

# UNDISCLOSED, the State v. Adnan Syed

## Episode 7 - The Arrest

July 13, 2015

**[0:00]** Support for today's show comes from PicMonkey.com, an online photo editor that is super sorry for being a commercial right now. What they want to be is your favorite photo editor. Whether you're editing photos or creating collages, you can make great stuff with PicMonkey, and now you, yes, you can have a free month of PicMonkey's premium subscription. It's a heaping mega spoon of bonus features, and it costs money for everybody but you. Just go to [picmonkey.com/undisclosed](http://picmonkey.com/undisclosed).

**[0:32] Sgt. Scott Rowe, Baltimore Police Department spokesperson**

His name is Adnan Masud Syed.

**ABC2 News reporter, Jeff Hager**

News of Syed's arrest is met with disbelief by the Muslim community in Woodlawn.

**Khalida Chaudry**

...is impossible. He cannot do it. He's such a nice, sweet child. He cannot do it. He's mosque-going, praying all the time. He cannot do it.

**Rabia Chaudry**

He's a sensitive guy. He's gentle. He has no kind of delinquency record. He's not violent. He's just a kid. He's just a, he's a baby. He's like my little brother.

**[1:01] Rabia Chaudry** Hi, and welcome to the seventh episode of *Undisclosed*, "The Arrest". My name is Rabia Chaudry. I'm an attorney and national security fellow at the New America Foundation, and I'm joined with my colleagues Colin Miller, who's an associate dean and professor at the University of South Carolina School of Law and is the blog editor of the *EvidenceProf* blog, and we're also joined with Susan Simpson, uh, an associate with the Volkov Law Group in Washington D.C. and a blogger at *The View from LL2*.

Now, our last few episodes have detailed the police investigation of Hae's disappearance and then murder. We've gone over the witnesses the police spoke to, the burial site, the forensics, the car. Step by step, the police inch towards the only suspect they had focused on from the beginning, Adnan. Although he was arrested on February 28th, 1999, the police nailed their case down in the two days prior. So, let's start there on February 26th.

**[1:59] Susan Simpson** Although the police had been focusing on Adnan since, basically, the very first day of the murder investigation, they waited until the 28th to arrest him. The last couple days prior to his arrest was a fast-paced flurry of activity as the police tracked down their witnesses to get their probable cause to arrest him. It all begins at about 7 o'clock on February 26th.

First, the detectives go and talk to Adnan at his home where they have a brief half-hour interview. After that, they head to Jenn's house. When they get there, they find Jenn in Cathy's car about to leave for the evening. They stop her and ask her to come for an interview.

Question is, though, why'd they go to Jenn? At trial, MacGillivray says that he was just following the phone records and that there'd been four calls that day to Jenn, so he wanted to check up on it. At that time, they had no idea that the pager that had been called belonged to Jenn--or supposedly belonged to Jenn--but I've always questioned this series of events because there were lots of people that day who were called repeatedly, including Nisha and Krista, and none of them were priority for the cops. So, why Jenn? In fact, MacGillivray says that he didn't actually know he wanted to talk to Jenn when he went there.

**[3:14] Cristina Gutierrez**

And at that point you didn't know that she had any connection with that address?

**Detective MacGillivray**

Correct.

**Cristina Gutierrez**

And you weren't looking for her?

**Detective MacGillivray**

No.

**Cristina Gutierrez**

And you didn't know the name "Jennifer"?

**Detective MacGillivray**

No.

**Cristina Gutierrez**

You didn't know that there was such a person with the name of "Jennifer Pusateri", did you?

**Detective MacGillivray**

Correct.

**Cristina Gutierrez**

All you knew was the number that appeared on the records that you had was listed as existing inside that piece of real estate?

**Detective MacGillivray**

That is correct.

**Cristina Gutierrez**

And the subscriber's name that you had was a man's name?

**Detective MacGillivray**

Correct.

[Cross-examination at second trial, February 17, 2000, pp. 278-279]

**[3:48] Susan Simpson** Of course, this does not comport with what both Jenn *and* Cathy testified at trial. Jenn testified that the cops were specifically looking for her when they showed up at her place.

**[3:59] Cristina Gutierrez**

...at some point they communicated to you, not only were they looking for your address, but they were looking for *you*, right?

**Jennifer Pusateri**

Right.

**Cristina Gutierrez**

And that they wanted to speak to you, right?

**Jennifer Pusateri**

Right.

[Cross-examination at second trial, February 15, 2000, pp. 219-220]

**[4:12] Susan Simpson** Cathy gives a similar version of events: MacGillivray walked up to them and said, "Does Jennifer live here?"

**[4:17] Cristina Gutierrez**

...did they tell her whom, who they were looking for?

**"Not Her Real Name" Cathy**

Um, not at that point. They asked, "Is this such and such address?" She said, "Can I help you?" They said, "Does Jennifer live here? or "Are you Jennifer?"--something to that effect. And she said, "Can I help you?" and then that's when they identified themselves.

[Cross-examination at second trial, February 16, 2000, pp. 265]

**[4:39] Susan Simpson** So, we've got MacGillivray insisting he had no idea whose house he was going to or who he wanted to talk to at that house, other than that someone there had been

talking to Adnan's phone on January 13th. And we have Cathy and Jenn both insisting that when they got there, they were looking for Jenn. They already knew that Jennifer was the person of interest to their investigation.

**[4:59] Colin Miller** And that's consistent with our theory that Jay met with the cops before February 26th because, otherwise, there's no reason to believe they would have known that Jenn was the person of interest. The phone, the pager, etc.--there's nothing linking her specifically to those.

**[5:14] Susan Simpson** At this point they're two weeks into the investigation, and the only people they've talked to are Yaser, Mr. A., Mrs. S., and Mr. S. They haven't talked to any of Hae's friends, and they haven't talked to anyone else that's been called on January 13th. So, why start with Jenn? Well, because Jay's already tipped them off to it.

**[5:35] Colin Miller** Yeah, none of those people you mentioned know Jenn, and even if they talked to people at the school, none of those people would have given the police Jenn's name. Jay's pretty much the only one who would have led the police directly to Jenn.

**[5:50] Susan Simpson** In any event, the detectives asked Jenn to come down to the station and give a statement. According to MacGillivray, Jenn said she couldn't; she had to go somewhere first to see her boyfriend.

**[6:00] Cristina Gutierrez**

You made the invitation for that night, is that right?

**Detective MacGillivray**

Yes.

**Cristina Gutierrez**

And did she accept that invitation?

**Detective MacGillivray**

She indicated that she needed to go to a location first, ah, to see her boyfriend...

[Cross-examination at second trial, February 17, 2000, pp. 282]

**[6:11] Susan Simpson** Later, it turns out that this boyfriend was actually Jay and, apparently, in the interview, Jenn denied that he was her boyfriend, but MacGillivray never follows up on that, so we have no idea what's going on there. However, as to what Jenn actually did after the cops came to her place, uh, there's a little bit of disagreement there between Cathy and Jenn. According to Cathy, they were actually on their way to pick up Jay from work.

**[6:35] "Not Her Real Name" Cathy**

I think we were going to pick him up from work.

**Cristina Gutierrez**

To pick him up from work?

**Cathy**

Yeah.

**Cristina Gutierrez**

Because he was going to go over to your house with you all?

**Cathy**

No, I don't remember if he was coming over or not. I remember that we were going to pick him up because he didn't have a car.

**Cristina Gutierrez**

He never had a car, did he?

**Cathy**

No, but he didn't--he wasn't borrowing anybody's car. Um... and I don't think Jenn had her car at that point, so he had asked us to go pick him up from work. But I don't remember whether he was going home or whether he was coming to my apartment. I don't recall.

**Cristina Gutierrez**

If he was going home, you all would take him home?

**Cathy**

Right.

**Cristina Gutierrez**

And that wasn't objectionable to you, was it?

**Cathy**

No.

**Cristina Gutierrez**

If he needed a ride, you would have given him a ride, right?

**Cathy**

Yeah, at that time.

**Cristina Gutierrez**

And did you have any other purpose in going to see him?

**Cathy**

No.

[Cross-examination at second trial, February 16, 2000, pp. 269-271]

**[7:23] Susan Simpson** However, Jenn says that she and Cathy were going to the porn store to bring Jay dinner:

**[7:28] Cristina Gutierrez**

...so, you pull off. Where did you all go?

**Jennifer Pusateri**

To where Jay was working.

**Cristina Gutierrez**

"Where Jay was working." And where he was working then, was that the porn shop?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

That's on Southwestern?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

And the name of the porn shop, again?

**Jennifer Pusateri**

Don't remember.

**Cristina Gutierrez**

So--

**Jennifer Pusateri**

Oh, no... Southwest Video.

**Cristina Gutierrez**

Southwest Video?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

Um, but really what it sells is porn videos?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

And there're peep shows there?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

And you went right from your house in Kristi ["Not Her Real Name" Cathy]'s car over there because Jay was there, right?

**Jennifer Pusateri**

We stopped to get some food 'cause I was taking him some dinner.

**Cristina Gutierrez**

You were taking your very good friend, friend dinner?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

While he was working?

**Jennifer Pusateri**

Yeah.

**Cristina Gutierrez**

And so that had been in your plans?

**Jennifer Pusateri**

Yeah.

**Cristina Gutierrez**

Okay, and while you were there, you told him about the detectives that you thought were just lost on your street, didn't you?

**Jennifer Pusateri**

Yes.

**Cristina Gutierrez**

You spoke to him about what questions they had asked you, did you not?

