

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

SECOND JUDICIAL COURT

STATE OF NEW MEXICO,

Plaintiff,

Case No: C202-LR-2017-00474

Metro Case No: T-4-FR-2017-004951

vs.

ADAM LOWTHER,

Defendant.

TRANSCRIPT OF RECORDED INTERVIEW

Of JESSICA LOWTHER

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ALBUQUERQUE, NEW MEXICO 87102
(505) 843-9241

1 (Door knocking)

2 **MALE OFFICER:** Sheriff's Department.

3 JESSICA LOWTHER: Hold on just one minute.

4 MALE OFFICER: Okay.

5 JESSICA LOWTHER: (inaudible)

6 MALE OFFICER: Okay. Thank you.

7 JESSICA LOWTHER: Hi. Can I help you?

8 FEMALE OFFICER: Yes. Are you Jessica?

9 JESSICA LOWTHER: I am.

10 FEMALE OFFICER: Is Adam home?

11 JESSICA LOWTHER: No.

12 FEMALE OFFICER: No? Just you and the kids at the
13 moment?

14 JESSICA LOWTHER: Yes.

15 FEMALE OFFICER: Okay. So we just got called out
16 here. We're just going to do a welfare check on the kids with
17 CYFD.

18 JESSICA LOWTHER: Okay.

19 FEMALE OFFICER: So we're just going to come in and
20 talk the you guys a little bit --

21 JESSICA LOWTHER: I'm sorry. A welfare check? I
22 don't understand.

23 FEMALE OFFICER: Yes. Some people are concerned and
24 somebody called and wanted to remain anonymous that they were
25 worried --

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1 JESSICA LOWTHER: Worried about our children?

2 FEMALE OFFICER: Yes.

3 JESSICA LOWTHER: I won't be able to let you in until
4 my husband gets here. He's on his way home right now. But I
5 don't --

6 Adam, are you hearing this? There are three
7 Bernalillo County Sheriff's department officers here doing a
8 welfare check on our house, on our kids. Apparently there was
9 an anonymous call. I am not kidding. And they want to come in
10 the house and talk to us. Okay.

11 He -- you aren't allowed in the house. I'm sorry.

12 MALE OFFICER: So in the State of New Mexico when
13 we're conducting a check on children, if you deny us access,
14 you can be arrested.

15 JESSICA LOWTHER: In the State of New Mexico if
16 they're doing a welfare check on children and we deny them
17 access, they can arrest us.

18 I don't understand. What's going on? What? Well,
19 that's what they're telling me. I don't know what to do here.
20 I don't understand what's going on.

21 CHILD: (inaudible) Mommy.

22 JESSICA LOWTHER: I know. That's what I told them.
23 Do you know about how far away you are?

24 Okay. My husband is on Tramway. You'll need to wait
25 until he arrives.

1 MALE OFFICER: Okay. Sure. That's fine.

2 JESSICA LOWTHER: Okay.

3 MALE OFFICER: But you cannot close that door.

4 JESSICA LOWTHER: They're not letting me close the
5 door. I can't believe this. He just told me to --

6 MALE OFFICER: If you want to hang up the phone with
7 him, I will gladly explain what's going on.

8 JESSICA LOWTHER: No. I don't want to hang up the
9 phone with him. You can tell me with him on the phone.

10 MALE OFFICER: I'll wait until he gets here.

11 JESSICA LOWTHER: (inaudible) So is this a complaint
12 against both of us? Or one of us? Or? I don't understand.

13 Somebody called so --

14 MALE OFFICER: That's correct. So CYFD is who called
15 us to come out with them. CYFD got a phone call from the
16 school basically.

17 JESSICA LOWTHER: From the school? Wow. Are you
18 sure you have the right house? And the right people?

19 MALE OFFICER: So essentially we just have a protocol
20 that we have to follow.

21 JESSICA LOWTHER: I understand, but I need to protect
22 myself and my husband and my kids and my home. It's just --
23 I'm baffled.

