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**UNDISCLOSED SEASON 2: THE STATE VS. JOEY WATKINS****ADDENDUM 11: J'ACCUSE**  
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**Jon Cryer:** Hello! And welcome to the *Undisclosed Addendum*. I am Jon Cryer, and you are listening to the podcast about all things *Undisclosed*.

In Episode 11 of *Undisclosed* – ‘Propensity’ – we moved on from Joey and Isaac’s ‘prior difficulties’ and to their ‘prior transactions’ – the incidents that the State allege were so close to the murder of Isaac Dawkins that they prove that Joey Watkins was the *only one* who could have killed him.

Now, with us today, is one of the hosts of *Undisclosed*, Colin Miller. He’s an associate dean and professor of law at the University of South Carolina School of Law, and he blogs at *Evidence Prof Blog*. Say “Hey”, Colin!

**Colin Miller:** Hey Jon, how’s it going?

**Jon Cryer:** Real good, real good, thanks for being here once again.

But we also have guests, this week. First of all, we have Amber Hunt. She is an award-winning journalist, and a *New York Times* bestselling author, who works as a special projects reporter for *The Cincinnati Enquirer*. She has written four non-fiction books and teaches Multimedia Journalism at the University of Cincinnati. Amber is also the host of *The Accused* podcast, which I just started listening to, and unfortunately cannot *stop* listening to.

[laughter]

**Amber Hunt:** Thank you!

**Jon Cryer:** Thank you for being here, Amber.

And with Amber is Amanda Rossmann. She’s an Emmy Award-winning photojournalist with *The Cincinnati Enquirer*, a graduate of Northern Kentucky University, she has worked for *The Enquirer* for 10 years, and in that time she’s won several awards, from the Ohio New Photographer’s Association, and The Associated Press. Amanda is the producer of *The Accused* podcast, so welcome, Amanda.

**Amanda Rossmann:** Thank you. Thanks for having me.

**Jon Cryer:** I just started listening to *The Accused* podcast, and it centers around the Elizabeth Andes case, Which was a murder in Oxford, Ohio, in 1978, I believe? Now, given that there was a *lot* of much higher-profile murder cases at that time – that you mention, actually, in the podcast – what drew you to *her* case?

**Amber Hunt:** Well, first off, hers is unsolved. So, that’s one of the first things. But beyond that, it started that we were just going to look at her case, as maybe a *Sunday 1A* story that we’d just kind of dig into what happened. But the more we dug, the more we found that there were really

unusual circumstances around the investigation itself. And then that sort of spiraled into what ultimately became the podcast.

**Jon Cryer:** Actually, can I ask you guys to give us a little background on the case? What crime occurred, and uh exactly how that all went down?

[02:53]

**Amber Hunt:** The podcast looks at the 1978 murder of Elizabeth Andes. She had just graduated from Miami University in Oxford, Ohio. She was in the process of moving out of an apartment that she shared with a girlfriend, that girl's boyfriend, and Beth's own boyfriend, Bob Young. So the night of December 28<sup>th</sup>, Bob drives to the apartment to help her pack and move, and when he comes in, he finds her body on the bedroom floor. She's been strangled, she's tied up, she's got what *he* thinks are bullet wounds in her chest – they turn out to be stab wounds. And within half an hour he was taken in to police custody and questioned, and 15 hours into that interrogation he confessed. He signed a statement saying that he did it, but two juries – one civil and one criminal – found him not guilty and not liable.

**Colin Miller:** Does he say, exactly, what led him to confess? I know sort of generally he says he was under pressure – it was 15 hours, *et cetera* – but does he go into more detail at all, in that?

**Amber Hunt:** We talk to him a bit more about that coming up, but he basically it went from: "We know you did it," to "If you just say you did it, I know people that have gotten out for two years for these crimes of passion."

So, he was just feeling trapped, and on top of *that*, he was traumatized from-- He'd just found this woman that he loved dead on the floor, and he hadn't slept. He was brought in at 9:30-10:00 pm, and he didn't confess until 1:00 pm the next day.

He has a hard time explaining it now to other people. He says, you know, "I never expected to see anything like that in my life, I don't know how other people would react, but it's how I reacted." Of course, he's regretful, but he beats himself more up because he wasn't there to save her in the first place.

But the interesting thing for me on this case has been that, not that he was charged and found not guilty and not liable, but that the police and prosecutors are dead-set they had the right guy, and they refused to look at anybody else. And we've found through our reporting – and this is not just us being biased – we've been through a year of our life, found through the reporting that there have been people that they should have talked to further.

**Jon Cryer:** Well, I think there's been a sea change in people's understanding of false confessions. I know during the '70s, when I was growing up, a confession was not considered-- You didn't even *consider* the fact that it might be false. You felt like, "Oh, there it goes."

It's only been, honestly, it's very recent for me. And I, you know, have been immersed in true crime for years. The ubiquity of false confessions was a revelation to me. I mean, I cited a statistic on that ages ago that 25% of DNA exonerees *confessed*. So that means that 25% of innocent people that the cops drag in and interrogate could well make a confession.

You know, that's obviously a remarkable statistic. It explains the Central Park Five, who were all convicted on the basis of false confessions. I can see, though, back in 1978 when this occurred, though-- I mean where the police officers are taking it at face value.

**Amber Hunt:** Right, right. And I do understand that, too. And, you know, Bob Young's own defense lawyer had never dealt with a false confession before, and wasn't comfortable with it at the

beginning. But when the details within the confession don't add up... When there's so much wrong with it... All I'm saying is that it doesn't make sense to me why, after the jury acquits, why you wouldn't look again. Just look again!