**Jennifer Pusateri**

Yes.

[Cross-examination at second trial, February 15, 2000, pp. 229-230]

**[8:38] Susan Simpson** Either way, whether you take Jenn's version--which was they were bringing him dinner--or you take Cathy's version--they were going to pick him up--neither makes sense because it was about 8:00 p.m. and, with one exception, Jay didn't work during the day at the porn store. He worked from midnight to 8:00 a.m.

So, we have both Jenn and Cathy insisting that they went to the porn store to talk to Jay after MacGillivray stopped by Jenn's house, and yet Jay would not have been working at the porn store at that time.

**[9:05] Rabia Chaudry** Do we have the work records for that day?

**[9:07] Susan Simpson** All we know is that Jay missed work on the 26th. Since, basically, every day except for one he worked from the midnight to 8:00 a.m. shift, that would imply that Jay missed work starting at midnight. Um--

**[9:19] Colin Miller** Yes, this says he missed work on the 26th, so he wasn't there at work to either be picked up or to have his dinner brought to him.

**[9:27] Susan Simpson** Yeah, and we know he wasn't working that day at his other job either. So, the only job that's mentioned by Cathy and Jenn is the porn store, and his boss says he wasn't working there because he missed it to talk to the cops. So, where did Cathy and Jenn really go?

**[9:40] Rabia Chaudry** Probably went to go see him, just not at the porn store.

**[9:42] Colin Miller** Right, the question being, this seems to be a cover story, so what exactly are they covering for? He's not at his job. Where is he and why aren't they explaining that?



**[9:51] Rabia Chaudry** Yeah, it's kind of a weird unnecessary lie unless she just wanted to tell the police, "Hey, I got to go somewhere." But she didn't tell them at the time that "I have to go visit my boyfriend at work." Or maybe they were misremembering the day. I don't really know what's going on there, but it just seems like either way they're saying they went to go see Jay. It kind of doesn't matter because what's happening now is they're getting a chance to talk to each other.

**[10:13] Susan Simpson** So, after Jenn and Cathy supposedly go talk to Jay, Cathy then drives Jenn down to Homicide where she has a brief interview, about half an hour to an hour, with Detective MacGillivray. MacGillivray testified that on February 26, Jenn only mentioned Jay's name because it came up in the context of talking about Stephanie. MacGillivray said he asked Jenn about Hae's friends and who she knew that Hae knew, and one of those people is Stephanie, so Jenn also mentioned Stephanie's boyfriend Jay.

I don't buy this. There's no way that's true because if you look at his notes, the most details he takes of all the people mentioned that day in that interview are for Jay--takes down his home address, phone number, whether or not there's an e-mail, who his employers were, what his employer's contact info was. He's clearly very interested in Jay despite the fact he testified that Jay was a non-issue; he was just kind of casually mentioned by Jenn at the time.

**[11:07] Colin Miller** Yeah, and according to the cops at this point, if we believe this storyline they're giving, there's that one call to Jay in the morning on the 13th and that's it. There's no other calls the rest of the day. Why would they be so interested in Jay if at this point they haven't interviewed him and Jenn is only mentioning him in passing? It doesn't make any sense.

**[11:26] Susan Simpson** Based on what MacGillivray says he knew at that time, there is no reason for him to have any interest in Jay whatsoever. Uh, but Jenn says that she did tell MacGillivray something that should have made him very interested in Jay.

**[11:39] Cristina Gutierrez**

Did you tell them everything that Jay had said?

**Jenn**

No.

**Christina Gutierrez**

And did you tell them anything Jay had said?

**Jenn**

About what? Just anything? Yes. I told them... that--

**Christina Gutierrez**

About these events.

**Jenn**

Yeah, I told them, too, that Jay said go down and see, see him.

[Cross-examination at second trial, February 16, 2000, p. 26]

**[11:56] Susan Simpson** So, we have Jenn telling MacGillivray on February 26th that her buddy Jay told her to tell the cops to come down and talk to him. According to MacGillivray, Jenn didn't say anything of interest about Jay. But combined with the fact that Jay did miss work that evening at the porn store, according to his manager, it seems like the detectives took Jenn up on that offer and went to see Jay.

Other than that, Jenn doesn't tell MacGillivray much. She says that she went to Woodlawn High School, she didn't know Hae and Adnan very well but she knew of them, and that she also didn't like Hae very much because she seemed stuck up and snobby, that Jenn didn't have a boyfriend, and lastly that her friend Nicole had told her that Hae had been killed by strangulation.

**[12:47] Detective MacGillivray**

Um, I asked her if she knew how Hae had been killed.

**Cristina Gutierrez**

And she answered you?

**Detective MacGillivray**

Yes.

**Cristina Gutierrez**

And--

**Detective MacGillivray**

She had heard that Hae was strangled.

**Cristina Gutierrez**

Was strangled?

**Detective MacGillivray**

Correct.

**Cristina Gutierrez**

And you first--

**Detective MacGillivray**

And she heard that information from a friend of hers by the name of Nicole.

**Cristina Gutierrez**

Of... [clears throat] Nicole?

**Detective MacGillivray**

Friend of hers, Nicole.

[Cross-examination at second trial, February 17, 2000, p. 314]

**[13:11] Susan Simpson** This makes MacGillivray very interested in her because at that point they have not officially released the news that Hae had been murdered by strangulation. So the fact that Jenn knows this makes it seem like she's holding back and knows more. However, the fact that Jenn says it's Nicole who told her this raises red flags for me. Now, Nicole, you'll remember, is one of Jenn's friends and who, Jenn later says in her interview, that she'd been in a car with Nicole and Nicole's boyfriend when Nicole started talking about the body her mother had found in Leakin Park and how Jenn had said, 'I bet you it's Hae if she's been strangled.'

Well, the body that Nicole's mother found wasn't Hae's body. It was a woman named Wanda Turner, and she'd been found in the park in January 1998, so an entire year earlier. Wanda Turner's cause of death was never disclosed, but if it was strangulation and if Nicole's mother knew that due to her involvement in the case, I mean, the fact that Jenn is saying this info comes from Nicole and says that Nicole's the one who told her about Hae because her mom found her, it makes me question what Jenn's even talking about. She obviously has no idea what's going on if she's able to confuse a body found in 1998 with a body found a year later in 1999.

**[14:24] Colin Miller** It's sort of weird because it makes you wonder whether this entire investigation might have gone differently if it's this mistake where she is thinking about Wanda Turner and she says it's strangulation, and that is what peaks the interest of MacGillivray. I don't know if that's what happened, but it's a possibility to consider.

**[14:39] Susan Simpson** And it also raises the question of why Jenn felt like lying--if she is lying--about Nicole's mom finding Hae's body or if she's really just that confused. Either way, she's not a reliable witness.

**[14:51] Rabia Chaudry** Well, as far as I'm concerned, I don't think the cops really cared, uh, what story Jenn came with. At this point, we know they'd been focused on Adnan for quite some time now, and they are looking to put together a case that will help get them an arrest and conviction. And so I think, you know, Jenn could have messed up all kinds of things, and they would have just ignored it like they kind of just ignored, th--they ignored a lot of really weird things, right? They just let things go because they just did *not* want to be distracted from making their case.

**[15:20] Susan Simpson** Like the fact Jenn says she's going to see her boyfriend and then an hour later denies she has a boyfriend.

After that interview, supposedly, the detectives do nothing. Although, if you take Jenn's story and take Jay's manager's story, it looks like instead the cops went down to the porn store to talk to Jay just like Jenn told them Jay said to do. Either way, the next day the cops finally get their break: sometime in the early afternoon they get a call from an attorney saying that Jenn would like to make a statement related to the Hae Lee murder investigation. So, Ritz and MacGillivray drive out to the attorney's house to meet with Jenn and her mother, and just to add to the weirdness of this whole case, this attorney is Detective Ritz's neighbor.

Yeah, the odds of that are pretty striking to me. Jenn secures an attorney the night after her first interview with the cops, and she just happens to choose an attorney who lives right next to the detective investigating the homicide for which she's being questioned. If anyone needs proof that weird coincidences can happen, this is it.

**[16:34] Rabia Chaudry** You know, it's interesting you think about it like that because for me in this case, like, I'm not surprised at all. That's pretty much exactly what I'd expect to happen.

**[16:44] Susan Simpson** And this is not normal. MacGillivray said he'd never before had gone out to an attorney's house to talk to a witness. This is the first time in his career and it's not a usual case, but they made an exception.

**[16:55] Colin Miller** And we know that in consequence, which is that Jenn is never, as far as we can tell, charged with any crime or has any plea deal despite the fact that she herself admits, 'I helped Jay dispose of the clothes after this murder took place,' which would make her an accessory after the fact.

**[17:09] Susan Simpson** This is why I'm convinced there has to be a deal with Jenn because, otherwise, what the heck is going on with her attorney? I mean, he gets a new client. She comes in and says, 'I have info on a murder. Oh, by the way, I'm also accessory after the fact. What should I do?' And he tells her, 'Let's go confess'? No, that's not how it works. The cops aren't going to be nice because you decide to come in and confess to a crime, and there's no way a competent attorney is going to advise his client just to do that, and yet she does walk down to the station and give a detailed statement, confessing to a crime that could put her away for not an insignificant amount of time.

**[17:46] Rabia Chaudry** If this attorney had secured a deal for Jenn in place and this was not disclosed--we know it wasn't disclosed because we have no information on something like that--that could be a Brady violation, right?

