



Episode 20: Fact Trumps Theory
09/13/2015
Speaker: Bob Ruff

EPISODE DESCRIPTION

In this episode, Bob continues on with his investigation of Don. At the close of the show, the future of *The Serial Dynasty* is announced.

Today's episode of *The Serial Dynasty* is sponsored by [Shaun T Fitness](#). Can you imagine the self-motivation that Adnan needed to have in order to have been wrongfully convicted in jail for the last sixteen years? Well it takes a lot to have to continue to believe that you actually have the power to come out on top while outside barriers are bringing you down and people are constantly working against you.

Shaun T wants you to have the power to trust and believe. And he also wants you to not become your own barrier. This week on Shaun T's podcast, *Trust and Believe*, he teaches you how to not be your own barrier in life. For more information on Shaun T's podcast, go to ShaunTFitness.com/Podcast.

Hello everybody and welcome back to *The Serial Dynasty*. This week *The Serial Dynasty* has made an incredible leap in the iTunes rankings. All week long, we've been holding a steady position at number three overall and number one in our category. The strength of this movement is incredible. And I want to take just a minute to say a few thank yous to some incredible individuals.

Rabia Chaudry, Susan Simpson, and Colin Miller, the hosts of the *Undisclosed* podcast, I believe were the major contributing factors, along with all of you passionate listeners, to us gaining this incredible amount of interest. I firmly believe that without *Undisclosed*, very few of you listening right now would have any idea that this podcast even exists. While I'm proud of this accomplishment and I'm proud of how far we've come, I want to give credit where

credit is due. Rabia, Susan, and Colin's willingness to come on this show and interview as well as Colin's mentioning of this podcast on the *Undisclosed* episode last week, I'm sure has had a huge effect in the growth. Never in my wildest dreams did I ever expect to see *The Serial Dynasty* logo sitting atop the *Serial* logo in the iTunes charts.

And while we're on that topic, I'm sure that you all noticed the change in *The Serial Dynasty's* logo this week. Shortly after we passed *Serial* in the rankings, I got a letter from *Serial* politely asking if I would mind changing the logo as *Serial* season two will be releasing soon and they were concerned that because the logos look so similar, that people may download my podcast by mistake thinking that it's *Serial*. And, of course, I had no problem doing that. As a matter of fact, there's some major changes coming to the show in the near future. And some of these things were already in the works.

And on this topic, I want to throw a huge thank you out to Tate Krupa. Tate Krupa is the person that designed our old logo. And aside from that, she was already working with me on another major project. After I got this letter from *Serial*, I shot Tate a quick email and asked if she could throw something together really quickly before this episode so I could make the change of the logo. She sprung to action and within 24 hours, she had a new logo for us to use in the interim before we reveal our new project. Regarding this new project, I would ask that you stay tuned at the end of the program as I have a message and explanation for you.

[00:03:11] Questions and Comments from Last Week's Episode

Last week's episode seems to have ignited a fire under the tails of tens and tens of thousands of you listeners. Minds were opened, new theories constructed, and a second look at old evidence. Between Twitter, Facebook, and email, I've had a massive influx of questions and comments. So the first thing that I want to do is address some of the common questions that have come up over the last week.

One of the most common requests I've had over the last week is for me to reveal the full name of Don and also to post pictures of him. Rather than to respond to a thousand emails, I'll answer the question here for all of you. While legally I would certainly be within my rights to disclose Don's full name and disclose photos of him, just like you see on the news when people are looking for a particular suspect, morally, I've made a decision not to do so. And I've made that decision for a number of reasons.

First and foremost, I don't want people digging into this man's life. I don't want people bothering him, stalking him, or doxing him. I believe it a necessary task to thoroughly look into anyone involved in this case as we're trying to solve this murder. But at the same time, as far as we know, Don has not committed any crime. We're examining evidence, speaking to witnesses, but that's it at this point. And therefore, I don't believe that he deserves to have his life interrupted any more than he already has. That's why a few episodes back when I asked for people to help me gather information about Don, I asked for people that knew who Don was and knew him to contact me. I was looking for information that people already had. Because the fact is, as I mentioned last week, we don't have a lot of information on Don because he wasn't investigated by the police department. And with that being the

case, just to set the record straight, my intention is to produce and talk about all evidence, good or bad, that involves Don.