- Jon Cryer:** But we're dealing with police officers with limited resources, and time. And they probably feel like they have *other* things they look into that are more urgent than this guy who was *probably guilty*.
- Amber Hunt:** I don't know what Oxford, Ohio had that was more urgent than--
- Jon Cryer:** Yes.
- Amber Hunt:** The most horrible murder in a quarter century.
- Colin Miller:** Right. But this is what you get to in the first episode.
- In this case, it's because Bob was exonerated, he successfully moved to have the records of his case sealed, and somehow the police took that to mean, "Well, the records are sealed. We can't reopen the investigation."
- Amanda Rossmann:** Yeah.
- Amber Hunt:** Right.
- Amanda Rossmann:** They took it as they couldn't even look at the file.
- Colin Miller:** Yeah.
- Amber Hunt:** Which is a very strange interpretation of that law.
- Jon Cryer:** It feels like a convenient interpretation; for people who don't want to do it.
- Colin Miller:** Yeah. And that's why the podcast is, I think, so essential. I'm so glad that you two have done this, because, yeah, it *is* a case where it's not just on the backburner. It literally wouldn't have been investigated again if it weren't for you two stepping in and looking into all these fascinating pieces of evidence that weren't explored.
- Jon Cryer:** And it seems like the podcast is delving deeper into how the murder resonated amongst all the other people surrounding Beth Andes. And also going into how the investigation went wrong.
- It's very interesting because in a lot of ways, *The Accused* is kind of a mirror podcast to Madeline Baran's *In The Dark* podcast. Because hers is a case where the investigation went wrong in so many ways that the case remained unsolved for decades, and yours tells the story of an investigation that supposedly solved the case, but did it so quickly that it now remain unsolved.

So, have you listened to, uh, *In The Dark* at all?

**Amber Hunt:** I have started it. To be honest, we've been in a 'war room' for the past year, so I think I just figured out yesterday that there's an election going on...!

**Jon Cryer:** [laughs]

**Amber Hunt:** But the first episode was gripping.

**Jon Cryer:** And the fact that it remains unsolved is actually a matter of *opinion*, in some respects because many of the police officers involved in the case *believe* that the Elizabeth Andes case was, in fact, solved, but that the perpetrator was simply not convicted. Or rather, they feel that on the basis of what appears to be a false confession. And in so many cases of false confession, they are, in fact, convicted. How was Bob Young – the accused in this case – able to actually *not* be convicted in this case?

**Amber Hunt:** There were two ways: One was that the details in his confession actually didn't match the crime scene, and he says, "Thank goodness for that." The other way, though, actually relates to your Episode 10, where you're looking at character. They didn't have any character witnesses coming up and talking about how terrible a guy Bob Young was.

I think that we are very lucky that we aren't writing about, or talking about, somebody who has been in prison since 1979, and I think a big reason is because he wasn't a bad guy to begin with, and they had a hard time making the jury think that he could have done this.

**Amanda Rossmann:** Right. He even took the stand in his case.

**Jon Cryer:** Which is highly unusual.

**Amanda Rossmann:** Right.

**Colin Miller:** Do you have video of the trial? Where he's testifying?

**Amanda Rossmann:** Unfortunately we do not. In Cincinnati the TV stations all kind of give their archives to this Cincinnati Museum Center, and right now the museum is undergoing renovations. So--

**Amber Hunt:** For years.

**Amanda Rossmann:** We weren't able to access any of the archives. [sighs]

**Jon Cryer:** But was it actually videotaped? Because to *me*, I recall the '70s as not being a time when cameras were welcomed in a lot of courtrooms. Were the proceedings actually taped?

**Amber Hunt:** The proceedings, I don't think so. There *was* coverage of it, and there is reference in one of the transcripts to audio recordings, but they can't be located. We can't find them. So I read a thousand pages of trial transcript, and that's how I recreated the trial in my head.

- Amanda Rossman:** Right. And we know *The Enquirer's* photographers were there at the time, because we did have a few photos of the trial.
- Jon Cryer:** One thing I noticed was that you started to get into the effect of looking into this case on *you*, Amber, and on living with all this stuff on a daily basis. Did that surprise you, that it was affecting you so deeply?
- Amber Hunt:** I've been a crime reporter for about 20 years. I always get drawn back to crime, and it's always hard. I remember having breakdowns when I was covering crime in Detroit where, you know, there'd be a 12-year old, and I'd be at the scene, and his brains would still be on the sidewalk... Yeah. It affects you.
- But there was still something about this one that caught me off guard. And I think it was because I didn't just delve into the case, but I looked at the time and the other cases that were happening at the same time – it make me feel *very* uncomfortable; very insecure. So yeah. It was a surprise.
- Jon Cryer:** Well, also, just playing that soundbite of Ted Bundy was one of the creepiest things I've ever heard. I was driving, and I started getting chills up my spine, which wasn't helpful to my driving, I have to say. [laughs]
- But you mention also that podcasting is a different medium than *journalism*, and you're actually having to step out of what you've been trained for years to do as a journalist – which is to be objective – and you have to tell sort of a personal narrative. How difficult has that been for you?
- Amber Hunt:** It was tough! Amanda got the luxury of not having to jump in too often, although you do hear a few times throughout the podcast. But for me, I mean I've written first-person pieces, like, travel stories.
- I knew early on that we were going to have to get a little more personal than I like to, with this piece, because it's such an intimate format. I mean, you want people to allow you in their heads for 45 minutes at a time, and it just felt like it would feel weird if I didn't let down my guard a little bit. So, that was difficult for me to get used to, but I think it was necessary.
- Jon Cryer:** Now, would you classify this, still, as 'journalism' *per se*? Because it now is narrated in the first person?
- Amber Hunt:** Yeah. I absolutely still think it's journalism. It's not in a format that I would put in print, but we'll have a print component that will be more traditional. For me, the amount of investigating that went in to it, and the fact that I did keep an open mind throughout this, and I did follow all the same principles that I follow as a journalist... I mean I think it definitely qualifies.
- Amanda Rossmann:** Yeah, I think it gives listeners an active view into the process. You know, people can actually come along and see how things were brought to us, and how we got those little pieces of information.
- Amber Hunt:** It's more honest, really, because you get that insight. The process didn't change, you just see more of it.

