

S. Robinson & Associates

Investigative Services

Stuart M. Robinson
Owner/Chief Investigator



STATE OF IDAHO vs. CHRISTOPHER C. TAPP

FACTS OF THE CASE

Early in the morning of June 13, 1996, Angie Dodge, a young female, was raped and murdered in her Idaho Falls, Idaho apartment.

Ms. Dodge had just recently moved into the upstairs apartment moving out of her parent's home.

During the months that followed the murder of Angie Dodge, the Idaho Falls Police Detectives conducted numerous interviews of friends, family members and associates of Ms. Dodge.

Idaho Falls Detectives followed up and investigated tips and leads into the death of Angie.

In early January, an acquaintance of Ms. Dodge, Benjamin (Ben) Hobbs, was arrested in Ely, Nevada for attempted Rape, and Using a Knife in the Commission of a Crime which he committed in Nevada.

Idaho Falls Detectives knew Christopher Tapp was a close friend of Ben Hobbs and as two detectives went to Ely Nevada to interview Hobbs, Tapp was picked up and brought to the Idaho Falls Police department to also be interviewed.

Mr. Tapp was first interviewed on January 7, 1997, by Idaho Falls Detective Jared Fuhriman. During this interview, Mr. Tapp was informed about the arrest of Mr. Hobbs in Nevada.

It is believed that Detective Fuhriman was chosen to interview Mr. Tapp as he (Fuhriman) knew Tapp prior to when he (Fuhriman) was a School Resource Officer and Tapp was attending school.

At the start of the interview, Fuhrman informed Tapp that law enforcement believed he (Tapp) had information as to the events of Angie Dodge's death. Detective Fuhrman expressed to Tapp that he (Tapp) had knowledge of the Death of Angie and that he (Tapp) needs to come forward with the information.

Detective Fuhrman had Tapp relate his activities and where he was the night of Angie's murder. Tapp's statements are later found to be a lie.

Tapp also provided information as to the activities of himself and Hobbs prior to the murder of Angie.

Tapp never admitted knowing or having knowledge of the murder of Angie during the first interview.

Tapp was allowed to leave the law enforcement building at the conclusion of the interview.

Tapp is again interviewed on January 10, 1997, by Detective Fuhrman. During this interview, Tapp is informed that there are some inconsistencies in his statements from his last interview.

Detective Fuhrman again informed Tapp that law enforcement believes Tapp was not being truthful with them during the last interview.

At the end of that interview, Tapp agreed to return voluntarily the next day for still another interview.

Tapp did not return for the scheduled interview on the 11th.

When Idaho Falls Detectives searched for Tapp on the 11th, they were informed by his mother that he had retained an attorney and he and his attorney would be in later.

The Idaho Falls Police Detectives did not wait for Tapp to come in voluntarily with his attorney. Tapp was arrested on January 11, 1997, as an accessory to the murder of Angie Dodge.

On January 15, 1997, Tapp entered into a "Limited Use Immunity" agreement with the Bonneville County Prosecutor. On January 17, 1997, he entered into a "Cooperation and Settlement Agreement." These agreements were based on Tapp providing truthful information as to the murder of Angie Dodge and that Tapp was not a primary suspect in her death. These agreements were later revoked.

During, in-between, and after several of Tapp's interviews, Tapp was subject to several polygraphs exams.

During these interviews and polygraphs, Tapp's explanation of the events that occurred in the apartment of Angie Dodge and who was present during her murder, would change.

Tapp was charged and tried for the Murder and Rape of Angie Dodge.

After a jury trial, Tapp was found guilty and sentenced to life plus fifteen years, with thirty determinate for First Degree Murder with the enhancement and to a concurrent term of twenty years with ten determinate for Rape with the enhancement.

REVIEW OF THE CASE

I was provided copies of the Idaho Falls Prosecutor's case file on the murder of Angie Dodge.

It contained interviews, statements, reports and polygraphs along with the transcripts for most of the interviews of Christopher Tapp.

I was also provided the reports from the Judges 4 Justice experts.

I started my review of this case by reviewing the findings of the Judges 4 Justice experts.

I then reviewed and researched the case file of the murder of Angie Dodge.

I also conducted some personal interviews of individuals involved in this case.

JUDGES 4 JUSTICE

In reviewing the Judges 4 Justice Chief Investigative Officer Stephen K. Moore's report, there are several facts that I agree with and some statements, facts and findings in which I disagree.

On page 5 of Officer's Moore report he states "There is also anecdotal and documentary evidence that dozens, if not hundreds of photos were taken at the crime scene and during the autopsy. Approximately a dozen has been provided to Tapp's defense."

During my interview with retired Idaho Falls Detective James Hoffman, I was told that during 1996 and 1997, the Idaho Falls Police Department was under tight guidelines as to investigative expenses. They were instructed to limit investigative photographs. Detective Hoffman, told me all the pictures taken at the crime scene of Angie Dodge had been provided to me. These included forty-three (43) crime scene photographs, and sixty-one (61) autopsy photographs.

During any type of serious criminal investigation, especially a homicide, there should be hundreds of photographs taken in order to properly document the scene. The pictures should be taken at several different angles and distances. Pictures of evidence should also be taken with and without a ruler and with and without a placard to identify it.

Officer Moore also states that the authorities failed to obtain the temperature of Angie Dodge's body at the crime scene. The reason behind Officer Moore's statement is to attempt to determine the time of the death or an approximate time of death. Throughout the years, forensic scientists and pathologists have searched for a definitive method of determining time of death, yet at present there is no single reliable method. Moreover, it is impossible to fix the exact time of death, hence, an experienced pathologist can arrive at a reasonable estimation of time of death

usually placing it within a range of hours. The process is subject to error, especially if some crucial piece of information is omitted. It should be noted, however, that this estimation certainly represents more than just an educated guess, it is a scientifically derived opinion based on totality of specific factors distinctive to each particular case compared with ordinary time factors attributed to the pathological changes that occurred in a human body.¹

In years past, pathologists use to measure the temperature of a deceased person by cutting into the body and taking the temperature of the liver. This is no longer an acceptable practice by pathologists.

Angie's approximate time of death was determined between 12:45 a.m. to 6:30 a.m.

Officer Moore claimed that the officers failed to collect other items of evidence that would have had a probative effect on the investigation, however, he does not list these items.

Having worked hundreds of death cases, it is not uncommon in these cases to have hundreds of evidentiary items collected. As in most circumstances in life, it is always easier to look back at what I should have done verses what was actually done. Investigators in this case collected what appeared to be related to the homicide. They also had an expert crime lab person (Criminalist Susan Williamson) assisting at the scene.

Page 12 (Officer Moore's report), "There is no motive for Benjamin Hobbs to kill or even be angry with Angie Dodge. There exists no evidence to support the alleged motive that Benjamin Hobbs was angry at Angie Dodge or in any way suspected her of having anything to do with Hobbs wife, DeAnn, leaving him and moving to Utah."

In the January 7, 1997, interview with Tapp, Fuhrman asked Tapp if Angie started any "shit" between Hobbs and DeAnn. Tapp answered, "From what Ben says, yea, she (Angie) said some shit." Fuhrman cuts Tapp off and doesn't let Tapp finish what he meant by "shit."

February 7, 1997, interview with Jeremy Sargis by Detective Fuhrman:

Fuhrman: "I mean? And we need to take that in, into consideration and, uh, but motive, I have no idea what the motive is unless maybe, ya know, what we were hoping" you could help us with is any type of motive, ya know. But, uh, I don't know, man. And what we need to try to do is...try to figure out some sort of game plan?"

Sargis: "Do you have a lot? Okay. (Intelligible). When Ben and DeAnn were together, DeAnn got a consumption ticket before they got split up (unintelligible). Anyway..."

Sargis: "...she come into town to a party and I remember Angie's name bein brought up, I don't know if the party was at her house and they got busted or it was at someone's else's house. I remember Angie was somehow tied in between an argument between Ben and DeAnn."

1. Estimation the Time of Death in Practical Homicide Investigation: Vernon J. Gerberth, M.S.M.P.S.

Fuhrman: "So could that, could that have, uh, been the factor splittin' em up was, what, did Angie narc on, on her or what?"

Sargis: "Mmm, no I don't know. Angie...might have told DeAnn "Hey, Ben has cheated on you with" ya know, I don't know if that's what it is but I know Ben was pretty pissed off drinking comes home with a consumption ticket. I mean, what could she been doin? I know I wouldn't let my wife come into a party without me, drink and, no way. I don't think Ben would have let his (unintelligible) do that either. He was pretty bothered (unintelligible) she was there that night (unintelligible)."

Officer Moore's report states that Tapp claimed the position of Angie's sweatpants were "half-off one leg..."and (Tapp) gestured indicating that her pants leg had been completely removed from one leg while remaining on the other. (Page 22 Moore's report). Officer Moore indicated that Angie's sweatpants were fully on both legs and pulled down less than 3 inches below her pubic bone on her left leg, and 6 inches below her pubic bone on her right leg. Officer Moore refers to his diagram on page 47 of his report.

Tapp's interview on January 17, 1997

(Pg.27) (2:48:23) Fuhrman: "Did you see bare skin at all?"

Tapp: Motions with his hand downward and says, "bottom half."

Fuhrman: "The bottom half?"

Tapp: "Yea. "Like her sweats were like half on...one leg."

In reviewing the crime scene photograph, Angie is found with her sweats pulled down unevenly. The left side is just below her hip, and the right side further down above the knee. I believe that a reasonable person could consider Tapp's statement to be truthful as he is motioning with his hand that one side is lower than the other.

