

**UNDISCLOSED, The State v. Dennis Perry**  
**Episode 13 - Look At This Photograph**  
**October 22, 2018**

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**[1:12] Mike Ellerson:**

Like with this case, the Swain's case, it is a full circle case with me. Because I remember the night it happened. There were three crimes that night. The two murders, and a stolen vehicle. I was fifteen years old. I stole my mom's car, to go see a girl who lived, maybe a mile from the church through the woods, away. And that night I was at her house and was sittin' there, and I can't remember what day of the week it was, but I was sittin' there and everything, and there was a loud knock on the door, at the kitchen door, because the garage door was still up. I swore up and down it was my mother, coming because I stole the car. So, while we're sittin' there and everything, and I'm about to freak out because I'm in a whole bunch of trouble, and then the girl's dad goes and opens the door, and it's one of the church members. She came, and she's hollering and screaming, saying the Swains just got killed.

**[2:19] Rabia Chaudry:** That's Mike Ellerson. In 1985, he was a teenager living down in the southern part of Camden County, closer to the Florida border. By chance, though, on the night the Swains were killed, he'd been at the northern end of the county, in Waverly, just down the road from Rising Daughter Baptist Church. That's where he was when someone from the church came to the door to tell them that the Swains had been murdered, and the killer had gotten away.

**[2:42] Mike Ellerson:**

So, I had her dad walk me to my car. Now, I'm 15 years old, about 5'10" - 5'11", nothing but muscle. But I'm afraid that there's somebody walking, riding around, killing folks. So I finally get in the car, and I about blew up that engine in that Cutlass, trying to get home. And because I had stolen the car, I didn't say anything to my grandmother or my mom, what had happened, because I would have gotten in trouble. I didn't say anything, my mom didn't know I had took her car for weeks, and everything, and then here it is, years later, I'm working at the sheriff's office, on the Swains case.

Five years after the Swains were killed, Mike Ellerson joined the Camden County Sheriff's Office. And about eight years after that, he was given a new assignment. The Swain case was being reopened, and he was being assigned to the team working on it. And so, 13 years after that night when he'd snuck out of his house and driven to his girlfriend's house, and learned that there was a killer somewhere out there, it became his job to find out who that killer was.

It turned out that being assigned to the Swain case wasn't quite the full circle it had seemed at first, though. Because Mike Ellerson would end up walking away from his investigation with more questions, and no answers.

**[3:58] Mike Ellerson:**

As far as Dennis Perry? I never thought he did it. I'm with Butch Kennedy and Gregory. I never believed he did it. Based on - and I think I got the court transcripts in the house - I look over it every blue moon, just to make sure my mind is still right about it because I knew one day somebody would question whether Dennis Perry actually did it.

**[04:52] Rabia Chaudry:** Hi, and welcome to Undisclosed. This is Episode 13 of our series on *The State v. Dennis Perry*. My name is Rabia Chaudry. I'm an attorney and the author of *Adnan's Story*, and I'm here with my colleagues Susan Simpson, and Colin Miller.

**Susan Simpson:** Hi. This is Susan Simpson. I'm an attorney in Washington, D.C., and I blog at [TheViewFromLL2](#).

**Colin Miller:** Hi, this is Colin Miller. I'm an Associate Dean and Professor at the University of South Carolina School of Law and I blog at [EvidenceProfBlog](#).

**[6:45] Mike Ellerson:**

During that time, most of those guys -- Dale Bundy, Darryl, and all of them. They're more familiar with it than I am. The only thing is, I was just out there that night, you know, I wasn't supposed to be.

**Susan Simpson:**

You were nearby, but you couldn't tell anyone at the time.

**Mike Ellerson:**

Yeah, exactly.

**[7:02] Rabia Chaudry:** Mike Ellerson was the junior law enforcement officer on the case, working under Dale Bundy and a couple other more senior deputies. Unlike Ellerson, most the other investigators had actually been with the Sheriff's Department at the time the Swains had been killed, and they knew much more about the case's history within the office.

**Mike Ellerson:**

By the time I came about, it was just trying to put everything together, go back over all the evidence, all the reports. And, I'm trying to think exactly when I was called into the office about it. I can't remember what year it was when they started looking at it again.

Ellerson doesn't remember exactly what year it was that he was brought onto the Swain case. And because there was essentially no paperwork created to document the reopened Swain investigation, it's hard to piece together the dates of when anything happened. The only paperwork that exists is the 6 page summary that Bundy later wrote up, and that document mentions Ellerson exactly one time. It says that on July 16th, 1998, Ellerson and Bundy had gone to Vanzola Williams' house to interview her. Which means that we know Ellerson was working on the case by no later than July of 1998.

And around the same time Ellerson was assigned to the case -- either a few weeks before, or a few weeks after, he's not exactly sure now -- Deputy Dale Bundy had been brought back to the Sheriff's Department and assigned to the case as well.

**Susan Simpson:**

What was your understanding of why Bundy was there, or how Bundy got to be there?

**Mike Ellerson:**

As far as working the case? [Yeah] I think that was an agreement with him and the sheriff to come back to the sheriff's office, was to work that case.

**Susan Simpson:**

Do you know how that came about at all?

**Mike Ellerson:**

No, no. That's way up here on the totem pole of information between small people and big people.

Dealing with the politics of the Swain case was not Mike Ellerson's role. He was just there to investigate.

**Mike Ellerson:**

It was, my part was more or less was trying to help piece things together that made sense. It was like getting a younger mind into the equation of the investigation.

By the time Ellerson had joined the team, though, there were really only a few things left that needed to be investigated. Because by that point, the Camden County Sheriff's Department had already answered the most important question about the case: who had done it.

**Susan Simpson:**

So when you were brought on, they had identified suspects already?

**Mike Ellerson:**

Yeah, yeah, it was Dennis. It was Dennis, and they were trying to piece together how he could've done it. You see what I'm saying? It's more or less, him being in Atlanta and then making the trip down here and then getting out of here and nobody's seen him.

Ellerson's task had not been so much to investigate what had happened to the Swains, but instead to investigate Dennis Perry.

**Mike Ellerson:**

A couple of times I had to ride over to nine a and look at a trailer, or a house, where possibly Dennis was staying or something like that. I can't remember how it went, but I know a couple of times I had to ride over there...[Susan: to where"] In Jacksonville. In Jacksonville, and look for a car, to see if a car was at a certain house. And not one time I went over there the car was ever there, I don't know what that was all about. But when case started back up and everything, all the paperwork that Kennedy and Gregory had done. So I spent a couple of weeks or so just going over it.

After reviewing all of the case file from Butch Kennedy and Joe Gregory, though, Mike Ellerson began to question the direction of the investigation. For one thing, Ellerson couldn't remember seeing anything in the paperwork that explained *why* Dennis Perry was supposedly the guy who had done these murders.

**Susan Simpson:**

So do you know why Dennis was identified as a suspect?

**Mike Ellerson:**

From my understanding because he lived in the area and had some words with Mr., Mrs. Swain at some point.

**Susan Simpson:**

Where did you hear that he had words with Mr. Swain?

