

UNDISCLOSED, the State v. Adnan Syed

Addendum 6:

Stopping Stephanie, the ATM, and the Islamophobe

June 29, 2015

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[00:32] Rabia Chaudry Hi, and welcome to the sixth *Undisclosed: Addendum*. My name is Rabia Chaudry, and I'm joined with my colleagues Susan Simpson and Colin Miller.

Now, on last week's episode, “The Suspect”, we talked about how the Baltimore County Police and Baltimore City Police both seem to narrow in pretty quickly on their prime suspect, Adnan Syed. And we discussed a lot of different things that happened in their investigation including how they got Adnan’s cell phone records; um, where that led them to, to Jay; um, how they interviewed witnesses and when they did it; when they subpoenaed certain evidence... Uh, but there's still a lot of things in the investigation that we really haven't touched on, some odds and ends that we did want to talk about, and, uh, it just so happens that a number of our listeners have also asked questions on, uh, some of these issues.

So we thought it just makes sense that we will go ahead and respond to some of the listener questions, and um, by doing so also address, uh, some of the little bits and pieces here that we did not cover in the last week's episode.

So, let's start with our first question.

[1:44] Colin Miller This question comes from Clau; her Twitter handle is [@acalbelais](https://twitter.com/acalbelais). She asks: “So many weird notes.... The jay [sic] notes... About someone driving him to woodlawn [sic]??? At 2:40?? [...] more questions than answers ??”

Clau is referring to Jay's pre-interview, the very first statement we have from him, when he says that Jeff G. drove him to Woodlawn on January 13th at 2:40 to see his girlfriend. What we're reading from in last episode were the notes taken by Detective MacGillivray. We've now found the notes taken by Detective Ritz at that same pre-interview, and here are his notes on the same subject:

“3 [o'clock] pm. JEFF [G.]
TOOK JAY TO HIGH SCHOOL

MET STEPHANY [sic] @ SCHOOL
BACK LOT.”

And so, once again we have Jay's very first statement. h im at Woodlawn some time between 2:40 and 3 o'clock seeing Stephanie. A--it's just so strange to me. It raises three possibilities: we have, one, that Jay's mistaken; two, that Jay is lying; or three, that Jay is telling the truth. And so, I don't know. Rabia and Susan, what do you think? I mean, I'm just completely baffled by this statement by Jay. Do you think that Jay is lying, telling the truth, or is mistaken?

[2:59] Susan Simpson The first story is usually the most accurate. I don't know if that applies to Jay [sigh], but I can't think of a reason why he'd be lying or just making this up. It doesn't serve any purpose. It doesn't help him, it doesn't help the police, and it's not something he would think, he would invent off--I, I don't know. Um, yeah, it's all I--you know, it's, it's so hard to deal with statements like this because I can't think of a reason why he'd lie, but we don't know enough to evaluate that.

[03:32] Rabia Chaudry So, my, my, my--I'm thinking maybe the cops said, 'Listen, we don't care what you say. Say whatever you want, and then come clean and give us what we need.' And if that's the case, he could, again, he could be making it all up or he--there could be kernels of truth. And let's say it was Stephanie's birthday. She had a game. She wasn't going to be home 'til late that night. Um, maybe he did want to pop by the school and just say, you know, happy birthday to her--that would only make sense--you know, say happy birthday before her game.

And I wonder, I wonder if the fact that, if he had done that, right, and Stephanie had seen him, and then he had never run into Hae, and n--nothing, none of that other stuff had ever happened, that that's why, like, Stephanie has been totally quiet. In all her statements, she says she doesn't see him or talk to him 'til like after 11 p.m. that night and, in fact, that he doesn't give her the birthday gift 'til the next day. But if she's to say, like, he popped by the school around 3 o'clock and, yeah, said happy birthday, um, that could mean that h--he spent, like some time with her and so not--he definitely was with--not, not with Adnan at the time, right? Um, and so maybe that's something he said, 'Listen I need you to not to tell anybody that, that I was there with you for a little bit.'