CLAIMED CUPABLE KNOWLEDGE

I agree with most of Officer Moore's findings on his review in this section. There are a few details that will be discussed further later on in this report. Tapp also was provided numerous details during his interrogation about the crime and crime scene which should have been held back by the detectives.

Officer Moore suggested that Tapp knew what Angie was wearing the night she was murdered as it was common knowledge of her friends and associates that she wore sweats. Officer Moore provides a list of individuals that knew what Angie was wearing the night she was murdered.

Most of the individuals listed in his report were the law enforcement officers involved in the case.

Officer Moore also listed the two co-workers of Angie that found her dead in her apartment. During the trial when they testified, they were asked what Angie was wearing when they found her, neither of them could describe the clothing Angie was wearing when she was found.

Time of Death:

Angie had company at her apartment until approximately 12:30 A.M. During this time of year it is daylight by 6:00 A.M. It is believed that the individual(s) left by the front door of her apartment. It would not be reasonable to believe that the suspect would leave by the front door after daylight due to being seen.

Tapp or Ben Hobbs could not account for their whereabouts from 12:30 a.m. to 3:00 a.m.

ALTERNATE MEANS OF ESTABLISHING TIME OF DEATH

Officer Moore claims to be able to determine the actual time of death using James G. Wigmore's theory. This theory works only if it can be proven or known when Angie last emptied her bladder.

When I contacted Forensic Pathologist Dr. Glen Groben, Ada County Forensic Coroner, with the above theory he stated that it was an unproven scientific method and he would not trust it.

Murder Weapon:

Dr. Ellwein, the pathologist in Angie's murder, only identified one (1) wound as possibly being pointed at both ends.

One wound is not enough to identify the weapon used (knife) as being double edged.

Officer Moore also refers to a folding bladed knife having a thumb stud to assist the user in opening the knife. That these thumb studs would leave some type of bruising or marks on the body of Angie Dodge. He also stated that there were no marks, abrasions, or defects noted in the autopsy on her body.

This is actually an untrue statement. Most folding blade knives do not have a thumb stud. They usually have some sort of cut or indentation within the blade to assist in opening the knife. See the following examples.



Officer Moore also commented that sheathed knives (carried on the belt) are one-piece knives and are carried by hunters and are therefore common in Idaho.

Folding bladed knives, such as above, are also carried in sheaths strapped to a person belt. These knives are commonly carried by persons dealing with livestock and or working around agricultural animals.

IFPD ATTACK SCENARIO

Wounds:

Officer Moore's report states that Tapp's scenario requires Angie Dodge to be standing as she is attacked. That a knife thrust into her chest (which punctured the lungs and resulted in substantial bleeding) would have possibly caused blood to splatter [sic] on walls, furniture or at least to drip onto the floor. Either of the wounds themselves or blood being cast off the knife as it was swung with great velocity, would all have occurred in the vicinity of the attack. Which judging by the final position of the body, would likely have been approximately six feet from the wall, almost even with the foot of Angie's bed.

Officer Moore goes on to say that Tapp said Angie was repeatedly forced backward, but then she lunged at Hobbs, even after she was stabbed. The blood would likely have fallen to the floor during this altercation and the odds are substantial that she would have stepped in her own blood.

Moore states this was the reason Dr. Ellwein checked Angie's feet during the autopsy. Dr. Ellwein noted that the soles of the feet are dirty with no blood identified.

Officer Moore's report continues that if Angie had been stabbed several times in the chest while standing up, there would be vertical blood trails below those wounds.

Dr. Ellwein testified in Christopher Tapp's trial concerning Lesion #7, a stab wound to the left chest cavity. This wound penetrated the upper lobe of the left lung. Dr. Ellwein was asked if he measured any blood in the cavity near this wound. Dr. Ellwein replied "yes, 700 cc's of blood. This would equal a pint."

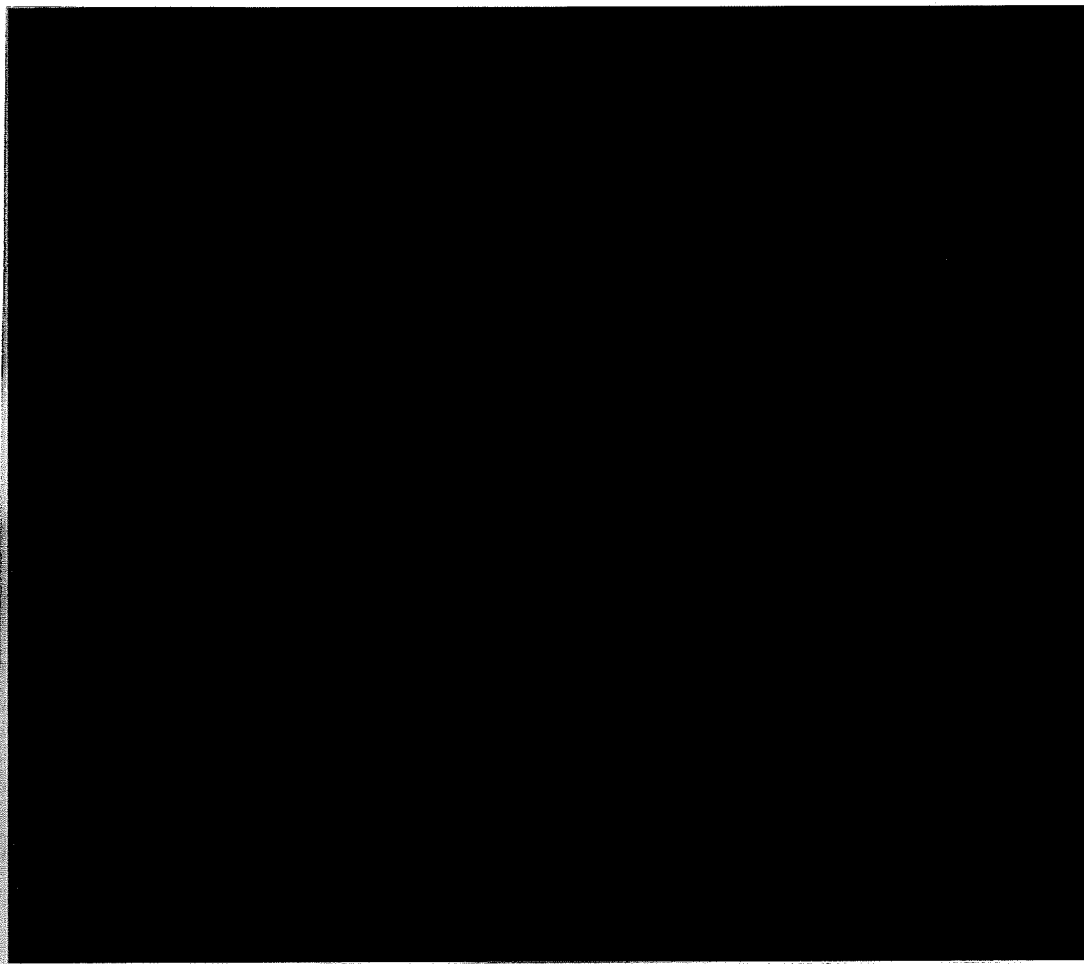
This type of chest wound would not "spurt" out blood onto the floor or walls. Blood would have seeped from this wound. This is evident by the amount of blood that stayed within the body cavity.

When this type of wound is inflicted, cast off blood spatter is caused when the knife is thrust in the same area of the wound collecting the blood seeping from the wound. Then thrown off the knife or hand when the assailant throws his arm back, casting the blood off the knife and or hand.

There would have been very little blood spatter (cast off) with this type of attack and wounds.

As far as the blood dripping to the floor from these wounds, it is my experience it would depend how long the victim was standing. Angie was stabbed through her shirt. The shirt would absorb and hold a lot of the blood seeping from these wounds.

Officer Moore states that the killer did not try and clean her body. *In the picture below it shows wipe marks and smears across her lower abdomen, upper right hip and left thigh. This is evidence that someone attempted to wipe away (clean) evidence.*



MANIPULATION OF EVIDENCE

According to Officer Moore, Tapp stated he couldn't understand how Angie could still stand after absorbing Hobbs bare-knuckled blow. This violent impact would have undoubtedly resulted in obvious tissue damage, blood and visible evidence, possibly including damage to the nose, eyes and/or teeth. Certainly split lips and facial wounds would be present. Officer Moore went on to say that no such defect was found on Angie's face during the autopsy, rendering Tapp's story as false and raising questions about why this stark contradiction did not concern the authorities.

Officer Moore also states that Officer Brown indicated to the media that the punch to Angie's head was to the left side of her head, where a bruise was alleged to have been found in the autopsy.