Which leads into another question from many listeners who had an issue with me mentioning Don's classmate who related the conversation he'd had with Don regarding the Klan. There were several people that thought that I should not have mentioned that. It was called a smear campaign by some. But all I can say to that is I'm sorry if you feel that way. But again, I intend to report everything that I find that's credible. Meaning I would not report to you that Don was in the Klan or that Don had friends that were in the Klan because we don't know that to be true. Like I mentioned last week, the comment could have been nothing more than a joke. What I reported was merely that this individual told me that he had that conversation with Don. And that's all we really know about that situation. Just that one classmate said that Don said that to him. That's all.

However, I am aware that that certainly could paint Don in a bad light, which is all the more reason why I will not be disclosing Don's full name, where he lives, what he looks like, because a lot of this information that we found so far doesn't look good for Don. But it's all the information that we have. And along those lines, I've made contact with a few more of Don's classmates over the last week and specifically found classmates that were involved in a small group that Don was a part of during high school. Thinking that in a small group setting, with ten or twelve students, surely somebody would have a more personal background on Don. And what I found was that even in that small group setting, Don still seemed to be in high school a person who kept to himself.

The members of that group remembered him but they remembered him as a person who never really spoke to anybody, nor did he ever hang out with any of them. One of the gentlemen who was in that group told me that he literally doesn't think he's ever had a conversation with Don, even being in that small group program. And none of the students that I spoke with could point me in the direction of anybody that they thought that Don might have been close with: friends, ex-girlfriends, nothing along those lines. So needless to say, so far, it's been pretty difficult to get a decent character reference to talk about Don's personality to us other than the fact that his personality seemed to have been to keep to himself back in high school.

Moving onto some of the listener questions that I've received a lot of over this week. The internet seemed to have blown up after I revealed that Luxottica, along with two LensCrafters' employees from the Hunt Valley store in '99, confirmed that Don's timecard was falsified. Many people have asked me or speculated about the reasons as to why Don may have had two different ID numbers. People asked if it's possible that he had two ID numbers because he had quit or had been fired in the past and then rehired. Several listeners wanted to know if the associate ID number could have been changed due to a transfer. And the fact is that I don't know the answer to some of these questions.

I have had several listeners who had previously worked at LensCrafters, or currently work at LensCrafters, tell me that when they transferred their associate ID number did not change, which was consistent with the statement from the Luxottica rep who told me that you could transfer to Texas and you would still login with the same associate ID number. However,

if an employee is fired or quits and then later rehires, my assumption would be that they would be assigned a new employee ID number. And if this was the case with Don, then, yes, you're right, he certainly could have two separate employee ID numbers.

And there may even be other reasons out there as to why an employee might have two separate ID numbers in the system. It could be alien abduction for all I know. But that's not the point. What people are missing is the fact that the issue is not that there were two different associate ID numbers associated with Don. Maybe there was a reason for him to have a second ID number and maybe there wasn't. The reason that it was confirmed to be falsified is the fact that the two different associate ID numbers were both used in the same time period. The fact that Don had one timesheet during that week that contained all of his hours at the Owings Mills store and a second timesheet with a second associate ID number that contained his hours from the Hunt Valley store that week is where the fraud comes in.

This has been confirmed over and over and over again by Luxottica, the two managers that were working at the Hunt Valley store on January 13, 1999, and over a dozen listeners that have gotten in touch with me who were also working at LensCrafters during that time period. You do not have a separate ID when you move from store to store. One ID number--that's how you clock in and out--no matter which store you're working in. This is confirmed without question. I've read a lot of the conversations online and there's a lot of people speculating and have all these theories as to what could happen. But the information that I'm giving you is fact. Confirmed by over sixteen sources now. Confirmed by people that work for this company and have used this system. While theories and speculation may seem to make some sense, factual reality always trumps hypothetical theory.