24 MALE OFFICER: We say we want to come inside. We're
25 not going to open any drawers or -- we're just going to

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1 check --

2 JESSICA LOWTHER: Yeah, but still, I do not feel
3 comfortable because I just -- I don't -- I'm completely
4 confused.

5 MALE OFFICER: Okay. No, absolutely. This is --
6 probably sounds like it's coming totally out of right field to
7 you.

8 JESSICA LOWTHER: It absolutely is.

9 MALE OFFICER: So, I mean, I get it. I get it. But
10 at the same time, like I said, we have a job to do essentially
11 and --

12 JESSICA LOWTHER: Okay. Okay.

13 (Pause)

14 JESSICA LOWTHER: Okay. Another car has pulled up
15 now.

16 (Pause)

17 JESSICA LOWTHER: I thought somebody was hurt or
18 something.

19 (Pause)

20 JESSICA LOWTHER: Child welfare check from the school
21 (inaudible)

22 Another car just pulled up now. More cars are
23 coming. I guess they must have brought a social worker or
24 something. I am not kidding. I have no idea what's going on.

25 FEMALE OFFICER: She's with CYFD.

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1 JESSICA LOWTHER: And what does that stand for again?

2 FEMALE OFFICER: Child Youth and Protective Services.

3 JESSICA LOWTHER: What is going on? Thank goodness
4 you're in town right now. I have no idea. Child -- CYFD.
5 Child something protective -- I don't know.

6 Oh, they're waiting until you get here. I don't know
7 why. Can that be right? Well, how can that be right? It's
8 got to be a mistake. Three officers and a social worker
9 (inaudible) happened here. Yeah, we will.

10 All they said is that there was an anonymous call
11 from the school. That's what they said. They won't even say
12 if the complaint is against you, me, or both of us. No idea
13 what they're talking about. I have been waiting until 7:35 to
14 drop him off at school. I don't even drop him off early. I
15 don't park where I'm not supposed to by the school and endanger
16 people's lives. I don't -- I don't know why this is happening.
17 They say they're sure they have the right people. No, there
18 are multiple cars. Oh, my gosh. This is insane.

19 This is him right here.

20 FEMALE OFFICER: Okay.

21 JESSICA LOWTHER: Coming home from work from Kirtland
22 Air Force Base. He works for the Air Force.

23 (inaudible) (background conversation)

24 JESSICA LOWTHER: I assume we're not going to tae
25 kwon do tonight. Which we paid for. And we get no subsidy

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1 because we live up here and not down there. So I assume we're
2 not going to be able to go to tae kwon do and we're going to
3 miss our time.

4 FEMALE OFFICER: I -- yeah, pretty much assume that.

5 JESSICA LOWTHER: Yeah, cool.

6 FEMALE OFFICER: so we're out here because your
7 daughter made statements to somebody at the school --

8 JESSICA LOWTHER: Oh, my God. This is about Abby?
9 Are you kidding me? She's four. She's four.

10 FEMALE OFFICER: She was very descriptive in what she
11 was saying. We take this stuff very seriously. We want to
12 make sure that children are safe, that they're in a safe
13 environment. So we're out here to investigate what she made
14 statements about.

15 (background conversation)

16 FEMALE OFFICER: So at this point we do have a
17 detective on his way up.

18 JESSICA LOWTHER: My God, are you kidding me?
19 Really? Over things that she said. A four-year-old said.

20 FEMALE OFFICER: I'm telling you we take this stuff
21 very seriously.

22 JESSICA LOWTHER: Oh, my God. What on earth did she
23 say that could warrant this?

24 OFFICER: We will go into more detail --

25 JESSICA LOWTHER: How long is this -- is this going

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1 to be like an all-night thing? Are you going to draw this out
2 as long as possible? What is --

3 MALE OFFICER: Well, it all depends on how quickly --
4 how well you guys cooperate with us as to what the length is.

5 JESSICA LOWTHER: This is ridiculous.

6 MALE OFFICER: I will say a standard investigation
7 does take a little while, yes.

8 JESSICA LOWTHER: Oh, my God. A standard?

9 MALE OFFICER: Yes.

10 JESSICA LOWTHER: There's going to be, like, an
11 investigation into something a four-year-old said?

12 MALE OFFICER: Absolutely.

13 JESSICA LOWTHER: What is going on?

14 MALE OFFICER: He's just being detained for the
15 investigation.

16 JESSICA LOWTHER: Detained?

17 MALE OFFICER: He's not under arrest -- like you're
18 getting all worked up for no reason right now. We've got to do
19 our investigation and find out if there's any --

20 JESSICA LOWTHER: Not for no reason. What is going
21 on?

22 MALE OFFICER: (inaudible)

23 JESSICA LOWTHER: So does he know what she said? Are
24 you going to tell --

25 MALE OFFICER: I don't even know what she said. So --

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1 JESSICA LOWTHER: At what point is the information
2 going to flow?