**Mike Ellerson:**

It was up at, I wanna say Reed's package store up there? Maybe they were up there one day and they got into an argument or something like that.

**Susan Simpson:**

Do you remember how you learned this, was it a conversation or a form...?

**Mike Ellerson:**

In a conversation with Darryl and whoever else...

**Susan Simpson:**

Did they tell you how they learned this?

**Mike Ellerson:**

No, no.

Susan Simpson:

I will tell you that is something I have never seen or heard of. Do you feel pretty confident that there was discussion of a supposed disagreement between ...

**Mike Ellerson:**

I don't believe it.

**Susan Simpson:**

No no, are you confident that you heard the story.

**Mike Ellerson:**

I heard it. Take my word I heard that they had gotten into an argument. But I don't know when they had gotten into an argument, you see what I'm sayin'?

**Susan Simpson:**

The fact that they got into an argument is news to me.

**Mike Ellerson:**

Yeah, yeah. That was one thing I definitely remember hearing is that yeah, they had gotten into an argument up at Reed's store one time, but I can't remember why they argued, and I don't know who told them that. But that was one thing that was said, you know, amongst us just talking about the case. But it never was enough to say he killed them.

**[11:58] Susan Simpson:** I realized only later that I had completely misheard Mike Ellerson here. What he recalled was not that Dennis Perry had words with *Mister* Swain, but that he'd had words with *Mrs.* Swain.

But either way, what Ellerson told me was not something I'd ever heard before. There is literally not a record anywhere, in all the tens of thousands of pages, about any kind of argument at the Reed's Package Store. It's just not there. Anywhere. And Ellerson doesn't recall reading about it, either -- he just recalls talking to the other investigators about it.

Actually, from his memory of the case file, Ellerson couldn't remember reading anything about Dennis Perry that made him think Dennis Perry was guilty. If anything, it was the opposite.

**Susan Simpson:**

So you never really knew why Dennis was chosen?

**Mike Ellerson:**

No, no.

**Susan Simpson:**

So you can't answer that question either.

**Mike Ellerson:**

I have no idea. I don't even... still, you got some proof that it's almost impossible, if the guy giving him a ride, or the supervisor saying he's *here*, how in the hell do you expect him to to be *here* at a certain... two or three hours later? I've driven from here to Atlanta in a Mustang, I still never got there in three hours. And I'm talking about a five-speed, me and a friend, and we just busted it with a radar detector, and I never made it to Atlanta in three hours.

**[13:19] Rabia Chaudry:** When Mike Ellerson was assigned to the Swain case, the Sheriff's Department was already building towards making an arrest of Perry, so Ellerson's job was just to put all the pieces of the case together to help make that happen. The problem was, no matter how hard he tried, he just couldn't get the pieces to fit the way that they were supposed to.

**Mike Ellerson:**

Like I said - I never once thought Dennis Perry did it. I never once thought he did it.

**Susan Simpson:**

Did you ever tell that to the other people on the team, or did you bring it up...?

**Mike Ellerson:**

That's when I was, once I got finished, and I came to my conclusion that he didn't do it, I was off. I was gone. I had nothing else to do with that case.

Mike Ellerson was not on the Swain case for long, and there is a lot about the investigation he was never in a position to know. Because as soon as he reported to Bundy and the other investigators that he thought the evidence did not point towards Dennis Perry, he was off the case.

**Susan Simpson:**

After you told them, you were just gone?

**Mike Ellerson:**

I didn't even hardly, I didn't have anything else to do with that case. I wasn't at the trial, I wasn't there. It's not like I didn't care. I was just pissed. I was pissed because, here it is, I told you my opinion on it, let's test these other avenues, and go from there, because I don't believe Dennis Perry did it.

**[14:46] Susan Simpson:** When I showed up on Mike Ellerson's doorstep, I'd known next to nothing about him. Like we mentioned earlier, in the scant paperwork we have from the Camden County Sheriff's Department, Ellerson's name is mentioned only one time, in connection with the interview of Vanzola Williams. So originally, that's what I was going there to ask him about -- this section from Bundy's report.

*July 16, 1998 I contacted Ms Vanzola Williams. Ms Williams was present at the Rising Daughters Church when the incident occurred. I interviewed Ms Williams at her home. Also present during the interview was Detective Mike Ellerson. Ms Williams was shown the photograph of Perry. She also identified him as the suspect in the Rising Daughters Church.*

**[15:23] Colin Miller:** This whole interview on July 16th had been an important one, because Vanzola Williams was one of only two witnesses to identify Dennis Perry as the man who killed the Swains. And Vanzola Williams was the witness who'd actually encountered the suspect in the vestibule that night, who'd actually spoken to them, so she'd gotten the best look of all the witnesses. And at trial, Dale Bundy had testified that when he'd gone to Vanzola Williams' house and shown her that photo of Dennis Perry that he'd gotten from Jane Beaver, Vanzola had instantly recognized him as the killer. And she told him the same thing that Cora Fisher had said.

**[15:51] Deputy Dale Bundy:**

I asked Vanzola, I said "Is the man in that picture the man that killed Harold and Thelma Swain?" and she says "Unless he has a twin brother."

But Vanzola Williams herself had given a different answer on the stand. When shown Jane Beaver's photo of Dennis Perry, she had said that she couldn't be sure if it was the same man she'd seen in that vestibule.

**[16:11] Susan Simpson:** I knew from Bundy's report that Mike Ellerson had also been at this interview with Vanzola Williams, and I was hoping he might be able to give me his own perspective on how Vanzola had reacted when Bundy had shown her that photo. Had she been confident that this man was the same man she's seen in the vestibule that night? Or had she not been sure? Only, when I asked Ellerson about it, he had no idea what I was talking about -- he was looking at me like I was the one who was confused. So I pulled up Bundy's report to show him, just to prove to him I wasn't making this up.

**Susan Simpson:**

So what he says happened is he showed her a photo and she said that's the killer. And the photo was Dennis Perry.

**Mike Ellerson:**

I'm getting pissed. [Susan:Why?] Cuz I'm sitting here thinking...do I remember going there with him? And I may have, but the picture part I don't remember. But then again it was so long ago. If he said I was there, I was there.

I had really been hoping Ellerson might be able to clarify exactly how Vanzola Williams had responded to seeing that photo of Dennis Perry, though. So I kept running through the documents with him, what few documents there were, trying to refresh his memory, trying to give him some kind of context for Bundy's report so he could recall what had happened.

**Mike Ellerson:**

And they said that they identified him, but I don't remember being there when they identified. I don't. I don't, I don't, I really don't. I want to say, if he says I was there, I was there. I don't remember the identifying part, just the talking part.

**[17:55] Rabia Chaudry:** It has been 20 years since this interview with Vanzola Williams took place, and it's possible that, in reality, everything at that interview happened exactly like Bundy's report says it happened. It's possible that Bundy showed Vanzola Williams that photo of Dennis Perry that Jane Beaver had given him, and it's possible that Vanzola Williams identified the man in the photo as the man who had killed the Swains. It's possible that all that happened, and Ellerson has just forgotten it.

