept playing with a knife. Stewart described it as a folding knife with a brown handle with gold on the ends.

\* Stewart advised that Jones and Johnson left with Ashley and she left with them willingly. At approximately 0200 hours, Jones and Johnson returned to his house without Ashley.

\* Stewart advised that Jones said that he "took care of it". Jones with a "cold look on his face", said that Ashley was dumped behind the Pizza Hut and her body would be found in the morning. Johnson had what appeared to be blood on his boots.

\* Stewart advised that Jones was doing most of the talking about the incident. He advised that they both were very calm and acted like they had done it before.

\* Stewart advised that Jones told him that Ashley had been strangled and stabbed. He advised that he was told that Jones strangled her, Johnson stabbed her, and they both dragged her into the woods. He advised that Jones advised that during the murder, Ashley said, "Let me die in peace".

\* Stewart advised that Jones was very upset because they had realized that they lost the knife.

\* Stewart advised that he told Jones and Johnson that they had to leave his home and they did.

It should be noted that during parts of the interview, Stewart became visibly upset. At times, he started shaking, crying, rocking back and forth in his chair and breathed very heavily. It should also be noted that even though Stewart was incarcerated awaiting trial, he gave a taped statement and never once asked for consideration for his case. The interview with Stewart concluded at 1415 hours. (For further details of the interview, see transcripts of the tape).

D/CPL. Jones advised D/CPL. Case that when he interviewed Martice Stewart, he was given the name of a black male subject named "Tavon" who needed to be identified and interviewed. According to Martice Stewart, Jones came by his house

after the news reported that a citizen had turned a knife into police. He advised that Jones was with "Tavon" when he stopped by and he was talking about the murder in front of "Tavon". Jones was afraid that the recovery of the knife would lead police to him.

The investigation would later reveal the identity of "Tavon" as Tavon Waller, B/M, 6/17/82.

**ADDITIONAL EVIDENCE TO CELLMARK DIAGNOSTICS**

**12/18/00**

On 12/18/00, the following pieces of evidence, seized pursuant to search warrants, were transported to Cellmark Diagnostics:

- #4437 (11) Known blood sample of Scott Jory Jones
- #4437 (14) Known blood sample of Frederick James Johnson

**FOURTH INTERVIEW OF HEATHER THOMAS**

**12/21/00**

On 12/21/00, D/CPL. Case had the opportunity to interview Heather Thomas again at the Howard County State's Attorney's Office. Heather was interviewed in the presence of her parents with Senior Assistant State's Attorney, Mike Rexroad and Assistant State's Attorney, Kim Oldham. Heather was specifically questioned about her knowledge of Scott Jones and/or Frederick Johnson. As mentioned earlier in this report, Jones stated in his interview on 12/15/00, that he and Johnson were together when they both met Ashley and Heather. Jones even identified a photograph of Heather Thomas as the Heather he was referring to.

- \* She advised that she knew Johnson as "Jay". She met him with Ashley at "Jack's" in the Grand Senior Village Center a couple weeks before the murder. He was with her friend, Danielle Ritter.
- \* She advised that a few days later, she was at Ashley's house when Johnson called her. Ashley invited him over to the house. While he was on his way over, Ashley's mother called to say that she was on her way home.
- \* She (Heather) met Johnson outside and told him that he would have to go because Ashley's mother was coming home. Johnson seemed disappointed and quickly drove off. He was with a light skinned black male that she did not know and would not recognize again.
- \* She advised that Ashley would later tell her that either Johnson or Johnson and his friend, were "trying to mess with her", but she was not interested in either of them that way. She knew that at least on one occasion, Ashley went out with Johnson and his friend but does not know what they did.
- \* She advised that she was unaware of any plans that Ashley had to meet with Johnson and/or his friend the night of 11/2/00.

Also on this date, Michael Stewart, Janet Jones, and John Ritter testified before the Grand Jury.

### THIRD INTERVIEW WITH SCOTT JONES

12/21/00

On 12/21/00, D/CPL. Case and DFC. Rettig obtained a writ to remove Jones from the Howard County Detention Center for further questioning. Jones was transported to the Southern District station and placed in interview room #1 at 1704 hours. At that time, D/CPL. Case reviewed with Jones, his Miranda Warnings which he waived both verbally and written. The interview was tape recorded and D/CPL. Case and DFC. Rettig were both unarmed. Jones was advised that since detectives last spoke with him, several persons, unnamed to him, had been interviewed. Jones was told that some of the information provided by these interviews was not consistent with what he had previously told D/CPL. Case and DFC. Rettig in the interview conducted on 12/15/00. The following is a summary of the statements that Jones gave on 12/21/00.

\* Jones was asked if he had ever told anyone else about the incident other than his girlfriend, Danielle Ritter. Jones insisted that he told no one else about it because he would have been too scared to. He said, "I swear to it." Jones also insisted that he told Danielle that "Freddy did it", not "We did it".