3 MALE OFFICER: After she's been conducted by a child
4 therapist essentially. After she's been --

5 JESSICA LOWTHER: Is that you? Or are we waiting on
6 someone else to come?

7 MALE OFFICER: They're sending --

8 OFFICER: -- before I can tell --

9 MALE OFFICER: There's more people coming --

10 JESSICA LOWTHER: So we have to let you talk to our
11 daughter.

12 MALE OFFICER: We're not going to talk to her. A
13 child therapist is going to talk to her.

14 JESSICA LOWTHER: So that person, a person we don't
15 know, we're going to have to let her talk to that person.

16 MALE OFFICER: Yes, ma'am.

17 JESSICA LOWTHER: So this is --

18 (inaudible)

19 JESSICA LOWTHER: Six or seven people. Wow.

20 MALE OFFICER: There are four of us.

21 JESSICA LOWTHER: Over (inaudible) investigation --

22 MALE OFFICER: When it comes to the safety of a
23 child --

24 JESSICA LOWTHER: She's not unsafe. She's not --

25 MALE OFFICER: Hold on. Hold on. I'm going to stop
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1 you right there. When it comes to the safety of a child,
2 people generally are a little more concerned and cooperative if
3 there's nothing going on.

4 JESSICA LOWTHER: There's nothing going on.

5 MALE OFFICER: I'm just saying, like, typically,
6 like, you hear on the news the stories that happens to kids.
7 It all starts from accusations like this. So we take every
8 single one of them seriously until proven otherwise. I hope as
9 a parent you would appreciate that. If you can't, then there's
10 bigger problems going on here. Does that make any sense
11 whatsoever to you?

12 And if this was my investigation, you would be in the
13 back of a cop car right now too. Because you're obstructing
14 our duty to check on the wellbeing of a child.

15 JESSICA LOWTHER: My duty is to my husband and my
16 husband --

17 MALE OFFICER: I don't care right now. I'm just -- I
18 don't care. I'm just letting you know if this was my
19 investigation, you would be in handcuffs in the back of a car.
20 So you might want to consider your actions. As a parent, I
21 figured you'd appreciate that -- this kind of response when it
22 comes to the safety of a child.

23 FEMALE OFFICER: All right. So we're going to have
24 medical come back her out. You can either let us into the
25 residence or you can be detained in the back of a car. That is

1 your choice.

2 JESSICA LOWTHER: Is she here yet?

3 MALE OFFICER: Is who here?

4 JESSICA LOWTHER: The person that is going to be --

5 MALE OFFICER: No, she'll be transported to a child
6 safe house. That's where --

7 JESSICA LOWTHER: Are you serious?

8 MALE OFFICER: Absolutely.

9 FEMALE OFFICER: Yes.

10 JESSICA LOWTHER: You're going to take her?

11 MALE OFFICER: Our sergeant is on the way as well as
12 detectives are coming.

13 JESSICA LOWTHER: And you're going to take her?

14 MALE OFFICER: No decisions are made, but eventually
15 she will be interviewed in a safe house --

16 JESSICA LOWTHER: Away from us completely, not just
17 in another room? You're going to take her away?

18 MALE OFFICER: You're -- there's no reasoning with
19 you right now, so anything I say is just going to upset you.
20 I'm trying to explain this. That way there's no surprise
21 coming to you --

22 JESSICA LOWTHER: It's all a surprise. We -- this --
23 came out of nowhere.

24 FEMALE OFFICER: All right. So at this point we're
25 going to have medical come. Are you going to let us in? Or

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1 are you going to be detained?

2 MALE OFFICER: So where is the daughter?

3 JESSICA LOWTHER: She's probably in this room

4 (inaudible)

5 (inaudible)

6 FEMALE OFFICER: Hi. She'll be here for a little
7 bit.

8 (inaudible)

9 FEMALE OFFICER: Is there anyone else that lives here
10 in the house with you?

11 JESSICA LOWTHER: No.

12 FEMALE OFFICER: No?

13 CHILD: Where's Daddy?

14 JESSICA LOWTHER: (inaudible)

15 CHILD: Mommy, we talked about fire drills at school.

16 JESSICA LOWTHER: Yeah.

17 CHILD: (inaudible) in our house. So don't say
18 anything (inaudible) if you can take your pets and get out.

19 FEMALE OFFICER: (inaudible) right?

20 CHILD: But don't grab the (inaudible) don't grab,
21 like, the (inaudible)

22 FEMALE OFFICER: Oh, yeah. Because that's not
23 necessary.

24 CHILD: Mama, do you know (inaudible)

25 JESSICA LOWTHER: What?

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1 FEMALE OFFICER: Fire drills aren't (inaudible)
2 there's no actual fire, right?