Another major source of debate was the sequential ID numbers. As I mentioned last week, the lab manager working at Hunt Valley in '99 said that he thought the numbers were sequential but he wasn't sure. Since then, I've spoken to several other listeners who either currently work for, or have worked for in the past, LensCrafters. Many of whom were working for LensCrafters in 1999 and the fact that the associate ID numbers were issued sequentially based on hire date has been confirmed. I even had one listener who was working this week with a general manager of a store who actually examined the timesheets and tried to get further into the system to see if he could find any more relevant information on the timesheets. This general manager confirmed to me just hours ago that indeed, the employee ID numbers are sequential based on hire date.

I've had several listeners tell me that they think is completely implausible given that there were over 800 LensCrafters locations in 1999. It doesn't seem that it would be possible for the numbers to be sequential and only be four digits. I've tried to get more information on this from Luxottica but they weren't willing to give me any more information than what they already have. They simply can't disclose personal information to me. My assumption is that the four digit associate ID numbers that are unique to each employee are actually the last four digits in an eight digit associate ID number. The first four digits being the store number or perhaps broken down by region number. I just don't know the specifics of how this works but what I do know is that all employees have one ID number, they are assigned sequentially, and no matter what store you are working at, you always clock in and out with that associate ID number.

With that being said, I will tell you that I do believe that at some time Don did indeed have two different employee ID numbers. And the reason for that is because Don started at the Owings Mills store in October of 1998 and he was assigned employee ID number 0162. Hae started at the same store shortly thereafter and was assigned employee ID number 0163. However, we know that Don worked at LensCrafters prior to October 1998. He originally started at the Hunt Valley store. So I think that it's entirely possible that the employee ID number 0097 was Don's employee ID number when he worked at the Hunt Valley store. We don't know specifics about why he moved to Owings Mills and if there was a gap in his employment. However, we do have some evidence that would indicate that that is indeed exactly what happened.

In the subpoena that Christina Gutierrez filed with LensCrafters, she asked for all of Don's employment records for his time that he's been employed there, including all his timesheets and his performance evaluations. We have consistent performance evaluations for Don up until about May of 1998 and then there's nothing until early 1999. So a possible theory is that sometime after May, Don might have quit and then rehired in October '98 at the Owings Mills store. Now that's just a theory, but it could explain why there might be two different employee ID numbers in the system for Don. So you may be thinking now, "Well that explains it. That explains the two timesheets." But like I mentioned before, there is still no reason, and I quote from the managers that were working at the time, "There is no reasonable or innocent explanation as to why both timesheets were used during the same week."

If number 0097 was indeed Don's when he worked at the Hunt Valley store, when he left the company, or when he was assigned ID number 0162, for whatever reason, his old ID number would have been deactivated. So if that was indeed his old employee ID number, someone went back into the system and reactivated it in order to enter those hours in. Or someone went into the system and edited an old employee ID number with Don's information in order to enter those hours in. But with one hundred percent surety, I can tell you Don did not clock in with that ID number on that day.

Other listeners have suggested that maybe it's something completely innocent of this murder, but still fraudulent. They've suggested that maybe Don and his mother were running some sort of scam so that he could get paid overtime where they put some hours on one ID number and other hours on another, keeping both of them under 40 hours. I looked into this and what I found was Don was paid overtime on several of his other timesheets. Many times he worked over 40 hours in a week and those hours were paid to him as overtime. And while looking into this, I noticed something even more disturbing, Gutierrez and Urick's subpoenas to LensCrafters asked for all of the timesheets for Don. The timesheets went all the way back to October and months past January 13, 1999. Every single one of those timesheets listed Don as associate ID number 0162. In that entire timeframe, there was one timesheet, for one pay period, where he was clocked in with employee ID number 0097. And that was the week of January 13, 1999. He never used that ID number before or after this one timesheet. So any speculation that you may have that this was a long running scam that was made to look bad is not accurate.