**[17:54] Susan Simpson** Oh, that's, that's straight up Brady. I mean, it's something of value that she was given in exchange for her testimony. And they might argue, 'Oh, it was informal. It was a gentlemen's agreement, so therefore it's not.' No, that's not how it works.

**[18:07] Colin Miller** And Jenn is clearly a key witness because, again, the 7:09 and 7:16 calls, those are supposedly calls that are made by Jenn to Adnan's cell phone, and that's, that's... a huge part of the State's case is that's ostensibly leading to the conclusion that Adnan was in Leakin Park on January 13th, in the 7 o'clock hour.

**[18:28] Susan Simpson** Yeah, they definitely need her. I can only see two options: it's either that Jenn's attorney was as incompetent or more incompetent than Gutierrez was, and the cops were also bizarrely nice to this confessed criminal; or the other option is that there was a deal. She was told that if she told what she knew and gave a statement that those charges would never come to fruition.

**[18:51] Colin Miller** And we've discussed this before how later Jenn meets with the prosecutor. We just have the note indicating she met with the prosecutor; we don't have any notes about the substance of that meeting or the outcome of that meeting.

**[19:01] Rabia Chaudry** And that's a meeting that took place, I think, in April, right?

**[19:04] Colin Miller** Right, it was April 5th or April 6th, I think--

**[19:06] Susan Simpson** April 4th, yeah.

**[19:07] Colin Miller** April 4th, right. So... yeah, April 4th, this meeting that takes place after this interview, and we just have no idea. It's a black box as to exactly what happened during that later meeting.

**[19:16] Susan Simpson** We know Murphy was there, one of the prosecutors at Adnan's trial, because Jay says that Jenn told him that.

Anyway, after this interview at the attorney's house, they all tromp down to homicide where they give an on-the-record statement. It's recorded, and it wraps up around 5:10 p.m. Ritz and MacGillivray then wait five hours or more before trying to go get Jay. Not sure why. The only explanation that makes sense is that they knew exactly when Jay was going to be at the porn store. But how would they know that without communicating with him or with Sis, which Sis had no knowledge of?

**[19:55] Rabia Chaudry** Why would they do that? Why wouldn't they just go to a witness's house if he's that instrumental and they're, like, getting ready to make an arrest? I mean, to me that seems like they would only do that because, Jay--you know, part of their agreement was that he, they wouldn't show up at the house. They wouldn't bother the grandmother, you know, and the whole thing will be kind of taken care of without the involvement of the family. And also because, you know, when he went to, you know, his sentencing, nobody from his family was there, right?

**[20:19] Susan Simpson** No.

**[20:20] Rabia Chaudry** Yeah, so I wonder if any of them even knew.

**[20:22] Colin Miller** If you arrest someone at their house, then you can oftentimes conduct a protective sweep of that house, which can uncover narcotics, firearms, etc. And so, Rabia, following up on your point, it very well could have been that he coordinated with the police to say, 'As part of my cooperation, do not bring any law enforcement into my house.'

**[20:44] Susan Simpson** Yeah, or they might just not have been able to find him, but it still means they had a way of knowing where he was going to be.

**[20:49] Rabia Chaudry** I can't imagine they didn't know how to find him. His phone number is the first on Adnan's record, and that's connected to his house address.

**[20:57] Susan Simpson** Yeah, well, and here's the other thing about how they might have gotten to Jenn. They had Jay's address; they had his phone number; they could have easily pulled up his recent arrest record, and that would have shown--

**[21:06] Rabia Chaudry** And seen--

**[21:07] Susan Simpson** ...yeah, that he and Jenn were together at the time of the arrest. So, once they found a Pusateri on Adnan's cell phone records, wouldn't have been hard for them to figure out to go there to find someone to talk about Jay.

However that happens, they go to Jay. They bring Jay down to the station. After twenty minutes of light interrogation, he breaks down and comes clean. They then go get Adnan, but what did Adnan's day look like? Well, not that day but the day before, prior to his arrest in the early morning hours of February 28th.

Earlier that morning Adnan had worked as an EMT at his job, and sometime that evening he went to Krista's house to hang out with her, Becky, Aisha, and Aisha's boyfriend. Apparently, Adnan then dropped Jay off at work at the porn shop later that evening. We know this from Stephanie's statement to the police and when she says that about 1:30 a.m. that night, she called Adnan and told Adnan about Jay being picked up by the cops. They discussed it. Apparently, neither knew what was going on. It seems like there might have been some indication that they thought it could have been about Adnan, but mostly they seemed like they were confused.

What's also odd, though, is that Stephanie told Adnan at some point that Jenn Pusateri had also been talking to the cops. Since Stephanie and Adnan did not talk after his arrest, that means it had to be beforehand, quite possibly during the same 1:30 a.m. phone call, which means that Jay had known Jenn was talking to the cops and had discussed it with Stephanie without explaining why because Stephanie had no idea 'til the next day that Jay had any role whatsoever in Hae's death, supposedly.

**[22:54] Colin Miller** Yeah, I find that interesting for two reasons: one, how does Stephanie know this? But then, two, it's clear that Adnan has this advance notice that Jay is talking to the cops--we'll get to his arrest in a second. But, certainly, his reaction to that arrest doesn't match up with knowing Jay's talking to the cops if you believe a scenario where Jay and Adnan are involved in this murder on January 13th, unless you think, sort of, Adnan is the greatest actor in the world. He certainly seemed shocked the next morning when he's being arrested, despite Stephanie clearly saying Jay's talking to the cops.

**[23:29] Susan Simpson** Yeah, if he knows that Jay and Jenn are both talking to the cops, it's hard to see Adnan just going to sleep, but he does because the cops wake him up there at about 5:45, 6:00 a.m. the next morning.

Stephanie didn't know anything about the reasons for the arrest until Monday evening when she says Jay finally told her that he'd seen Hae's body and Adnan had done it. So, rumors were going around that Jay was connected to Adnan's arrest. In fact, there was a, one rumor in particular going around that had Jay being interrogated for 12 hours before Adnan's arrest. Could just be a rumor, but it's an interesting one.

**[24:12] Colin Miller** It's really interesting because we, as far as we know, have the complete accounting of Jay's pre-interview and interview. It's only a matter of a few hours, and so, if his actual interrogation is 12 hours or a number close to that, there's a ton of possible coaching, changing the story, etc. going on that's not documented at all.

**[24:33] Susan Simpson** And it could explain where exactly the cops went on the evening of the 26th. It's just maybe they didn't ignore Jenn when Jenn said, 'Jay said go talk to him.'

**[24:43] Colin Miller** Yeah, I'd definitely like to hear more about these rumors of the 12 hour interrogation, but Krista is at Woodlawn, Stephanie's involved in that group, and so you'd imagine that it's probably Stephanie. She's the one who says she's aware of Jay and Jenn being interviewed, who is sort of spreading around the school that this was a lengthy interrogation of Jay.

**[25:03] Susan Simpson** Then again, I can also see Jay just lying about that.

**[25:05] Rabia Chaudry** Oh, yeah. I mean, I can totally see that and I also, I mean, my theory is--and I think we've talked about this earlier--is that we believe Jay was even talking to the cops before this. So why did they show up at Jenn's? Probably because Jay sent them there and then said, 'Yep, send them right on back.'

**[25:18] Susan Simpson** Alternatively, they could have gotten to Jenn on their own, and that could have been a casualty that Jay wasn't expecting.

**[25:26] Rabia Chaudry** Oh, that Jay was already talking to the cops and then they--

**[25:28] Susan Simpson** Yeah.

**[25:29] Rabia Chaudry** ...yeah.

**[25:30] Susan Simpson** I think it's possible the cops found Jenn on their own when he was not trying to get her involved.

**[25:33] Colin Miller** Yeah, well, if you believe his pre-interview, right--the whole that Jeff G. took him to Woodlawn at 3 o'clock to see Stephanie--it seems like Jenn isn't part of that afternoon despite the fact that she's a huge part of it at trial.

**[25:57] Rabia Chaudry**

When, now, when Adnan was arrested, um, do you remember how you heard he was arrested?

**Saad**

Uh, yeah, I actually do. I was in the, um, I was in the local convenience store, and I was, I don't know, getting something, and then I just happened to look up at the TV and it had a picture of Hae. Um, so apparently the news was on, and I probably missed, you know, the first half of them probably mentioning that he got arrested, but they showed her. And I was like, "Why are they showing Hae?" Like, "What's going on?" Um, and then I found out, like, after I bought, well, whatever I bought. I went home, and as soon as I got home, my parents are like, "Oh, you got, um, you know, four or five guys calling you," and I'm like, "Huh? What's going on?" So I returned--I called one guy back, and he was like, "Man, did you hear what happened?" Like, "Adnan got arrested." I'm like, "What are you talking about?" And, and th--that's when it was just like, "What? What is going on?"

**Rabia Chaudry**

Uh, you guys didn't see it coming, you and your group of friends?

**Saad**

I--no, no, we did not see this coming. And, like, when I heard he got arrested, I was like "What? Like, "Huh?" Like, it--it was a, like, we were just shocked. We were like, "Wait, like, how?" We couldn't make any sense of it, even 'til this day.

**[27:01] Rabia Chaudry** That was Saadi--not my brother Saad, but another Saadi who knew Adnan since they were born, essentially, and actually went to Woodlawn High School at the same time as Adnan and was also in the magnet program and knew Hae.

Now, I also remember the day that Adnan was arrested.