\* Jones was asked if he had choked Ashley at all that night. He replied, "No! I didn't touch her." He was again asked the question and he said, "No! I didn't choke her."

\* Jones was told that male DNA in the form of perspiration had been recovered from Ashley's neck. He was told that it had not yet been compared to his blood sample and was specifically asked if there was any reason for his DNA to be on Ashley's throat. He responded, "I don't know. I didn't choke her."

\* Jones finally said, "I don't want you to take it the wrong way. I choked her but I did not choke her out." He said that he did it while that were "play wrestling" earlier at Stewart's house. Jones was advised that information that had been received through interviews indicate that he strangled Ashley in the car after the left Stewart's house. He denied choking her in the car.

\* Jones went on to explain that Ashley gave him oral sex in the bathroom at Stewart's house. He said that he did not want it but Ashley forced it. When she finished, she told Jones that she was going to tell her boyfriend, Jason Phelps, what she had done because she thought that he had a right to know.

\* Jones told her not to tell Phelps but she said that she was going to anyway. He advised that he got angry, pushed her against the wall and put his hands around her throat. He advised that he choked her firmly but did not cut her air off.

\* Jones said that everything else had told detectives before "stays the same."

He insisted that he never told anyone else, other than Danielle about the incident. He advised that they went to Danielle's apartment right after they left the Pizza Hut. Jones was advised that his statement was not true and that detectives knew that he and Johnson went back to Stewart's house. After initially denying it, Jones admitted that he and Johnson went back to Stewart's house and that they talked about what had happened. He stated that he did not tell them anything and that Johnson did all the talking.

\* Jones was then told that his statement regarding the choking of Ashley in Stewart's house was not true and that detectives knew that he had choked her in the car. Jones said, "It didn't happen in the car. Next thing you'll say is that I killed her."

\* Jones eventually admitted to choking Ashley in the car and asked, "Can I just start over? I still didn't kill her." Jones explained that he was too drunk to drive so Johnson was driving. Ashley was in the front passenger seat and he was behind her. He stated that he reached around the seat and choked her. A while after the choking, she vomited. Jones said, "I told her sorry."

\* Jones advised that Ashley told them that if he took her home, she would not tell Phelps about the oral sex.

\* Jones was asked if his DNA would show up on the knife. Jones feared that it might be because he had handled the knife that night at Stewart's house and numerous times before. He insisted that he never got out of the car at the murder scene. He said, "I didn't get out of the car. That stays the same."

\* Jones was told that detectives also knew that he told Tavon Waller about the incident and that he was with Waller at the Stewart's house a week after the murder. And how he was visiting Martice Stewart, talking about how the knife was found and he feared that he would get caught. Jones then admitted that he told Waller about the incident too.

\* Jones was asked if he stabbed Ashley. He again insisted that he never got out of the car. Jones was presented with the possible scenario that he perhaps, had inflicted some of the last stab wounds, after Johnson had inflicted the most fatal ones. Jones said that he wanted to ask a question before answering. He then asked, "What would the charge be if you stab a dead body?"

\* Jones was asked if he stabbed Ashley in the head and answered, "No!". He was then asked if he stabbed Ashley in the neck and answered, "No!". He was then asked if he stabbed Ashley in the stomach and he answered, "One time. I did it one time in the stomach after she was dead."

\* Jones then asked, "Can I start over again?" Jones explained that he was in his car when he saw Johnson begin to stab Ashley. He then witnessed Johnson drag Ashley into the woods. After waiting for a while for Johnson to come back to the car, he went down in the woods where he was. Jones said that Johnson told him that since they were in it together, he wanted him to stab her too so he would be sure that he would not

snitch. Jones advised that Johnson handed him the knife. He stabbed Ashley once in the stomach, handed the knife back to Johnson, and went back to the car to wait for him.

\* Jones was told about how Danielle Ritter was re-interviewed in the State's Attorney's office on the morning of 12/21/00 and that Danielle's statement was not consistent with the one that she gave D/CPL. Jones on 12/15/00. Jones admitted that he told Danielle that, "We did it". He also admitted that he told Danielle what to say if she was interviewed again.

\* Jones was asked if Ashley said anything during the murder. He advised that contrary to what he said earlier, he did not wait to get out of the car until after Johnson dragged Ashley into the woods. He stated that he got out shortly after Johnson started stabbing her in the parking lot. Jones advised that he then heard Ashley say, "Don't stab me no more. I'm already dead."

\* Jones was advised that evidence has been retrieved from Ashley's panties that may be male DNA. He was asked if he his DNA would be on Ashley's panties and was asked if he had intercourse with Ashley. Jones then said, "Yes. I had sex with her." Jones then explained that he had intercourse as well as oral sex with Ashley in

the bathroom at Stewart's house. He then said, "She wanted me to have sex with her." Jones advised that he was made aware by his mother that Johnson told her, via collect call from the jail, that he (Jones) had raped Ashley.