But it's also possible that Mike Ellerson's memory is accurate, and it's Bundy's report that's wrong. Because there's someone else who remembers the interview with Vanzola Williams happening exactly the same way that Mike Ellerson remembers it: and that's Vanzola Williams herself. At both the pretrial hearing and at Dennis' trial, Vanzola Williams testified that Bundy had *never* shown her a photo of Dennis Perry. Here's what she said in August of 2001 about the time Bundy came to interview her:

*Q: What did Mr. Bundy say when he came to you that day? And we've been told it was in July '98. I know you don't remember. But what did he say to you that day?*

**Vanzola Williams:** *He just said that they were investigating, were still investigating this case.*

**Q:** *Did he ask you any questions?*

**Vanzola Williams:** *No, he did not.*

**Q:** *Did he show you anything?*

**Vanzola Williams:** *No, he did not.*

**Q:** *He didn't show you a picture?*

**Vanzola Williams:** *No.*

**Q:** *Are you positive of that, Ms. Williams?*

**Vanzola Williams:** *I'm positive.*

**Q:** *Is it possible, Ms. Williams, that -- let me ... .... Is it possible that you were shown the photograph of Perry that was shown to you by Beaver? Is it possible you were shown the same photograph and you just don't remember?*

**Vanzola Williams:** *I don't remember.*

**Q:** *Have you ever been shown a photograph after Ms. Beaver?*

**Vanzola Williams:** *No, I haven't.*

**[19:25] Rabia Chaudry:** Vanzola Williams was asked these questions over and over, and she kept giving the same answer. At trial, the prosecutor portrayed this as just an understandable memory lapse on her part. And maybe that's all it was. But even when, finally, the prosecutor showed her the photo itself, in an attempt to refresh her memory of this meeting, she gave the same answer:

**Q:** *Is this the first time you've seen that picture since [ ... ] Ms. Beaver showed it [to you]?*

**Vanzola Williams:** *Right.*

*Q: So Detective Bundy did not show you that picture?*

**Vanzola Williams:** No.

*Q: He didn't show you any pictures of a -- of somebody in jail, what we call mug shots?*

**Vanzola Williams:** No. No.

**Rabia Chaudry:** Which means both Mike Ellerson and Vanzola Williams remember this interview the exact same way: that Bundy and Ellerson came to her house to talk to her, but **did not** show her any photos of Dennis Perry.

**[20:13] Susan Simpson:** Mike Ellerson is willing to give Bundy the benefit of the doubt. If Bundy says that Ellerson was there when Vanzola was shown the photo of Dennis Perry, then Ellerson was there. But at this point, I'm less sure the benefit of the doubt is warranted. If neither Mike Ellerson nor Vanzola Williams recall Vanzola looking at a photo of Dennis Perry during this interview, and if the only record we have that says she **was** shown a photo comes from a report Bundy had made only months later, I think we have to seriously consider the possibility that Vanzola Williams and Mike Ellerson are right, and Bundy's report is wrong.

**Mike Ellerson:**

But I don't remember him showin' a picture. I don't. 'Cause I don't remember the picture in my head.

**Susan Simpson:**

I was gonna ask you what photo it was, but...

**Mike Ellerson:**

I don't remember the picture.

**[21:03] Susan Simpson:** It was somewhere around then, sitting out there on Mike Ellerson's porch, watching people mow their lawns, and hearing about his work on the Swain case, that I first began to realize that something was even more wrong with this case than I'd thought before. By then, I'd already known there were lots of things that were wrong in this case, yes. But I also thought I knew this case really well. I thought I had a pretty good grasp of what had happened and what had not. I knew who the

witnesses were, I knew when they were talked to, I knew why they were talked to. I had thought, in short, that I more or less knew what reality was in this case.

But talking to Ellerson, I began to understand: everything I thought I knew about this case was wrong. The entire story about how Dennis Perry had been identified and developed as a suspect -- it was just that. A story.

**[24:51] Rabia Chaudry:** According to how the story of Dennis Perry's conviction is usually told, everything began with *Unsolved Mysteries*. A woman named Jane Beaver saw the show, and called in a tip about Dennis Perry, but, somehow, her tip was ignored. It fell through the cracks for nearly a decade. It wasn't until 1998, when Deputy Dale Bundy went up and down US-17 knocking on doors until he came to Jane Beaver's door, that this cold case was finally cracked wide open.

And this is the story that the jury was told at Dennis Perry's trial. In opening statements, prosecutor John Johnson said:

*When this was put on Unsolved Mysteries -- I don't know how many of you know what happens [when a case is on Unsolved Mysteries], but you will find that when they say: 'Please call this number,' -- people call that number. And in this particular case, there's like two five-inch binders of reports that came out where people called, and that information was logged into the computer system and a computer generated printout came out, which was returned back to the police officers. Interestingly enough, there were two telephone calls that came in on Dennis Perry. Just interesting. And those came from a lady, one of them, at least, came from a lady named Jane Beaver. And she becomes an important part of this case.*

**Rabia Chaudry:** This is the way Dale Bundy remembers things, too. There were tons and tons of tips, he said. Mostly, they were tips that were not worth the dot matrix paper they were printed out on, but then there were also a few tips that were worth quite a bit more.

**Deputy Dale Bundy:**

There were some that had credence to them, and Dennis Perry's name was in those tips.

**Susan Simpson:**

So, I couldn't find that one from-- so I've heard, so he was definitely reported in *Unsolved Mysteries*, you think?

**Deputy Dale Bundy:**

Yes, ma'am, he was.

**[26:23] Susan Simpson:** We have copies of the binders that John Johnson was talking about in his opening statement. I've read every single one of those tips. But here's the weird thing: Jane Beaver's name isn't anywhere in there. So, I asked Bundy about this, and he told me, yes, there had been multiple witnesses who called in, from *Unsolved Mysteries*, and Jane Beaver was one of them.

**Susan Simpson:**

Do you think it was more than one, though?

**Deputy Dale Bundy:**

Yes.

**Susan Simpson:**

Okay. Were there names attached to the tips? I know that Jane Beaver said that she had left her name.

**Deputy Dale Bundy:**

Jane Beaver left her name, and I believe that there was another person that left their name, but I'm not sure enough to tell you.

**[26:58] Susan Simpson:** The other person that left their name after calling in an *Unsolved Mysteries* tip is Corky Rozier. I do have a copy of that tip. Corky is the neighbor that was the very first person to ever name Dennis Perry as suspect, when, back in 1988, he'd reported a rumor he'd heard about Harold Swain somehow discovering someone's marijuana fields, and Dennis Perry somehow being involved in that in some way.

But that's the only tip about Dennis Perry in the whole case file. Prior to Bundy writing his six page report in 1998, the name of Jane Beaver had not been recorded anywhere-- or, if it had been, any imprints she'd left in the case file had long since blown away before I ever got to it. But, when Dale Bundy had the case file, back in 1998, there must've been some trace of Jane Beaver's involvement there still. Or at least, that's how he recalls it.

Although, back in 1998, Mike Ellerson probably spent more time with the case records than just about anyone else in the case. And, like me, he never saw Jane Beaver's name in there, either.

