

# New Hampshire Cold Case Unit 2011 Annual Report

## **Introduction**

Upon finishing its second year, the New Hampshire Cold Case Unit has hit its stride in not only educating its members as to the content and status of New Hampshire's unsolved homicide cases, but also in initiating several focused group investigations. Since the CCU's inception, it has become clear that the recipe for success is close collaboration between the investigative and prosecutorial arms of the unit and the dedication of these resources solely to the cold case work at hand. On the heels of its first arrest, (*State v. David McLeod*, 2010) (also known as the Hina Case) the CCU continues to undertake new ventures while maintaining its commitment to the Hina case during its pre-trial phase. The unit continues to learn, grow, and branch out in an effort to bring justice to more victims.

## **Staffing**

The staffing of the Cold Case Unit remains largely the same as it was in 2010. The unit is supervised by Sergeant Scott Gilbert of the New Hampshire State Police. Sgt. Gilbert has been with the CCU since its inception and serves as the lead investigator on the Hina homicides awaiting trial in Cheshire Superior Court. Trooper Michael Kokoski completed his first full year with the CCU, and serves as the unit's second full-time investigator. Since joining the team, Trooper Kokoski has familiarized himself with many of the unit's cases and has been assigned as the lead detective on several priority investigations. Detective Robert Freitas, an original unit member, is employed by the Attorney General's Office, and works in a part-time capacity. Detective Freitas is retired from the Manchester Police Department, and offers valuable insight and experience regarding the unsolved cases from that jurisdiction.

Victim-Witness Advocate Joelle Donnelly continues to serve as the unit's liaison for family members of homicide victims. Much of the clerical and paralegal work required of the CCU is completed by volunteer, Milli Knudsen. The bulk of Ms. Knudsen's work centers on indexing and organizing the historic case files so that critical evidentiary information can be located by both the investigators and the unit prosecutor.

The CCU welcomed additional volunteer help from retiree, Verne Greene, who came to the CCU via the Medical Examiner's Office. As the CCU began researching individual cases, it was learned that the historic autopsy records (prior to 1986) were housed in the State Archives as opposed to being filed at the Medical Examiner's office. Since all autopsy records are critical to a cold case homicide investigation, the need to account for and organize these records was self-evident. Ms. Greene took on this project, and spent much of the year sorting through autopsy reports and photographic slides, while simultaneously compiling a thorough database with records dating as far back as 1923. In doing so, several previously unaccounted for homicide autopsy reports were located and married to the correct file.

The unit's prosecutor position saw change and transition this year. In June, Senior Assistant Attorney General Will Delker was nominated by Governor Lynch to serve as a Superior Court Justice. The

nomination was confirmed in August, and Judge Delker bid farewell to the CCU. Judge Delker was a founding member of the unit. His acumen and legal analysis were greatly lauded by those who had the opportunity to work with him. In his absence, the prosecutorial duties of the CCU were filled by Senior Assistant Attorney General Jeff Strelzin. Attorney Strelzin has served the New Hampshire Attorney General's Office for many years, and is currently the Chief of the Homicide Unit. He has invested himself in the ongoing projects of the CCU and brings extensive experience to tackle the legal challenges presented by the unit's cases.

### **Investigative Efforts**

The general design of the CCU's day-to-day activities is for each detective to act as lead investigator on one or two of the unsolved homicide cases. The detectives are responsible for managing the case file, and for directing investigative efforts for that case. Each detective assists their counterparts in performing research or field work. The unit prosecutor is in constant contact with the investigative team, providing insight into any legal issues which may arise, as well as strategic input with forethought towards a successful prosecution.

By the very nature of the CCU's work, there is little that can be shared publicly as to active investigative efforts. The below summary offers general insight into some of the priority projects of the CCU, and some of the general work pursued therein.

- The CCU devoted a significant amount of time and resources re-investigating the 2003 homicide of Paul Herlihy. Herlihy moved to Milford, NH from Melrose, MA shortly before his murder. These efforts have been bolstered by a close working relationship with several local police agencies in Massachusetts, and have required CCU investigators to travel and conduct field work within New England and New York State.
- Detective Robert Freitas partnered with detectives from the Portsmouth Police Department to review and proactively investigate the 1991 homicides of James Moore and Stella Bolton, who were killed in their home in 1991. These efforts centered heavily on forensic evidence associated with the case.
- Based on a new tip received by the CCU, detectives conducted a thorough search of an apartment building on Hanover St. in Manchester, NH. The information suggested that evidence associated with the murder of Jerry Riley may be located at this property. Mr. Riley was found shot to death in Epsom in 1993.
- Upon receiving information from the public, the CCU focused intensely on the 1981 homicide of Mary Harrison in Hinsdale, NH. The renewed look at this case included discussions with Bode Technologies regarding the application of their forensic services to evidence found at the crime scene.
- CCU investigators partnered with investigators from Auburn PD to begin a re-examination of the 2001 murder of George Jodoin. Mr. Jodoin was found shot to death in his home on December 27, 2001.

### State v. McLeod

In June of 2010, David McLeod, of Sacramento, CA was arrested for the arson homicide of Carl, Lori, Sara, and Lillian Hina. On January 14, 1989, the family perished in a fire at their apartment building located at 88 High St. in Keene, NH. Since McLeod's arrest, the case has been the subject of several pre-trial hearings, most notably a *Daubert* hearing challenging the admissibility of testimony and analysis conducted by the state's arson investigators. In August of 2011, the Court excluded the testimony of three such investigators. The State has filed an appeal of this order with the New Hampshire Supreme Court.

### Media Releases

In January of 2011, the CCU worked with media outlets to present a targeted release highlighting the 1989 murder of Craig Lane in Peterborough, NH. The purpose of the coverage was to solicit tips and information from the public. January 8<sup>th</sup> marked the 22-year anniversary of Lane's death. He was stabbed while working an after-school job at a local gas station. The purpose of such media attention is to generate interest in the case, and spur members of the public to report information which they have previously withheld or felt unimportant. The goal of the CCU is to use such media events strategically to augment proactive investigative efforts.

### Family Relations

Behind every cold case homicide there are the family members and friends of the victim who knew that person best. The ripple effects of an unsolved murder can be traumatic and long-lasting for such loved ones and the CCU makes it a priority to assist and communicate with them so that they are informed and aware through all stages of a cold case homicide investigation. Victim/Witness Advocate Donnelly interacts with victims' families in a number of different ways, all of which were included in the unit's daily work of 2011. Prior to any kind of proactive work on a case, the family members are informed that such action will take place, and have an opportunity to ask questions. As the investigation progresses, there is often occasion to meet with family members. This can include formal interviewing, review of historic photos or documents, return of property, or explanation of case status. In some instances, family members are not readily accessible, as is the case for one NH victim who was killed while visiting from another country. Such circumstances often require coordination with external law enforcement agencies to locate these family members and facilitate contact with them in a way that is still personal and productive to the investigation.

### Tip Collection

The CCU continues to take tips in via phone and email. The CCU web site is located within the larger Department of Justice site and provides a location where the public can view a summary of each case. Tips are documented by case in the CCU's "E-Solve" software system, which can also double as a task management tool. In 2011, the CCU logged approximately 150 tips in E-Solve.

## Conclusion

The Cold Case Unit strives each day to provide truth and justice for the victims of unsolved homicides. This work is often tedious and daunting, but the hope of achieving success is worthy of continued effort and focus. As members of the CCU have become acclimated to the demands and expectations of the task at hand, the time and work spent is becoming ever more informed and efficient. With continued hard work, the CCU expects to find continued success.