Near the conclusion of the interview, Jones said, "Regardless of what I haven't told the truth about, I didn't kill her."

The interview with Jones concluded at 1834 hours and he was placed in the cell block. (For further details of the interview, see transcripts of the tape recording)

#### **INTERVIEW WITH TAVON WALLER**

**12/21/00**

On 12/21/00, 2025 hours, D/CPL. Case and D/SGT. Schickner attempted to interview Tavon Waller at his home at 9112 Bronze Bell Court. When detectives parked in front of Waller's house, he was outside and then quickly went back inside. When Waller's mother opened the door, Waller walked out refusing to answer questions. Waller was advised that Jones had already confessed to his involvement in the killing and he said that he did not believe it. Waller reluctantly agreed to sit in D/SGT. Schickner's car and listen to the tape of Jones's confession. When Waller heard the confession, he cried and said that Jones told him that they were all drunk and that he saw Johnson stab Ashley. He further advised that Jones and Johnson did not know that Ashley was only 14 years old.

#### **SCOTT JONES CHARGED WITH 1<sup>st</sup> DEGREE MURDER**

**12/22/00**

On 12/22/00, D/CPL. Case completed a charging document that charged Jones with one count of 1<sup>st</sup> Degree Murder. He was transported to the District Court



Commissioner's office and committed to the Howard County Detention Center without bail.

**INTERVIEWS OF OTHER WITNESSES CONTINUE**

**01/02/01**

The caller that provided the tip on 11/26/00, Monica Martin advised that she was calling on behalf of her daughter. The investigation would reveal that she was in fact calling for her god-daughter, Alexis Williams. In the third hand information from Alexis that Ms. Martin provided, she advised that Michael Stewart was the suspect in the murder. On 1/2/01, D/CPL. Case interviewed Alexis at her home. She advised that her

boyfriend, Raynell Jamar Hosein, B/M, 10/11/79, was the third subject at the party. She was advised by Hosein that Johnson and Jones brought a girl to the party. Everyone got drunk and Johnson and Jones tried to have sex with the girl, but she did not want to. Hosein was gone before Johnson and Jones returned to the house. Alexis advised that Ms. Martin must have gotten some of the information she told her mixed up because she did not tell her that Michael Stewart committed the murder. She only told her that the party was at Michael Stewart's house.

**ADDITIONAL EVIDENCE TO CELLMARK DIAGNOSTICS**

**01/03/01**

On 01/03/01, the following pieces of evidence, seized pursuant to search warrants, were transported to Cellmark Diagnostics.

- #4281 (1) Stained boots
- #4129 (23-24) Fabric from vehicle
- #4129 (25) Armrest from vehicle
- #4129 (11) Swab from car seat bracket
- #4129 (22) Two pieces of stained paper
- #4860 (27) Swab from interior of vehicle

**INTERVIEW WITH INMATES AT THE H.C.D.C.**

**01/10/01**

On 1/10/01, D/CPL. Case met with some inmates at the Howard County Detention Center who reported that Scott Jones has made statements to them about the murder.

Listed below are their names and a brief summary of their statements.

\* Brian Kriss, W/M, 11/20/81

Kriss advised that he remembered a day a few weeks ago when Jones was gone from the tier for several hours. Upon his return, several inmates asked him where he was and he told them that he was with police answering questions about a murder. Jones then told them that he and his friend, Freddy, "got head from a young girl." Freddy killed her but he (Jones) stayed



in the car. Several inmates got angry with Jones for his involvement. They beat him and made his pray for forgiveness.

\* Basil Copley, W/M, 12/26/61

Copley was on the same tier as Jones for a few days. Jones bragged about how he and Johnson had oral sex, anal sex, and vaginal sex with the girl all day long. They got her drunk and had sex with her some more. Jones first advised that he was asleep in the car when Johnson stabbed her. He later changed his story and told Copley that he strangled the girl and stabbed her once because Johnson told him to and he was afraid not to.

\* Nicholas Kindred, W/M, 6/26/80

Kindred advised that Jones advised that he got head from the young girl, who was drunk and his friend stabbed her and dragged her into the woods.

\* Antwan Holland, B/M, 6/28/81

Jones bragged that he got a "blowjob" from the girl. He told Holland that he was drunk and stayed in the car while his friend did the stabbing.

**DANIELLE RITTER RE-INTERVIEWED**

**1/18/01**

On 1/18/01, D/CPL. Case had the opportunity to re-interview Danielle Ritter at the Howard County State's Attorney's Office. At that time, Danielle admitted that after the murder, Jones had told her that "we did it", referring to he and Johnson's involvement in the murder and also that Jones coached her on what to say prior to her last meeting with the State's Attorney's Office. She would later testify to that before the Grand Jury.