- Amanda Rossmann:** Right.
- Jon Cryer:** In a way, it's more transparent.
- Amber Hunt:** Yeah.
- Amanda Rossmann:** Exactly.
- [12:49]
- Jon Cryer:** Now you mention that character evidence – of the kind that was brought into Joey Watkins' trial – was *not* brought into Bob Young's trial. Colin, perhaps this is a question for you: Are the laws different in Ohio than in Georgia?
- Colin Miller:** Well, it's interesting. Because at the time of Joey's trial, Georgia was, in fact, an outlier. They didn't have a character evidence rule modeled after the federal rule. Ohio did, but the rules aren't that different, in that it's still that same rule. Where, if it's propensity character evidence – you're just proving 'once a burglar, always a burglar' – *that* can't come in. But the evidence might be admissible to prove *modus operandi*, motive, *et cetera*.
- And in fact, right? In one of your episodes you go into the whole 'MO' – the *modus operandi*. Because there's this guy, Nolan Ray George, who you mention in the podcast was sort of this renowned figure who committed all these crimes in the area, and you talked to this crime historian, Peter Vronsky, right? Who was getting into the whole idea of MO with these serial killers.
- And eventually, the thing is, because, Jon, as you mentioned in the episode, the whole theory of MO is – we're not actually talking about the character of the *defendant*; we're talking about the character of the *crime*. And what I think that this guy – Peter Vronsky – this crime historian on *Accused* – does so well, is to describe how MO really isn't this fixed thing; it's always morphing and shifting because a serial criminal is always learning new things. They are, after they've committed certain crimes, changing the way they operate.
- So, the whole idea of MO, I think, is blown out of proportion. We really *do* think that you have this signature of a crime, and in real life it rarely is something that you can pin down and say, "Oh this is the MO of a particular criminal in a case."
- Amber Hunt:** I read up on Ted Bundy so much and if you didn't know about his confessions... A lot of those cases you would be hard-pressed to connect. They were very different from each other.
- Jon Cryer:** Yes. Because he used very different means in *all* of them. I understood that at some point he worked at a... Suicide hotline?! So he was clearly sort of a student of understanding human manipulation. And he, you know, he changed in so many ways over the course of his criminal career.
- Amber Hunt:** Exactly.
- Jon Cryer:** Colin, actually, you used that wonderful MO explanation citing the 'Kitchen Sink Bandits' from *Home Alone*. By the way, Colin, it must be said, the *breadth* of your references... From Greek Mythology, to Scylla and Charybdis, to Shakespeare, to-- You dropped the mic on Heidi Klum and Seal a couple of months ago.

[laughter]

That was just remarkable. You know, at first I thought, “Well sometimes he cites things that are actually a little more complicated than the thing he’s trying to explain.”

[laughter]

**Jon Cryer:** But the Kitchen Sink Bandit thing worked great for me.

[17:27]

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**Jon Cryer:** Amanda and Amber, have you been listening to *Undisclosed* this season?

**Amanda Rossmann:** Yeah, we have.

**Jon Cryer:** You you have any burning questions that you wanted to throw at Colin?

**Amber Hunt:** Yeah, actually, I’m curious: Now that you guys are doing this, how are you handling the incoming tips? Because we’re getting that now, and I’m not really sure... How do you weigh it out? Like, what’s plausible, what will translate, and how do you break it to somebody--

**Amanda Rossmann:** Or, it’s just a ‘pie in the sky’ theory...

**Amber Hunt:** Yeah.

[laughter]

**Colin Miller:** Yeah. I mean, it’s *really* tough. I mean, we try where we can to find corroboration. There’s a ton of stuff, both in Adnan’s case and in Joey’s case, where you’ll have people coming in, and they say something that has the sound of plausibility to it. But, unless we can get some kind of external corroboration we usually leave it on the cutting room floor.

So... That’s sort of the key, is if you can cross-reference it with other witnesses and see whether people remembered. If you can do a deep-dive into the files and see, “Oh, well this person mentioned this and I can find that in the files” – some type of reference where contemporaneously they mentioned it – that’s something that deserves further investigation.

But yeah. There’s a ton of false leads that you maybe have an email string of five or six emails back and forth, then realize at the end, “Uh, just not reliable enough to go with.”

**Amber Hunt:** Yeah, we’re finding that the aftermath here is just as much work as the initial legwork was.

**Colin Miller:** Yeah. Because this *Addendum* will be airing Thursday at 6:00 and your last *official* episode – at least, planned episode – drops earlier that day, or midnight on Wednesday – but are you finding new information that’s going to lead to new episodes beyond those initial eight?