**[28:01] Mike Ellerson:** And then--

**Susan Simpson:** You never heard that before, though? About Beaver saying all this stuff?

**Mike Ellerson:** I more than likely read it. But, I just...

**Susan Simpson:** Okay... Well, I don't think you would've because that report was not made until November.

**Mike Ellerson:** I may have read it... who knows, but as far as all of this, no. Huh uh. No. Answer the door and identify myself? No. I didn't know about- she had said something prior to all of this.

**[28:35] Colin Miller:** At trial, Jane Beaver had told the court that she'd called in tips about Dennis Perry dozens of times -- she called the Sheriff's Office, she called Unsolved Mysteries, she kept calling and kept trying to get through to them. She testified that the reason she kept calling was that she had photographs of Dennis Perry that she thought the authorities should see. But for some reason, no one would ever get back to her, so, eventually, she gave up.

Finally, in 1998, when Bundy knocked on her door, she was able to tell him everything. About how she had taken an old photo of Dennis Perry and shown it to some of the church ladies, and they'd identified him as the killer. And about how, a few days or weeks before the murders, Dennis Perry had told her that he'd tried to borrow money from Harold Swain, but Harold Swain had laughed at him for it, so now he was going to find out what it felt like to kill a black person. And Jane Beaver also told Bundy about how Dennis Perry *did* wear glasses -- because she'd seen him wearing women's glasses once, as a joke.

**[29:23] Deputy Dale Bundy:**

Now, Jane Beaver did make a statement that Dennis had had a pair of glasses that he was runnin' around actin' silly with, but again, I didn't put any credence in that because I don't know anything about those glasses.

**Susan Simpson:**

The ladies glasses. I didn't get that part of her statement. Like, what was...

**Deputy Dale Bundy:**

I don't know. I remember her sayin' somethin' about the glasses, and that's about how much credence I put on it. I just... I don't have the glasses. I can't say, were these the glasses? So.

**Susan Simpson:**

So there's no story there. She just says, yeah, Dennis came over and he was wearing women's glasses. I didn't know if there was a back story...

**Colin Miller:** It's not clear how the women's glasses fit in to all this, but as for the rest of Jane Beaver's story -- well, if it was true, then it would be pretty strong circumstantial evidence that Dennis Perry is guilty. And the jury believed her story.

But Jane Beaver's story might... not be true. For one thing, it's full of inconsistencies, and incompatible with the known timeline of where Dennis Perry was during the weeks before the murders, when she says he made all these incriminating statements to her. But if it's not true, that raises a new question: why would she have made all this up?

**[30:49] Susan Simpson:** A few weeks ago, back in September, Jane Beaver passed away. She'd had Alzheimer's, and not been in good health for some time, so we never had an opportunity to talk to her, or ask her about her testimony at Dennis' trial. Since I couldn't ask her why she'd said the things she'd said, the only other thing I could think to do was to ask her daughter Carrol Anne. Carrol Anne and Dennis Perry had dated back in 1985, but they broke up due to distance after Dennis had moved back to Atlanta. And although Carrol Anne had testified for the prosecution at Dennis Perry's trial, her testimony had been very different from her mother's testimony. And, I wondered, maybe, at some point she'd asked or her mother had explained why she'd testified the way she had.

When I went to Carrol Anne's house, at first she wasn't all that interested in talking to me. Besides, she said, she didn't know anything anyway. So our conversation was abrupt, and I got right to the point. I just asked her: Do you think that Dennis really said those things to your mother?

And Carrol Anne said: "Yes, he did. I was there when he said it"

Her answer was confident and very matter-of-fact. And I was shocked -- because from what I knew from the case file, I'd never seen any indication that Carrol Anne had ever corroborated Jane Beaver's story. And now, the first thing she was telling me was that yes, Dennis Perry had said those things, and yes, Carrol Anne had heard it, too. So I asked Carrol Anne more carefully this time -- what **exactly** did Dennis say to your mother? And Carrol Anne told me: that those ladies glasses he had, he'd said that they'd belonged to his mother. He did say that, I was there, I heard it.

Oh. Okay. So I told her, what about the *other* things Jane Beaver had testified about -- about the Swains, and borrowing the money, had Dennis really said *those* things?

Carrol Anne's answer was just as confident as before: I didn't hear any of that, no. That just is not something I have any knowledge of, she said. But those ladies glasses that Dennis had -- well that Carrol Anne could confirm really had happened.

I am still not really sure what to make of the whole ladies' glasses story. Carrol Anne clearly thought they were important to the case. So important that, when I showed up at her doorstep asking about Dennis Perry, she had immediately jumped to the conclusion that I was there to ask her about the ladies' glasses. And she remembered that whole thing happening clearly enough: at some point, Dennis Perry had been joking around and put on a pair of ladies glasses, and Carrol Anne remembered that someone had made a joke about him possibly being gay. Something like that, and Dennis Perry had said that the glasses had belonged to his mama.

Of course, none of that has any relevance to the Swain case, at least as far as I know. The glasses found in the vestibule, they weren't ladies' glasses at all. But it's the only part of Jane Beaver's story that Carrol Anne could tell me anything about.

So I asked her instead about Dennis Perry. And, like everyone else I'd talked to, she had nothing bad to say about him. She told me a story about how, when her son was young, and she and Dennis were dating, her son had gone through a period when he was refusing to eat. And she said that Dennis would sit there with him, for hours, just coaxing him to take a bite. He was patient with him, she said. Way more patient than I was.

And when I asked her if she thought Dennis Perry had killed the Swains, her answer was immediate: *No*.

In fact, she seemed so confident in her answer, I was kind of surprised by it. I asked her how she could know he hadn't done it, and she said, "Have you ever met him? He's a very harmless person. No, I don't think he killed anybody, ever. If you talk to him long enough, you'll see. It's just not possible he did this."

But if Carrol Anne doesn't think Dennis Perry could've killed the Swains, then why would her mother have thought he had?

"I don't know," Carrol Anne told me. "She went by the pictures. That's all I know."

**[37:19] Colin Miller:** When Carrol Anne said that Jane Beaver "went by the pictures," what she'd meant is that Jane Beaver's belief in Dennis Perry's guilt had been motivated by a resemblance between a photo of Dennis Perry and a composite image that had been prepared by four of the church ladies. When Carrol Anne had dated Dennis Perry, he'd given her some photos of himself, and she'd hung on to them even after they had broken up. They'd ended up at her mother's house, probably in storage somewhere. And when Jane Beaver had seen the composite image of the suspect on TV, she'd recognized a resemblance between the composite and Dennis, and found the old photo of Dennis that Carrol Anne had kept around.

Without the composite image, Dennis Perry would have never have been named as a suspect. But not everyone thinks there's such an obvious resemblance between Dennis and the composite. Dennis' friend Clayton Tomlinson, for one, has never understood why this composite image made investigators think that Dennis was the killer.

**Clayton Tomlinson:**

I was reading that stuff, the stories that were coming out, and they had a picture of an individual, and it's like, well that is not even close. That is not even close!