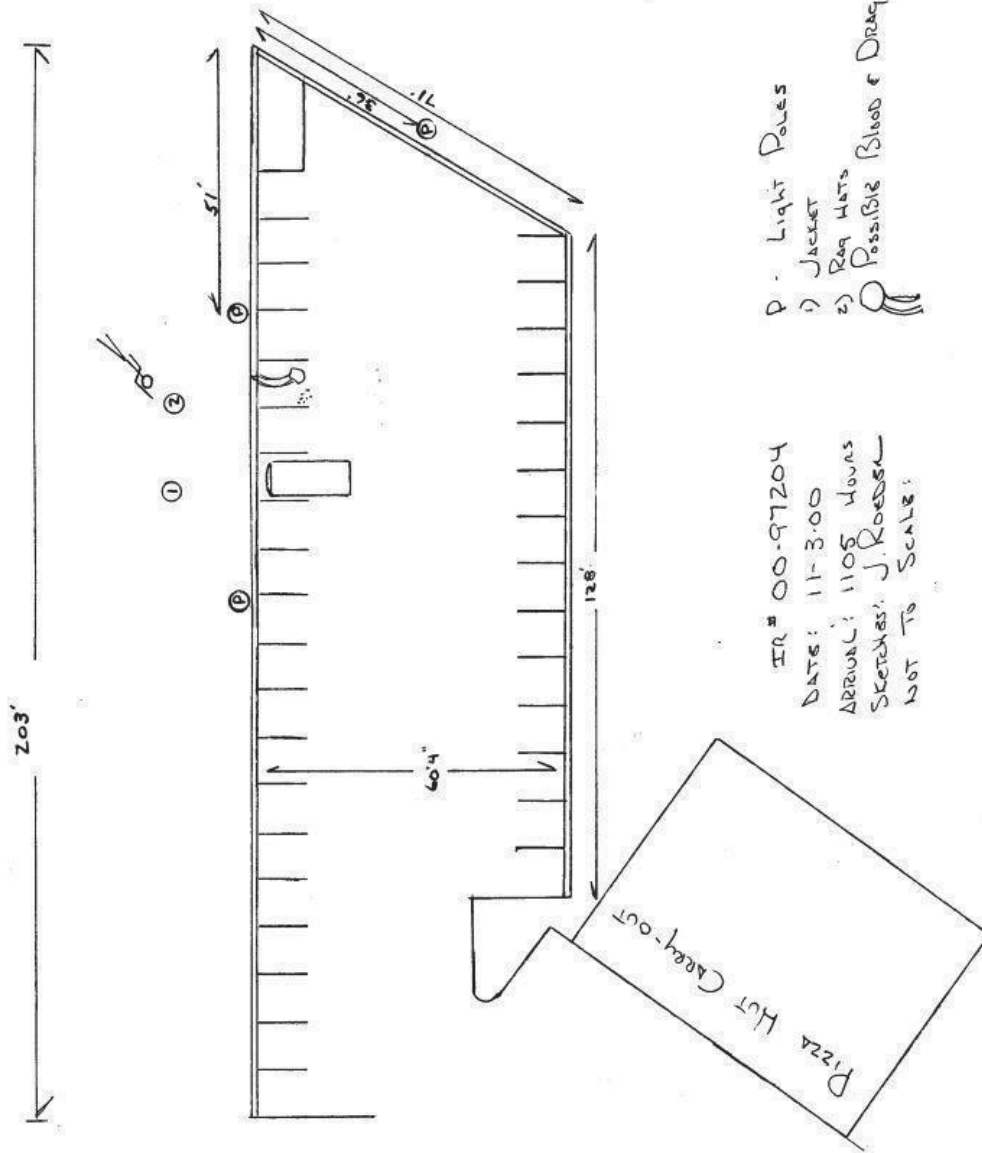
## **CONCLUSION**

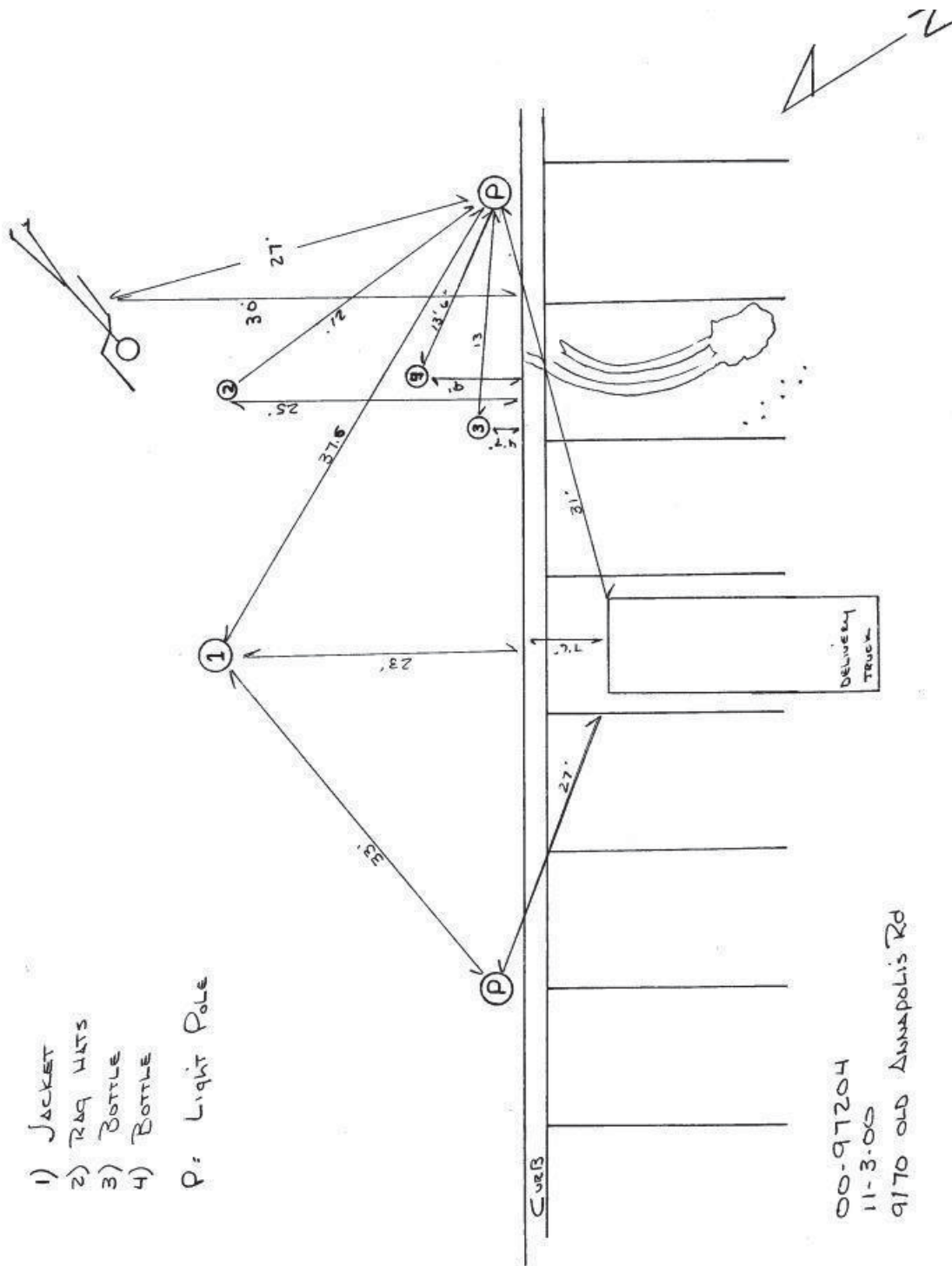
On 2/6/01, D/CPL. Case recieved an updated report from Cellmark Diagnostics. According to the report, Scott Jones cannot be excluded as a source of DNA on several pieces of evidence. Frederick Johnson's DNA has been matched to the male DNA from the two "dew rags". In addition, Johnson cannot be excluded as a source of DNA on several other pieces of evidence. For further details, see report from Cellmark Diagnostics. At this time, D/CPL. Case is awaiting a final report on the last pieces of evidence taken to Cellmark.

Any additional interviews conducted from this point on will be documented in supplemental reports.