- Amber Hunt:** Well, I want to be careful not to push stuff out just to push it out.
- Colin Miller:** Mm-hmm.
- Amber Hunt:** But we do have some follow-ups that we've already dug into, yeah. Whether it'll justify an entire episode or just a short update, I'm not sure yet. But we're still trying to work with law enforcement with following some of those tips, too.
- Jon Cryer:** [crosstalk] Has their attitude--
- Amber Hunt:** Which is a weird position – for a journalist.
- Jon Cryer:** Well, again, yeah. You're becoming part of the story – an active participant – and it's a new area for you, I would imagine.
- Amber Hunt:** It is, although, when I would cover crime in Detroit I always made a point to get in touch with the investigators. If there was something that I learned that I needed to tell them, as a human being... I always said I'm a human first and a journalist second, so I'm just following that here, too.
- Jon Cryer:** And how long have you been working on the podcast?
- Amanda Rossmann:** For almost a year now... Or a little over a year is when it first got brought to Amber. And then I became involved shortly after that.
- Amber Hunt:** I would say, we knew we were working on a podcast probably in February.
- Amanda Rossmann:** Yeah.
- Amber Hunt:** But the story itself was brought to us last September.
- [20:00] ≈
- Jon Cryer:** So, in this week's episode of *Undisclosed*, the team sort of painstakingly looked into the many incidents that the State used to convince the jury that Joey Watkins was the only one who wanted to kill Isaac. But what was unclear to me from this last week's episode was which of these incidents actually got play in front of the jury. Because a couple of them are described, and then Susan would mention that, "Oh, this never got to the jury." So I know that it was 'prior difficulties' and 'prior transactions' – which of those did the jury actually *hear*?
- Colin Miller:** They heard – I mean, it's tough to remember *exactly* which ones – but like, the Mount Berry Square incident – the incident where he supposedly punched Brianne... The Paul Allen situation at the barbeque – that's the one that actually was used in the appeal. Because there was this claim that Joey was chasing after Isaac and Paul Allen, but it turned out that he actually wasn't part of that transaction. So, there was definitely a good amount of character

evidence that was presented at trial. Not everything that Tami Colston wanted in, but a majority of it did find its way to the jury.

**Jon Cryer:** And considering that, as you pointed out, a lot of this didn't seem to point out specific *MO*, was it ever appealed on that basis? That it didn't meet that criteria?

**Colin Miller:** No. There was no sort of *generalized* appeal to say this was a character assassination and it painted Joey in an unfair light. That would be a pretty tough one to prove on appeal, you really sort of have to point to specific evidentiary errors, as opposed to just saying the totality of the character evidence painted this picture.

I can say, we've talked to a few jurors. And if you actually look at the case and see what led them to convict, they definitely got an impression of Joey from the character evidence that he was this person who had a short fuse, would go around and would engage in violent activities.

So I think it did have a big impact on the jury. But it's one of those things where once it comes in, it's really tough to appeal character evidence.

**Jon Cryer:** I have a question from social media, from 'Stace German', which is: "Do the lawyers see a failure by the judge to keep his court free of BS in Joey's case? Any show of concern in transcripts?" I guess they're asking, did his attorneys strenuously object to all of this evidence that came in that was basically character evidence?

**Colin Miller:** Yeah. And we sort of talked about this a bit the last two episodes, where they really wanted to get a hearing.

And that's something that happens in most jurisdictions across Georgia – is if the prosecutor wants to present evidence of other acts, you need to have a hearing outside the presence of the jury, you need to give defense counsel the chance to cross-examine these witnesses because that's the problem. And it manifested here, is, you can't just rely on the prosecution's claim: "Witness X is going to testify to Y and it's going to prove Z". You need to have the witness there before the judge so the judge can assess: Is this a credible witness? Did this incident occur? *Does* the testimony support the claim that the prosecution claims it supports?

And that's what *wasn't* done here, and that's where you have a situation like in Joey's trial where what's *claimed* is often different to what's *produced*. And that can often lead to real prejudice for the defendant.

**Jon Cryer:** But it sounded like there was a real quirk in the Georgia legal system at that time that allowed a judge to take in evidence without any of those things, is that correct?

**Colin Miller:** It still exists *now!* Yeah, I mean, in Georgia--

**Jon Cryer:** Oh!

**Colin Miller:** And that was the exchange, getting to the question of: Did Joey's attorney's express some consternation? And they did. They objected and said, "We'd like a hearing, we'd like to suss this out".

And the judge – Judge Matthews – correctly said, under Georgia law – and it's still the law today: We can rely on the prosecution just simply standing up in front of the judge – you can have the prosecutor telling the judge, "Your Honor, we have Jane Doe, and she's going to

testify to *this* incident on October 21<sup>st</sup> 2015 and it's going to prove that this defendant had a motive to harm the victim". And the judge can be satisfied by that and doesn't have to have a hearing where that witness is actually produced, and actually has to have a proffer where they say, "Here's what I'm going to testify to."

[23:58]

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**Jon Cryer:**

I've got another question from Twitter – it's from 'Al Shep 705' – who asks: "Rome is so small, did Joey or Isaac have a beef with anyone else?"

Which I think is a good question considering that the State attempted to prove that the only person who would have shot Isaac was *Joey*.

**Colin Miller:**

Yeah. I mean, definitely the State tried to present it as: "This is the *only* person who had a motive to harm Isaac". And you know, it's tough to say because we're not back in 2000, so it's uncertain exactly the nature of Isaac's relationships with everyone.

There wasn't anyone they could really point to to say, "This would be a person with a specific motive to harm Isaac." That said, as we presented earlier in the season, this *was* a case where there were prior incidents of road rage involving Isaac, which a big alternate theory is that this was a road rage incident that someone shot at him based upon being unhappy with the way that he was driving.

There was the case of Isaac being pulled over, where the police mistook him for someone else who was engaged in criminal activity, and there was Isaac claiming very soon before he was shot that he thought someone was following him. And he had written down the license plate number, and that would seem to point to someone having some animosity towards him.

So no one really *too* specific we can point to, but, you know, some definite possibilities for some alternate realities as to what might have happened here.

**Jon Cryer:**

Well, also, these are *teenage relationships*, you know, they're inherently volatile. They're teenage relationships. I *love* the story of how Mark Free and Joey, met, when Joey spat on his truck-- [laughs] To which Mark Free ran after him and then the next time he saw Joey he knocked him over, so they were 'best friends forever' after that.

So, you know, in that kind of volatile atmosphere you can spin those situations *any way* that you want, as a prosecutor. Obviously I hope that Joey's defense actually made something of that, I imagine they did.

I've got another one – another Twitter question that I was particularly entertained by – this from 'Anne or settle,' which says: "How do y'all not just get on the mics and yell for 30 minutes? These cases are so frustrating."