Now, at the time that Adnan was arrested--you know, Hae had disappeared; all of this was going on--I actually did not live in Baltimore. I lived in Northern Virginia but, uh, I made a habit of every single Friday coming to visit my parents. So Friday to Sunday, I stayed at my parents and, uh, then I would go back for the week. I had law school and work.

That Sunday morning, I remember on, uh, the 28th of February, 1999, watching the news with my mom. And it wasn't--I think it was in the afternoon or late afternoon that I saw it. It wasn't early in the day. It was, like, the, maybe the 4 o'clock news that comes on the local news. And we had been watching for weeks as they showed stories about Hae's disappearance, and all of a sudden there was kind of a news flash that an arrest has been made in the murder of Hae Min Lee, and Adnan's photograph comes on TV, and I was shocked, and my mother was with me, and we just kind of shot up from the sofa, like, what's going on here? What happened here?

Adnan's parents live, uh, in the same subdivision as my parents. We, you know, they literally walk to his house. We hadn't heard anything until then. We hadn't heard from his parents; we hadn't heard from my brother. We didn't know what was going on. We were pretty shocked. And then my mother and I, we immediately drove to their house. I think, by the time we got there, um, it was right after dusk. And there were already news folks, you know, cars and vans from the local TV stations parked outside, and their house was completely dark. And, uh, we went to the door because we wanted to make sure his family was okay, but nobody answered the door and at that point we realize that maybe they needed some time, and so we went home.

And then later is when we began hearing from other people in the community, and I took the opportunity to talk to Yusef, who was Adnan's younger brother and was nine years old at the time; and the older brother, Tanveer; and his mom about what they remember about that morning because the three of them were home when Adnan was arrested. So, let's hear what they have to say:

**[29:34] Rabia Chaudry**

OK, so I am with Yusef. Hi, Yusef, salaam.

**Yusef Syed**

Assalaam alaikum, Rabia. How are you doing?

**Rabia Chaudry**

I'm good, thanks. I want to ask you some questions about--now, you were really young when Adnan was arrested, right? How old were you?

**Yusef Syed**

I was, uh, about n--nine years old, nine or eight.

**Rabia Chaudry**

Do you have any recollection at all of that day he was arrested?

**Yusef Syed**

I, I remember it was in the... morning. My, my... it was like every--everyone was panicking.

**Rabia Chaudry**

Were you asleep? Like, what happened?

**Yusef Syed**

No, no. Uh, yeah, I was sleeping at the time, but I remember the, the police were coming in. There was kind of like a crowd in the hallway that we had.

**Rabia Chaudry**

Like in your entry to your doorway?

**Yusef Syed**

Yeah, 'cause I, I shared a room with, uh, Tanveer--

**Rabia Chaudry**

Mm-hmm.

**Yusef Syed**

...at the time, and so I remember everyone was, was up, and it was kind of like people coming back and forth into the rooms and stuff. It was, like, kind of chaotic and... when, when I was coming, my older brother's--he, Tanveer, he tried to stop me. He said, you know, "D--don't come. Go back to your room. Go back to your room." He tried to stop me, so... eventually when he, he went to see my parents, I, I got out the room and I saw they were, they had my brother in, uh, handcuffs.

**Rabia Chaudry**

They had Adnan in handcuffs?

**Yusef Syed**

Yeah...

**Rabia Chaudry**

Was that in his bedroom?

**Yusef Syed**

By, by the time I got out, he was... they, they were on the steps by then.

**Rabia Chaudry**

So, after he was arrested, did you go down to the jail and see him any time soon after that, or... did you guys hear from him? Did he call the house? What happened? Any recollection?

**Yusef Syed**

Mm... I, I just remember a while back that the first time I went to see my brother, it was with me and Tanveer. We went to Central Booking. Uh, I saw him... there.

**[31:16] Tanveer Syed**

Saturday, we just hung out, did our thing. Saturday night, kicked Adnan out of own room 'cause me and Yusuf were going to sleep. I think we watched *The Thin Red Line* or something. And then Sunday morning I woke up to, I mean, probably it was MacGillivray laughing in the room next door.

**Rabia Chaudry**

Oh, so that's how you woke up? You heard the cop laughing?

**Tanveer Syed**

Yeah, I heard someone laughing in the room next door, and I'm like, uh, Dad? But he wasn't home.

**Rabia Chaudry**

Do you remember what time it was when you woke up? Around what time?

**Tanveer Syed**

It was probably like around 5 o'clock in the morning.

**Rabia Chaudry**

Okay.

**Tanveer Syed**

It was before the break of dawn. But... basically, I heard laughter in the next room saying like, you know, "Who's not laughing now?" or "Bet you're not smiling now." And, you know, I think Adnan asked could he put his clothes on 'cause I think he was sleeping in his boxers or whatever. And what happened then, um, I tried to leave the room and as soon as I tried to open my door, boom, there's a police officer in my face saying, "You need to stay in the room."

**Rabia Chaudry**

Oh wow.

**Tanveer Syed**

And so I don't remember if it was a county or a city police officer because they came with like 12 or 13 police cars. You can't access the back of our house with a car, but they had police officers standing out back.

**Rabia Chaudry**

What? So they surrounded the--they actually surrounded the house?

**Tanveer Syed**

Why? 'Cause I guess that they were concerned that Adnan's like going to run out the door; they wouldn't be able to keep up with him. 'Cause he ran track, I guess. But they had, like, a mix of, you know, city and county police cars, so they came out and--um, all out front--and the police officer comes out of the room, and then, uh... Yusuf woke up, and he was trying to figure out what going on and...

**Rabia Chaudry**

Can I ask you? At the time, were you able to, like, were you just confused, like, what is going on? And did you, did you realize that they had come for Adnan? Did you feel scared? Like, what was going through your head?

**Tanveer Syed**

Oh, I knew they came for Adnan. I was just thinking, like, what were the next steps? You know, like, I was grateful [inaudible] wasn't home, because if my dad was home, he probably would've had like a heart attack or something.

**Rabia Chaudry**

Oh... Yeah.

**Tanveer Syed**

I can't imagine for him to see his son dragged out in chains and, you know, in handcuffs and everything and what that image would have done to him mentally. So, basically, the police officer--the last thing, you know, the police officer, they started to lean in, took him--he was the one that took Adnan out the door. And my mom asked him, like, "Well, aren't you going to read him his rights?" And he goes, "No. At the station." Because, you know, you always see on TV that, oh, you're going to be read your Miranda rights when they take you away and this, that, and the other.

**Rabia Chaudry**

Right.

**Tanveer Syed**

Then they, basically, after they took him away, they, uh--my mom was telling Adnan, you know, "It'll be okay, we'll get you a lawyer," and this, that, and the other, and everything will work out.

**[33:41] Rabia Chaudry**

Assalaam alaikum, Aunty Shamim.

**Shamim Syed**

Wa alaikum salaam, Rabia. Aap kaisee hain?

**Rabia Chaudry**

I'm good, thank you. Oh, I wanted to ask you a bit about what you remember about the time of Adnan's arrest, but w--even before that... were you aware that, um, Hae Min--that there was, that she had disappeared and there was an investigation, did you hear about that?

**Shamim Syed**

Yeah, I saw on TV that she's missing, you know, so the police, he came after a few weeks. [inaudible] was home, so he knock on the door, and I open the door to him, so... Adnan was home, so the detective he talked to Adnan.

**Rabia Chaudry**

Oh, he had come to question Adnan.

**Shamim Syed**

Ah, ye--yes.

**Rabia Chaudry**

I think that happened just a couple days before he was arrested.

**Shamim Syed**

Ah, yes.

**Rabia Chaudry**

Yeah. So, the day he was arrested was February 28th. What do you remember? It was early, right?

**Shamim Syed**

Yeah... [tearfully] I'm sorry...

**Rabia Chaudry**

It's okay.

**Shamim Syed**

February the 28th, it was 5 a.m. You know, usually...

**Rabia Chaudry**

5 a.m.

**Shamim Syed**

...I get up for my prayer, you know, early in the morning.

**Rabia Chaudry**

So you were already awake before they came?

**Shamim Syed**

Ye--yes, I was up.

**Rabia Chaudry**

Was anybody else awake?

**Shamim Syed**

Ah, no, everybody--my husband, he was out of town, and my older son and my, ah, youngest son they were sleeping in one room, and Adnan was sleeping in the other room.

**Rabia Chaudry**

Okay, so Uncle was out of town, so--

**Shamim Syed**

Yes, he was out.

**Rabia Chaudry**

...and you we were up for prayers?

**Shamim Syed**

Yes.

**Rabia Chaudry**

So, what happened then?

**Shamim Syed**

So, the, somebody was knocking at--on the door, so I say, "Wait a minute, who's early in the morning?" So, this was three officer [sic] and they said, uh... uh, he said, "Where's Adnan?" I say, "He's sleeping in his room," you know, so they just barge in, you know? He said, "Where's his room?" You know, so they went straight to his room.

**Rabia Chaudry**

Did they show you a warrant?

**Shamim Syed**

Ah, no, nothing, nothing. No, they just, you know, they, they are police officer [sic]. No warrant, nothing. So they said, "Get up, Adnan," so he woke up, and they ask him to dress up, you know. So they just took him. So I told Adnan, I say, "Adnan, don't worry. Everything will be alright," you know.

**Rabia Chaudry**

Do you remember, did Adnan say anything? Was he confused? Was he scared? What do you remember?

**Shamim Syed**

Ah, he asked him, he said, "Sir, why are you taking me? Why you handcuff me?" But they didn't say anything to him. You say, you know, "You need to go to the police station."