RCS-CLOSED BY ARREST

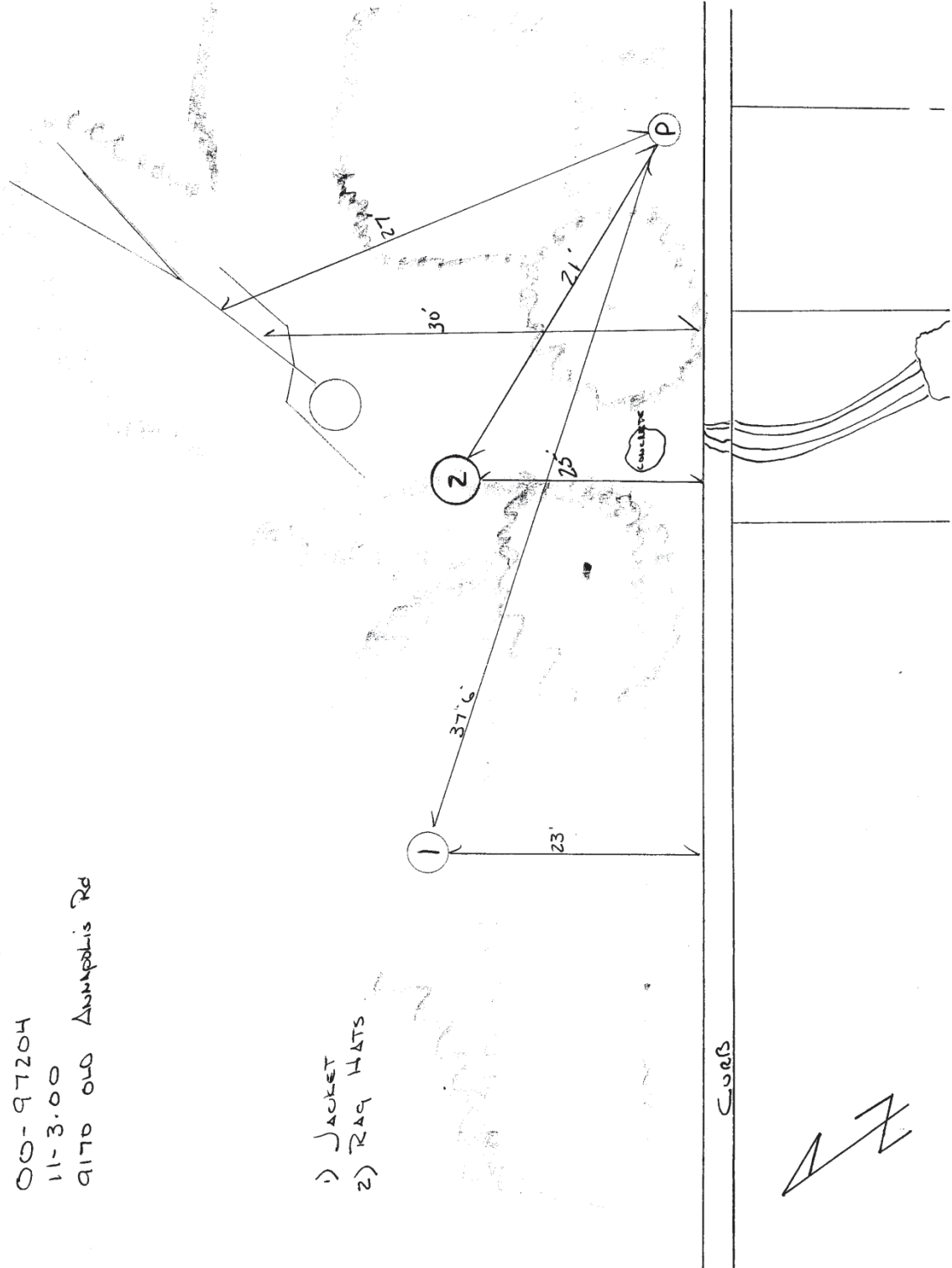
# Crime Scene Sketches

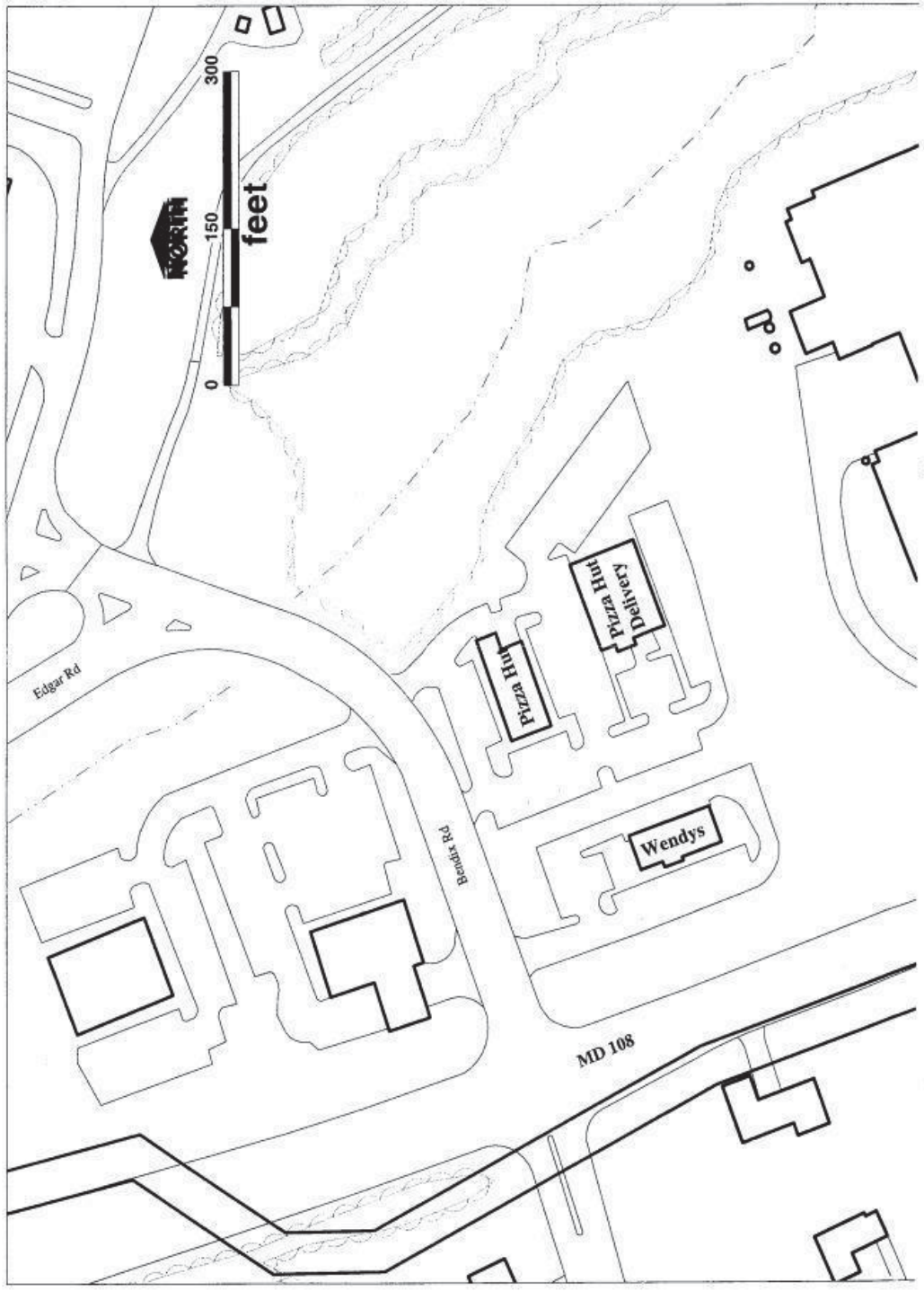




00-97204  
11-3-00  
9170 Old Annapolis Rd

- 1) JACKET
- 2) RAG HATS













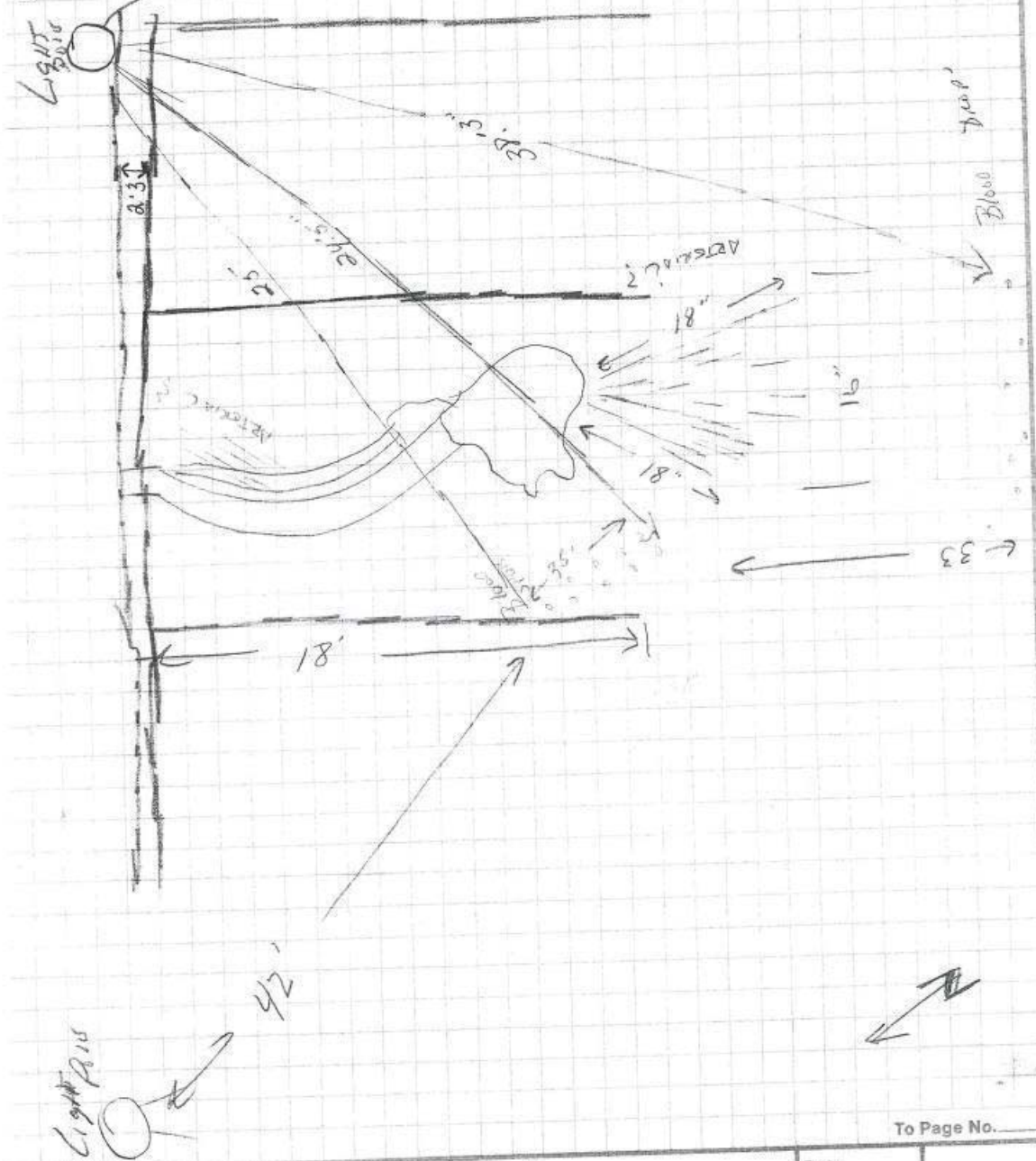