[laughter]

**Jon Cryer:**

But it goes to the question: You're working on something that feels like, you know, a serious *injustice* has occurred, and you're working on this on a daily basis. Does it wear on you?

**Colin Miller:**

Yeah, and--

**Amber Hunt:**

[crosstalk] It does for me-

[laughter]

**Jon Cryer:** Yeah, sorry! You know, let's start with Amber and Amanda.

**Colin Miller:** Yeah, I mean that's the episode today, that's what this is – it's Tuesday September 27<sup>th</sup> and you're Episode 7 just premiered and yeah, you can sort of describe some of what you've been going through.

**Amber Hunt:** Yeah! Yeah, we're tired--

**Amanda Rossman:** [laughs]

**Amber Hunt:** And I did notice that some people have described me as a bit aggressive in my questioning. But after, you know, a year of working on this and seeing that things weren't done – not even just right, because I'm fully aware that there are humans at the core of this and we're all going to make mistakes and stuff... But there are such systematic problems that there were times that I felt like yelling. But luckily Amanda was there to reel me in.

**Amanda Rossmann:** To yell with you.

[laughter]

**Amber Hunt:** Right!

**Jon Cryer:** You can yell in private. And then... Yeah.

**Amanda Rossmann:** It felt like one thing after another when we kept digging, and it was, "Oh my gosh, and they missed *this*, and they missed *this*, and *this* wasn't taken care of. And nobody talked to this guy, really?! Nobody followed up?"

**Amber Hunt:** And I'm... Yeah. I'm the first person to make this phone call... Are you *kidding* me?! Like...

**Amanda Rossmann:** Yeah.

**Colin Miller:** That's one of the issues I wanted to explore, actually, is... Yeah I did see some of these comments and, they weren't necessarily negative. I think overwhelmingly the response to the podcast has been very positive.

But whether they were negative or not there were a string of comments I saw describing your style in investigating and interrogating as 'aggressive', and I was wondering, I didn't personally see that myself... Do you think that someone acting the exact same way as you but a *male*, involved in the investigation and interrogation would get that same word used – of 'aggressive'?

**Amber Hunt:** I'm thinking that if a male reporter reached a Level 10, they might finally be told that they were being too aggressive... I can only reach like a 4 or 5 because I'm female, and people get

uncomfortable with it far sooner. But that's, you know. That's okay. I'm not here to be your friend. [laughs] So...

**Jon Cryer:** [laughs]

**Amber Hunt:** And there reaches a point, you know, we obviously cut out the pleasantries at the beginning of the conversation because it doesn't forward the story. We were plenty nice! We were always nice, but there reaches a point when somebody is stonewalling you, being too nice is probably what caused this case to linger for 40 years. Somebody's got to get mad on behalf of the family. So, I guess I'm okay taking that role.

**Jon Cryer:** Do you ever feel like being female helps in a situation?

**Amber Hunt:** I think that they probably don't expect me to know the law. And while I'm not a lawyer, I've at least done enough research that I'm not totally stupid on the subject. And so, you know, they start talking about certain issues, and I'm able to say, "Well, actually I think that was already taken to the Supreme Court." And they have to check up on it.

So, I think they are expecting me to be stupid, which is of course entirely insulting, but that can work to my advantage, because they're thinking they can say some BS and I'm not going to call them on it. And I absolutely am.

**Amanda Rossmann:** But I think, too, as far as talking with friends and family, and some of these other folks, being female, I think, you can almost be more empathetic. And, I don't know if that's a female *trait*, but we feel for these people, and I think that comes off as very genuine, and I think that definitely helps.

**Colin Miller:** I'm wondering in terms of that whole use of the term 'aggressive'.. Actually one interview where I thought especially you weren't aggressive – and it was hugely helpful – and I'll say, Jon mentioned how much I drop pop culture references and I'm a conspicuous consumer of all this true crime media – I would say the most fascinating thing that I've seen or heard on any of these true crime documentaries, *et cetera*, is the interview you did with Buzz Caul – Elizabeth Andes' boss. And could you talk, I guess, a bit about how you approached that interview, who Buzz Caul is, and exactly how that interview went, and what you were able to get out of him?

[30:09]

**Amber Hunt:** Yeah, I'd be happy to. So, Buzz Caul was the victim's manager. She worked at a little deli, and he was her boss.

And it wasn't brought up at trial, but when I was going through police statements I noticed that he had filled one out and it said that the night before she died – she died on a Thursday – he had spent about two and a half hours at her place.

Now, I called him pretty early in the reporting, because it seemed that he spent two and a half hours at her apartment, just the two of them, I was thinking, "Well, maybe she said that she was worried about somebody", you know?

So I called him – pretty innocently – to just find out more information about how that went down, but there reached a point in the conversation when I felt he was maybe a little evasive – I'm trying to be a little 'PC' here – so there reached a point where he was saying, "I don't remember anything about it." And I just instinctively was like, "Really? Because she *died* the next day... Doesn't that *stick*?"

And then it was *after* that, we found out from the victim's friends that she was uncomfortable around him. They didn't know *anything* about him having spent two and a half hours there. So it was a pretty interesting conversation. I wish he would call me back, as I invited him to, so that I could follow-up, but it shines some light on to at least one of the characters in the story.