**Rabia Chaudry**

What did he say to you?

**Shamim Syed**

Ah, I t--uh, I told Adnan--he was also, you know, like, kind of, you know, scared, confused, so I told Adnan, I said--he didn't say anything--I said, "Adnan, don't worry. You know, everything will be fine. I'll call the lawyer, you know."

**Rabia Chaudry**

Call the lawyer... Did you have a lawyer at that time?

**Shamim Syed**

Ah, no, because, you know, ah, d--this is the first time happened to us, you know [sic]. We didn't know what going to happen [sic] so when I was waiting for when it's get, like, 8 o'clock because everybody was sleeping, like, 5 a.m. So, I was sitting, well, I d--I didn't know what to do, so I called one of my friend, I mean, family friend. So, I ask him, I said, "That's what happened to Adnan," so he said, "Okay, let me see if I can find a lawyer."

**Rabia Chaudry**

Yusef says he remembers seeing Adnan in handcuffs.

**Shamim Syed**

Exactly, because Tanveer tried to push him, you know, to the door, "Go back, Yusuf. Sleep," but he was... you know, so he ran.

**Rabia Chaudry**

He came out?

**Shamim Syed**

Yeah, he came in... [inaudible].

**Rabia Chaudry**

Did you go to see Adnan that same day?

**Shamim Syed**

Oh, no. We, we couldn't because, you know, the--I called the--my friends. So he, you know, like, took it up, like, the lawyer. So, I'm not sure if the same day or the next day, he called. You know, he said, "Mom, you know, they arrest me for the murder of the--Hae Min Lee."

**Rabia Chaudry**

Of Hae Min Lee. He called from the...

**Shamim Syed**

He called from the, yes--

**Rabia Chaudry**

Okay.

**Shamim Syed**

...and he said, "Mom, I'm here."

**Rabia Chaudry**

Do you remember the first time you went to see him after he was arrested?

**Shamim Syed**

Oh, yes, probably, you know, like, when he went to the, ah, in the city, in the jail.

**Rabia Chaudry**

The booking.



**Shamim Syed**

In the booking. So, we went all there. Me and my husband and, ah, Tanveer, all the three of us.

**Rabia Chaudry**

Yeah.

**[37:23] Rabia Chaudry** From what I was told, it was, uh, early morning; it was before the sun came up. It was around 5 a.m. or 4:30 a.m., um, and Adnan was sleeping, and so the cops woke him up. They didn't allow anybody from the family to come into the room. They told him to get dressed, um, and they took him out into the hallway. It's a rather small modest house. That's when they handcuffed him before they led him down the stairs and out the door.

And from what I have heard from Adnan, the trip that he took to Central Booking was pretty terrifying. He recalls being told by the cops, one of whom was laughing at him--another one was fine, but one of them was laughing at him--and saying that 'you are a real pretty boy, and you're going to get--' And I'm not going to repeat it, but he was going to get some attention in prison from other inmates because of that. And, essentially, he felt like he was being threatened that he was going to be assaulted, sexually assaulted in prison. And it was really nerve-wracking for him.

**[38:36] Colin Miller** So, let's turn now to the lawyer's perspective on the events of this morning. After Adnan's arrested, his family retains Chris Flohr and Douglas Colbert. And at 7:10 a.m., Douglas Colbert called up Sergeant Lehmann, and he asked that all questioning of Adnan cease, and he wants to be present for the readministering of the Miranda warning. Sergeant Lehmann says he'll make a note of it, but he is not going to stop the questioning of Adnan.

At 10 o'clock then Chris Flohr calls up Detective Sydnor, and he reiterates the request that all questioning of Adnan cease. He also wants to see Adnan. The response by the detective is he can speak to Adnan as soon as the interview is over but not any time before that interview is over. He also says that the only way that Adnan can speak to him is if Adnan specifically requests to see him by name, Chris Flohr. Chris Flohr says, "I've just been retained by the family; Adnan doesn't know my name, uh, so therefore he couldn't ask for me by name." The detective again refuses to allow Flohr to see Adnan.

At 10:55, then Flohr and Colbert go down to police headquarters. They talk to Officer Correll. Again, they ask for permission to speak to Adnan. Correll then speaks to Detective Patel at police headquarters, and he's told that Adnan is not taking any visitors. Colbert, again, he asks the detective to cease any questioning of Adnan. He says, "Listen, Adnan waived the right to counsel." Colbert wants to know whether Adnan knows that his attorneys are there, and the detective says, "No, no one has told him that his attorneys are present, and the questions may continue unless Adnan asks to speak to his attorneys by name." Colbert then asks at least that the interrogation be recorded, so there is a transcription of what exactly Adnan says. Detective responds and says, "I wouldn't want to tell you how to defend someone in court."

Finally Colbert says, "Okay, at least let's have Adnan's parents be allowed to see him," and again the detective refuses and says, "No, his parents are not going to be allowed to see him." Finally, later at 2:38 p.m., Colbert faxes over a letter, an official request saying, "Please, immediately stop all interrogation of Adnan. I want to see my client," and again that request is denied. Finally, after how many hours is it, Susan, of interrogation?

**[41:02] Susan Simpson** They arrest him at 6 a.m. They take him down to the station, and they stop around 1:30 to 2. So, at a minimum six hours, most likely longer.

**[41:11] Colin Miller** Right. So, during that time he never gets to see his parents; he never gets to see his attorneys; he also, apparently, says nothing incriminatory because we have nothing at trial tending to show that Adnan said anything that could be hurtful to his case at all.

**[41:27] Susan Simpson** Yeah, he's given no food. He misses breakfast and lunch. He's given water--the notes do reveal that--but nothing else. And after a minimum six hours locked in the room with three detectives rotating through, he says nothing.

**[41:41] Colin Miller** Yeah, and if we break this down from a legal perspective, what I'll say is, technically, there's nothing the police did wrong.

In many jurisdictions, in addition to the typical Miranda rights, there's a juvenile Miranda form that says you have the right to speak to your parents if you're a minor like Adnan. Maryland, though, does not require a juvenile Miranda form; a minor can be interrogated pursuant to Supreme Court precedent without their parents. That's technically permissible, but what the Supreme Court noted in a case--it's the case of J.D.B.--is that the common sense reality is that minors often feel bound to submit to police questioning when an adult would feel under the same circumstances the freedom to leave. And so, the Supreme Court has certainly recognized it's different for a minor to be interrogated than an adult. But, again, a minor can be interrogated without parents. And, again, the police are technically correct: the suspect does have to ask for his attorneys before they can come see him.

They, sort of, were in a bit of a fuzzy territory here. I'm not sure exactly what they told Adnan, but he didn't have to request an attorney by name. If he requested to speak to any attorney, that would suffice to stop questioning, and so that was a bit fuzzy, but again nothing legally wrong but certainly bordering on unethical in terms of how they dealt with his parents and the attorneys in this case.

**[43:01] Susan Simpson** For me it's the failure to record that's... [*sighs*] I mean, yes, they could legally talk to him like this, so whatever, but the fact they didn't record it after six hours tells you everything about what they were trying to do and what they got, which is nada. They wanted him to breakdown; they wanted him to confess; they pulled out all the high-pressure tactics they could.

I guess from their perspective, this little 17 year-old punk managed to stand up better than most the murderers that come through their offices.

**[43:26] Colin Miller** I think it's right; 80% of suspects confess, and it's higher for juvenile suspects. For him to not only not confess, but plead not guilty and maintain his innocence to this day, that's very much an aberration when you look at these types of cases.

**[43:40] Susan Simpson** And say not a single word that was ever worth bringing up at trial because they could have bought it up at trial if they'd wanted to.

**[43:45] Colin Miller** Yeah, and a lot of people are frustrated and wonder, what exactly did Adnan know? Well, if they would have recorded this interview--which, by the way, we've said before, it's now standard operating procedure; they have to record these interviews--we'd have a very good idea. And as we've said, if this statement by Adnan under interrogation incriminated him at all, we'd hear about it. And so, presumably, what he said was not harmful to his case and his status as not guilty, uh, in any conceivable way.

**[44:14] Susan Simpson** Well, they did take notes, to be fair. I mean, for those six-plus hours, they, they documented a whole three sentences.

**[44:22] Colin Miller** Right. His class schedule, right? On January 13th.

**[44:25] Susan Simpson** Yeah. They actually have two pages of notes by the same detective. One page is a bit messier and says that Adnan waived his rights; he read each one aloud and initialed them. Then it says: "That Wednesday back in Jan[uary]". Then it gives the phone number for Adnan's cell phone. Then it says: "1st [period] 7:50, 8: 915". That's it. That's all they got from him.

We do know from Adnan that the cops did raise certain topics with him. For instance, during the interrogation, the detectives mentioned Jay, and they mentioned that Adnan had been wearing red gloves during the crime, and they told Adnan that they found fibers from his jacket at the crime scene. They also tell him they found his fingerprints all over the car, hair samples, clothing samples, soil samples. They tell Adnan that he solicited Jay to help with the murder and that witnesses saw them together and saw them after school. One of the detectives asks him, 'Why would you trust a black guy who puts pins through his mouth?' I'm assuming, referring to Jay. Adnan was also told that he lived a life of lies and that his religion had put him in a bind.

They also tell Adnan that they have his phone records and that they have his phone receiver near the Park and Ride. That's an interesting detail to me because there's never actually an allegation that a phone call was made or received while at the Park and Ride. So... why are the cops telling that to Adnan? Jay never said it.