**[38:25] Susan Simpson:** When I first started looking into this case, I kind of agreed with Clayton. To the extent I saw any resemblance between the composite and Dennis Perry, it was because the composite was some generic looking white guy. Clayton Tomlinson's mother, Donna Nash, was interviewed by investigators back in 1999, and she told them something similar:

**Special Agent M.J. Washington:**

What we're trying to do is eliminate him as a suspect, although a lot of the evidence ...

**Donna Nash:**

Well how are you ... how are you pinpointing to that boy?

**Special Agent M.J. Washington:**

There are a lot of things --

**Donna Nash:**

Do you know how many rednecks look like Dennis Perry?

**Special Agent M.J. Washington:**

Yeah, I realize that.

Deputy Dale Bundy, however, found the composite image to be very compelling.

**Deputy Dale Bundy:**

(Tapping on table) There was his picture. Have you seen his picture compared to the composite?

**Susan Simpson:**

Yeah. I don't think any of them really look like the composite to me. Like, have you seen ...?

**Deputy Dale Bundy:**

Which composite?

**Susan Simpson:**

The main one.

**Deputy Dale Bundy:**

The color composite?

**Susan Simpson:**

Yeah.

**Deputy Dale Bundy:**

And it's ... you're the only person I've heard say that, because everybody else looks at it and says, "Wow!"

What I hadn't quite realized when I was talking to Bundy, though, is that by comparing Dennis' picture to the composite, Bundy hadn't meant comparing *any* picture of Dennis to the composite. What he meant was comparing *the* picture of Dennis to the composite. The picture that Bundy had been given by Jane Beaver.

And I hadn't seen that picture yet at all.

At the time, I was down in Camden County with Clare Gilbert, Christina Cribbs, and Ed Costikyan from GIP, and that night after talking to Bundy, we stayed up late going through boxes and boxes of files. And when we came across a photocopy of an oval shaped photo of Dennis Perry laying on the floor, propping up his baby brother, we knew that this had to be *the* photo. Bundy's photo. Jane Beaver's photo.

**Ed Costikyan:**

Now is this ...?

**Susan Simpson:**

Oh, here we go! That's the picture? Was it only ... was it black and white from the original?

**Clare Gilbert:**

I don't know. This is what we found at the DA's office.

**Susan Simpson:**

Alright ...

**Christina Cribbs:**

No, it wasn't black and white.

**Clare Gilbert:**

The ... you'll see the original at the Glynn County Courthouse.

It turned out that Clare was wrong when she told us about how we'd see the color photo at Glynn County courthouse the next day, because we didn't. That's where it should've been -- the original photo, that color snapshot that had come from Jane Beaver, that was entered as an exhibit at Dennis Perry's trial, which meant it was kept with the court's records over in Glynn County, and not the DA's records in Camden County. But when we got to the Glynn County Clerk's Office, they wouldn't show us the exhibits, and

they later told us that all the exhibits, and all the physical evidence, had been lost. So we still haven't seen the original oval photo in this case.

But we did have now a black and white photocopy of it. So, we did what Bundy had suggested. We held it up to compare it to the color composite.

**Susan Simpson:**

Alright, here is the composite ...

**Clare Gilbert:**

Well ...

**Susan Simpson:**

Okay, I can ... I can see it more so than other photos.

**Clare Gilbert:**

Yeah.

**Susan Simpson:**

That photo of Dennis does actually look a little more like it.

**Clare Gilbert:**

Well, it's the same ... it's relatively the same chin, relatively the same mouth. The eyes are a bit further apart.

**Susan Simpson:**

Yeah, his eyes are like kinda together, but his eyes are way far apart.

**Clare Gilbert:**

Yeah.

When you look at that oval cut out photo of Dennis Perry, and hold it up beside that color composite that the church ladies had made together, there is an uncanny similarity between the two. I'd been dismissive before of the supposed similarities between Dennis and the composite, because in the family photos of Dennis that I'd seen, there just wasn't anything that stood out to me as looking much alike.

**[41:55] Rabia Chaudry:** But in that one specific photo, with Dennis lying on a living room floor, holding up his laughing baby brother to keep him from toppling over, his face

tilted up towards the camera with a half-smile -- yeah, it looks like the composite. The poses match almost perfectly. The hair is parted in the same place, and it covers the ears in the same way. There's a prominent pointy chin and a large nose. The same eyebrows. They look a lot alike.

The thing is, though, the color composite is only *one* of the composites in this case. There are five in total. The other four were prepared individually by four of the church witnesses, and none of them, by themselves, have a resemblance to the color composite. Holding all five composites up side by side, the differences are striking.

**Susan Simpson:**

Okay, hold that up next to those. And I can kinda ... look, I can kinda see a little bit of each one in that face ...

**Christina Cribbs:**

But how is that the appropriate way to ...

**Clare Gilbert:**

But, I mean, this ... if you take out this outlier --

**Susan Simpson:**

Yeah, if take out Cora Fisher ...

**Clare Gilbert:**

You can't get that chin.

**Susan Simpson:**

No. You take out Cora Fisher and you never get anything close to Dennis Perry. Without Cora Fisher's Rick Astley ....

**Clare Gilbert:**

And these are so similar! And they're not like the composites.

**Susan Simpson:**

Yeah, there are three that are very consistent.

**Christina Cribbs:**

Right, that jaw is like almost square in all three of those. Very flat.

So one of the composites that was made by the witnesses looks like one particular photo of Dennis Perry. But there were four other composite images made that don't look anything like any photo of Dennis Perry. And anyway, it wouldn't matter how many of the composites had a resemblance to however many photos of Dennis Perry -- you can't use a composite image as if it were a photograph magically printed out from someone's mind. That's not how composites work.

**Ed Costikyan:**

And this is just meant as building blocks, you know? It's not like a real sketch.

**Clare Gilbert:**

So none of these ... so none of these mean anything then?

**Ed Costikyan:**

Not real good.

**Susan Simpson:**

I mean, they mean -- if you want to have a rough way of conveying what someone saw, sure. But they're not any good for like ... they're no good at all for guilt or innocence.

**Clare Gilbert:**

So, they're good for ruling out, not ruling in?

**Susan Simpson:**

Not even that. They're good for just like conveying an idea that you can't really express in words. But they're definitely not -- once you have an actual person identified, they're no good for making it more or less likely that they're innocent or guilty.

**Christina Cribbs:**

Unless you're Dennis Perry.

**Susan Simpson:**

Unless you're Dale Bundy and got this photo of Dennis Perry.

And if you're Dale Bundy, and you've got this photo of Dennis Perry, you make sure you use it. It turned out that plenty of people had seen the same side-by-side comparison that Bundy had suggested Susan and the GIP attorneys look at.

**[44:58] Colin Miller:** Carlton Johnson works at a little convenience store at the little intersection that's the closest thing that Waverly has to a town center. He wasn't a witness in the Swain case, but Susan and former GIP attorney, Christina Cribbs, went to see him anyway, because she'd been told that if she wanted to hear what the talk around town had been, Carlton was the guy she needed to see.

**Carlton Johnson:**

Well like I said, I used to work down there at the store down there, way back when, and like I said, I knew everybody.

Carlton was very clear that he didn't actually know anything about the case. All he knew were the rumors he'd heard, and he certainly wasn't going to vouch for the accuracy of any of it. He just knew what the talk around town had been, not whether any of it was true.