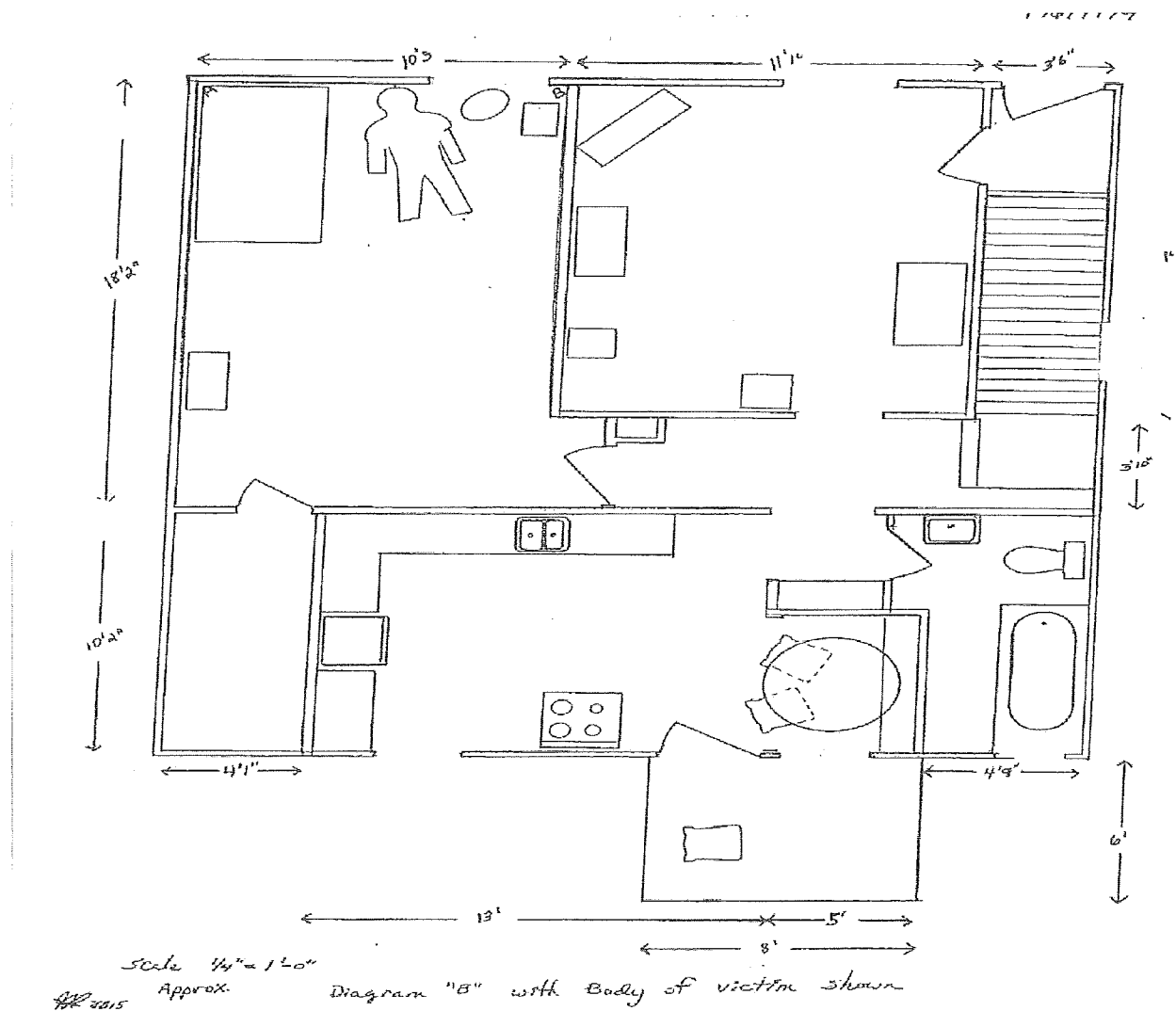
Doctor Gary Ellwein in his autopsy report states: External Examination Lesion #1, consists of an approximately 3 cm. diameter area of possible soft tissue swelling on the left side of the forehead between the hairline and left eyebrow.

This wound (bruise) was later changed to having no significant value by Dr. Ellwein.

Doctor Ellwein did find a bruise to her right ear which could have resulted from a blow to the head.

BEDROOM VENUE

This is a very small apartment and the rooms are very close together. See below.



I agree with Moore that it is unlikely that Angie would have invited any of them into her bedroom, however, Angie knew both Hobbs and Tapp and she had attended several parties with

them in the past. It is also possible that Tapp, in his state of intoxication, couldn't recall which room the assault actually took place in.

It is possible that the verbal argument between Hobbs and Angie started in the hallway between the bedroom and living room and ended in the bedroom. (See sketch page 10).

POSITIONING OF ATTACKER(S) AND VICTIM

Officer Moore states that Tapp's description of the sexual assault on Angie Dodge is at least as improbable as the rest of his story.

By the evidence at the scene, this was a blitz attack that occurred very fast. It is very evident by the few defense wounds on Angie Dodge that she was controlled very quickly. When interviewing suspects involved in sexual based crimes, it is not uncommon for them to avoid and/or lie about specific details relating to the crime. Rarely will a suspect tell the complete and absolute truth during a confession. This alone should not serve as a clear indication that the entire confession is false.²

ATTACK SCENARIO SUGGESTED PHYSICAL EVIDENCE

Officer Moore believes Tapp is ruled out by the physical evidence, that the evidence is only consistent with a single attacker.

Officer Moore's report claims that the circular smudges on the wall above and directly behind Angie Dodge's head are consistent with the position of her head and hair, if she tried to fight the assailant off, attempting to sit up, stand, and escape. The blood spatter shadow on Angie's right and the positioning of her clothes are consistent with her assailant kneeling on the victim's right between the bed and her head ("and also the likely source of the bruise on her right ear"). The spatter pattern strongly indicates that Angie was found substantially in the location where she was killed. There is no indication that the body as a whole was moved, however, individual limbs were possibly manipulated.

It is evident that the swipe blood patterns behind Angie's head were most likely caused by her hair brushing against the wall at some point during the attack.

The fact that there is very little blood spatter would be consistent with the victim's movement being restrained in some form.

2. Criminal Interrogation and Confessions, John E. Reid. Chapter 15, page 356 Accuracy of Corroboration.



Angie received several cuts to her hands and forearms during the attack. One would expect to see more cast off blood on the back wall from these injuries. It is also evident that Angie was most probably on the floor when the blood was cast off on to the wall due to the lower location of these blood spatters. There is a void pattern to the right of Angie; for the void on the wall to be possible, someone would have to be kneeling to the right of Angie during the attack. This would make controlling her difficult. It is my experience that most attackers stay on top of their victims to control them rather than off to one side. Dr. Ellwein testified that the cut to Angie's breast had a lot of downward pressure when it was made. Again this would be difficult if it was someone kneeling on her side, making it more plausible there were multiple attackers.

It is my opinion the bloody smudge on the wall above the victim's head and to the right, is not consistent with an assailant on the right side of Angie attempting to use the wall to assist him as he stands.

See the next photo of the blood spatter on the wall.



In the above photograph the area marked A and B are cast off blood. This is identified by the little fingers that were made when the blood hit the wall. There was enough blood in the spatter to actually start to run down the wall. The area marked C is a swipe pattern. This most likely was an object that contained blood and it was swiped along the wall. This could be consistent with a hand.

Officer Moore states that it would be impossible for Angie to have been raped vaginally by the positioning of her sweatpants. I would agree, that if during the attack, Angie's sweatpants were never pulled any further down it would be very difficult for a person to commit the act of rape. It is possible that she was raped and left in this position after her throat was cut. There were several pubic hairs found on Angie's hands and facial area. This would indicate that Angie attempted to fight with someone as they were attempting an oral sexual assault.

The pubic hairs discovered on her hands and face were found to belong to Angie.

THE MULTIPLE ATTACKER THEORY

Officer Moore reports that Lt. Hendricks Profile Report stated "one person could have controlled the victim in several ways."

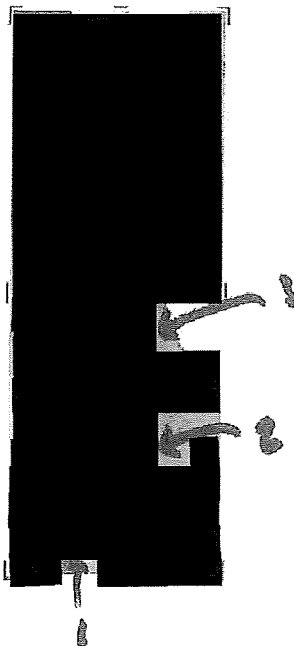
Officer Moore refers to past history of women killed by Jack the Ripper, a lone man with a knife. A large percentage of those victims showed no defensive wounds either because the attacker threatened them into surrender with the promise of not killing them, or because the attacker quickly killed them.

Actually some of Jack the Rippers victims did have defense wounds.

Officer Moore reports that Lt. Hendricks reports states, "one person could have controlled the victim in several ways."

I want to point out that Lt. Hendricks' report says one person could have controlled the victim. Officer Moore left out some important facts that were also contained in Lt. Hendrick's report.

Officer Moore, later in his report makes reference to the void of blood on Angie's wrist being from her watch. In examining the photograph closely, you can see that there is actually more than just one void. There is a void on the forearm, one on the wrist and one on the hand just below her first two fingers. These could be consistent with someone holding Angie's hand and arm during the attack. See photograph below.



The below is from Lieutenant Morgan Hendricks Profile:

The killer could have entered the apartment through the exterior stairwell door that was found ajar or he could have easily climbed onto the roof and entered through the second story exterior patio/kitchen door that was also found ajar. A small bag of garbage found against the inside of the patio/kitchen door might suggest the killer did not exit from this door, but entry cannot be ruled out. The exterior stairwell door did not swing shut on its own. It must be forced closed before it locked, both exterior doors were found ajar. The stairwell storm door was closed but the patio/kitchen door was open to allow air to circulate through the upstairs apartment. Circulation would also suggest one or more of the windows were open. Based on Angie's routine, the exterior stairwell door is kept locked, while the kitchen/patio door was open or ajar.

The method of entrance is important because it helps define sophistication, motive and relationship between the victim and the killer. The two possible scenarios in this case are:

The Entrance

(1) If the killer entered an unlocked exterior door, without the victim's knowledge, then the killer displayed a high level of sophistication. The victim and the killer are casual acquaintances. The killer probably engaged in surveillance of the victim and victim's residence. It was the killer's primary motive to kill and sexually assault the victim. The killer is not emotionally tied to the victim in the traditional sense. His relationship is one of fantasy wherein the victim was the central figure. He acted out his fantasy when he killed the victim.