**[45:55] Colin Miller** Yeah, so, a couple points: one, obviously some of these, like finding fibers from his jacket at the crime scene, are lies. Again, legally speaking, police *can* lie to suspects--it's why there's so many false confessions--so there's nothing, again, legally wrong with that. You might think it's certainly a bit unethical. But, yeah, then as you say, Susan, I don't know. I--it--some of these, are they just blatant lies, or are there reasons why the police are saying certain things? Are they mistaken? Do they think that the phone pings the tower by the Park and Ride when, in fact, that turns out not to be true? I don't know.

**[46:29] Susan Simpson** My theory is that they did believe that based on the phone records and that they thought Adnan was calling Jenn's house at around 4 p.m. from the Park and Ride.

**[46:38] Colin Miller** Well, at this point, right, if we go back and you look at--and they have this in the *Serial* website--all of Jay's timelines--and certainly at this point--has Adnan being dropped off for track practice much later, And so, from their perspective, they had no idea when track practice starts, and so they very well could think this was before he went to track practice.

**[46:56] Susan Simpson** Can anyone read that sentence?

**[46:58] Rabia Chaudry** Yeah, I can read it.

**[46:59] Susan Simpson** What's it say?

**[47:00] Rabia Chaudry** It says PD said, um, 'Defendant solicited someone to do it...'

**[47:04] Susan Simpson** "Solicited". Okay, nevermind.

**[47:06] Rabia Chaudry** '...and witness saw defendant choke her and bury body.'

**[47:09] Susan Simpson** And "witness".

**[47:12] Rabia Chaudry** That's what it looks like, plus 'witness saw defendant choke her and bury body.'

**[47:15] Susan Simpson** So he solicited someone to do it.

**[47:18] Rabia Chaudry** But then he did it himself; he's like "nevermind".

**[47:21] Colin Miller** Right, so it's internally contradictory, and it's also a fabrication because there's no eyewitness to the actual murder.

**[47:30] Rabia Chaudry** Wh--where is this from, Susan?

**[47:31] Susan Simpson** This is from Chris Flohr's notes of his conversation with Adnan.

**[47:34] Rabia Chaudry** Maybe the police lie, you know, 'cause, you know, they can lie. Maybe they said to Adnan, 'We, we know you tried to hire somebody, but then you didn't. And then you choked her yourself and somebody saw you do it.'

**[47:44] Colin Miller** Yeah, that's a possibility. In that case, they could get him with both solicitation and the actual act of murder.

**[47:50] Susan Simpson** And they've already told him that Jay confessed, so if he *had* done it he would know the jig was up.

**[47:55] Colin Miller** Right. It's, it's, again, one of those things where, if we're going back and looking at it--if Adnan committed this crime and enlisted Jay and the police are saying, 'Jay has turned on you and he's given a full confession'--it's, it's either a terrific acting job that is almost unthinkable. Or it's, you know, he's shocked, and he can't believe that Jay is giving this statement to the police.

**[48:36] Susan Simpson** There's one more thing that the detectives ask Adnan about, and that's what year he was born. Adnan tells them correctly that he was born in '81, which makes him 17 at the time of this interview.

**[48:48] Colin Miller** Yeah, and that's significant because, if we go back to *Serial*, what Adnan says is at the very end of his interview they slide the Metro Crime Stopper bulletin in front of him. So, this is the bulletin showing Hae's picture and offering a reward for people who come forward with information. And on that form, the bulletin, they've written, 'Adnan Syed did willfully, premeditated and with malice aforethought, or deliberately murder or kill Hae Min Lee' on such and such day. And it said, 'Punishable by first degree murder in the State of Maryland; it's punishable by the death penalty.' And this is very important because the cops are wrong. As you said, Susan, Adnan is a minor, and under Maryland law a minor is not eligible for the death penalty, and yet the cops here are trying to threaten him into a confession by saying, 'If you don't maybe come clean and work on a plea deal, you could be given capital punishment in this case.'

**[49:44] Susan Simpson** And I don't think it's an accident. They talked to him specifically about this and asked, 'How old are you? When were you born?' And on the Statement of Charges that MacGillivray filled out, Adnan's date is correctly written as May 21, 1981. That document was written at 4:40 a.m. However, at 4:43 a.m., just three minutes later, on the arrest warrant and charging document, somehow they've gotten confused and filled out the form with "05/21/1980" as Adnan's birth date, therefore making him eligible for the death penalty and therefore eligible for a charging document that reads "penalty is death".

**[50:20] Rabia Chaudry** So, basically, in the span of three minutes they added a year to his age, knowing that this would have a big impact on the charges and penalty for him.

**[50:31] Susan Simpson** I think it was an intimidation tactic. They wanted to put a sheet in front of him that says, "The penalty is death," to scare him into confessing, and they couldn't do that unless he was 18.

**[50:42] Colin Miller** Yeah, and this Statement of Charges then takes us into the bail hearing, which, in my mind, is the biggest unspoken aspect of this case. And if you're trying to piece together and figure out, "How could so much go wrong in the investigation here by Adnan's defense team? How could he be convicted?" I think the first building block on that is this bail hearing on March 1st.

And so, March 1st, we have this bail hearing. It's before Judge John Hargrove, and there were 200 members from the community who show up to support Adnan. And the bail hearing, basically, is deciding: are we going to detain him pending trial? Are we going to release him with certain conditions? And so Adnan's attorneys asked for bail of \$25,000. They say he's a high school senior; he's an honor student; he has no criminal record. He obviously has the support of his community. In response, what the State has is, again, this mistaken charging document, which says he is an adult. And the thing is, there's a right to bail in non-capital cases, where there's no death penalty. And even in murder prosecutions, 60% of suspects are granted bail, and that's despite the fact that the vast majority of murder suspects have prior convictions. And so, if this were not a capital case, which it wasn't, Adnan almost certainly would have been given release. But we have this incorrect charging document. The judge denies bail, and in doing so, he twice refers to the case as a capital case where the death penalty is on the table.

**[52:13] Hon. John J. Hargrove**

What should the bail status be? I think I'd be remiss in my duties as an official for the State of Maryland to ignore the interests of the State--Ms. Kim's family in this matter, as well. So, for all of those reasons, I'm going to have bail remanded in a no-bail situation since it's a capital offense. And I see no reason to change that at this, ah, point based upon what I've heard.

**[52:36] Colin Miller** It's my firm belief that this mistake about this being a capital case is the only reason, at this initial bail hearing, that Adnan is denied bail.

**[52:45] Susan Simpson** And the initial appearance document that the judge was handed at this hearing just says, 'On the basis of the information available, defendant is not eligible for release. Defendant is to be held without bon.' So, he's given official forms saying Adnan cannot be given bail.

**[53:00] Colin Miller** Yeah, there, there's no right to bail on a capital case. If it's a death penalty case at the federal and state level, you are not entitled to get bail, and so the judge's hands were pretty much tied. I mean, if we go through, there, there's various factors that a judge considers in deciding whether to grant bail and, in fact, these are laid out by his attorneys: What's his reputation? He's an honor student. No one said he was violent. What are his family ties? He has

his family all living in Baltimore; he has the entire community, the 200 members, in support. Employment status? He's both a full-time student and a part-time EMT. What's his length of residence in the community? He's been a lifelong Baltimore resident. Does he have any character or mental condition issues? No, no issues as far as we can tell. Any prior crimes? No.

And then here's, sort of, the really interesting thing, which is the nature of the evidence against the suspect. And so in this case, as we've said several times, there's no physical evidence; the case really hinges on Jay. Uh, but, Susan, it's sort of interesting what they do with Jay in this case. And so, not only here but throughout the discovery process, what's the nature of the disclosure about Jay?

**[54:06] Susan Simpson** Well, he's not. There's never an official mention of Jay, which I think was kind of a feint because Adnan knew that Jay was the one accusing him. He'd been told by the cops, but what the cops didn't tell him--and what you can't figure out from the statements of the attorneys at the bail hearing and other hearings--is that there's also Jenn acting as a witness.

**[54:26] Colin Miller** So, the thing is--and, and this is what troubles me greatly--is I can't understand why the State would refuse to disclose Jay's name as the person who is turning on Adnan. Because as far as we can tell from the State's case, Jay's the only person involved with Adnan on the afternoon of the 13th during the aftermath and the burial, and so, I don't know, why would they not reveal his name?

**[54:51] Susan Simpson** Well, I have a theory: it's to protect Jay from being a snitch.

**[54:55] Colin Miller** They can do that. I mean, they can refuse to disclose it. It happens in a lot of Mob and Mafia cases. Probably the most high profile one is the John Gotti case. John Gotti was the head of the Gambino crime family, and he was brought up on various racketeering charges, murder, etc., and due to concerns about the safety of the people in that crime family, the lower level people who would turn State's evidence and would go into witness relocation, they were kept anonymous. And as a result, Gotti was given pre-trial release because it's a weak case. It--it's perfectly fine for the State to not disclose the identity of its witnesses, but it greatly weakens the strength of the State's case. These witnesses can't be questioned at all, and so that really feeds into the conclusion that, again, Adnan should have been given pre-trial release because we didn't have the actual name of the person who was turning State's evidence.

**[55:46] Rabia Chaudry** Another reason, um, and that--this is kind of a--I'm posing a question that the State, although the cops told Adnan about Jay, that the State didn't officially name Jay as the witness against him was because that would--I, I mean, I'm not convinced that they're trying to protect Jay because I'm not convinced that they actually thought he was under any real threat. I thought it was because it would then preclude the defense from really investigating Jay or, like, subpoenaing things related to him. Or, I mean, like, unless he's officially named, can the defense, like...? To subpoena people--I mean, I don't know--like, how much discovery can they do?