[04:38] Colin Miller Yeah, and that raises the interesting question, which is, we could obviously confirm or dispel Jay's pre-interview statement by talking to two people. One of those is Jeff G. Unfortunately, he has now passed away, and no one back in 1999--not the State, not the defense--talked to him. And so, as you mention, though, Rabia, we have Stephanie, and she's given a couple of statements in this regard, and you mentioned her statement about not seeing Jay or talking to him until 11:30 that night, but it's interesting because Stephanie actually has given a few statements in this case.

And so she gave a statement to the police. Before that, she gave statements to Adnan's private investigator; actually, she gave two statements on back-to-back days. And the gist of Stephanie's

statement is this: 'School ends at 2:15. I immediately got my sister, drove home, arrived at 2:55 p.m., drove back to school, got on the bus for a basketball game at Parkville High School between 3:30 and 3:45.' And for a point of reference, Stephanie's house is about three miles away from Woodlawn.

In her first and last statements, Stephanie says, again: 'I didn't talk to Adnan after school. I didn't talk to Jay until 11:30 at night.' Uh, but it's interesting because the first time that Adnan's private investigator talks to Stephanie, it's at her house. And while she's talking to the investigator, Jay and his friend Phil stop by. And who's Phil? Phil, if you look at Adnan's call log, he is the person called at 3:48 p.m. on the call log. And so, according to Stephanie, she told Jay about the interview, and so Jay and Phil try to interrupt the interview. Stephanie's parents turn them away.

The very next day, it's the memorial for Hae, and the private investigator interviews Stephanie again, and at this point Stephanie has a different story. All of a sudden, Stephanie remembers: 'When I was at the Parkville basketball game, some teammates and I got bored. I decided to call Adnan on his cell phone.' This was between 4:15 and 5:30 p.m., and Jay was with Adnan at the time, although she can't remember where they were or what they were doing. And I, I don't know. What do you two think of that? The fact that Stephanie has, this one instance--it's never brought up again--but this one instance where she says: 'I called between 4:15 and 5:30, and Jay and Adnan were together.'

[07:07] Susan Simpson Okay, two big things there. Let's back up a bit to the Phil issue. That blew me away when I first saw it because why does Phil care if Stephanie is talking to the private investigator?

[07:20] Rabia Chaudry I don't know, and doesn't Phil live all the way out in, um, Frederick?

[07:24] Susan Simpson Yeah, so it wa--he made a trip to come help Jay interrupt Stephanie trying to talk to Adnan's investigator. Maybe he's just a good friend of Jay's and wants to support Jay.

[07:36] Rabia Chaudry They show up at her parents' house, okay? So I don't think, um, somebody would show up at somebody's parents' house unless they were, like, really, like, you know, like, they were deeply invested in what the heck was going on. Um, but we know that her parents did not let them in, right? They said to them... you know--

[07:50] Susan Simpson The parents turned them away, yeah.

[07:51] Rabia Chaudry They turned them away, right? So, um, Ja--and also we, we know from other statements that, you know, her parents were not really thrilled with the relationship. So, Jay knew that, um, but he still was worried about Stephanie talking to the private investigator, and so, and so was this guy Phil, apparently. So it makes you wonder what they were worried about. What do they think Stephanie would say?

[08:11] Susan Simpson To me that indicates that they thought that Stephanie knew something that was harmful to them. If all she knew is what she actually told the investigators, they wouldn't have bothered to show up.

[08:22] Colin Miller And, by the way, Phil--again, that is the 3:48 call; it's the first call after the Nisha call, and I, I think I'm right here, right? Phil, at least as far as we can tell from the records, was never interviewed by police?

[08:33] Susan Simpson He wasn't. We also know he was friends with or at least knew Neighbor Boy, so there's some kind of relationship going on there between that group, and he's clearly a friend of Jay's and not Adnan's.

But here's why I don't buy the story: when Stephanie first talks to the investigator, she's pretty clear. 'Nope, did not talk to my boyfriend until 11:30 that night,' and that's a kind of thing you'd think she'd remember. During this interview, Jay shows up, tries to interrupt it, gets turned away but is told to come back later. Then a day or two later, Stephanie talks to the investigator again, and this time her story changed. She suddenly recalls Adnan and Jay being together when she didn't before, and for Jay, that's super helpful. That's a story that's going to help his story to the cops stand up to scrutiny. The fact that she suddenly can recall such a helpful fact *after* talking to Jay when before she couldn't makes it suspect in my mind. And there's the fact that when she talked to the detectives about a month later on April 7th, she once again says that she did not talk to Jay until that evening after her basketball game.