(2) If the killer was allowed entry into the apartment from the exterior stairwell door, then the victim knew the killer, they were more than casual acquaintances. The victim saw who she was admitting into the apartment through the glass in the storm and exterior doors. The victim felt comfortable allowing the killer into the apartment during the early morning hours. It is possible the killer approached the victim after her friends left, but before she locked the exterior stairwell door. Either scenario would indicate a relationship between the killer and victim. The primary reason for entering the apartment may not have been to kill and sexually assault the victim rather, the killing and subsequent assault is probably the result of the meeting.

The Exit

The killer most likely exited the apartment through the exterior stairwell door before sunrise. The stairwell door was ajar, which indicates the killer knew some force was necessary to close the door and he did not want to risk the noise, or his hands were occupied and the door closed to that angle on its own. It also suggests the killer felt he could explain his presence if he exited the front of the house, rather than the back, should anyone see him.

Polygraph Examinations

A polygraphist should be a neutral party and have very little firsthand knowledge of the case.

Detective Finn would interview Tapp prior to his polygraph exam, and after his polygraph exams.

Once an individual has provided a confession, the officers should first attempt to confirm and corroborate the information provided, then proceed to the polygraph.

I agree with Moore and Honts, that it appears Detective Finn conducted his polygraphs in an unprofessional and reckless manner.

During two separate polygraph examinations of Christopher Tapp the phone rings. Detective Finn answered his phone and talked with the subject. This is a distraction for the subject being interviewed and even more, it is disrespectful. This phone call, by the conversation was not official business or urgent.

During several of the polygraphs, Detective Finn would begin to interrogate Tapp prior to the exam. He would inform Tapp that he (Tapp) was not being truthful and would use that as leverage to get Tapp to elaborate further on questions he was being asked.

Detective Finn also informed Tapp several times that even as an accessory to murder he (Tapp) can be changed with life in prison, or even the gas chamber.

In my opinion it appears the polygraph was being used more as an attempt to solicit additional information from Tapp, rather than determining if he was telling the truth or being deceptive.

Tapp Interview January 7, 1997

Benn Hobbs was arrested in Ely, Nevada for Kidnapping, Rape and Assault. Hobbs used a knife in the crime. Idaho Falls Detectives went to Ely, Nevada and interviewed Hobbs about his knowledge of the death of Angie.

During this time, Idaho Falls Detectives located Chris Tapp and brought him into the Idaho Falls Police Department to also question him about his knowledge of the death of Angie. Tapp was a known associate of Hobbs prior to Angie's death.

Detective Fuhrman was chosen to first interview Tapp as he already had a relationship with him from when Tapp was attending school and Detective Fuhrman was the school resource officer.

Tapp was told why he was brought into the law enforcement building.

Tapp had already been contacted by law enforcement before this and requested that he give a sample of his DNA to be used in the Angie Dodge homicide, which he did.

At the beginning of the interview, Tapp is very casual, even sitting with one leg up on a chair at times. Tapp is told by Detective Fuhrman that his (Tapp's) name is being mentioned as to having information regarding Angie's murder.

Tapp never denies these allegations. Tapp's response is that he will try and clear his name up.³

Detective Fuhrman tells Tapp that it may get ugly in here for him as far as incriminating himself.⁴

Tapp's response is, "Okay."³⁻⁴

Fuhrman has been asking Tapp where he was the night of Angie's murder.

Tapp at this point tells Detective Fuhrman that he (Tapp) was at home at the Avalon Apartments when Angie was murdered.

This alibi of Tapp is found to be false through the interview and trial testimony of his roommate Jeff Blackburn. Mr. Blackburn said Tapp didn't return to the apartment until approximately 2:00 A.M on June 13, 1996.⁵

Detective Fuhrman told Tapp that he (Tapp) and Hobbs were overheard trying to establish an alibi as to where they were during the time of Angie's death.

Tapp's response to this is, "I'm not gonna, you know, put it down as an excuse or nothin' if we talked about it I don't remember it. That's the honest truth."⁶

Tapp's answer to his question is deceptive, he (Tapp) knows if he and Hobbs were trying to establish an alibi, this is something someone would not forget. *It was a yes or no question.*

Detective Fuhrman then informed Tapp that he (Tapp) is involved to some degree in the murder of Angie, and that he (Tapp) needs to acknowledge that involvement.

Detective Fuhrman also tells Tapp that he (Tapp) could be charged with First Degree Murder.

Detective Fuhrman followed this statement with, "Did Ben intend to kill her?"

3. Truthful subjects will respond directly, and forceful denial of guilt when confronted. Try means an attempt. A innocent person does not have to try and clear their name up.

4. Page 12 Tapp interview transcripts January 7, 1997.

5. Jeff Blackburn trial transcripts pg. 783-785.

6. Reid Criminal Interrogations and Confessions. Tactics and Techniques third editions (pg. 47) Evaluation of Verbal and Nonverbal Responses; A suspect who "swear to God" or offers to "swear on a stack of Bibles", or utter other oaths to support his answers, is, in many instances not telling the truth.

Tapp responded whispering "no, no" when Tapp answered this question he is also shaking his head from side to side.

Detective Fuhrman then followed this with, "Was it a spur of the moment thing?"

Tapp doesn't answer verbally but in the video he is shaking his head up and down in the affirmative.

There is a pause after this. Detective Fuhrman either doesn't see Tapp shaking his head up and down in response to his question or he failed to clarify Tapp's response.

Detective Fuhrman asked Tapp if "Angie had caused some problems between Hobbs and DeAnn?"

Tapp told Detective Fuhrman that Angie had caused some "shit" between the two.

Detective Fuhrman cuts Tapp off as he is answering the question and doesn't allow Tapp to fully answer the question, nor does he ever try to clarify what the "shit" was.

It is later discovered through an interview with Jeremy Sargis that he (Sargis) also stated that Hobbs was upset with Angie. Sargis also never stated what the problem was, or what caused Hobbs to be so upset with Angie.⁷

At this point in the interview, Detective Fuhrman tells Tapp that Angie was butchered, stabbed and sliced. Detective Fuhrman compares Angie's murder to the O.J. Simpson case.

Detective Fuhrman has exposed to Tapp at this time that a knife was used in the murder and that there must be multiple stabs and cuts to her body.

An interviewer should never disclose to a suspect any facts of the crime; especially what type of weapon was used. Investigators should withhold specific information relating to the crime and/or the crime scene. This is to ensure that when a suspect is located and interviewed there is no question as to the truth of the confession given by the suspect.

Fuhrman again told Tapp that an individual had informed law enforcement that a conversation was overheard between him (Tapp) and Hobbs "getting, keeping" their stories straight in a bedroom after the death of Angie.

7. Interview with Jeremy Sargis January 7, 1997. Sargis: ...she come into town to a party and I remember Angie's name bein' brought up, I don't know if the party was at her house and they got busted or it was at someone's else's house. I remember Angie was somehow tied in between an argument between Ben and DeAnn.

This time Tapp expressed to Detective Fuhrman that he knows who and what he is speaking about concerning the alibi. Tapp attempted to tell Detective Fuhrman what he and Hobbs were saying in the bedroom.

Tapp never really explained the reason for him and Hobbs trying to keep their stories straight. His answers are short, fragmented and Tapp never really answers the question.⁸

Again Fuhrman doesn't have Tapp clarify his answers.

Detective Fuhrman reminded Tapp that Idaho Falls Detectives are in Ely, Nevada at this time speaking with Hobbs. Detective Fuhrman infers to Tapp that Hobbs could be implicating him (Tapp) and that is why Tapp is sitting in the interview room with him now.

Tapp's response to this is that Hobbs is probably saying that he (Tapp) "helped."⁹ This is another statement that Tapp has made and that Detective Fuhrman failed to have Tapp clarify. Detective Fuhrman has only told Tapp to this point that they believed he might have information, not that he assisted in any way in the murder of Angie.

Detective Fuhrman then discussed with Tapp an immunity agreement.

Toward the end of the interview, Detective Fuhrman asked Tapp when Hobbs went home that night. When Tapp says "later that evening," Detective Fuhrman cuts him off and tells him that Angie was killed sometime during the night.¹⁰

The interviewer should allow the person he is speaking with to answer the question without interruption. The interviewer should pause after each question and allow the suspect being interviewed to consider what he (the suspect) has said and often times will try and elaborate on the answer given.

Not only does Detective Fuhrman cut Tapp off from answering the question, he answered the question for Tapp, and informed Tapp of more information as to the approximate time of the murder.

Detective Fuhrman then asked Tapp, "where Hobbs would have gotten a knife?"

Not only has Fuhrman contaminated Tapp's interview, he kept instilling that a knife was used in the murder.

8. Reid Criminal Interrogations and Confessions. Tactics and Techniques third editions (pg 47) Evaluation of Verbal and Nonverbal Responses: A lying suspect sometimes will speak in fragmented or incomplete sentences.

9. Christopher Tapp interview January 7, 1997 page 42. Note that Tapp used the verbiage "helped."

10. Christopher Tapp interview January 7, 1997 pages 52-53 Detective Fuhrman has given a time frame for the Murder of Angie

Polygraph/Interview January 10, 1997

Tapp arrived at the Idaho Falls law enforcement building. He is starting this day with a polygraph by Detective Finn.

At the end of the first exam, Detective Finn informed Tapp that he (Tapp) is showing a strong reaction when he is asked if he (Tapp) killed Angie. Detective Finn continues telling Tapp that he has some involvement in the murder of Angie.