**[56:22] Susan Simpson** I think there was a real threat to him; I think they were protecting Jay. It's just not from Adnan. Like Jay said in his *Intercept* interview: 'You don't snitch in Baltimore.'

**[56:30] Rabia Chaudry** Oh, I see what you're saying. It wouldn't have mattered that he--who he snitched against. It's just that he was now a snitch.

**[56:36] Colin Miller** Here's another thing, too: if Jay is disclosed, the judge very well might have forced him to come in and give a statement, and as we know, his story was very much massaged after that February 27th interview. And so, the State might have been worried if Jay goes on the record now and makes his statement, "That could come back to haunt us at trial." And so that could be the reason that they withheld his identity

And this is why I say this is such a huge issue here--the fact that the judge made a mistake, thought this was a capital case, and that pretty much is what led initially to him being denied bail. Think about an alternate scenario wherein Adnan is given bail on March 1st. He's home when Asia McClain comes to visit the house. He is, in terms of mental and physical well-being, at his house it's much easier to meet with his attorney.

There's a great study called "Bail Revisited". It's the most comprehensive analysis of criminal cases, and it says, those given pre-trial release fare much better at trial than those who are detained pending trial. And we can see that very much here because what we see is the clerk who is working on alibi witnesses and alibi issues for Cristina Gutierrez never visited Adnan in jail. They tried to set up a meeting; it never happened. Moreover, the clerk who met with Adnan on most occasions, she was busy doing something else on July 13th, and so, therefore, a substitute clerk was sent to meet with Adnan; that's when Asia McClain was discussed. Well, it's very easy to imagine signals getting crossed. The clerk who often visited Adnan had great typed-up memos about her meetings with him in jail. The clerk on the 13th, who we had Asia brought up to, didn't type up his notes. You know, it's one of those things: if Adnan's released, it's much easier for him to prepare for trial, to meet with the clerks, to meet with Gutierrez. And a lot of the issues in terms of discovery and witness preparation, etc., if Adnan is given release, those things likely don't occur.

**[58:34] Susan Simpson** And the community's assumption that they wouldn't have arrested him without cause, at least to a great degree, evaporates because we know from several statements of teachers and students alike that when Adnan was arrested, they all assumed that he did it. They would not have arrested him if he hadn't done it, so case closed.

**[58:51] Rabia Chaudry** And I've seen numerous statements now from different people who interacted with the police after Adnan was arrested, uh, who said that the police told them that, 'We have a lot of evidence against this guy. We're very confident. Like, this is the guy. Like, we really...' you know, without actually telling them what that was. So, people who had no idea what was going on had every reason to believe the police in this case.



And I was going to say about the bail thing, you know, I've been in a couple of panels now with Chris and Doug, and I can tell you that they are both so incredibly passionate about this issue. I mean, they work on this issue anyhow, but they're so, so adamant that if Adnan had gotten bail, he never would have been convicted.

**[59:26] Colin Miller** The fact that he's not given bail on March 1st, pretty much then March, April, May into June, that time is all spent preparing to appeal the denial of bail. If he's given bail, all those hours, all that money, could have been put into looking into alibi witnesses, other types of trial prep, talking to medical examiners, etc. because after March 1st, his attorneys say, 'Wait, the judge made a mistake. He considered this a capital case. It's not.' They spend the next weeks pretty much getting letters of support. In fact, they get 600 letters for the support to appeal the bail decision based upon the mistake by the judge.

And so, then what we have is on March 31st, we have an appeal of the bail denial based upon the error by the judge. And at this point, Adnan is prepared to offer a good deal more to get his release. And so, what we have is the 600 letters of support. We have six people in the community, including his parents, willing to put up their homes as collateral as part of a forfeiture agreement. Adnan has a passport. It's expired, but he still agrees to turn in his expired passport. He agrees to waive extradition, so if for some reason, which we'll discuss in a second, he's able to leave the country and go to Pakistan, he would waive extradition, meaning the US could get him back in for the case. And then probably the most significant is, if you're looking at why is bail denied, it's denied because you're worried about the suspect harming people and/or fleeing the jurisdiction.

Well, Adnan's attorneys get an agreement to have him, if he's released, subjected to house arrest and electronic monitoring. So you might have seen the movie "Disturbia", the Shia LaBeouf movie. He, basically, would be confined to his home with monitoring showing if he left the four corners of his property.

And so then, March 31st, that's what they put forward: 'You denied it on March 1st. It's not a capital case. You're wrong. I want release. Here are all the conditions I'm agreeing to in this case.' And then we have the response by the State, And so, Rabia, we have Assistant State's Attorney Vickie Wash, and what's the response by the State to these conditions he's willing to agree to?

**[1:01:36] Rabia Chaudry** I mean, their response, essentially, is that given all of these things, what's happening here is that this is somebody who is, has a lot of resources. And these 600 letters and this courtroom packed with 200 people, these are precisely the people who are going to help him, which is *completely* in contradiction to how bail is normally assessed. I mean, generally, you're looking at somebody who has a really robust support system and community. Like, that's supposed to work in your favor, but the State was really kind of manipulative about this, and they flipped it on its head and said, 'This is exactly the reason that this guy can easily escape.'

**[1:02:14] Colin Miller** He would have electronic monitoring and house arrest. How is he supposed to...? A--are any of these people technological experts who can disable electronic monitoring? It doesn't make any sense how he could get out of the jurisdiction if he's getting electronic monitoring.

**[1:02:27] Susan Simpson** Well, the State argued that because Muslims have similar names, it's easy for him to get a fake passport.

**[1:02:32] Colin Miller** Right, and they said he could have gone to Canada or Mexico and then somehow gotten away to Pakistan. And then Vickie Wash says that this pattern, she says--

**[1:02:41] Rabia Chaudry** Can I just say--

**[1:02:42] Colin Miller** Yes?

**[1:02:43] Rabia Chaudry** We just do not have similar names.

*[laughter]*

**[1:02:46] Rabia Chaudry** We really don't because there are, like, billions of us, and we come from, like, 47 different countries. But I just had to make that observation.

**[1:02:53] Colin Miller** And, here's the heart of it--this was discussed a bit on *Serial*--so Vickie Wash makes basically three statements: the first is, 'There's a pattern in the United States of America where young Pakistani males have been jilted, have committed murder, and have fled to Pakistan, and we have been unable to extradite them back.' Second, she says, 'We do not want another Sheinbein situation.' And then third, she refers to a, quote-unquote, "frighteningly similar Chicago case" of a Pakistani young man who killed his ex-lover and then fled [sic] to Pakistan with no extradition.

And all three of those are wrong and, in fact, as we'll discuss, Vickie Wash later kind of apologizes for making mistakes. If we break this down, let's start with the Sheinbein.

Uh, Samuel Sheinbein was a 17-year-old Jewish-American male who committed murder in Baltimore. Before he was arrested, he fled [sic] to Israel, and in Israel there's something known as the Law of Return, which says if you're Jewish--even if you're, say, an American citizen--you're eligible for citizenship under Israeli law. And so, that's the case she is using to claim that Adnan should not be given release.

Well, in this case, as I said, Adnan had an expired passport; it wasn't even valid anymore. He's not a Pakistani citizen. He's born in America; he's an American citizen; he's lived here all his life and, in fact, he waived extradition. And it's an interesting comparison because Gutierrez simultaneously--and this was mentioned on *Serial*--was representing Zachary Witman, who was

charged with the murder of his brother. Well, Witman was Jewish and therefore, in fact, under the Law of Return could have fled to Israel, and yet under far less stringent conditions than those proffered by Adnan, he was given pre-trial release.

Second, we had that, quote-unquote, “frighteningly similar Chicago case”. That was actually a 1992 case that was seven years old. That was the case of Kamal Faruki. Faruki was an adult. He and friends had previously fought with another group, and they met at a restaurant in a pool hall, and he fatally stabbed the victim. And Faruqi, who was a Pakistani citizen, fled to Pakistan where he had citizenship. So, again, not at all like Adnan’s case. It wasn’t a jilted lover; it wasn’t an American citizen.

And Adnan’s attorneys cite *Korematsu*. That’s the case during World War II, where people of Japanese ancestry who were Americans were precluded from living on the West Coast and were sent to internment camps. And that has some resonance here because really this is not a case of a Pakistani citizen. It’s a case of an American citizen who’s being persecuted based upon his heritage.

She’s just completely wrong, and that’s--he’s denied bail again. And he’s denied bail because Wash has made these completely fallacious arguments. These are not analogous cases; they have nothing to do with Adnan’s case. Ah, i--it’s just ridiculous.

**[1:05:57] Susan Simpson** And the arguments they make are all very clear. I mean, there’s no, there’s no subtlety about it. Everyone agrees that everyone knew that the argument was ‘He’s Pakistani. They like to kill their girlfriends and run away to Pakistan.’ The State argues, ‘Well, it’s a general concern that his parents have another nationality, despite also being American.’ Uh, they also claim that Adnan’s bad-ass uncle is a threat to their witnesses because, apparently, Adnan’s bad-ass uncle in Pakistan could’ve somehow caused harm to Jay and Jenn.