But it turned out there was one thing that Carlton did know about the case from his own personal experience. Something Christina and Susan had not expected at all.

**Carlton Johnson:**

During the time, after 25 years had gone by, like I said, Dale Bundy ... I was working down at JP's during this time, he come in with a sketch. The sketch thing I told you about? Then he had a real picture of him, and it was identical.

**Christina Cribbs:**

He came to you?

**Carlton Johnson:**

Yeah, he ...

**Christina Cribbs:**

Oh!

**Susan Simpson:**

With a picture?

**Carlton Johnson:**

Mm-hmm.

**Christina Cribbs:**

At Rawl's?

**Carlton Johnson:**

No, no.

**Susan Simpson:**

At JP's?

**Carlton Johnson:**

That was when I worked at JP's.

**Susan Simpson:**

So he brought you a picture of Dennis Perry?

**Carlton Johnson:**

Yeah.

**Susan Simpson:**

Did you know that it was Dennis Perry from the photo?

**Carlton Johnson:**

No, not from the photo -- not from that sketch now, but ...

**Susan Simpson:**

No, from that photo that he had?

**Carlton Johnson:**

Yeah.

**Susan Simpson:**

And he ... did he tell you that this was the guy who did it? Or what ...?

**Carlton Johnson:**

No, he didn't tell me that. The only thing he showed me ... he said, "Do you know who this is?" He showed me the picture of him. I said, "Yeah, that's ole' Dennis."

He showed me another picture, and like I said, it was identical. The way he looked --

**Christina Cribbs:**

The composite?

**Carlton Johnson:**

Yeah, the way he looked way back then, in that composite it was identical.

So apparently, back in the late 90s, Deputy Dale Bundy had been going around town, showing random people in Waverly this snapshot of Dennis side by side with the composite. And if Bundy had been trying to make an impact on people's opinions about whether Dennis Perry was the killer or not, it worked. Because Carlton had not recognized Dennis just from the composite image alone, but when Dale Bundy had come in that day showing him the oval photo of Dennis and the composite image side by side, they had seemed to him to be identical.

**[47:17] Susan Simpson:** So Jane Beaver had, according to her daughter Carrol Anne, been going by the photos when she thought Dennis Perry was guilty. But that doesn't explain everything -- because Jane Beaver had also told the police not just about the photo, but also about a conversation she'd had with Dennis where he told her of his plans to kill Harold Swain.

So where had that come from? And if that part of the story wasn't true, why had Jane Beaver said it?

Well, while I was down in Camden County, I did hear one explanation for why Jane Beaver might have said this over and over again.

**Joe Gregory:**

She was crazy! Certifiable crazy. She has her own key to the ... for the regional hospital.

~~~~~

**Butch Kennedy:**

She's a nut!

**Susan Simpson:**

How do you know that?

**Butch Kennedy:**

Well from everybody that knows her (laughing).

~~~~~

**Daniel Perry:**

That woman is crazy, and everybody around town knew it. Going after people ... and crazy times.

The people I spoke to didn't mean that Jane Beaver was crazy in the pejorative sense of the word, they meant it more literally: that she had serious mental health-related issues.

**[48:22] Rabia Chaudry:** But calling someone "crazy" is an easy claim to make even without any proof. And dismissing a witness as "crazy" can also be an easy way to dismiss a witnesses whose story is in conflict with the investigator's case. Also, not *everyone* in Waverly described Jane Beaver in these terms. Some said they remembered her being vindictive and picking weird fights, or claiming people were picking fights with her, but they didn't describe her as mentally ill -- just as a kind of difficult neighbor. And some people remembered her fondly. Greg Reed, who owned the package store next to Jane Beaver's trailer, told Susan that he'd known her well. Ms. Beaver was a good lady, he said, and a good customer. He saw her a lot. And, according to Greg Reed, Jane Beaver had been sharp as a tack. He didn't buy any suggestion that she might've been mentally ill.

Although, Greg Reed also insisted that he'd never had anything to do with investigating the Swain case, and that he'd never even heard about Jane Beaver going out to talk to Cora Fisher or Vanzola Williams. He was pretty adamant -- he'd never heard about that. That something we're still not sure how to make sense of, because Jane Beaver testified at trial that it was Greg Reed who had been responsible for helping track down the church ladies in the first place. So one of them has to be wrong about that.

**[49:36] Susan Simpson:** I'd heard from enough people, though, who called into question Jane Beaver's state of mind, that I'd wanted to ask Bundy about it. He'd interviewed her on multiple occasions, so he'd had some direct experience in interacting

with her. Had he ever noticed anything about Jane Beaver that had matched what others had described to me?

**[49:54] Deputy Dale Bundy:**

She was a little bit eccentric. But as far as bein' daffy and crazy..... she had no sense of smell and had about 15 cats living at the house with her. So whenever Ron Rhodes and I went out to talk to her we'd sit out on her porch.

It wasn't that Jane Beaver was normal, exactly, but Bundy saw nothing in Jane Beaver that would lead him to question what she had told him about Dennis Perry.

**Susan Simpson:**

But you didn't find any reason to question her authority..

**Deputy Dale Bundy:**

Anybody who lives in a house with 15 cats is a little bit weird, let's face it, but doesn't mean her story is not credible.

And he's right. The fact Jane Beaver was a bit eccentric, and the fact some people in town dismissed her as crazy isn't evidence of anything.

But Dennis Perry's attorneys had heard all the same talk I'd heard, and had the same questions I had about her credibility. So, three years after Dennis' arrest, and just weeks before his trial, they finally decided to see if there was some way they might be able to prove that Jane Beaver was not in fact a reliable witness.

**[50:55] Colin Miller:** Ed Clary, Dennis' Georgia-based defense attorney, sent a subpoena to the Georgia Department of Human Resources, and in his cover letter to the Department, wrote the following:

*Please be advised that this office is representing Dennis A. Perry who is the Defendant in a capital murder case [ ] which [ ] is scheduled to go to trial on the 3rd day of February 2003. It has recently come to my attention that Mrs. Jane Beaver, a key prosecution witness, has had numerous mental health problems which have resulted in her being hospitalized in the State of Georgia on several occasions. I therefore am enclosing a Subpoena Duces Tecum asking that you voluntarily produce any and all medical records resulting from Mrs. Jane Beaver's hospitalization.*

One month later, on Jan 23, 2003, an assistant attorney general for the State of Georgia finally wrote back, on behalf of the Department of Human Resources:

*My clients, Georgia Department of Human Resources ("DHR"), have received the Subpoena Duces Tecum that you sent requesting medical and mental health records regarding "Jane Beaver" for a criminal trial set for February 3, 2003. The DHR is not the custodian of medical and mental health records regarding Jane Beaver. Please note that if Ms. Beaver had received services at a state hospital, under Georgia law, [ ] as well as federal law, [ ] DHR could not produce such records because they are confidential, and are not subject to discovery, except as set out in these statutes.*

This letter was sent to Dennis' attorneys, but it was also sent to the prosecutors. We know that because a copy of it was found in the DA's file. Only, on the DA's copy, there are some handwritten notes. Scribbled in the top corner is a brief message:

*State does not have these records. Facility owns records.*

The facility, meaning, a private contractor used by the State to provide mental healthcare services. They're the ones who had any records. Not the State of Georgia.