A lot of listeners have also asked, and several of you may be asking yourselves right now, why don't we ask LensCrafters to figure out who that ID number belonged to? I posed

this question to Luxottica and LensCrafters several times through several different people this week, asking if they can look up when that ID number was created / if and when it was deactivated / if and when it was reactivated / who it belonged to. I explained to them the situation and what I can tell you is we're not getting any more information out of Luxottica without a subpoena. The people at Luxottica are the only ones who would have access to these records. General managers of stores only have access to employee IDs from their store. And the general managers don't have access to records from 1999. And unfortunately, a random podcaster, or his thousands of listeners, don't have the authority to file a subpoena with Luxottica. But on the brighter side of that, the only thing that Luxottica can tell us is the how. How was this false timesheet created? And when? But practically speaking, for this investigation, we don't necessarily need to know the how. We know that the timesheet was falsified and our job is to figure out the why.

[00:16:51] Discussion of Don Continued

Many people have asked if this information makes me believe that Don is guilty. And what I can tell you is that I'm not ready to make a determination on that yet. I'm still gathering evidence and investigating. It's very clear to me that Don lied and falsified documents in order to create an alibi for himself. That I believe to be true. But that doesn't necessarily make him guilty of a crime. There certainly could be a reasonable explanation for this. But it's enough evidence to take Don off of the "ruled out" list that the police had put him on. Don was ruled out as a suspect because of this alibi. Since this alibi was falsified, he's not ruled out any longer. At least not in my opinion.

Another very common question that I've gotten from listeners this week was whether or not Don's father was involved in law enforcement. Several people have been led to believe by one way or another that Don's dad was a cop. And let me put that rumor to rest right here. I've investigated this thoroughly and Don's dad was absolutely not a police officer. The confusion has come in because there was another Don with the same last name in Baltimore who was a police officer. And just like in our Don's case, his son was named after him. So it's easy to see how people could confuse that.

And speaking of confusing the Dons, something else I found out this week was that Detective O'Shea, the detective in charge of the missing persons investigation, and the one that checked Don off the list and cleared him based on his alibi, which he did without ever going to the Hunt Valley store, talking to anybody at the Hunt Valley store. He ruled him out just by an Owings Mills manager reading off a timesheet. That same Detective O'Shea used to work with cops from the sixth precinct on a regular basis when he was NCID. It just so happens that the other Don's dad, the cop Don, worked in the sixth precinct. So it was suggested to me that maybe O'Shea might have had the same confusion that some of us have had. Maybe when he came across this Don, our Don, who's named after his father Don, with the same last name, maybe he thought that our Don was the son of the cop Don that he knew. Of course, I don't know this to be true and no one does, but it is certainly an interesting thought.

Another question that I've had posed to me by several listeners is now that we know this timesheet was falsified, what do we do with this? And how can it help Adnan? And truthfully, that's a tricky question. In a perfect world, in a world where truth and justice prevailed, and right always wins over wrong, we could take all of this evidence, not so much as evidence against Don, but all of the evidence the *Undisclosed* team has dug up and put it in a neat package and march down to the courthouse, file an appeal, and say, "Look, here's all the proof that Adnan is innocent." Sadly, that's not the world that we live in. If you remember back when Susan Simpson interviewed on my show, she mentioned that in this current state of post-conviction relief, it literally doesn't matter if Adnan is innocent. Being innocent is not grounds for exoneration. A court won't hear it. We have different burdens that we have to prove in order to get a new trial. Hence the ineffective assistance of counsel claim.

Now on the other hand, if we were able to prove that some unidentified other party committed this crime and had solid proof that they did that, again in a perfect world, you could hand that over to the police department. They would investigate it. If they found this person to be guilty, they would arrest them, and then Adnan would be exonerated. But again, that's not the world that we live in. While that may be the way things would go for some of us that live in small towns or other countries, there's not a chance in hell that the Baltimore Police Department is going to reinvestigate this case as long as Adnan is still sitting in prison. They will hold strong until the bitter end to the fact that they have the right man in prison. And honestly, from a legal stand point, it makes sense that they would do that. Adnan is fighting to get a new trial and the State is fighting against that. If they were to reopen that investigation right now, into anyone, that would seem to be a sign of weakness on their part. That would seem to be an indication that they're not positive that they have the right person in jail. So they just won't do it.