[09:43] Rabia Chaudry So let me just, uh, I guess kind of summarize this. What happens is that the private investigator goes to Stephanie's house, and she tells him essentially that she doesn't talk to Jay until late that night. Um, Jay and Phil show up. They're turned away. Then a couple days later, the private investigator goes to the memorial at the school for Hae, and then he talked to Stephanie again. So it's after Adnan's been arrested. Um, it's after, obviously, Jay is working with the police, and now, so when the investigator talks to her a couple days later after she's probably had a chance to talk to Jay, this little, um, tidbit pops into her story and then, kind of, pops right back out. What I've always found interesting was that, you know, Stephanie, you know, if she, if she actually had made that call, um, like, why wasn't she called by the prosecution at trial? That would have helped--

[10:31] Colin Miller Yeah.

[10:31] Rabia Chaudry ...make their case, right? I don't understand, like, what happened there.

[10:34] Colin Miller They could have easily confirmed by getting her call log or by getting the incoming numbers for Adnan's but, obviously, didn't happen.

[10:41] Susan Simpson And here's one more tidbit that's probably my favorite part of Stephanie's interview with the detective: when she talks about how she learned from Jay that Adnan had killed Hae, and she says Monday after school, the Monday after Adnan was arrested, she went to Jay's. He didn't want to talk about why the police picked him up, um, but he told her that Adnan did it. Two weeks later, Stephanie says: 'Jay told me he had Adnan's car. Adnan had another car, and then Jay said, "Are you ready for this? Adnan had Hae's body."'

Now, that's familiar because... we look at what Jay testified at trial, and here's how he describes the trunk pop. He said, 'I got out of the car. I walked towards him, and I lit a cigarette. He kept asking me, "Was I ready for this? was I ready for this?" He opened the trunk and Hae Min Lee was dead in the trunk.'

Basically, the language Jay uses to tell Stephanie about Adnan committing the murder is the same language that Jay says Adnan used to tell him about the murder.

[11:58] Susan Simpson Our next question comes from Elizabeth B. Howard, whose Twitter handle is [@ekopeppy](#). She writes: "Were the grand jury subpoenas issued after adnan's [sic] indictment perhaps part of a grand jury for someone else?"

And she's referring to my comment in the last episode about how the detectives were issuing subpoenas in the name of the grand jury after Adnan was already indicted, um, and those subpoenas were *definitely* related to this case. For instance, one of the subpoenas issued on April 20th, a week after the indictment, was for Hae's bank records. And [*sigh*] this, again, is so frustrating because they wait until they've already indicted their defendant before even trying to check basic details about what the victim was doing.

If you have a murder case like this, where you have no active leads at the start, the first thing you should be doing is looking into your victim and finding out what she was doing, where she was going. That shows how little they cared about the victim in this case. They made no effort to look into who she was or what she was doing or what might have been going on in her life.

[13:04] Rabia Chaudry Victimology is, like, a field of study and from what, what I understand, part of that is to--in order to understand what happened in a, in a crime--is to study, like, a victim's habits, um, their patterns of behavior, their movements throughout the day, who they knew, where they might go in a given day, who they talk to normally--all of these things to help figure out, um, if you really, you know, want to figure out what happened to your victim, um, if it's not clear, like, in a case like this, uh, but none of that was done.

[13:33] Susan Simpson So, in addition is not even talking to Hae's friends, they don't even look at *her* records, or they lose them as in the case of the, case of the computer. But if they had looked at her bank records, they would have found two really interesting things, and the first is that Hae had not deposited her paycheck from LensCrafters for--which she'd received early in January. We know from her bank records that her prior paychecks have been deposited on the

day she'd gotten them, like clockwork. So why hadn't she deposited her last paycheck? At the time, her bank account was down to \$8, so she needed to make a deposit, and we don't know why she didn't, where the money went. She'd also worked a lot over Christmas, so it would have been a sizeable paycheck, too, and it just went away. It was never deposited, and there's no record of where it would've gone.