Detective Finn began to interrogate Tapp and asked if he killed Angie or if he knew who killed Angie.

The polygraphist should not be involved in the interrogation of a suspect. Detective Finn should have reported to the in charge detective Tapp's polygraph results

While he is asking Tapp these questions, Tapp is still connected to the polygraph machine.

This is an unethical interview practice.

Detective Finn then informed Tapp that being an accessory is just like committing the crime and then expressed to Tapp that he (Tapp) could get life in prison or even the gas chamber.

Interview January 10, 1997, in the polygraph room

At the end of the polygraph session, (above) Tapp requested to speak with Detective Fuhriman.

At the beginning when Detective Fuhriman entered the polygraph room, Tapp told him "It bothers me. I never thought that he would do it"¹¹

At this point, Tapp told Detective Fuhriman that Hobbs had told him that he (Hobbs) went to Angie's that night. Hobbs told Tapp that he killed Angie.

Both Detective Finn and Fuhriman pushed Tapp to be more descriptive as to the details Hobbs told him about the murder of Angie.

Tapp is telling Detectives Finn and Fuhriman, that he is done talking and wants to go home. He wants to leave. Detective Finn tells Tapp that he is not leaving until he finished telling them what happened in Angie's apartment.¹²

11. Page 28 line 25 'Tapp polygraph January 10, 1997 transcripts.

12. 'Tapp's Polygraph January 10, 1997, page 54-57.

Tapp told Detectives Finn and Fuhriman, "I-I didn't go with "them." Tapp continues with "I didn't go with them. I know I didn't. I swear to God I didn't."¹³

This is the first time that Tapp has indicated that possibly more than one person was involved in the murder of Angie. Detective Fuhriman again doesn't clarify Tapp's response.

Tapp indicates deception in his answer as to going with "them"¹² when he finishes his answer with "I swear to God I didn't."¹³

After this statement Tapp said he was done talking and wants to go home or leave. He is told by Detective Finn (Detective Fuhriman had left the room) that he can't leave. "You're not going to be able to go home until you tell the rest of (inaudible)."¹⁴

From the above statements by Tapp it appears that Detective Finn's refusal to allow Tapp to leave has made this an involuntary statement.

I have reviewed several of Tapp's Appeals. It appears that the issue of Tapp's statements and their voluntariness was already argued in the Court of Appeals July 20, 2001 No. 25295, section 2, Fifth Amendment right to counsel. The Idaho Court of Appeals denied this argument.

Tapp is allowed a break at this time and is removed from the polygraph room to some other location where he is allowed to smoke.

The interview now continues in the interview room.

Detective Fuhriman asked Tapp to write a statement of what he (Tapp) has related to him prior to the break.

Detective Fuhriman told Tapp to include in his statement that Hobbs was blaming Angie for the breakup of him (Hobbs) and DeAnn in his statement.

As Tapp is going back over what Hobbs told him about the murder of Angie, he again told Detective Fuhriman that he (Tapp) went home from the river around eight or nine.¹⁵

13. Reid Criminal Interrogations and Confessions. Tactics and Techniques third editions (pg 47) Evaluation of Verbal and Nonverbal Responses; A suspect who "swear to God" or offers to "swear on a stack of Bibles", or utter other oaths to support his answers, is, in many instances not telling the truth. Tapp uses the word "them."

14. Page 57 line 6 Tapp polygraph January 10, 1997, transcripts. Anything Tapp says from this point is no longer a voluntary confession.

15. Jeff Blackburn trial transcripts pg 783-785 Tapp returned to the apartment around 2 A.M.

Detective Fuhrman began to educate Tapp on DNA evidence. It is evident by his statements to Tapp that DNA was found at the crime scene. He told Tapp that DNA can be found in head hair and/or pubic hairs.

Detective Fuhrman is revealing more details of the crime and evidence that was collected at Angie's apartment. This added to the contamination of any statements Tapp might make about evidence left at the scene.

Tapp was finally allowed to leave after he promises to return the next day.

Interview January 11, 1997

Saturday, January 11, 1997, Tapp failed to show up at the Idaho Falls Police Department as he had promised. Detective Fuhrman went to his mother's home and tried to contact him. While speaking with Tapp's mother, she informed Detective Fuhrman that Tapp had retained an attorney and that he (Tapp and the attorney) would be in contact with them on Monday.

Idaho Falls Detectives chose not to wait until Monday and instead obtained a warrant of arrest. Tapp was arrested later that day for Accessory to Murder and Rape.

Tapp is brought to the interview room with Detective Fuhrman. Detective Fuhrman had been told to wait for Tapp's attorney prior to beginning any questioning.

Detective Fuhrman still proceeded questioning Tapp without the presence of his attorney.

Note: The first portion of the interview was later suppressed by the Courts.

Tapp expressed to Detective Fuhrman that he should have done this earlier. Detective Fuhrman responds with, "Well, not only that but I, I want ya to seriously think what I told ya in the car, okay?"¹⁶

Tapp's attorney and Idaho Falls Deputy Prosecuting Attorney, John Shindurling, are in the interview room along with Tapp and Detective Fuhrman.

Deputy Prosecuting Attorney Shindurling, told Tapp he wants more details from Tapp concerning what Ben Hobbs related to him about the murder.

16. Interview transcripts of Tapp interview January 11, 1997. Detective Fuhrman should not have been discussing any of the case facts with Tapp at this point as he (Tapp) is now represented by an attorney. What they talked about in the car is never disclosed.

Fuhriman asked Tapp during this interview, "Why was the crime so sick? What was sick about it, Chris?" This is followed with Tapp saying that Hobbs told him he cut her a lot over and over.¹⁷⁻¹⁸

Polygraph/Interview January 15, 1997

Detective Finn started the polygraph exam warning Tapp that he (Detective Finn) knows Tapp was at the homicide scene.¹⁹

During this Polygraph session one of the questions Detective Finn asked Tapp was, "Okay. Did you see Angie Dodge's body in her apartment, on the floor, before the murder was reported?"²⁰

Tapp is given this information (Angie being on the floor) several times during this exam.

There is no mention of Angie Dodge being found on the floor in any prior recorded interviews with Tapp, that I found.

Detective Finn should not have advised Tapp how the body of Angie was discovered.

Immediately after the test, Tapp asked Detective Finn how he did. Detective Finn informed Tapp that his blood pressure is, "going out of sight."

This is adding additional stress to Tapp. Tapp should not be informed of the test results while the test is in progress.

Interview January 15, 1997

Detective Ken Brown is the Idaho Falls Police Detective that is interviewing Tapp at the beginning of this day.

(Pg. 23) Detective Brown asked Tapp to tell him about the murder starting earlier at the river.

Tapp told Detective Brown that he (Tapp) left the river before Hobbs, and that an unknown person took him home. Tapp is unable to provide a name of the person who gave him the ride home.

17. Page 10 Interview transcripts of Tapp interview January 11, 1997. page 37-38 Interview transcripts of Tapp interview January 11, 1997. Detective Fuhriman explained to Tapp that Angie was butchered. He compared Angie's murder to the O.J. Murder, one with a lot of aggression more than one stab or slice.

18. Page 9, Interview transcripts of Tapp interview January 11, 1997. Tapp had not used the word "sick." Detective Fuhriman used this to describe the crime in the very first interview.

19. The Polygraph examiner providing the exam should be a neutral party. Finn is adding additional stress to Tapp, prior to giving him the exam. Detective Finn is also telling Tapp how he (Detective Finn) believes Tapp should respond to the polygraph questions.

20. Tapp transcripts of the polygraph exam January 15, 1997, page 8, line 13-15. Detective Finn is providing crime scene information that Angie is found on the floor.

Tapp told Detective Fuhrman (Fuhrman is now also in the room) that he went home from the river because he (Tapp) was going to meet someone (again unable to provide a name) that he (Tapp) was going to sell drugs to.²¹

Detective Brown has Tapp become more detailed when he tells him what Hobbs said happened the night of the murder.

During this more detailed statement, Tapp said that Hobbs told him it became heated and he (Hobbs) and Angie started to argue. Tapp said that Hobbs told him he (Hobbs) hit Angie.²²

Detective Brown and Fuhrman again expressed to Tapp that DNA has been recovered from the crime scene. They are telling Tapp that DNA can be left on anything and warning him that if the DNA comes back as his they won't be able to help him.

Tapp responded, "I understand that. I understand that, and that's my...to my best of my knowledge, I was never there."²³

Interview January 17, 1997

Tapp now also has a cooperative agreement with his immunity agreement.

The interview is already in progress when the video starts.

Detective Brown is interviewing Tapp. Detective Brown asked Tapp what time he and Hobbs went to Angie's apartment.

Tapp "Eleven-Thirty, Twelve."²⁴

Tapp was given a couple of breaks during this interview.

Detective Brown had Tapp recalling what happened again when he and Hobbs went to Angie's apartment that late at night.

Detective Brown asked Tapp what Angie was wearing when she answered the door.

Detective Brown: "When she answered the door think about what she had on."

Tapp: Sighs (unintelligible)

21. When interviewing a suspect and he/she cannot corroborate their information such as Tapp saying that he can't remember who gave him the ride home and who the person was he was going to meet is usually a sign of deception

22. Dr. Ellwein trial testimony pages 911 and 912. Angie had a bruise on her right ear.

23. Reid Interrogation and Confessions (third edition). Chapter 5 Tactics and Techniques for Interrogation Suspects Whose Guilt or Innocence is Considered Doubtful or Uncertain. Verbal Responses, pg 47. A lying suspect sometime will speak in fragmented or incomplete sentences/he also may feign a memory failure when confronted with a probing question or in responding to a direct accusation of lying.