On February 3, 2003, the same day Dennis Perry's trial was scheduled to begin, Dennis' defense attorneys filed a Revised Extraordinary Motion for Discovery, seeking to compel the production of Jane Beaver's health records. In their motion, Dennis' defense attorneys wrote:

*Jane Beaver is a key witness for the State in this action, claiming to have heard the Defendant make statements which might lead an impartial trier of the facts to conclude that the Defendant was somehow involved in the murder of Mr. and Mrs. Harold Swain. Thus the mental and emotional health of Jane Beaver is of crucial importance in the maintenance and presentation of the Defendant's case in this matter.*

*Jane Beaver has had an extraordinary amount of bad luck in her life, to include the suicide of a teenage child, the murder of another child, the suicide of a spouse, etc., all of which could well work to the detriment of her mental and emotional health.*

*Jane Beaver is known and referred to by friends and family members as "Crazy Jane" manifesting a reputation for mental and emotional instability.*

The DHR, in its response to Dennis Perry's motion, noted it simply was not the custodian of any records related to Jane Beaver's medical treatment, and so, with one exception, it had nothing that it could produce. But it did enclose a one page document that it had found, somewhere, in its records. The document is only a few lines long, and it says:

*Jane C Beaver*

*Date of birth 06/23/1939*

*[ ] White Female, had one episode in MHMRIS Systems Starting 02/28/1990 and Ending 05/03/1990. Service was at Gateway Community Service Board. The Diagnosis, per your request: Adjustment Disorder with Physical Complications.*

There is nothing else on the sheet. Not the name of who prepared it, and not the date when it was prepared. There's also not really any indication of why it was prepared, with the exception of a stray clause in the last line: "the diagnosis, per your request." But per whose request? It doesn't say.

Which means an unknown person with the Georgia Department of Human Resources was requested by an unknown person, for unknown reasons, to prepare a short document describing how Jane Beaver had, in 1990, been diagnosed with Adjustment Disorder, and briefly received outpatient healthcare services. And this was the one and only document about Jane Beaver that had ever come into the possession of the State of Georgia about the healthcare services Jane Beaver had received.

We still don't know how or why this one document could have come into existence, but it was a fortunate stroke of luck for the prosecution. Because the document shows Jane Beaver had received mental healthcare services, but only briefly, and not for any condition that could even theoretically impact her credibility.

In fact, you can tell the DA was sure to look that up, because in the DA's files there are also photocopies from the DSM-IV, the Diagnostic and Statistical Manual of Mental Disorders, which was used by mental health practitioners at the time to provide a standardized set of definitions for various psychiatric conditions. The pages from the DA's files are from the chapter of the DSM-IV on adjustment disorders, which is described as this:

*The essential feature of an Adjustment Disorder is the development of clinically significant emotional or behavioral symptoms in response to an identifiable psychosocial stressor or stressors.*

In other words, to grossly oversimplify things: an adjustment disorder is when something bad or stressful happened to you, and you have a harder time than usual in adjusting to the change. It's a diagnosis you give when someone is having a hard time coping, but you don't have anything else in particular that you could diagnosis them with. According to the DSM IV,

*Adjustment Disorder is a residual category used to describe presentations that are a response to an identifiable stressor and that do not meet the criteria for another specific Axis I disorder*

So, according to that one sheet of paper that the State of Georgia happened to have in its possession, Jane Beaver had been treated briefly for a relatively mild mental health condition caused by something stressful in her life. Nothing that could provide any basis whatsoever for calling into question her credibility.

Which presumably is why, at trial, the defense *didn't* seriously call Jane Beaver's credibility into question.

**[56:18] Deputy Dale Bundy:**

They tried to make her sound like a nut, but Jane Beaver tore 'em up in the trial.

**Susan Simpson:** Bundy is right, I think, about how Jane Beaver did in her testimony. I wish I could hear the audio for myself, but from all accounts, Jane Beaver came off as a powerful witness. And it seems like the prosecution thought the same.

In the DA's file, there are a couple of handwritten notes tucked in there. There are no names on it, but from context, it seems pretty clear what they are -- they're notes passed back and forth between the prosecutors, right after prosecutor John Johnson finished his direct examination of Jane Beaver. The very last question he asked Jane Beaver was about the statements Dennis Perry had made to her, about how he'd always wanted to find out what it was like to kill a black person.

The first prosecutor had written on a loose sheet of paper:

*What impact did that statement of Perry's have??*

There are multiple question marks at the end, and the prosecutor must've passed it on to someone else, because written below that, in different handwriting, you can see the second prosecutor's answer:

*It hung in the air like thick fog. Her pause before answering increased its drama. I really think it woke the jury up.*

And below that, in the same handwriting, a comment on how defense attorney Dale Westling's cross-examination of Jane Beaver was going:

*He is really not coming across as very patient with Ms. Beaver. She's holding up well.*

And below that, there's a final scribbled note:

*P.S.: After Perry's statements, the jury except 2 all looked at the defendant with a hint of shock and disgust.*

**[57:45] Colin Miller:** At trial, there were no references to any potential mental health conditions Jane Beaver may have had. Which is unsurprising -- if records of Jane Beaver's psychiatric history only consisted of that single, brief page showing she had once received a diagnosis of adjustment disorder, then there was nothing relevant there to be brought up.

But those are not the only records of Jane Beaver's psychiatric history. There are more, filed under seal with the court. We don't know what's in them. But we do have notes that someone in the DA's office made about whatever is in those records. In the DA's file, on the Defendant's Notice setting a hearing on the Extraordinary Motion to Compel Discovery of Jane Beaver's health records, there are handwritten notes scattered about the page. And, in the top left corner, under the name of the attorney representing the Georgia Department of Health, someone has written:

*Suffered from delusional problems, hallucinations - paranoia -*

Skilton →

A- Suffered from delusions  
 problems - hallucinations  
 Paranoia - fanciful spree -  
 who caused -

Next to that are two more words. The first is "fanciful," but the second is harder to read. It says fanciful spin, maybe, or fanciful spree. And below that, the handwritten notes continue.

*"Ms Beaver does not want this recorded. Filed under seal, copies to us with instructions."*

Judge Amanda Williams, the judge at Dennis' trial, was supposed to review these records in camera on the day of Dennis Perry's trial -- that is, she was to review them without the documents first being disclosed to the parties. But because Dennis Perry's trial was only partially transcribed, we don't actually know of any rulings she may have made in regards to these records. All we know is that, ultimately, none of this came up at trial.

But someone in the DA's office seems to have been given further information about the nature of Jane Beaver's mental health history. Delusions, hallucinations, paranoia, fanciful thinking. What's described in these notes from the DA's files would not describe an adjustment disorder. It describes something more serious. Something that could potentially have been relevant to the jury's evaluation of Jane Beaver's testimony.