The second thing that's interesting about her records is they show that on at least three occasions, Hae made a s--stop to either make a deposit or to make a withdrawal at an ATM that is directly on the way from Woodlawn High School to the Campfield Early Learning Center, which means that if she was going to get her cousin--like she said she was and everyone thinks she was--and decided to stop somewhere to get some money or to check her balance, that's likely the ATM where she would've stopped.

Now, that ATM is also right across the street from where Roy Sharonnie Davis lived, and Roy Davis is the one who was convicted of murdering Jada Lambert, um, the girl from Woodlawn who had been murdered about eight months prior. And everyone--I mean, there's been people like the prosecution who just keep saying, "Who else could have gotten to her?" Well, she was going to an ATM. There's an opportunity, and sadly, in Baltimore it would not be the first time. Um, there are other incidences in Baltimore County of women who were abducted and murdered after stopping at an ATM. So it's a possibility that should have been looked into very early on, certainly, not have waited until April to even pull her records.

[15:36] Colin Miller Yeah, and I'll throw in one other thing, that cultural consultant we mentioned last episode. According to her, Hae and the credit card she was using was basically maxed out, so... didn't have much cash as far as we know, \$8 in her account. Couldn't use the credit card anymore. Had this outstanding paycheck. Makes sense that on the 13th she really needed to deposit this check.

[15:58] Rabia Chaudry I mean, given the fact that there was this, a--and we know that early on maybe they kind of looked a bit, but it was very superficial. But given the fact that, uh, seven or eight months prior to this, you know, this young girl from Woodlawn High School, Jada, was killed, strangled, and left, in, uh, Leakin Park [Herring Run Park—*Ed.*], I mean, you'd think they would've taken a closer look at the possibility of a serial killer.

[16:22] Collin Miller This next question comes from Sarah Hopewell. Her Twitter handle is [@6kidstoomany](#), and she asks: "WTF? M J (Enehey group) 'a consultant in the missing persons investigation' interviews Don in January?"

And so, again, this is the cultural consultant who wrote the memo about the scarf-slash-veil, and... it's true, she interviewed Don in January. In fact, she was involved from the very early days of this being a missing investigation report. She not only talked to Don, she also talked to, apparently, several friends of Hae. And that's troubling because when you're trying to think about why did they focus upon Adnan in this case, well, basically, the first documentation we have from The Enehey

Group, it describes Adnan as a Muslim man and describes him as domineering, which I find very strange because--I know there's been a lot of debate across the Internet about exactly what his relationship was with Hae--I've seen absolutely nothing that could be construed as domineering. And yet, she's the one who is the initial contact person with various witnesses, and unfortunately, we don't have the notes of these interviews. And so besides Don, in the interview notes, she apparently talked to a number of friends. And, in fact, in her notes she says, according to at least one of her friends, Hae said she had access to \$3,000. What's that supposed to mean? Who does it come from?

It's just troubling for me because you have this person who wrote this horrible memo, and when you look at witnesses like Debbie, who really changed their story a lot and said things that don't seem to match the nature of the relationship with Adnan and Hae, you know, what impact did this person talking to these people have on this early investigation? And, in fact, according to the notes, she had heavy contact with Detective O'Shea. She was talking with him on a daily basis and really guiding this investigation. So I, I, I don't know. Rabia, what do you think, sort of, as you learn more about the involvement of this Enehey Group with the case?

[18:24] Rabia Chaudry I mean, I think this could be the backstory that, um, nobody really realized, um, drove the police's investigation. And if, if, you know, this firm or this lady is the one who helped to, kind of, formulate the theory of the case, and if--but if you look at, kind of, the experience that she has on her profile, um, in terms of professional experience, a lot of her work is focused on, like, the Middle East and, and Muslims, and I think she has, like, some kind of novel based on ISIS or something.

So, there is a definite, um, attitude about people who are Muslim or, you know, Middle Easterners or whatever, um, from, from her. She has a, I think, a particular world view on Muslims, and this explains a lot. I mean, I do wonder, though, if--so, you know, that, you know, she was retained--she was apparently retained by, um, Hae's uncle. And so it could be that the family--that Hae's uncle, at least; I don't know about her mother and brother--but at least Hae's uncle was, um, al--also worried that, you know, that this was Adnan and it had something to do with culture and religion. And so that's just the track they took, and it made sense to the police. And from the missing persons investigation to the homicide, that's, kind of, like, where they're, they just got stuck.