24. Angie had visitors at her apartment till approximately 12:30 A.M. This is a close approximation.

Detective Brown: "When she come to the door. Dah dah dah we wanna' talk."

Tapp: "What comes to mind is t-shirt and some sweats."²⁵

Detective Brown had Tapp show him where Hobbs first stabbed Angie.²⁶

Detective Brown questioned Tapp if Angie's shirt was up when she was stabbed.

Detective Brown: Do you remember if her shirt was still on? Was it off? Was it pulled up? Was it pulled down? Was it cut?

Tapp: "It was cut, it was cut a few times."²⁷⁻²⁸

Detective Fuhrman replaces Detective Brown in the interview room.

Detective Fuhrman asked Tapp to describe how Angie's clothes were arranged on her. He followed this question asking Tapp if there was any "bare skin showing?"

Detective Fuhrman: "Did you see any bare skin at all?"

Tapp: "Bottom half."

Detective Fuhrman: "Bottom half?"

Tapp: "Like her sweats are half on. One leg was (unintelligible)."²⁹

(03:03:51 Interview video) Detective Brown has re-entered the interview room. Tapp is shown pictures of the crime scene.³⁰

January 17, 1997, the DNA test results came back that Hobbs and Tapp are excluded. Detective Fuhrman started to question Tapp if it was possible that Jeremy Sargis could have been in Angie's apartment the night she was killed.

Tapp ended the interview telling Detective Fuhrman that he can't recall Sargis being there. Detective Fuhrman ignored Tapp's statement referring to Sargis and started to question Tapp as to where he (Tapp) tossed the knife.

25. Tapp January 17, 1997, Interview video (02:15:38)

26. Tapp January 17, 1997, Interview video (02:21:17) This is the area of one the stab wounds to Angie.

27. The photograph of Angie's T-Shirt shows that all the cuts and stabs were made while she was wearing the shirt.

28. Tapp January 17, 1997, Interview video (02:30:22) Tapp shows where the cuts in the shirt were.

29. Crime scene photographs show Angie was found with her sweats pulled down one leg farther than the other.

30. Reid Criminal Interrogations and Confessions, Chapter 15 Distinguishing Between True and False Confessions, Confession Corroboration page 355. Any information that Tapp provides it is questionable if he is recalling from his own personal knowledge or from the photographs shown to him.

Detective Fuhriman: "Now, the fact is (inaudible) we need to recover it. Yesterday, you know the other day, you were hurting pretty good at the time. And when we talked to you about (inaudible), no denying that type of stuff, remember you made the statement that, "I tossed it."

Detective Fuhriman; "Do you remember making that statement?"³¹

Tapp's first response is inaudible.

Detective Fuhriman followed with the question asking Tapp where he (Tapp) threw the knife.

Tapp: "And that--Jared, I screwed up there. Okay, I'll own up to that right now. I will be a big man. I didn't do nothing with it. I mean, that's (inaudible) because right now everything--all my cards are out on the table."

Detective Fuhriman: "Okay. All we're trying to get as is, we're not trying to prove you. We want the knife. We want it desperately."

Tapp: "And that's (inaudible)."

Detective Fuhriman: "Best--"

Tapp: "All my cards right now are out on the table, and I'm trying to--"

Detective Fuhriman: "So any ideas where we could find that knife?"

Tapp: "No. Only thing he told me was, he took care of it. That's-so-."³²

Detective Fuhriman asked Tapp if it possible that a third person could have been in the apartment when Angie was murdered.

Tapp: "No it was just me and him because the only other person I ever hung out with was Jer, and Jer was off with April."³³

Detective Fuhriman asked again if Jeremy Sargis could have been there.

Tapp's responded, "no."³⁴

31. Tapp interview transcripts by Byers & Anderson page 37.

32. Tapp interview of January 15, 1997. Tapp never said he threw the knife away, he said that Hobbs got rid of the knife.

33. Tapp interview transcripts by Byers & Anderson page 43.

34. Tapp interview transcripts by Byers & Anderson page 43.

Detective Fuhrman repeated the question.

Detective Fuhrman: "So was Jeremy--his total involvement in this whole thing was what?"

Tapp: "A little less than what I've done."³⁵

Detective Fuhrman suggests to Tapp that Jeremy Sargis is involved in the murder of Angie more than just trying to establish an alibi for Hobbs. Detective Fuhrman suggests that Sargis helped get rid of evidence.³⁶

Detective Fuhrman ended this interview telling Tapp that a third person is involved.

Polygraph January 18, 1997

Detective Finn started the polygraph test by asking Tapp who was in the room (Angie's apartment) with him.

Tapp: "Ben. This guy, I remember somebody else being there. I have to."

Finn: "There is somebody else there?"

Tapp: "I have to remember because I ain't protecting nobody anymore."

Finn: "There is no reason to."

Tapp: "I don't know."

Finn: "Tell me the other person who was there so we can get clarity and I can run this and we can get that out."

Tapp: "Maybe Jer was."³⁷

35. Tapp interview transcripts by Byers & Anderson page 43

36. Tapp interview transcripts January 18, 1997, by Byers & Anderson page 50.

37. Detective Finn should have stopped Tapp and had him clarify the answer "Maybe

Finn: "That's what I want to know. Why don't you tell me, like we talked about completely open, okay, because you can't help Jeremy?"

Tapp: "No."

Finn: "Okay. He's already in deep shit."

Tapp: "Yea."

Finn: "So it's you, Ben and Jeremy?"

Tapp: "Jeremy. Put Jer there."³⁸

Prior to the polygraph test Detective Finn informed Tapp that Jeremy stayed in the apartment with Hobbs.

Detective Finn: "Okay (inaudible) Jeremy stayed there with him. Okay."

Tapp: "I just put Jer there because I have to remember somebody else."³⁹⁻⁴⁰

One of the pre-polygraph test questions during this phase of the test was, "was Ben Hobbs, Jeremy Sargis, and yourself at Angie Dodge's apartment when she was killed? Not died. When she was killed?"

Tapp's answer to this was, "I was speculating that Jer was there because--so I'm going to go with yes on that."⁴¹

Detective Finn conducts the polygraph test and after the test tells Tapp that he (Tapp) is 100% truthful when he answered the question if Jeremy Sargis was in Angie's apartment the night she was killed.⁴²

38. This is Detective Finn putting Jeremy Sargis at the crime scene not Tapp. Tapp polygraph transcripts January 18, 1997, pg⁴

39. Detective Finn should have stopped Tapp with this statement, "I just put Jer there." Detective Finn should not have conducted the test until Tapp was certain Jeremy Sargis was there or not.

40. Tapp polygraph transcripts January 18, 1997, page 7. Detective Finn is going over the question that he is going to ask Tapp during the polygraph test.

41. Detective Finn should not have proceeded with the polygraph until Tapp could tell him not positively that Jer was at Angie's apartment the night of the murder. Tapp polygraph transcripts January 18, 1997, page 14.

42. Tapp polygraph transcripts January 18, 1997, page 17.

Interview January 18, 1997

Detective Finn conducted more polygraph tests with Tapp during this session. He is telling Tapp that he (Tapp) is still withholding information as to the murder of Angie.

Tapp, at the beginning of the interview, stated that he (Tapp), Hobbs and Jeremy were driving around and getting really high.

Detective Fuhrman asked Tapp about what time they went to Angie's apartment.

Tapp: "12:30, 1:00."⁴³

Tapp again is going over what happened inside Angie's apartment the night of the murder.

(23:23 video) Detective Fuhrman: "Did you see any stuffed animals, or anything like that?"⁴⁴

Tapp couldn't recall seeing any stuffed animals.

(34:26:) Detective Fuhrman: "At any point in time did anybody that you saw...This is pretty important, put anything over her face or her mouth and muffle her screams or her cries or anything?"⁴⁵

Detective Fuhrman continued to feed Tapp information about the crime scene:

(36:04) Detective Fuhrman told Tapp that some sexual acts were performed on Angie.

(36:54) Detective Fuhrman: "Ok, so tell me about all the things they did to her and made her do. Apparently they made he do some stuff before...uhm before she died correct?"

(39:47) Detective Fuhrman: "Who was trying to have her do the oral sex? Who tried to have her give him the blow job?"⁴⁶

(40:00) Detective Fuhrman: "At one point and time was one of them trying to make 'em, them a hand job?"⁴⁷

43. This time is within the approximate time of the murder.

44. Fuhrman now has now informed Tapp that stuffed animals or a stuffed animal is involved in the crime scene.

45. Fuhrman has asked a leading question, and has also expressed to Tapp that a stuffed animal was used to muffle Angie's cries or screams.

46. Detective Fuhrman has informed Tapp more detailed information of the crime that only the suspect should know.

47. Again, Detective Fuhrman asked a leading question providing Tapp with specific details of the crime that only the suspect would know.

Interview January 29, 1997

The interview is already in progress when the video starts.

Detective Fuhrman is upset with Tapp as DNA results have come back and Jeremy Sargis does not match the DNA found at the crime scene.

Detective Fuhrman: "Chris, you told us Jeremy Sargis was there. You not only told us that he was there but he took an active part in it. Now we're findin' out that Sargis probably wasn't there and that you were screwing with us."⁴⁸

During this, Tapp told Detective Fuhrman that he had passed the last polygraph test.⁴⁹

Detective Fuhrman informs him that he did not pass the polygraph exam.