3 CHILD: No. But we just (inaudible)

4 FEMALE OFFICER: Yeah. That's right.

5 CHILD: And we just started (inaudible) first fire
6 drill in school that I've been to. That's our first fire drill
7 at that school.

8 JESSICA LOWTHER: Didn't you have one at the old
9 school? Wasn't --

10 CHILD: No, I'm just saying at that school.

11 JESSICA LOWTHER: Okay. Can I have that for the
12 laundry? Because that sock needs to go in the laundry.

13 CHILD: Yeah. And there's a sock inside it too.

14 JESSICA LOWTHER: Oh, I was going to say, where's the
15 other one? Okay.

16 CHILD: So daddy's talking to another --

17 JESSICA LOWTHER: Daddy's talking outside. He's
18 going to be outside for a little while.

19 CHILD: Is the door still open?

20 JESSICA LOWTHER: Probably.

21 CHILD: (inaudible) Mama, why can't I (inaudible)

22 JESSICA LOWTHER: You can't go outside right now.
23 You're going to stay right here right now.

24 MALE OFFICER: (inaudible)

25 CHILD: (inaudible) come with me --

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1 MALE OFFICER: She is (inaudible) --

2 JESSICA LOWTHER: You'll have to go by yourself,
3 though.

4 CHILD: Oh, no.

5 JESSICA LOWTHER: I know.

6 CHILD: And then Wyatt will talk?

7 JESSICA LOWTHER: No, this is just about you baby.

8 CHILD: Why?

9 FEMALE OFFICER: All right. So I'm going to have you
10 stop talking to her about what's going on right now. Because
11 if you continue to, that could be seen as coaching her.

12 JESSICA LOWTHER: All right. All right. I hear you.

13 MALE OFFICER: (inaudible)

14 FEMALE OFFICER: Jessica, what's your date of birth?

15 JESSICA LOWTHER: 8/29/76.

16 (inaudible)

17 (Pause)

18 FEMALE OFFICER: How do you spell Wyatt, please.

19 JESSICA LOWTHER: W-Y-A-T-T.

20 FEMALE OFFICER: What's his date of birth?

21 JESSICA LOWTHER: 4/10/2010.

22 OFFICER: He has the same last name, right?

23 JESSICA LOWTHER: Yes. Everybody has the same last
24 name.

25 CHILD: What's last name?

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1 JESSICA LOWTHER: What's your last name.

2 CHILD: Lowther.

3 JESSICA LOWTHER: That's the same as everyone's last
4 name in this family?

5 CHILD: No.

6 JESSICA LOWTHER: Yes. Who has a different last
7 name?

8 CHILD: (inaudible) and Katie.

9 JESSICA LOWTHER: Well, they're cousins. They don't
10 -- they're different people. In this house, doesn't everybody
11 have the same last name?

12 CHILD: Yes.

13 JESSICA LOWTHER: Yes.

14 CHILD: Everybody has the same last name.

15 (children discussion)

16 CHILD: When am I going to talk to the cop?

17 JESSICA LOWTHER: I don't know.

18 (children discussion)

19 JESSICA LOWTHER: Do you need a charger? Am I
20 allowed to go in the kitchen to go get a charger for his
21 tablet?

22 FEMALE OFFICER: Yeah.

23 JESSICA LOWTHER: Okay.

24 CHILD: Good. I just want to be with brother

25 FEMALE OFFICER: You're fine. You're --

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1 CHILD: (inaudible) brother right now (inaudible)
2 What's that? I like your walkie talkies in your room.

3 FEMALE OFFICER: Yeah?

4 CHILD: -- work anymore. Because the kid lost them
5 and you're not supposed to --

6 JESSICA LOWTHER: I don't know where the charger is
7 right now. (inaudible)

8 CHILD: Oh, man.

9 JESSICA LOWTHER: I don't know what happened to it.

10 CHILD: Did you look everywhere? You can't go out of
11 the house?

12 JESSICA LOWTHER: No. We're here for now.

13 CHILD: Because I usually come out of the house in
14 the afternoon after school but it's not happening right now.

15 (inaudible)

16 (children discussion)

17 MALE OFFICER: Ma'am, are there any weapons or guns
18 in the house?

19 JESSICA LOWTHER: Um, I don't know.

20 MALE OFFICER: Not to your knowledge?

21 JESSICA LOWTHER: Not to my knowledge.

22 (Pause)

23 (children discussion)

24 (inaudible)

25 MALE OFFICER: So your husband says you do know where
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1 they are, so he's refusing to tell us, and we're not trying to
2 confiscate them or anything. It's obviously just for
3 everyone's safety that we know where the weapons are, so I'm
4 asking you not to go near them wherever they're kept. I'm
5 assuming they are in your bedroom because that's where most
6 people keep their firearms.