The fact that Jane Beaver may have had a psychiatric history in no way meant she wasn't able to credibly testify at Dennis Perry's trial. We don't know when she had these symptoms, or why she had them, or how long she'd had them. Without access to Jane Beaver's medical records, we just can't evaluate what impact, if any, this could potentially have had on her role in Dennis Perry's conviction.

What the notes in the DA's file do provide, though, are hints that the story that was presented at Dennis Perry's trial might have had an incomplete and fragmented version of the story. And that there may be good explanations for why Jane Beaver would have told a story about Dennis Perry that wasn't true.

**[1:00:19] Susan Simpson:** Carrol Ann can't explain why her mother testified that Dennis Perry had told her he planned to kill a black man. She doesn't know. But at the same time, I wanted to understand how it was that she seemed to be able to hold two ideas at once that, to me, appeared to be in direct conflict: first, that her mother was in no way a liar, and second, that Dennis Perry was in no way a murderer.

I asked Carrol Ann about this, trying to understand how she could both be so certain of Dennis' innocence, but also be just as adamant that her mother had not lied. Carrol Anne told me simply that she and her mother didn't always see things the same way. But, she felt that her mother would've been truthful about whatever it was she said at Dennis Perry's trial.

But Carrol Ann also thinks that, at times, her mother may have misunderstood or misperceived things. And, as we were talking, she told me a story about a time that she and Dennis had been over at her mother's house one day, over in Brunswick. Carrol Anne didn't remember the full context of the conversation, and can't recall the exact language that was used, but she remembered that Dennis had made some kind of comment along the lines of, "I could kill 'em for that" or "I'm gonna kill him." And Jane Beaver had freaked out. She was yelling, upset, ordering them to leave. Carrol Anne told me, "She told me to get him out of here -- actually, get him the hell out of here, she said to us. So, we got in the car and left. She thought if someone says that they're going to go kill somebody, they mean it. And then Carrol Anne added, kind of laughing, "But I say that all the time, just playing around. I don't mean it."

The way Carrol Anne described this story to me, Dennis Perry had said something like, "I'll kill 'em," in the normal figure of speech way kind of way, that we've all said it at one time or another. But why had Jane Beaver been so badly upset by that? I asked Carrol Anne, could Dennis have meant it seriously? Could his tone have implied that he was literally planning to kill someone?

"No no no," Carrol Anne said. "I've never seen Dennis be violent. It wasn't something he'd meant seriously."

But Jane Beaver's reaction to what Dennis Perry had said had been extreme, and immediate. She'd kicked Dennis and Carrol Anne out of the house, angry about how Dennis could potentially kill someone. To her, it was a literal threat to commit violence, and she'd responded accordingly.

As Carrol Anne told me more about Jane Beaver, it was hard not to see possible context for that page of notes in the DA's file: delusions, hallucinations, paranoia. She had believed apparently that she had been the target of government conspiracies -- that her phone had been bugged by some government agency. Or that a child's death had not been a tragic suicide but a murder plot and a cover up. Or that when she left the house, she was being followed.

And what Carrol Anne was describing fit with so much else I'd read and heard about Jane Beaver, but had struggled to make sense of.

Like how Jane Beaver told Cora Fisher that her daughter had had a child with the man in the oval photo -- when that definitely was not the case. Or about how Jane Beaver told Dale Bundy that Harold Swain was a drug dealer -- when that also was definitely not the case. Or how she claimed that, after Dennis Perry's arrest, Dennis' little brother Shane had been harassing her and stalking her, making threatening calls -- when there was no evidence whatsoever to show any of that had really happened. All these little pieces that kept pointing at the possibility that Jane Beaver was not a reliable narrator about the events in her life.

And the more I've learned about Jane Beaver, the more I've wondered about what might have happened at Dennis' trial if the jury had been told some of the same things I've been told. And if they had heard that, would they have so easily found Jane Beaver's story believable beyond any reasonable doubt? Would they have still looked at Dennis with visible shock and disgust? Or would they perhaps taken a second look at Jane Beaver's claims, and given more careful consideration to the contradictions in her story?

**[1:04:17] Colin Miller:** These are *very* complicated issues, and the question of if and when records of a witness's mental health history should be admissible don't always have a clear-cut answer. But at the same time, the State of Georgia was using Jane Beaver's story in an effort to have Dennis Perry executed. The invasion of Jane Beaver's medical privacy is also a very serious factor to be considered, but when weighed against Dennis' life, there are also strong arguments to be made that evidence concerning Jane Beaver's ability to know and comprehend the truth is something the jury should have been able to factor in to their evaluation of the factual record.

**[1:04:54] Rabia Chaudry:** And there was one more thing Carrol Anne told Susan about Jane Beaver that might be equally relevant to answering the question of why Jane Beaver might've told this story about Dennis Perry. Carrol Anne said that Jane Beaver "went by the pictures" in believing Dennis Perry was guilty -- and that after seeing a TV show about the Swain case, she'd thought Dennis' photo had looked like the composite sketch of the killer, and that had motivated her to take the photo of Dennis Perry around to the church ladies, and to call in a tip to the Sheriff's Department. But Carrol Anne also said that this TV show that Jane Beaver had seen had told her that there was a reward being offered to anyone who helped solve the Swain case.

The official story of this case is that Jane Beaver called in a tip after watching *Unsolved Mysteries*. But on *Unsolved Mysteries* episodes about the Swain case, there was never any reward offered. So if Carrol Anne was right -- if Jane Beaver's story was prompted by a TV show that announced there was a reward to anyone with info that could solve the case -- then *Unsolved Mysteries* is *not* the show that Jane Beaver saw. There must have been some other TV show that Jane Beaver had seen, and that had prompted her find Dennis Perry's photo and go show it to the church ladies.

There was a TV show that had told Jane Beaver that if she solved the Swain case she would get a reward. In fact, she'd get twenty-five thousand dollars. Next time, on *Undisclosed*.

### CREDITS

**[1:06:18] Susan Simpson:** And that's all for Episode 13 of *Undisclosed: The State v. Dennis Perry*. There's an addendum this Thursday, so send us your questions with the hashtag UD addendum! And we'll be back next Monday with Episode 14.

Mital Telhan, is our executive producer. Our logo was designed by Ballookey, and our theme music is by Ramiro Marquez and Patrick Cortez. Audio production is done by Rebecca LaVoie of Partners in Crime Media, and host of the Crime Writers On podcast.

You can find case-related materials on our website at [undisclosed-podcast.com](http://undisclosed-podcast.com). Transcripts of this episode and previous episodes will be available on our website at [undisclosed-podcast.com](http://undisclosed-podcast.com), prepared by our transcribing team Brita Bliss, Erica Fladell, Dawn Loges, and Skylar Park.

Huge thanks to GIP for their work on this case, especially to Ed Costikyan who was an intern at GIP last summer. And thanks so much to our sponsors for making it possible for us to come back week after week. Don't forget to follow us online, on all our social media our handle is @UndisclosedPod. That's Instagram, Facebook, and Twitter.

And if any of our listeners out there have information on Dennis Perry's case that you'd like to share, we'd love to hear from you. You can reach us at undisclosedpodcast@gmail.com, or leave us a message at (410) 205-5563.