[19:43] Colin Miller Yeah, and, it's like the primary point person during missing persons is someone who's not involved in law enforcement. It's this consultant from The Enehey Group, and then thereafter it's Hope Schab. It's the French teacher at the school, and so that's part of the reason why we're missing all these witness statements, but it's just also extremely unprofessional and just... It really gives me great concern about many of these, you know, young students. These are high school students. And what effect does it have to talk to these individuals who aren't official law enforcement and, sort of, have their own biases in the case seemingly?

What is being mentioned in the Twitter question, this consultant with The Enehey Group, she's the last person to talk with Don. So, it's not law enforcement; it's not Baltimore County or Baltimore City. This Enehey Group consultant is the very last person to talk to Don during this investigation.

[20:37] Susan Simpson And he told her things that were never reported in other interviews with the police, um, like Don's speculation that Hae would have abandoned her car at the BWI Airport to go to California. Um, and, in fact, O'Shea was telling The Enehey Group things about his interviews with Adnan that don't show up in O'Shea's own reports that were provided to the defense. For instance, O'Shea told, um, The Enehey Group that Adnan did not know Hae Lee was dating Don at the time of her death. Well, we know for a fact that Adnan did know about Don at the time of her death, and it's hard to imagine why he would have lied about that, um, because it was well known that he knew about Don.

[21:25] Rabia Chaudry All her friends knew about Don.

[21:26] Susan Simpson Yeah.

[21:26] Colin Miller Yes.

[21:27] Susan Simpson So why is O'Shea telling The Enehey Group that Adnan made statements denying he knew about Don's existence when, in fact, we have the reports from the Baltimore City detectives, and they say that Adnan's the one who brought up Don to them?

[21:45] Colin Miller Well, see, I, that's... it's a great point, and it leads to the question, how much faith can we put in O'Shea's reports of his conversations with Adnan?

[21:56] Susan Simpson Well, I'd also say there's not much trust at all that I have in them, because they can't get the dates right. Based on Adnan's phone records, the dates that he, that O'Shea talked to Adnan are not the dates that O'Shea testified to in court.

[22:10] Rabia Chaudry Initially, when Hae disappeared--and this is another question that's, um, asked a lot, and people are kind of surprised, actually, 'cause they don't understand why everybody wasn't panicked--but initially when Hae disappeared, um, for the first at least week, uh, students were not that concerned. Nobody was that concerned. They thought she was with her new boyfriend. They knew she had trouble at home.

Um, school was out for a number of days because of the weather. And then 'cause of Ramadan and the end of Ramadan, um, some of the Muslim kids missed more school, so they kind of didn't really realize what was going on. Later, um, after about a week or so, I think, uh, it seems people were sort of getting a little more concerned.

Um, and then after her body was found, uh, it seems clear from, uh, other students' statements that, um, many people s--did witness Adnan crying a number of times, and, um, he was helping to

prepare with her memorial. But as we know, uh, he never made it to that memorial because on the morning of February 28th, he was arrested and, uh, he was taken down to, um, booking in Baltimore City. And he was never to return home again.

So, on next week's episode, we're going to talk about what happened when Adnan Syed was arrested.

[23:32] A special thanks to Ramiro Marquez for our theme music and photography; to Christie Williams for our website; to Ballookey, who designed our logo; and to Amar Nagi, our sound editor. Our executive producer is Dennis Robinson. You can find us online on social media on Facebook and Twitter. Our Twitter handle is [@Undisclosedpod](https://twitter.com/Undisclosedpod). Tweet us your questions and comments using the hashtag #Undisclosed.

[24:05] Do you own a car? Then you know how expensive it is. From a recent AAA study, your car costs you \$9,000 a year. Ouch. But what if your car paid *you* instead? Enter RelayRides. RelayRides is a peer-to-peer car rental company. You can rent out your car on RelayRides and earn as much as \$1,000 a month. RelayRides pre-screens each renter and offers \$1,000,000 insurance. A special offer for *Undisclosed* listeners: earn an extra \$100 when you sign up today for free at relayrides.com/undisclosed.

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