[00:20:56] Write to Maryland Governor Larry Hogan

So what can we do? My suggestion, and it's a suggestion that has been made to me from several listeners, is we start writing letters to the governor of Maryland. The governor of Maryland can end this fiasco with the stroke of a pen. If Governor Larry Hogan felt compelled to do so, he could pardon Adnan and he would walk free. So if you want to help, take a few minutes and write a letter to Governor Hogan. You may want to hit pause right now and grab a pen and paper. The address to send the letter to Governor Hogan is:

**100 State Circle
Annapolis, Maryland 21401-1925**

And if you'd like to call the Governor's office, the phone number is (410) 974-3901. And if you'd rather send an email, go to governor.maryland.gov and click the contact page. There's a form there where you can send a message to the governor. A few listeners asked if we could put together some kind of a form letter. I don't want to put a form letter together because I think that you should write the letters from the heart. The same form letter coming in from thousands of people that look exactly the same are easy to dismiss. But a hundred thousand letters, all written from individuals, with their own thoughts, from the heart,

hopefully will make an impact. So if you can find time in your schedules, take a few minutes, put together a quick letter, and send it off to Governor Hogan.

And now a quick break to hear about our sponsor.

[00:22:47] Shaun T Fitness

If you didn't get a chance this week to check out Shaun T's new podcast, *Trust and Believe*, you're really missing out. I listened to his first episode this week and I was completely enthralled by it. Shaun's deep love for human beings in general and his ability to motivate never ceases to amaze me. This podcast isn't necessarily about fitness, it's about life in general. It's about believing in yourself, not becoming your own barrier, and trusting in yourself to succeed. Personally, it really hit home with me as I'm digging deeper into this case and it's eating up more and more and more of my time. It's pretty easy to get frustrated and burned out. But Shaun's episode this week gave me the motivation to dig deeper and drive forward and see this thing through to the end.

Check out Shaun's new podcast, *Trust and Believe*, by going to ShaunTFitness.com/Podcast and dig deeper.

[00:23:47] Don's Timesheet Continued

Moving on with our investigation, there are some other discrepancies with these timesheets. I'd also like to point out that he supposedly clocked in with two different employee ID numbers on the same day. And before I continue on with this, I want to make sure that I'm giving credit where credit is due. I mentioned it several times last week, but I want to make sure that I mention it again. That the majority of this work was not done by me. It was done by Susan Simpson. I've chased down leads and verified and confirmed some things, but Susan Simpson is actually the first person to catch these discrepancies and I would highly recommend to all of you to go to Susan's blog, [The View from LL2](#), and read the [post she wrote about Don](#) and about these timesheets.

I also want to point out as a few listeners have asked me, why didn't Susan look further into this? That was never the intention of Susan's blog. If you read it, and especially read right at the beginning, she makes clear that the purpose behind her post about Don was not because she thought Don was guilty, it was that she was pointing out the differences in how Don was investigated compared to how Adnan was investigated. She was just pointing out all of these discrepancies that the police didn't bother to look into as opposed to how deeply they looked into Adnan. I've just taken those details that she found and dug deeper into them. So again, if you want to see all of the information that Susan discovered, take a minute and go to *The View from LL2* blog and read what she had to say.

Now regarding Don supposedly clocking in with two different IDs on the same day. On Don's associate ID number 0097 timesheet, it says that he clocked in on Saturday the 16th at 9:18 in the morning and then he clocked out at 1:06 in the afternoon. And this supposedly

happened at the Hunt Valley LensCrafters store. On his other timesheet, the one containing his actual employee ID number 0162, he clocked into the Owings Mills store at 1:29 and clocked out at 9:57 p.m. on Saturday the 16th, the same day. Now the first thing that I want to point out is that there was only one person in the lab scheduled to be at the Hunt Valley store at 9:00 in the morning on Saturday the 16th and that was the lab supervisor that I spoke with. And this lab manager's timesheet was disclosed by LensCrafters and he did indeed work his 9:00 a.m. shift that day. No one else in the lab was scheduled to be in that day until 11:00 a.m. or after. There were two people scheduled to work at 11:00 a.m., one was scheduled to come in at 12:30 p.m., one was scheduled to come in at 2:00 p.m. So there's our first problem. Why was Don covering at the Hunt Valley store at 9:00 a.m. on a Saturday when no one was scheduled to work at that store at 9:00 on a Saturday?