- Colin Miller:** And am I right on the timing of that? So he says, he went over to her place and they watched TV and you had the whole question of: Is the TV out, like in the living room or in the bedroom? And was it that same night, then, that he says she came over to his place to use his phone to make a collect call because she was moving and her phone had been called out – or was that a different night?
- Amber Hunt:** It's the same night.
- Amanda Rossmann:** Same night.
- Colin Miller:** So the night before she was killed, he says he went to her place, and then later she goes to his place, and then on his phone she makes a collect call.
- Amanda Rossmann:** Right.
- Amber Hunt:** Right.
- Colin Miller:** Do you remember what the collect call was, or who she was calling, does he say?
- Amanda Rossmann:** We've asked around--
- Amber Hunt:** He said--
- Amanda Rossmann:** And nobody remembers getting this call, but he says in his statement that he thought she was calling her parents.
- Colin Miller:** Okay.
- Amber Hunt:** But the thing is, in 1978, when you're a college student, and it's almost midnight, you don't call your parents – and apparently that was the case in this family – you would only call at midnight if it were an emergency. So, probably would have stuck in memory, but nobody remembers getting this phone call.
- Jon Cryer:** So *part* of this process, you know, obviously we're looking at all these cases in hindsight – both on *Undisclosed* and obviously *Serial* and *In the Dark* and *The Accused*. Are we learning really useful things from this? Because in any human process there's going to be human errors, and you can go 20 years down the way and say, "Oh well there was an error."
- You know, I get all these Twitter responses from people saying, "Why didn't the lawyers fight harder?!" And I'm sure they *may* have, obviously they didn't fight in the right *way* or whatever. You know, are we really learning useful things from this?

**Amanda Rossmann:** I hope the *right* people are learning useful things from it.

[laughter]

**Jon Cryer:** Well I do wonder if law enforcement listens to this kind of stuff. Obviously I think the people who are most important are law enforcement and juries – people who-- Although last week we were talking to Bill who does the *Breakdown* podcast, and they were saying that jurors who actually listened to true crime broadcasts and podcasts were being *excluded* from juries, which to me is like exactly the *opposite* of what should be happening.

I understand why lawyers would be uncomfortable with it. But now you mentioned, actually, in the podcast, Colin, that it appears that somebody from – was it Floyd County PD? – was actually starting to post on Facebook about semi-incriminating *factoids* about Joey Watkins. It's interesting because this is the first glimmer of some sort of reaction from local law enforcement that we're hearing about.

[33:47]

**Colin Miller:** Yeah, and I can say for both this case and our first season case, there have been a lot of people who – at least as far as we know, unconnected to law enforcement – who have been sort of harassing various witnesses, and people who might be witnesses at least on appeal or in a new trial.

But yeah. This is the first time where someone involved in law enforcement in the jurisdiction has reached out to people listening to the podcast and presented – as we said – *false* information. Where it was actually *more* character evidence – it was claiming that Joey had been involved in another incident and, as Susan laid out in the episode, it was false information that was being presented.

So, it's this continued effort to support this conviction and claim it should stand after all these years, but *again* it's that same technique they used at trial of piling on the character evidence as opposed to actually presenting evidence that Joey Watkins killed Isaac Dawkins.

**Jon Cryer:** Well, and I have to figure that police officers rationalize these kind of things. First of all, police officers are different than prosecutors. You know? Police officers have to deal with the behavior on a daily basis; criminal behavior. They have to show up to work every day feeling like they're doing their job, and the vast majority are, and are doing a perfectly terrific job, you know? But you can see their frustration because they're not really a part of the *prosecutorial* process. I empathize, but if you don't really have evidence...

**Amanda Rossmann:** Yeah, we have an issue like this that comes up in Episode 8. I do have a problem, though, when some officers start to spread unsubstantiated stuff as though it's fact. That just drives me nuts. I wouldn't do it as a journalist; I certainly wouldn't think that somebody in law enforcement should do it. This is real life; it has repercussions.

**Jon Cryer:** And something that clearly the *Undisclosed* team has kept in mind, is you can't just throw around accusations. You know, obviously, Andes' case is unsolved, so you're looking for people who may well have committed this murder. Do you take that responsibility very seriously, in terms of making sure that accusations aren't just being flung un-responsibly?

**Amber Hunt:** Oh yeah. Yeah. We've been really, really careful. And you know, a fraction of the stuff we've heard is actually included, because we're making a point to make sure it holds up with other witnesses, that everything's cross-referenceable, that we can verify as much as possible. We're certainly not just throwing stuff out there.

- Jon Cryer:** And Colin, you mentioned to me before we started the podcast – there was an article that you wanted to ask Amanda about?
- Colin Miller:** Yeah, yeah, Amanda, I was fascinated because this is, I mean, so much in the news now in fact, I just saw that, Ohio – I think it was a judge in Columbus, who was rejecting Ohio's challenge to the transgender bathroom policy, and I saw in your history you had worked on the 'Big Man on Campus' piece – which I guess was your *alma mater* in Northern Kentucky. And could you share a bit about your work on that project?
- [36: 43]
- Amanda Rossmann:** So, *The Enquirer* started diving more into transgender issues back in probably about 2014, right after a transgender girl by the name of Leelah Alcorn committed suicide. She did it in a public manner, and it attracted international attention. She posted her suicide note to Tumblr, and *The Enquirer* looked at this like, we need to start diving into some of these issues that transgender folks are facing.
- From what I've read, too, 30% of transgender youth report a history of at least one suicide attempt. So we've highlighted a series of people over the course of a year who are battling these issues, and I talked to Daniel Gen, who had gone to Northern Kentucky University, and who had just been named president of his fraternity. So, he allowed me to tag along for a week as he went through the whole Rush process as president, and it was just a very-- I really enjoyed the project.
- Jon Cryer:** Now, being that he is a transgender man, did that affect his interactions on a daily basis? Because from the pictures in the article, he just looks like a guy – there is no-- I imagine only students who are actually aware of that status would even bring it up. But you're in a frat atmosphere, which is a very charged atmosphere in terms of masculinity. Was it an issue that was discussed with any kind of frequency?
- Amanda Rossmann:** I think he would bring it up. He would tell people and as he made his story known, and he was a pretty well-known guy on campus. He had even once been named Homecoming Prince, I think the year before. And I think the kids there at NKU really know Daniel's story, and just, they embraced it.
- Colin Miller:** Yeah. And I wonder, I mean, as someone who's never been to Cincinnati or that area, I wonder. Because speaking more broadly and taking it to *Accused* as well as 'Big Man on Campus' that you did, you know I always think of Cincinnati as a big catholic city and the pieces of information I have is that the fillet of fish at MacDonald's was introduced there because of the whole idea of not having meat on Friday, and I wonder...
- Jon Cryer:** Okay...!
- [laughter]
- God bless you, Colin. God bless you for bringing that one up. I was wondering when that one was going to come up.
- Colin Miller:** But, just in terms of both transgender issues and criminal justice, police prosecution *et cetera*, what do you think in terms of 1978 and 2016 of Cincinnati as a city in terms of both how receptive it is to transgender individuals but also these cases, and the criminal justice system, in terms of how the police are viewed and how the prosecution is viewed?