00-97204

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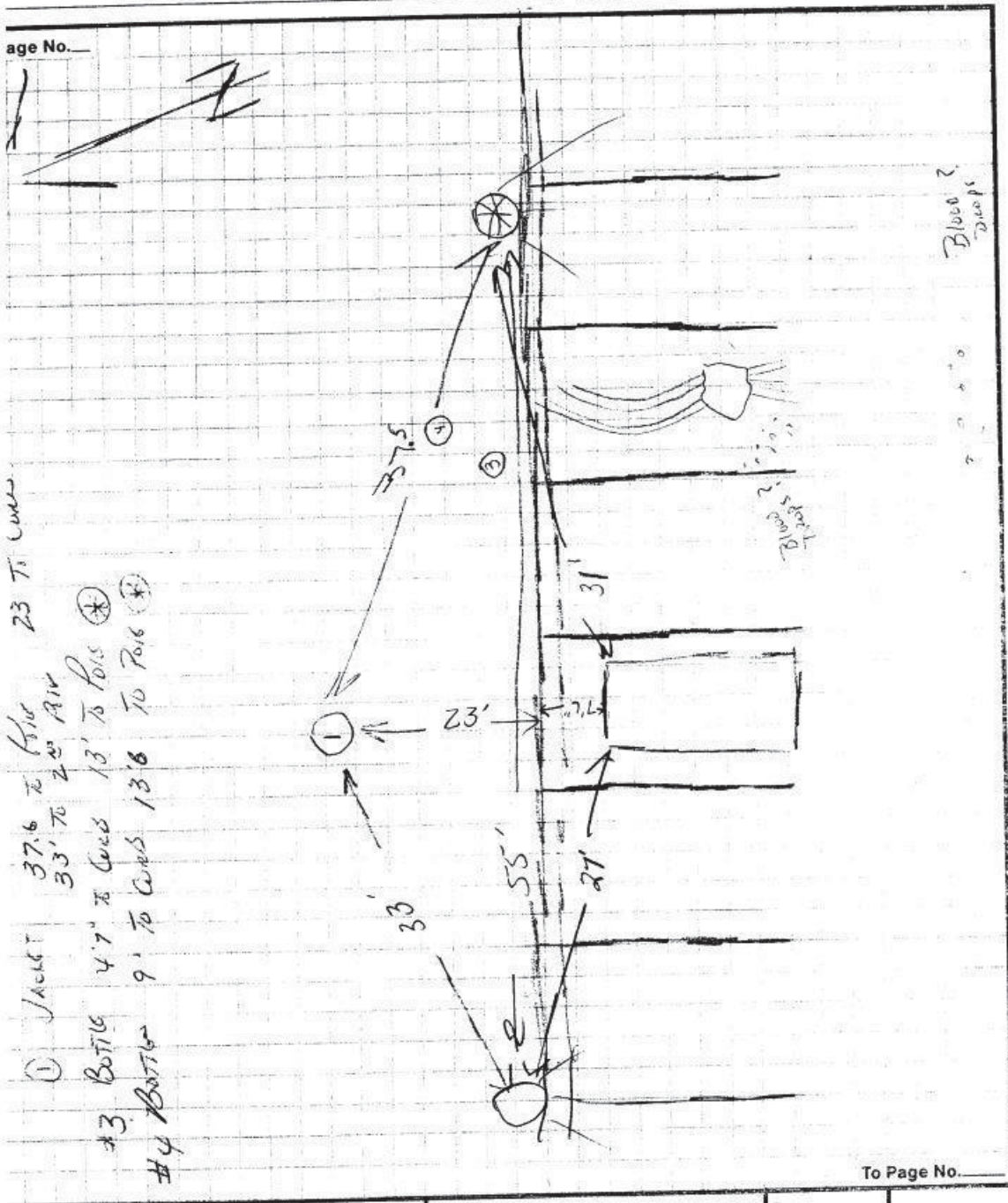
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37

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Invested by \_\_\_\_\_ Date \_\_\_\_\_



age No. \_\_\_\_\_

① JACKET 37.6 TO FLOOR 23 TO CURB  
 33' TO 2<sup>ND</sup> AVE  
 #3 BOTTLE 4.7' TO CURB 13' TO POIS (X)  
 #4 BOTTLE 9' TO CURB 13.8 TO POIS (X)

To Page No. \_\_\_\_\_

\_\_\_\_\_  
 Date \_\_\_\_\_ Invented by \_\_\_\_\_ Date \_\_\_\_\_