And the second problem is this, according to these two timesheets, if you'd like to assume that the 0097 timesheet is legit, which I don't believe there's any chance that it is, it says that he left the Hunt Valley store at 1:06 p.m. and then his other timesheet said that he clocked in to the Owings Mills store at 1:29 p.m. So 23 minutes from the moment that he clocked out at Hunt Valley until he clocked in at Owings Mills. So on Susan's blog she said that she punched that into MapQuest and it's exactly a 23 minute drive from the Hunt Valley store to the Owings Mills store according to MapQuest. I went online and checked out some routes to see if there was any faster route to get there. And it turns out there was one other route taking some back roads that driving the speed limit could put you from the Hunt Valley store to the Owings Mills store in just over 19 minutes. So we have a 23 minute window of time between when he punched out at Hunt Valley and he arrived at Owings Mills.

If he took the most common route, he had exactly 23 minutes to get from point A to point B. But it is possible he took a different route where it only took 19 minutes. Again, assuming that he drove the speed limit. And, of course, I thought, well Don had a Camaro, maybe he didn't drive the speed limit. And, of course, we have no idea if he did drive the speed limit. But what I can tell you is something that struck me as odd when I was researching Don I found that in his entire adult life, he's never had a speeding ticket. I was looking for something else when that occurred to me, that for a guy who had a Camaro, a fast car, it's odd that he had never had a speeding ticket. So do with that what you'd like. That doesn't mean that he absolutely never speeds. It could just mean that he never got caught. And it doesn't mean that he wasn't speeding that day. Just food for thought. So assuming he's driving the speed limit, he has either 23 minutes or 19 minutes between punching out of one store and punching into the other.

Now, like I mentioned, there's been a lot of speculation all over the internet about the LensCrafters procedures back in 1999. And several people speculated that they probably had swipe cards to clock in and out. But again, factual evidence trumps hypothetical theories. This theory was debunked by several employees who actually worked for LensCrafters in '99, including the lab manager and retail manager, that they did not have swipe cards. You punched in and punched out by manually logging into a computer and entering your associate ID number. And the process took a couple of minutes. I had another listener that worked for another Luxottica subsidiary, not LensCrafters, but they had the same process. And she confirmed again, indeed, it took a few minutes to get clocked in and out. It was a process.

So what's my point? My point is let's say that Don took the back roads and it only took 19 minutes for him to get from one store to the other. That leaves four minutes to spare and in that four minutes he would have to walk out of the Hunt Valley store, through the mall, out to the parking lot, get into his car, and start his car, and start his 19 minute journey. Once he got to Owings Mills, he would have to find a parking space, park his car, get out of his car, walk into the mall, into his store, login to the computer, and clock in. I really wish we had Sarah Koenig to do a route test on this one. Is it physically impossible based on the information we have? I can't say that it's physically impossible. But I personally find it highly unlikely that someone could login, clock out, log out of the system, sprint out to their car, get into their car, drive all the way to the other store, squeal into a parking space, jump out of the car, sprint into the other store, log into the computer, and get punched in in 23 minutes. But again, we can argue all day long whether that's possible or not and it doesn't matter. Because this timesheet is falsified and that's already been proven.

Reading through Susan's blog and examining the source documents, I saw that there was a trend in Don's employment that seemed quite interesting. As I mentioned last week, Don had several negative employee evaluations indicating that he's falsified company documents, that he didn't take responsibility for things, he had problems working with others, so on and so forth. But what I didn't tell you last week is that there's a trend here. In every evaluation that we have prior to Hae Min Lee's death, Don had positive reviews. Every one of them. Every evaluation we have after Hae's death, we have very negative reviews. And, of course, that could mean a number of things. It could have absolutely nothing to do with Hae's death. Or, an innocent explanation would be that he was deeply saddened by Hae's death and had a hard time dealing with it.