7 JESSICA LOWTHER: Uh-huh.

8 MALE OFFICER: So that's what I'm asking of you.

9 JESSICA LOWTHER: So you're asking me to what now?
10 Not go near --

11 OFFICER: Not go near your bedroom.

12 JESSICA LOWTHER: Not go near them. Oh, I'm not.

13 (Children discussion)

14 JESSICA LOWTHER: Can you tell me what's going on
15 right now?

16 FEMALE OFFICER: So the detective is (inaudible) your
17 husband --

18 JESSICA LOWTHER: (inaudible) don't come in --

19 FEMALE OFFICER: Oh, okay.

20 MALE OFFICER: The detective is out here and he's
21 talking to the supervisor (inaudible) CYFD and they're kind of
22 forming a plan. And they'll be talking to you. I know this is
23 very unsettling and --

24 JESSICA LOWTHER: Yeah.

25 MALE OFFICER: I mean this isn't easy for us either

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1 when we have to come in investigate these things, but like I'm
2 telling your husband, when we investigate things like this,
3 whether it's anonymous call or whoever, we have to take these
4 cases involving children at their word and at their absolutely
5 worst. And then once we start working through everything, you
6 know, we can go escalate down.

7 JESSICA LOWTHER: okay

8 MALE OFFICER: But when we get these calls, they are
9 the highest priority because there are children.

10 JESSICA LOWTHER: Do you have any idea how late she
11 will be out tonight?

12 MALE OFFICER: That I don't know. That I don't know.

13 JESSICA LOWTHER: Oh, really. Like if everything
14 seems to be get resolved, like, she's not going to be there
15 overnight, is she? I mean she'll come home tonight, right?

16 MALE OFFICER: I don't have any answers for you
17 honestly. I don't know what they have planned. I don't want
18 to give you any false information.

19 JESSICA LOWTHER: Should I not pack any of her stuff?

20 MALE OFFICER: No. Not at this point, no. At this
21 point we'll kind of play it by ear and we'll go from there,
22 okay?

23 JESSICA LOWTHER: I don't want you looking outside.
24 I told you that, please. Okay?

25 CHILD: Looking -- okay. Okay.

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1 (Children discussion)

2 FEMALE OFFICER: I'm going to take photographs of the
3 kids.

4 JESSICA LOWTHER: Okay.

5 FEMALE OFFICER: It's just to document if they have
6 any injuries at the time of our investigation.

7 JESSICA LOWTHER: Okay.

8 FEMALE OFFICER: We're just going to have them stand
9 right here in front of the door and just take pictures. You're
10 welcome to sit there if you would like.

11 JESSICA LOWTHER: Okay.

12 CHILD: I win. I win. I win. I'll --

13 FEMALE OFFICER: Okay. You won. (inaudible)
14 (inaudible)

15 FEMALE OFFICER: Can I take some pictures of you?
16 Will you stand against this door for me?

17 CHILD: Yeah.

18 FEMALE OFFICER: Thank you. All right. Can you put
19 your hands down at your sides? Awesome.

20 MALE OFFICER: Are you a boxer? Yeah?

21 CHILD: No.

22 MALE OFFICER: Looks like she's got a mean left hook.

23 FEMALE OFFICER: Do you kick a lot too?

24 JESSICA LOWTHER: Yeah.

25 FEMALE OFFICER: All right. Can you turn to the side

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1 for me? Which way do you want to face? Do you want to face
2 that way or that wall first?

3 CHILD: That wall.

4 FEMALE OFFICER: Okay. Face that way first. Have to
5 stay in front of the door still. Can you put your hands at
6 your side for me? Just like that. Awesome.

7 All right. look at the wall for me.

8 MALE OFFICER: Turn all the way around and face the
9 door. She's got to take a picture of the back of you. There
10 you go.