Somewhere between the last interview and this interview, detectives take Tapp to the apartment where Angie was killed. No documentation was made of this trip by video, pictures, and/or recording. In my opinion and experience this practice was very disturbing and is an unacceptable police practice. The detectives knew in advance that they were taking Tapp back to the crime scene. This had to be arranged with the current tenant of the residence, and they had time to prepare for it.

Had this been properly conducted it could have been powerful evidence and corroboration as to what had happened during the murder of Angie, as explained by Tapp.

Fuhrman: "Well, I know help me, help me understand. I wanna make sure I get the story right. Okay? In the house, um, you said the guy was standin' over her. And he's beaten' off. Okay? Now you're sayin' that, uh, he did it while he was, uh, holdin' her down. It's important that we understand these, these facts okay?"⁵⁰

Toward the end of the interview Tapp informs Detective Fuhrman that he wants to speak with his attorney.

(Page 114) "Tapp: I guess the next thing I wanna do before I say anything, I wanna talk to, I want you to, er, I wanna talk to Jerry (Tapp's attorney) real quick."

Fuhrman: "Okay."

Tapp: Unintelligible

48. Tapp interview January 17, 1997, (03:31:29 video) Tapp tells Fuhrman that he doesn't believe Sargis was involved. Tapp polygraph page 3, 4 Tapp says maybe Jer was there. Tapp continues with, "I was speculating that Jer was there." Investigators had interviewed Sargis who had given them an alibi for the time that Angie was murdered. This was the same time Tapp told them he was involved.

49. This is evidence that Tapp believes that he is complying with his agreements and he believes that he is telling the truth.

50. Tapp interview January 29, 1997, page 41. Any statements Tapp makes now should be considered questionable. Detective Fuhrman has proven from past interviews that he (Tapp) has made statements that were actually made first by Fuhrman.

Fuhriman: "What do you wanna talk to him about?"⁵¹

Tapp: "Oh just some of the things I have. I mean just lawyer things, I guess, I don't even know, I just wanna talk to my lawyer real quick."

At this time this interview is terminated.

Interview January 30, 1997

Detective Fuhriman is the interviewing Detective at the start of this interview.

Tapp has been taken back into custody after his agreements were revoked.

Fuhriman starts out the interview with:

Fuhriman: "Okay... Talked to both attorneys, both sets of attorneys yesterday. I think you pretty much know the game. So, uhm..our position is that...you still know, we're still looking' at those two pieces of uh, uh, evidence or elements to put this thing to bed. Okay? And I think as soon as you do that...then, ya know, as we talked yesterday, things are gonna look up. Okay. And uh, so, that's kinda where I wanna, kinda start off on uh, this morning, is just jump right into it so we don't waste your time anymore."⁵²

This is the second half of the interview. Tapp had been taken to the polygraph room for yet another set of polygraphs test.

After this polygraph, Detective Stacy is now the interviewing Detective.

Detective Stacy had Tapp go back over his statement starting from when they were at the river.

Detective Stacy also divulges specific crime scene information to Tapp contaminating any further statements from Tapp about the crime or crime scene.

(Pg. 86) Stacy: "(unintelligible) the cloth that Mike used to wipe, to clean Angie. Where's that at? You guys take that with you that night? Who took that out of the apartment?"⁵³

Tapp tells Detective Stacy that they used a plastic sack possibly from Albertson's to remove evidence out of the house.⁵⁴

51. Fuhriman should have stopped talking to Tapp and allowed him to speak with his attorney. Fuhriman has no right to know what Tapp wants to speak with his attorney about.

52. I am going to have to assume that what they talked about yesterday was some type of agreement again if Tapp would provide the information Fuhriman is talking about, one being the knife.

53. Stacy has informed Tapp that a cloth was used to clean up Angie. That an attempt was made to clean her and that a piece of evidence was taken from the crime scene. Again very specific facts of this crime are told to Tapp.

54. Because the visit to Angie's apartment (the crime scene) was not recorded, it is possible that one of the Detectives provided this information to Tapp during the visit. I am basing this on the past interviews by Detective Fuhriman, Brown and Stacy where specific information of the crime was provided to Tapp.

Tapp has told Detective Fuhrman that he was forced to cut Angie on the breast.

(Page 74) Fuhrman: "(Unintelligible) the voice from nowhere? When you, cut her across the breast, was her shirt up or down? Do you remember?"

Tapp: "I think it was up."⁵⁵

Polygraph January 30, 1997

Detective Finn informs Tapp that, "he needs to come clean with everything." He continues with informing Tapp that he (Tapp) can be charged with Murder 1. Detective Finn informs Tapp that he (Tapp) could be serving anywhere from two (2) years to the death sentence.⁵⁶ Also prior to the pre-polygraph exam Detective Finn told Tapp how he (Finn) believes the attack on Angie occurred.

Just prior to the polygraph exam Detective Finn had been discussing with Tapp that Hobbs had forced him (Tapp) to cut Angie. Detective Finn instructs Tapp that he (Tapp) was in fear of his life.⁵⁷

This polygraph transcript/video ends prior to the conclusion of the test.

Interview January 31, 1997

Detectives Stacy and Brown are interviewing Tapp at this time.

One of the detectives would ask a question of Tapp and if he didn't answer immediately the other detective provided the answer or the possible answer and then asked Tapp if that was correct.

Tapp is asked by Detective Brown if he (Tapp) or Mike used a stuffed bear to cover Angie's mouth.⁵⁸

Tapp doesn't answer immediately so Detective Stacy inserts, "You did, didn't ya."⁵⁹

Tapp responds with a question, "me?"

Detective Stacy: "somebody did."

55. Crime scene photographs of Angie show that the cut to the breast was made through her shirt. Meaning that her shirt had to have been down when the cut across the breast was made.

56. Tapp polygraph transcripts January 30, 1997, page 28.

57. Detective Finn keeps adding undue stress to Tapp just prior to his polygraph exam by informing Tapp of possibly receiving a death sentence in this case. Tapp polygraph transcripts January 30, 1997, page 28.

58. Page 27 Tapp January 31, 1997, interview.

59. Page 27 Tapp January 31, 1997, interview.

Tapp: "Ben grabbed the bear." ⁶⁰

Detective Stacy: "Okay, so the cut you made was across the breast?"

Tapp: "Yes."

Detective Stacy: "Was her shirt up or down?"

Tapp: "It was up." ⁶¹

Detective Stacy: "Who, when you left and went into the living room, was there anybody still at that time holding the bear? Where they still holdin' that on Angie?" ⁶²

Tapp responds that he took the bear off Angie before he left and placed it next to her. ⁶³

Detective Grimes asked Tapp where he was when he (Tapp) was holding Angie's arms. During this questioning, Tapp informed Grimes that one of Angie's arms got free from his (Tapp's) grasp. ⁶⁴

Tapp has been allowed to take a break and smoke. The interview started up and Detective Fuhrman is the interviewer.

Fuhrman: "Okay. In there, you said it was Tom Brown, so...are you stayin' with that? Is it Tom Brown." ⁶⁵

Prior to the above interview, Detective Finn provided Tapp with a list of names when he (Tapp) was being polygraphed. Tom Brown, a friend of Tapp, was on this list. Tapp told Detective Finn that Brown was not involved in the murder of Angie. It appears that Detective Finn was hoping to get a positive reaction to one of the names given to Tapp. Detectives had not tried to verify or eliminate Brown as a suspect in this crime.

Detective Fuhrman: "Okay. But what we talked earlier about with what's on the line for you."

Tapp: "It's life imprisonment. Or just a few years or many years or..." ⁶⁶

Fuhrman: "Right." ⁶⁶

60. Page 27 Tapp January 31, 1997 interview.

61. Crime scene photographs show that Angie's shirt was down when she her breast was cut. Detectives failed to acknowledge or corroborate this fact. Was the cut through the shirt, or across bare skin?

62. Page 52-53 Tapp interview January 31, 1997.

63. Forensic Case Report Sorenson Forensics (Touch DNA test). Item 6.0 Teddy Bear. Negative for Christopher Tapp.

64. The blood smear on the wall behind Angie's head could be consistent with the her getting an arm free. (Crime scene photographs.)

65. Detective Finn had given Tapp a polygraph exam where he (Detective Finn) gave him a list of names. Tom Brown was a friend of Tapp and his name is on the list. Tapp, again in the polygraph room, denied Tom Brown being involved.

66. Reid Criminal Interrogations and Confessions (Fifth Edition). Chapter 15 Distinguishing Between True and False Confessions. Confession Voluntariness page 344. As a general finding, tactics that are considered impermissible as topics initial threats of promise during an interrogation that address real consequences. Real consequences affect the subject's physical or emotional health, personal freedom (i.e., arrest, jail prison), or financial status (i.e., losing a job or paying large fines). At this point and time in Tapp's interrogation this has went from informing him of possible consequences to real consequences

CONCLUSION

In my opinion it is evident that Tapp was present when Angie was attacked and stabbed. This is based on the following:

During Tapp's first interview, Detective Fuhriman told Tapp several times that he is involved in some manner in the death of Angie. Tapp *never* denies this.

Fuhriman told Tapp that it may get ugly in here for you as far as incriminating yourself.

Tapp answers with only "Okay."

An innocent person who knows that they are not involved in a crime, such as murder, are going to deny any involvement adamantly and not answer with just "Okay."

Tapp explains to Detective Fuhriman that he (Tapp) will try and clear his name up. An innocent person does not have to try and clear their name up. They know they are not involved and there is no evidence that implicates them in the crime.

Tapp tells Detective Fuhriman that he (Tapp) was at home at the Avalon Apartments when Angie was murdered.