However, none of the information we have seems to indicate that Don was very emotionally disturbed by the death of his girlfriend. Sometime in early January, Mandy Johnson from the Enehey Group spoke with Don. And this is what she wrote in her report. She said, "Don appeared to be mature, articulate, but not overly concerned with Lee's disappearance. He felt she had gone to California to be with her father." Now I find it interesting that he said this to Mandy from the Enehey Group when you remember from last week, when he was talking to the police, in his first interview he told them that he didn't think that Hae had any plans to go anywhere. And yet now he says he felt she had gone to California to be with her father. In another report from Mandy at the Enehey Group in the summary it says that, "Don claimed she'd told him that she'd had an argument with her mother earlier that day and that she had expressed the desire to live with her father in California. When asked how she would accomplish this, Don seemed to think that she would either drive there or leave her car in the satellite parking facility at BWI airport and fly by commercial airline to California."

So this is quite a change. First Don tells the police that he doesn't think Hae has any plans to go anywhere. And then later he says that she's expressed a desire to live with her father in California and then later expands on that further and gets so specific that he mentions this parking facility at the airport that she would leave her car in if she flew out to California. And getting back to Don's emotional involvement, you'll remember when Krista interviewed last week that Don did not attend Hae's memorial service. And you'll note from *Serial* that after January 12th Don never made any attempt to contact Hae. He never called.

He never paged. It's amazing to me as I'm going through all these documents and talking to all these people and trying to get a clear picture of who Don was and what he was doing—and what he wasn't doing—on January 13th and the following days, it reminds me again of how easy it is for our minds to turn an assumption into reality.

After listening to *Serial*, did you assume that everyone knew that Don's mother was the general manager at LensCrafters? I did. Sarah didn't say as much but I made that assumption and my mind turned it into a reality. When the actual reality is no one knew that. The police departments most certainly didn't know it. As I mentioned last week, the first mention of the general manager being Don's mother was in the packet that LensCrafters sent Kevin Urick in October. But what's occurred to me even further than that is I don't think Christina Gutierrez ever knew. Remember LensCrafters sent different packets to Gutierrez and Urick. When the additional timecard was found after Urick had called them and asked them to search further, they sent the timesheet to Gutierrez, but Urick got a whole packet. He got the explanation that the general manager was Donald's mother in all bold letters. He got the employee schedules. He got the timesheets for Don's mom and the other managers. Gutierrez didn't. And when you read the trial transcripts, the general manager being Don's mother was never mentioned when Don was on the stand. Not once. What seems to be the case is that the only person involved in this case that had any idea that Don's mom was his manager, was Kevin Urick.

Before I close the show today, I want to address something that was discussed in the *Undisclosed* Labor Day mini-episode. In that episode, Colin Miller let us know that after the *Undisclosed* team was able to obtain high resolution color photos from the burial site and the autopsy report, he had Dr. Hlavaty take another look at the case and after looking at those photos again, she again confirmed that the lividity evidence was absolutely not consistent with a 7:00 p.m. burial time. There was indeed full frontal fixed lividity, which did not match the positioning of the body, which means that the body had to have been laying flat somewhere for a period of eight to ten hours after Hae was murdered. Which means assuming that she was intercepted on her way to go get her cousin or sometime she was killed during that time period between when school let out and 3:15, the earliest that she could have possibly been—not buried—but moved out of that flat facedown position, would have been 11:00 at night. Which leads me back to the police reports.

The police reports say that they called Don both at LensCrafters and at home around 6:00 at night. His statement says he got home and got that message from his father at 7:00 and yet didn't make contact with the police until 1:30 in the morning. So the question becomes where was Don between 7:00 at night and 1:30 in the morning? And furthermore, since we now know this timesheet was falsified, where was Don at the time of the murder? This investigation continues on.

[00:35:56] Next Week

Next week on *The Serial Dynasty* I hope to have a very special guest for you. Yesterday afternoon I spent about an hour on the phone with someone who has a very unique perspective on this case. Someone who understands how interrogations work and

understands how a false confession can happen. We're still working on details and hopefully our schedules will align but the plan for next week is to feature an interview with Jim Trainum.