11 FEMALE OFFICER: All right. Now face this way.

12 MALE OFFICER: Face your brother -- there you go.

13 Perfect. You got it.

14 CHILD: (inaudible)

15 MALE OFFICER: He does.

16 CHILD: He does.

17 MALE OFFICER: How did you get all those trophies,
18 bud?

19 CHILD: He wins them with his games.

20 MALE OFFICER: Yeah?

21 CHILD: He play more than me -- and I have more
22 medals than him and I have more trophies.

23 MALE OFFICER: And you're younger.

24 CHILD: And he has may wore (inaudible) than me.

25 MALE OFFICER: A little more life experience. Yeah?

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1 CHILD: When he was a baby and he didn't go to sleep
2 without music.

3 MALE OFFICER: Well, that's not a bad thing. Music
4 makes you smart.

5 FEMALE OFFICER: let's see. Can I see your hands?
6 Can you put them out in front of you? Oh, just like that.
7 That's awesome. And can you hold them the other way --

8 (simultaneous conversation)

9 FEMALE OFFICER: -- just like that.

10 CHILD: It shines a lot.

11 FEMALE OFFICER: It does shine a lot. It's a really
12 bright light, isn't it?

13 CHILD: And it's red.

14 FEMALE OFFICER: It is red. You're right. But I
15 have the black dot so it's not too bright in your eyes.

16 CHILD: That's about (inaudible) if I get scared.
17 But it really doesn't make me go to sleep at all.

18 FEMALE OFFICER: No? Does it keep you up?

19 JESSICA LOWTHER: It's a little bit too bright.

20 CHILD: And it doesn't make it go lower.

21 FEMALE OFFICER: No? Is it only one brightness?

22 CHILD: I can turn it on.

23 FEMALE OFFICER: You can turn it on if you want. You
24 know what? Can I take pictures of you now? Whoa, superman
25 shirt.

1 CHILD: That's how you turn it on. It's pretty
2 bright.

3 FEMALE OFFICER: It is very bright. I think that
4 would keep me up at night.

5 CHILD: Keeps everybody up. Hey, mama, I win a game.

6 JESSICA LOWTHER: Looks like you won. (inaudible)
7 another game --

8 CHILD: (inaudible) her (inaudible)

9 FEMALE OFFICER: All right. Will you face the wall
10 for me? There we go. Face that way first.

11 (inaudible)

12 FEMALE OFFICER: Look at the door so I can get your
13 back.

14 CHILD: I can stand on that thing.

15 JESSICA LOWTHER: No.

16 CHILD: Yes, I can.

17 JESSICA LOWTHER: No, you shouldn't.

18 FEMALE OFFICER: All right. And face the other way.
19 There you go. Is Superman your favorite? No? Who's your
20 favorite?

21 CHILD: Batman.

22 FEMALE OFFICER: Do you like Batman the best?

23 MALE OFFICER: Good choice.

24 CHILD: I want to get a costume --

25 (inaudible)

1 FEMALE OFFICER: Are there? What kind of costumes do
2 you have?

3 CHILD: It's only boy ones so we pretend that I'm
4 Batgirl and Supergirl and Spidergirl.

5 FEMALE OFFICER: Can you turn them the other way for
6 me so I can see the back of him? A little more. You can bring
7 your elbows in. Like that. There you go. Just like that.

8 MALE OFFICER: You all right, bud?

9 FEMALE OFFICER: Is it weird getting pictures taken
10 of you? Yeah? Do you have any owies on you? I didn't see
11 any.

12 CHILD: I have any -- I have some.

13 FEMALE OFFICER: Do you?

14 CHILD: Yeah.

15 FEMALE OFFICER: Were you playing hard at school?
16 Oh, I see.

17 CHILD: One of the kids fell off the monkey bars.

18 MALE OFFICER: What's that on the inside of your leg
19 right there? Right here? What about that one right there on
20 the inside?