**[1:06:25] Colin Miller** I know there’s been a lot of discussion on the Internet, and people have talked about how at trial itself there were a record number of references to Islam and religion and ethnicity, et al. And that, that’s certainly significant and we’ll get to it but, yeah, again, the reason why Adnan was detained pending trial, which is a huge part of preparation in any criminal case, is Vickie Wash basically misrepresenting arguments to the judge, and that’s, that’s the only thing the State had. They had nothing else besides, you know, I think they mentioned something about not many letters from classmates. There were several classmates who sent letters in support of Adnan: the class president, a good friend, uh, Becky... There was another witness, I think Theresa was her name, who was a good friend to both Adnan and Hae. There were several students who wrote letters, and she was just wrong factually, she’s...

**[1:07:14] Susan Simpson** And they were in the courtroom, too.

**[1:07:15] Colin Miller** Six hundred letters! That’s just nuts how much support he had in this case.

**[1:07:19] Susan Simpson** My favorite is the argument that you could tell that Adnan was guilty because his classmates didn't support him because, and I quote, "They knew the real Adnan Syed. They knew the Adnan who, who smokes marijuana and had other difficulties because of the breakup with his girlfriend Hae Min Lee." Yeah, no. I mean, the fact that that's their argument for why he shouldn't get bail--because a teenager smoked marijuana and moped around after a breakup.

**[1:07:43] Colin Miller** Yeah. And, nonetheless, the court once again denies bail the next day on April 1st. And in the order they say basically it's based upon Adnan's nationality and him being a flight risk to Pakistan, uh, despite, again, having an expired passport, waiving extradition, and being an American citizen living in Baltimore for his entire life.

**[1:08:13] Susan Simpson** What's also telling is that the State argues that bail should be denied because they have evidence to prove that Adnan planned Hae's murder several days before January 13th and that he indicated that he intended to kill Hae Min Lee because she broke his heart. Now, that comes straight from Jay, which means they're using Jay's statements that say he and Adnan planned the murder together in advance. And this is really striking because we have Adnan with all of the support, meeting all of these factors you should meet to get bail, having it denied, and Jay, who has just confessed to accessory before the fact, which is punishable with a life sentence, is walking around not even charged.

**[01:08:53] Colin Miller** Yeah, it's, it's shocking the disparate treatment that we have in this case. It's basically Vickie Wash's arguments about his nationality that lead to him being detained. And then Vickie Wash, April 21st, she sends a letter and says, 'I was mistaken. It was a, quote-unquote, "misunderstanding". I had gotten advice from the Senior Legal Advisor for the Office of International Affairs. First, I was wrong. There's no pattern of jilted young students killing ex-lovers and fleeing to Pakistan, so I was wrong about that. He was just talking to me about general extradition issues with Pakistani defendants.'

Well, one, again, Adnan is not Pakistani; he's American. And, two, he waived extradition. And then, second, as I said before, the Chicago case was only similar in the fact that a Pakistani man killed someone that was known to him. Well, again, she's still wrong because Adnan is American; he is not Pakistani. Adnan's attorneys moved to review bail. Finally, he has arraignment on June 3rd, and again bail is still denied in the case. And so, basically, from March 1st to June 3rd, his attorneys, first Flohr and Colbert, are primarily focusing upon bail and pretrial release. The same for Gutierrez after she's hired in April. Those several months that could have been spent on trial prep are focused upon bail. He should've been given it; he wasn't, and that has drastic consequences when the trial rolls around.

**[1:10:18] Rabia Chaudry** Can I just say that, you know, on the issue of how his ethnicity, religion, you know, his parents' national background was used against him, I mean, that really was the crux of why he's denied bail, okay. I mean, I don't think there's any other reason he was denied bail, and it's interesting because some people will say, 'Well, you know, I mean, okay, you kind, kind of

have to compare what has happened in other similar cases.’ But in any other context people would be up in arms. Imagine a situation where you have an African-American defendant, and the State’s arguing, ‘Well, Your Honor, let’s take a look at what other African-American defendants have done across the country.’ [scoffs] There would not be any other context in which people would find this acceptable.

**[1:11:03] Colin Miller** Well, imagine, you know, a... Jewish defendant, and the prosecutor comes in and says, ‘Well, Your Honor, there’s the Law of Return, and this person could go to Israel and get Israeli citizenship. There’s been issues with extradition.’ I mean, there’s, there’s no way that that would fly. There’s, there’s no way they would attempt to do that in a case, at least, not 1999.

There’s one last thing we want to discuss and that’s that, as has been mentioned before, Adnan’s first trial ended in a mistrial after the judge called his attorney Cristina Gutierrez a liar. After that mistrial, Adnan again moved for his bail to be revoked, and you can do that after a first mistrial because you’ve seen the State’s case, and you can determine and have a better sense of what exactly was the strength or weakness of the State’s case against the suspect. In support of that motion to have bail being granted at this point, Adnan submitted an affidavit by Douglas Colbert, again, his attorney who was there at trial despite the fact that he was no longer representing Adnan. And I’m going to read some excerpts from that affidavit that he submitted. And he’s referring to the day of the mistrial:

“At 3:30 p.m., I returned with my eight-year-old son to Judge Quarles’s courtroom. It was then that I learned the judge had declared a mistrial.

Shortly thereafter, while standing in the area immediately outside the courtroom, I saw several jurors leaving. I asked whether they would be interested in speaking about their view of the trial. Four jurors answered in the affirmative.

I asked whether anyone believed that the State had proved Mr. Syed’s guilt. Each of the four jurors stated unequivocally that they would not have returned a guilty verdict based upon the evidence that they had heard up to that moment when the judge declared a mistrial.

Two of the four jurors wondered aloud why the State had charged Mr. Syed and not the State’s main witness, Jay Wilds.

I then spoke to a fifth juror as she exited the courtroom. She, too, indicated that she would have returned a verdict of not guilty based upon the State’s evidence to that point.

I then entered the courtroom and saw several jurors conversing with people. I walked over to one group where three jurors were speaking to two individuals, whom I believed to be employees of the State’s Attorney’s office. I distinctly heard two of the jurors indicate that they had difficulty believing the State’s case. One of these jurors stated that he would have returned a not guilty

verdict because he would have never lent his car to an acquaintance and because he had problems accepting Mr. Wilds's version of events.”

So, if we add that up, a majority of the jurors not only would have returned a not-guilty verdict, they had serious doubts about the State's case, and it seems like they think that Jay did it as opposed to Adnan. Um, you know, Rabia and Susan, what do you think hearing this portion of the affidavit?

**[1:14:01] Susan Simpson** I think that the people who claim that Gutierrez cleverly threw the case with a mistrial to avoid a trial that was going badly are... crazy because that trial was going fine so far, and there was no strategy in having a mistrial declared.

**[1:14:18] Colin Miller** And Rabia, I mean, obviously you have a personal involvement in this case. I mean, it certainly seems if this first case had gone to verdict, we wouldn't have *Serial*; we wouldn't have *Undisclosed*; Adnan would be living his life like a normal perso--I mean, what, what's it like hearing this affidavit?

**[1:14:34] Rabia Chaudry** I mean, it's hard. You know, the thing about this is I feel like at every turn it just was for the worst for him... from how the investigation was conducted to Gutierrez being sick to a mistrial in a trial that was going well for him. I mean, it's, it's... it would be comic if it wasn't just really tragic. I have to approach this that, you know, for some reason, it was just meant to happen like this. And, yeah, I guess it was really, really bad luck, but I wasn't at the first trial at all, and I heard about the fact that the jurors afterwards said that they would have, um, acquitted him.

And so, I think we all felt fairly comfortable going into the second trial that, you know what, it's okay because in the second trial, if anything, Gutierrez should have been much more prepared now that she's seen the State's case, now she, she's heard witnesses, right? But that's not how it went.

**[1:15:26] Colin Miller** Yeah, and we'll, we'll discuss more about Gutierrez later. I think right around that time her condition was really deteriorating. She was out of town for a big chunk of time between the mistrial and the second trial so she wasn't doing trial prep, whereas it seems the prosecution really learned from what happened at that first trial and changed their approach a good deal, whereas the defense, they tried the same things but less effectively in the second trial and that, seemingly, is the difference.

**[1:15:52] Susan Simpson** But to be fair, Jay was a much better witness in the second trial. But more importantly, the State got a chance to explain why Jay's crazy nonsensical story could have been true.

**[1:16:13] Rabia Chaudry** It's really interesting how two different juries can come to two different conclusions, especially considering the fact that the first jury had not yet even heard from a single

defense witness. But there was something else they also hadn't heard, and that was a key piece of evidence that the State relied on heavily to corroborate Jay's story.

But they didn't just rely on this evidence back in 2000 during the trial. They relied on it over the years in the State's appeal briefs and even as recently as this past December when Prosecutor Kevin Urick gave an interview to *The Intercept* in which he essentially said that without this key piece of evidence they couldn't have corroborated Jay's story and they wouldn't've had a case.

So, what was it that convinced a jury to believe in Jay's ever-changing stories? It was none other than the cell tower evidence and the notorious Leakin Park pings. Next time on *Undisclosed*.

**[1:17:09]** Many thanks to Ramiro Marquez for our theme music and photography; to Christie Williams for our website; and to Ballookey, who designed our logo. Our production consultant is Rebecca Lavoie. She's a true crime author and hosts the podcast *Crime Writers on Serial*. Dennis Robinson is our producer. And you can find us online on social media on both Facebook and Twitter. Our Twitter handle is [@Undisclosedpod](https://twitter.com/Undisclosedpod). Make sure to tweet us your comments and questions using the hashtag #Undisclosed.

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