[00:36:32] The Future of *The Serial Dynasty*

And now as promised, I want to explain to you all what's going to happen with the future of *The Serial Dynasty* podcast. Well, for starters, in a few weeks, we'll no longer be *The Serial Dynasty* podcast. And don't worry, I'm not going anywhere but this show is no longer a *Serial* fan show. This show has evolved over the past four months. I've evolved. The purpose, our purpose, has become an unrelenting pursuit of truth and justice. And this pursuit will continue long after we solve the murder of Hae Min Lee. What's occurred to me over these months is by digging into these wrongful conviction cases, finding the truth, exposes corruption, we can right wrongs. We can change lives. And hopefully we can make a difference in this broken system. Several months ago a listener emailed in and I read on the show that one day on the first day of police academies cadets will hear a speech containing the phrase, "Do your job like someday someone is going to do a podcast about it and expose anything that you do wrong." We're going to be that podcast.

In just a few weeks, *The Serial Dynasty* podcast will cease to be and we'll be reborn into the *Truth and Justice* podcast. *Truth and Justice* will continue to investigate cases where the prosecution may have gotten it wrong. In order to do this, there's several things that need to happen. Tate Krupa is already working on a new logo for us. I've made a switch this week from PodOmatic to a new host site [audioBoom](#). This is the same host site that *Undisclosed* works off of and they have a much better capacity to handle the massive bandwidth that *The Serial Dynasty* audience has been eating up. And as we continue to grow, I'm sure the *Truth and Justice* podcast will be chewing up more and more and more bandwidth as we move along.

On your end, you won't have to do anything different. It won't be a new feed or a new subscription, you'll just notice the name and the logo has changed. But for me, in order to make this happen, I need to make some changes and some transitions. In order to do things right, I can't spend all of my time working at midnight on a laptop trying to get all of the information that I need off of Google. There will be times where I'm going to need to get on a plane and go knock on doors and there's going to be a lot of expense involved in doing this right.

The first priority at the forefront is I need to build a new studio that is climate controlled. I've never mentioned to you what goes on behind the curtain. Many people have asked what my studio is like and what equipment I have. And I do have great recording equipment but I've been recording in the shed in my backyard that also serves as my woodshop. And it's not insulated. And it's not soundproof. So there's times I have a hard time scheduling recordings because they're building a house right next door to my house and there's also a soccer field behind the shed where the high school soccer team plays and practices. But more importantly in Michigan, winter is coming in a few months and this equipment can't sit out here in the subzero temperatures.

So in order to help make this happen, I'm asking for your help in a Kickstarter of sorts. With the number of listeners we have, if everyone's willing to contribute just a little bit, we can reach the goal of getting the studio up before winter and having the resources to dig deeper and deeper into these cases as we go on. If this sounds like something that you want to be a part of and you're willing to help make it happen, I've created a GoFundMe page for this Kickstarter. The web address for the GoFundMe page is gofundme.com/truthandjustice. Or you can go to our homepage SerialDynasty.com and click the link.

And I want to thank all of you in advance who are willing to contribute. It is going to make a big difference. And the other thing that I need from you to help make this happen is to send me cases. If there is a case that you're aware of that you think needs to be investigated further, send the information along to me. I know *Undisclosed* has asked for the same thing. And to answer that question, yes, I will most likely be working off of the cases that *Undisclosed* is using as well and we'll be handling some of our own cases too. Without being able to predict the future of where these things are going, all I can tell you right now is, this pursuit for truth and justice will never stop.

[00:40:55] Credits

Thank you to [Jonny Rose of Slightly Subversive Music](#) for creating all of the music for our show.

A huge thanks especially this week to [Tate Krupa](#) for designing all of our logos.

Thank you to Jill at [Pod Transcription](#) for generating our transcripts.

And another special thank you to Shaun T at [Shaun T Fitness](#) for funding the program. If it weren't for Shaun T picking up the tab over the last couple months, I don't think we would have been able to make it this far.

And as for now, I'm signing off, and this has been *The Serial Dynasty*.

Transcription by