21 FEMALE OFFICER: Right here? Oh, yeah. Running and
22 bumping into stuff?

23 CHILD: I run hard.

24 FEMALE OFFICER: Yeah. If you run hard, you're
25 playing hard, right?

1 CHILD: Pretty much.

2 FEMALE OFFICER: Pretty much, yeah.

3 (inaudible)

4 JESSICA LOWTHER: So what's next then?

5 MALE OFFICER: The detective is on his way right now
6 to talk to you a little bit.

7 JESSICA LOWTHER: Okay.

8 MALE OFFICER: As well as the CYFD social worker.

9 CHILD: Are you going to be here all night?

10 FEMALE OFFICER: No.

11 MALE OFFICER: Hopefully not. Can you come on out
12 and talk to the detective, Jessica?

13 JESSICA LOWTHER: All right. Abby, do you need your
14 nose -- your nose is okay?

15 DETECTIVE: Hello.

16 JESSICA LOWTHER: Hi.

17 CHILD: I want to be a spy when I grow up.

18 FEMALE OFFICER: Oh, yeah? What are you going to spy
19 on?

20 CHILD: People. I'm not going to steal because I'm a
21 Christian. What?

22 FEMALE OFFICER: And what are you going to be when
23 you grow up? You don't know?

24 CHILD: There are so many things.

25 FEMALE OFFICER: There are so many things.

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1 CHILD: Could even be a normal person like my mom.

2 FEMALE OFFICER: Yeah?

3 CHILD: Mom's (inaudible) works at home (inaudible)

4 CHILD: Yeah. That's all she does. Is take care of
5 us and go to work and go to -- get stuff -- and she also -- I
6 want so much toys -- you know what I want?

7 FEMALE OFFICER: What?

8 CHILD: So (inaudible)

9 (Children discussion)

10 JESSICA LOWTHER: Can I talk to you guys for a
11 minute. I'm going to pack you guys' suitcases. You guys are
12 going to go with the lady in blue. Okay. Let's turn that off.
13 Listen. You're going to go with the lady in blue. Listen.
14 Listen. You're going to go with these people, and you're going
15 to stay with them for two days. You're not going to go to
16 school. You're going to go with them. I'm going to pack some
17 bags. You may be together but you may not. So let me give you
18 a big hug and kiss.

19 CHILD: (Crying.)

20 JESSICA LOWTHER: I'm going to pack your bags.

21 CHILD: Can I bring my purse, Mommy?

22 JESSICA LOWTHER: You have to ask the lady in blue.
23 She's in charge.

24 CHILD: Which lady in blue. That one?

25 FEMALE OFFICER: Yes, she can.

1 MALE OFFICER: You can bring your purse.

2 FEMALE OFFICER: You can take your purse.

3 CHILD: She said I can bring it but she said what's
4 in it and I said toys.

5 (inaudible)

6 MALE OFFICER: (inaudible) good, Abby, I trust you.

7 FEMALE OFFICER: Because it's on the wall because you
8 play soccer.

9 (inaudible)

10 CHILD: When are we going to come back? And where
11 are we going?

12 MALE OFFICER: You're going to go with her.

13 (simultaneous conversation)

14 JESSICA LOWTHER: You will be safe, okay? I promise.

15 CHILD: Tonight? Tonight are we going? Hey, Wyatt.

16 (inaudible) Nerf gun.

17 CHILD: You broke it (inaudible) it doesn't shoot.

18 CHILD: Well, that means you don't have your Nerf
19 gun. Your real rifle junior (inaudible) are you kidding me?
20 Well, you can't kill a person without a gun. I mean you can't
21 go in your closet because there's a gun in there.

22 JESSICA LOWTHER: Stop talking.

23 CHILD: Can I bring paper? What about (inaudible)

24 JESSICA LOWTHER: Do you want to take a stuffed
25 animal with you? Take a friend. Invite a friend. Do you want

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1 to take this book with you?

2 CHILD: No.

3 JESSICA LOWTHER: Are you sure?

4 CHILD: Yeah. I just need to get some paper for
5 (inaudible)

6 MALE OFFICER: You need to get paper?

7 CHILD: Can I get some paper?

8 MALE OFFICER: Of course. Need help?

9 CHILD: No.

10 MALE OFFICER: You sure?

11 CHILD: Yeah.

12 MALE OFFICER: Okay.

13 (inaudible)

14 FEMALE OFFICER: So you going to bring your paper so
15 you can color later?

16 CHILD: I need to bring some --

17 JESSICA LOWTHER: Wyatt? Wyatt?

18 (inaudible)

19 CHILD: When are we going to leave? Can I bring my
20 (inaudible)

21 JESSICA LOWTHER: Something small.

22 CHILD: Can I bring my glass cup?

23 FEMALE OFFICER: Well, you don't want it to get
24 broken. I'd leave it here so it stays safe.

25 CHILD: Okay. But I got it because --

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1 JESSICA LOWTHER: No, you cannot take that.