- Amanda Rossmann:** I think it's one of those 50/50 things. It just depends on who you talk to. And we don't read the comments. That's kind of the rule.
- [laughter]
- Jon Cryer:** That's probably a good idea.
- Amanda Rossmann:** Especially on these types of stories. I think Amber has been the 'go-to comment reader' on this because she's looking--
- Amber Hunt:** I've got thick skin.
- Amanda Rossmann:** [laughs] Yeah, she's got thicker skin than I do.
- Jon Cryer:** She's aggressive. Yeah.
- [laughter]
- Amanda Rossmann:** Exactly. Aggressive! [laughs]
- Amber Hunt:** But Oxford is significantly different than Cincinnati. Cincinnati was actually-- My big story last year that was a lot of fun to cover, was the gay marriage case at the Supreme Court. It was the first time I'd been to DC and I was in the courtroom for the arguments and stuff like that. And that was a Cincinnati case, it was the namesake on that. This area is pretty progressive in terms of the *city*, but when you get up into some of the suburbs, it very quickly goes to more of what you'd stereotypically think of when you think of Ohio.
- Jon Cryer:** Ben Roethlisberger. That's what I think of, because he was born there.
- Amber Hunt:** Oh, do you?! [laughs]
- Jon Cryer:** Yeah. That's my thing.
- [laughter]
- Jon Cryer:** Well it's interesting to me. Do you feel like the internet has quickened the pace of cultural change?
- Because, you know, there was a time when the Midwest, the New York crowd always considered themselves on the vanguard of cultural change. And it just feels so *not* the case to me any more. Just all over the United States is just erupting in cultural change all the time -- or is it just that I'm just too sensitive to it?
- Amber Hunt:** No, I feel like that's true. I do.

**Amanda Rossmann:** The thing that worries me about how connected we are is just how quickly people can decide that things should be one way, or that you said the wrong thing. And they just come after you like a little digital mob. So, that part I'm less comfortable with.

But the upsides, I think, are that the forward thinking is not just in the cities anymore, for sure.

[41:10]

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**Jon Cryer:** Colin, did you have any more questions for Amanda and Amber?

**Colin Miller:** Yeah, Amber, I was just wondering out of curiosity, is... You know, you've written these true crime novels and you're doing the podcast now. But I also saw that you did the book on the Kennedy wives and I was wondering if it was just like something you saw *Grey Gardens* and were really interested in the Kennedys? Or what was it that led you to do that project that seems a little bit different from all the true crime stuff?

**Amber Hunt:** A *lot* of alcohol.

[laughter]

**Amber Hunt:** You know what, that one's kind of funny because my agent suggested it. It's not a very sexy story but she was like, "You know, I haven't seen a book on this, and maybe you should do a pitch." And I was like, "*Pfft!* Nobody's going to give me a book on the Kennedys, sure I'll do a pitch!"

And then I did a pitch, and it got accepted, and I was like, "Oh crap!" And, so then, I had to learn everything I could learn about all the Kennedy wives. And I actually ended up co-writing it with a guy, David Batcher, I went to high school with, I'm best friends with his sister, so it ended up being like a really great personal project, too.

And then, *gosh darn it*, it landed on the best sellers list, for *one week*. But so, in my obituary it's going to say that I'm a best seller, because for one week I was!

[laughter]

**Colin Miller:** And the other thing I noted too was, I went to the University of Virginia for my undergrad, and so I know obviously you're investigating the murder of Elizabeth Andes and that's Miami of Ohio and Oxford, Ohio. And one of the other books you did was the murder of Yeardeley Love case, the murder of the lacrosse player at UVA, and I wonder what led you to investigate *that* case, and how you found Charlottesville looking into everything surrounding lacrosse culture and central Virginia.

**Amber Hunt:** I was drawn to Yeardeley's case because it did appear from the get-go to be a domestic violence or dating violence case. But she wasn't the type of victim that you usually see portrayed. She was from a great family, very wealthy, smart as hell, she was an athlete, so she was very strong, yet she still fell victim to this. And that was why I wanted to tell that story.

It ended up being *much* more difficult, because all of the money surrounding that case, and the Virginia Freedom of Information Act laws are abysmal. So, I didn't get to tell the story that I wanted to, frankly, in that book, but her case really did resonate with me, and hopefully at least I got to shine some light on DV issues there.