2 CHILD: My mom gave it to me.

3 FEMALE OFFICER: Let's keep it here so it stays safe
4 and doesn't break.

5 CHILD: And my mom put it up here for a reason so I
6 don't -- the first day I had that, I broke it (inaudible)

7 I hope we'll be together. I love being with my
8 brother.

9 FEMALE OFFICER: Yeah.

10 CHILD: Can I bring these shoes? (inaudible) cop
11 cars.

12 JESSICA LOWTHER: Wyatt. Come over here. Abby come
13 here. Come here.

14 FEMALE OFFICER: Why don't you guys play in here for
15 a bit.

16 CHILD: Does anybody know where a music player is
17 that we can use (inaudible)

18 FEMALE OFFICER: I'm sure there will be a music
19 player where you go.

20 CHILD: Good. Because if he doesn't have music on,
21 he will not go to sleep.

22 CHILD: Well, I will. It will just take me --

23 FEMALE OFFICER: A little longer? Why don't you hang
24 out in your room for now. Play with your brother in here for a
25 little bit.

1 CHILD: Why do you have handcuffs?

2 (inaudible)

3 CHILD: (inaudible) catches somebody who needs to be
4 arrested.

5 FEMALE OFFICER: Uh-huh.

6 CHILD: This is about the second time cops have come.
7 Because somebody had broken into our -- my dad's truck --

8 (inaudible)

9 (children discussion)

10 FEMALE OFFICER: Are those dinosaurs or dragons on
11 your shoes?

12 CHILD: Oh. I think they're dragons.

13 FEMALE OFFICER: That's pretty cool.

14 CHILD: I have princesses on my crocs.

15 FEMALE OFFICER: Do you?

16 CHILD: I'll show you.

17 FEMALE OFFICER: It's okay. You can show me in a
18 little bit. Hang out in here right now, Abby.

19 CHILD: Can I get a piece of paper?

20 MALE OFFICER: Is that where your sister got one?

21 CHILD: Yeah.

22 MALE OFFICER: Oh, good.

23 (inaudible)

24 FEMALE OFFICER: Look, your brother got a bunch of
25 paper so you guys can color together.

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1 CHILD: Well, I have a little pink comb from the
2 dentist in here and I'm going to brush her hair with it if I
3 can find it.

4 FEMALE OFFICER: Oh, yeah?

5 CHILD: Because her hair is crazy.

6 (inaudible)

7 (Children discussion)

8 JESSICA LOWTHER: You guys ready? You got your shoes
9 on?

10 CHILD: Okay.

11 (inaudible)

12 CHILD: I don't want to leave my mommy.

13 FEMALE OFFICER: I know. It's only going to be for a
14 little bit, okay? For two days.

15 CHILD: Two nights?

16 FEMALE OFFICER: Yep.

17 CHILD: And so in the morning the second morning
18 we're going to go home?

19 FEMALE OFFICER: I don't know. I'll keep you -- I'll
20 make sure that you know what's going on, okay?

21 CHILD: What are my mom and dad going to stay?

22 FEMALE OFFICER: Here at the house. Say bye to mommy
23 and daddy.

24 CHILD: Bye, Mommy.

25 JESSICA LOWTHER: (inaudible) I'm so sorry --

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1 CHILD: And say bye to daddy for us.

2 JESSICA LOWTHER: -- happening -- I will. I will. I
3 love you very much, okay?

4 CHILD: Say bye for daddy, say bye -- say bye for us.

5 MALE OFFICER: As I was saying, there is going to be
6 a warrant done on the house tonight so you guys will not be
7 allowed in the house. If you need to get anything prior to us
8 executing that, like if you guys are going to stay at a hotel
9 or something, we'll escort you in so you can gather any
10 belongings you may need.

11 JESSICA LOWTHER: Okay. I need to talk to him. I
12 have no --

13 OFFICER: No, I'm just trying to set proper
14 expectations with you, because I know you've had enough
15 surprises today.

16 JESSICA LOWTHER: Yeah.

17 MALE OFFICER: I'm trying -- trying to not make this
18 any worse for you without compromising our investigation.

19 JESSICA LOWTHER: (inaudible)

20 MALE OFFICER: Yes. You can -- whatever you need to
21 do --

22 (Recording ends.)

23

24

25

TRANSCRIPTIONIST'S CERTIFICATE

I, Grace Hitchman, certified transcriptionist, do hereby certify that the foregoing is a true and correct transcript of the proceeding had in the within titled and numbered cause on the date herein set forth.

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