**Jon Cryer:** In a general sense, what was the story you *did* want to tell?

- Amber Hunt:** I wanted to talk about how somebody who didn't match the typical DV persona – the victim persona – could still end up in one of these terrible relationships.
- And it happens all the time, and I think it's important for young women to realize that it *can* happen to you, and this is what you need to look out for, and these are the consequences of ignoring some of the red flags.
- I think it's an important story to tell, *still*. I'm happy though that her family has really-- When I talked to her mom the first time, she said, "Oh, Yeardley was no shrinking violet." So they were kind of distancing themselves from her being a DV victim. And I was like, "Yeah, but a lot of these women aren't shrinking violets. That's kind of the *point*, you know?"
- But now they have a foundation, and they're much more embracing of that and they're working with young women, and I'm happy to see that evolution.
- Jon Cryer:** And it can happen to young men, as well. I'm not being defensive.
- Amber Hunt:** Yes, absolutely.
- Jon Cryer:** I'm not, I don't know what--
- Amber Hunt:** No, no, no. [laughs]
- Jon Cryer:** I'm just saying it happens to *some* people.
- Amber Hunt:** It totally does! Well, and that's the thing. When you have a certain persona in your head, then you dismiss all of the other stories and that's not fair because it can happen to all *kinds* of people.
- Colin Miller:** The question, Amanda, that I have for you is-- And also, just if I haven't mentioned it before, this is an awesome podcast – I'm truly addicted to it. If you haven't listened to it yet the only recommendation I have is to maybe find, maybe, a five-or-so hour block of time because once you start listening, you're not going to be able to stop.
- But Amanda, with your background in photojournalism and multimedia and all that, was there ever any thought at the beginning of this being more of a *Making a Murder*-style documentary? Or what was it that led to the idea that this would be an audio podcast as opposed to a documentary?
- Amanda Rossmann:** As far as a documentary goes, I was-- Well I'm still finalizing the video component to this project as we speak.
- Colin Miller:** Mm-hmm.
- Amanda Rossmann:** So, there will be a video component, although not necessarily in a documentary form. Just because I was without so much of this archival footage that maybe once was. And with it being 37 years ago, there's only so much B-roll of Oxford that, you know, I could shoot to go along with it.

But we do have plenty of video interviews. Most of the interviews that you'll hear with Amber talking with her friends, with Bob, I took video footage of. So that's been on our website too. You had to hear these people's voices, you had to you know, listening to the interviews, they were so compelling that it was kind of a no-brainer to do it in a podcast form.

**Amber Hunt:** Once we knew that we would have enough voices to make it come alive, we thought this would be the right way of telling the story.

**Colin Miller:** And without giving too much away now, and I mean, we have Episodes 5 and 6 especially focusing on alternate suspects, *et cetera*, do you think that you're any closer to figuring out the identity of her murderer? Or is it still something where it's very much a bunch of leads and nothing too concrete?

**Amanda Rossmann:** I think we've given police a lot to work with, and I don't think that it's out of reach. The frustrating part, of course, is I am a journalist, I can't get a search warrant. [laughs]

I can't do any kind of citizen's arrest without more info. But I did at least make a point to keep law enforcement in the loop on what I found and so they're aware.

**Colin Miller:** I think I saw most recently that this is a day or two ago – they're still holding the position of, "This is a closed case, we're not gonna investigate." Right?

[47:04]

**Amber Hunt:** Well not *exactly*. So it depends on which entity you're talking about. And that's one of the frustrating things, is how political and how divided it all gets.

We should *all* be searching for the truth in this. So it shouldn't matter if it's the Butler County Sheriff's Office or, you know, State AG's Office, or whatever.

What I posted was that it's still not listed as a cold case in Butler County, and it's still not listed as a cold case in the State of Ohio. And for us it's kind of symbolic, because her family's been asking for it to be listed. What that means to other people is that if they are searching-- If they remember like, "There was this tidbit and I was too afraid to come forward," if they search for 'Elizabeth Andes' they don't see a place to leave that tip. And to me, that's horrible.

And the reason for it is because the prosecutor still believes he had fingered the right guy way back when. So, we do know that our work has prompted police to start looking again, but there are still some symbolic things that they could do to let the family know, "Yes, we hear you, this is unsolved." And that was one of the reasons we chose the name we did. We very specifically called this 'The Unsolved Murder of Elizabeth Andes'. That was intentional.

**Colin Miller:** Well the last thing I'll just say is, I mean, I know you have your email, right? So, if one of you could just say your email address for people if they *have* information, if they're listening and they are in the area and have information on the case, how can they contact you?

**Amber Hunt:** Absolutely. You can reach us at: [accused@enquirer.com](mailto:accused@enquirer.com) I am 'Reporter Amber' on Twitter, and Amanda...

**Amanda Rossmann:** ARossman02

**Jon Cryer:** And keep it clean, people, keep it clean

[laughter]

**Amber Hunt:** That's alright, I can take it.

[laughter]

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**Jon Cryer:** Well, *thank you* guys so much for coming to the show. I'm really enjoying the podcast. I'm not as far along in it as Colin is, but I've got to drive to work, so alright!

**Amber Hunt:** Thank you so much.

**Amanda Rossmann:** Yeah, thank you.

**Jon Cryer:** And Colin, thanks to you as well! Always a pleasure. And actually, thank you for tweeting that link to the video from the excerpt from *Hiding Out*. [laughs] Was that *actually* your sister in the roller rink?

**Colin Miller:** My sister *was* the roller skating limbo champion.

[laughter]

**Colin Miller:** I've probably seen *Hiding Out* at least six or seven times--

**Jon Cryer:** [laughs] At the behest of your sister?!

**Colin Miller:** Before grew about six inches in the summer, I was actually, like, a limbo champion, but then I grew closer to my present height, and--

**Jon Cryer:** Of seven foot eight, or whatever.

**Colin Miller:** Yes. I used to be very good at actual limbo – before I had that growth spurt.

**Jon Cryer:** Ah... Well, thank you to your sister. Can you pass that on for me? And just a little tidbit – when I fall down in the scene, it's like, "Ha ha! He fell down! And he knocked over Annabeth Gish!" I actually *injured* her.

[laughter]

**Jon Cryer:** So I want to apologize to Annabeth Gish. [laughs] And apologize to the world that we made light of her injury. Uh, well, thank you guys again, and uh, I think we're done for this week's *Addendum*

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