This statement was proven to be a lie, through the testimony of Jeff Blackburn, Tapp's roommate at the time of the murder. Tapp didn't get home until approximately 2:00 A.M. the night (early morning) that Angie was murdered.

Detective Fuhriman continued with the allegations that Tapp and Hobbs were overheard in a bedroom getting their stories straight as to where they were the night Angie was murdered. This was the third time that Tapp has been asked this question. Tapp denied that this happened to Detective Fuhriman just as he did when he was first questioned by detectives shortly after the murder of Angie.

Detective Fuhriman continued his interview stating he knew Tapp was involved in the murder of Angie to some degree.

Detective Fuhriman followed this with the question, "Did Ben intend to kill her?"

Tapp responds, "no no." Tapp is looking down at the ground.

Detective Fuhriman followed this question with, "was it a spur of the moment thing?"

Tapp doesn't answer this question verbally, but on the video he can be observed shaking his head up and down in the affirmative. Tapp is still looking at the ground.

Detective Fuhrman should have followed up with Tapp's response, but unfortunately he does not.

A deceptive person will often look away or at the ground when he is lying or being deceptive.

Often times the subject being interviewed will have spontaneous body reactions to certain questions, such as Tapp displayed with his head shaking up and down.

Further into the interview, Detective Fuhrman informs Tapp that Ben Hobbs had been arrested in Ely, Nevada, for assaulting and attempted rape of a woman.

Detective Fuhrman informed Tapp that Hobbs could be talking to the detectives and he (Hobbs) could be implicating him (Tapp) in the murder of Angie.

Tapp's response to this was that Hobbs was probably saying that he (Tapp) *helped* in the murder of Angie.

This is important in that Tapp said that Hobbs is probably saying that he (Tapp) *helped*. Up to this point in the interview Detective Fuhrman has only informed Tapp that he (Tapp) has information in the death of Angie, not that he had participated in anyway.

Again Fuhrman failed to act on Tapp's answer, he (Fuhrman) should have kept Tapp on track on how and why Hobbs would say that Tapp helped in the murder.

The Judges 4 Justice have stated that Tapp was manipulated into saying that Hobbs was mad at Angie for telling Hobb's wife that Hobbs had cheated on her and that Hobbs had no motive to kill Angie.

This is somewhat true, Tapp did attempt to answer Detective Fuhrman's question.

Tapp responded that, yes, Angie had caused some "shit" between Hobbs and DeAnn, but Detective Fuhrman cut Tapp off before he could complete the answer. Detective Fuhrman never had Tapp clarify what he was trying to say.

This information by Tapp is further corroborated in the interview with Jeremy Sargis, as he too said that Hobbs was upset with Angie. During the interview with Sargis, it is never really clear as to what the problem Angie caused between the two.

Tapp took a polygraph January 10, 1997, after which Detective Finn told Tapp that he was not being truthful with his statements. Detective Fuhrman entered into the polygraph room and both him and Detective Finn question Tapp.

Note: Tapp is still hooked to the polygraph machine while Detectives Fuhrman and Finn are interviewing him.

Tapp said that Hobbs told him (Tapp) that he (Hobbs) killed Angie. Both Detective Finn and Fuhrman are pushing Tapp to be more descriptive as to what Hobbs told him. Tapp makes the statement, "I-I didn't go with them." "Them" is referring to more than just Hobbs, and Tapp is implicating a third subject.

Again neither Detective Fuhrman or Finn have Tapp clarify why he said "*them*."

January 17, 1997, Detective Brown and Fuhrman are interviewing Tapp.

Tapp is now saying that he went with Hobbs to Angie's apartment.

Tapp's times differ a little during his interview between 11:30 and 12:30 as to when they arrived at her apartment.

Officer Moore believes that Tapp was able to determine the time when Detective Fuhrman told Tapp that Angie was killed during the night. In my opinion, I don't believe that Tapp is able to pick such a small frame of time as 11:30 to 12:30 by Fuhrman's disclosure.

Angie had guests at her apartment until approximately 12:30 A.M. By the evidence and/or lack of evidence at the scene, it is my opinion that Angie was killed shortly after her guests had left her apartment. Angie was still dressed in her sweatpants. This was during the summer months, it was warm, her windows were open, and the door upstairs was open to allow a breeze to enter through the apartment. Angie most likely would have removed the sweatpants prior to going to bed.

There is evidence that it was a "blitz" type attack. Angie was not killed in her bed by the lack of evidence of stabs in the bedding covering the mattress. The bedding also appears undisturbed, where as if Angie had been attacked on the bed, the bottom bedding would be more askew.

Angie had to have allowed entry into her apartment. There was no forced entry discovered, therefore she knew her attacker(s).

Tapp told detectives that he and Hobbs went to the front door of Angie's apartment.

Detective Brown asked Tapp what Angie was wearing when she came to the door.

Tapp tells Detective Brown, "What comes to mind is t-shirt and sweats."

The crime scene photographs show that Angie was killed wearing a t-shirt and sweats. This is specific information that I could not find had been disclosed to Tapp prior to this statement.

Tapp is later asked by Detective Fuhrman how Angie's clothes were arranged on her, followed with "did you see any bare skin at all?"

Tapp responded "Like her sweats are half on. One leg was (unintelligible)." When answering this Tapp is waving his hand down around his thighs.

Angie was found with her sweats pulled down, one side lower than the other. This is very unique to this crime.

This is information that only someone that would have been present during the murder of Angie would know.

Tapp told Detectives (prior to being shown the crime scene photographs) that Hobbs and Angie got into a verbal argument that escalated into Hobbs attacking and stabbing Angie. Tapp said Hobbs hit Angie, knocking her to the ground.

Angie did have a bruise to her ear that could have been caused by being hit. It appears by the knife wounds Angie received during her attack that it was a frontal assault.

Most knife attacks are a frontal assault, however, often times the victim receives wounds to the side, back, head and shoulders when they attempt to flee or fight back.

All of Angie's wounds are to the front torso. This would be consistent with a blitz assault that was quickly controlled by the attacker(s).

The position that Angie was found, is consistent with Tapp's story of the attack.

She was laying on her back. It appears that Angie was attacked and pushed back into her room.

It is possible that Angie and Hobbs were standing in the short hallway in front of her bedroom when they first started to talk. The argument got heated and Hobbs attacked Angie. During the attack, she retreated back into the bedroom to where she was found.

The Judges 4 Justice believe that Angie was attacked in her sleep on the bed. If this was the case, it would seem that Angie would have never gotten off the bed. The attacker would have been able to get on top of her while she was sleeping. Angie would most likely have been found laying in her bed, half off the bed or along the side of the bed, and the sheets would have been in disarray.

It is my experience that when subjects are attacked in their bed, there will be cuts (stabs) found in the bedding (sheets). There are none reported or documented in this case.

It also appears that the sheet covering the bed (crime scene photographs) appears to be undisturbed except where it appears that someone might have sat on it at the foot of the bed by the body of Angie.

Had Angie been attacked on her bed, I would expect the sheet covering the bed to be more disturbed. The defense wounds on her hand and arms prove Angie was able to put up a short fight. The sheet covering the top of the mattress would have been disturbed during the fight.

Angie had a few defense wounds from the attack which would mean that her attacker was able to control her very quickly or that he had help in controlling her.

Tapp also told detectives that Hobbs pulled a folding bladed knife from his pocket. This type of knife most commonly has a blade length consistent with the stabs into Angie's body. Hobbs was also known to carry a knife.

During this investigation, detectives learned that Sargis was missing a knife. Sargis believed that Hobbs had taken the knife. The knife was described as a folding knife with a three-inch blade.

Judges 4 Justice state that the Idaho Falls Police Detectives had Confirmation Bias and/or tunnel vision when they pursued Hobbs and Tapp. This is not true. After the murder of Angie, the Idaho Falls Police Department conducted an intense comprehensive investigation.

They interviewed hundreds of individuals, followed up on numerous tips called in and took DNA samples from anyone (male) that was close to Angie.

In 1996, DNA testing was extremely expensive and this was done at a great expense to the Idaho Falls Police Department. The only other time I have seen something like that done, was during the Boise, Idaho murder case of Lynn Henneman, the United Airlines Stewardess that went missing. Hundreds of DNA samples were taken from homeless males in the area at the time.

Ben Hobbs had been arrested in Ely, Nevada for an Aggravated Assault and Attempted Rape using a knife.

The Idaho Falls Police Department Detectives acted on this. In my opinion this good police work.

Research of murders found that most murders are committed by someone the victim knew or had been associated with.

There is verification that Ben Hobbs and Angie were friends at one time. Hobbs had even been at Angie's home prior to the murder.

There is evidence that Hobbs had become upset with Angie. During Tapp's first interview when Detective Fuhrman asked if Angie had caused some "shit" between Hobbs and DeAnn, Tapp started to tell Detective Fuhrman that, yes, she had. Unfortunately, Detective Fuhrman didn't allow Tapp to complete his statement.

More evidence of Hobbs being upset was disclosed during the interview of Jeremy Sargis. He also told investigators that Hobbs was upset over something Angie had done that involved DeAnn. The investigators never really did determine the reason Hobbs was upset with Angie.

Judges 4 Justice state Detective Fuhrman contacted DeAnn Calloway by telephone and spoke to her about the reason for leaving Hobbs.

This is a murder investigation, DeAnn Calloway *should* have been interviewed in person.

DeAnn was Hobb's wife at the time of the murder of Angie, she (DeAnn) was one of the closest persons to Hobbs just prior to this murder, and as the Idaho Falls Detectives believed, possibly the reason for the murder.

DeAnn told Detective Fuhrman that Angie did not cause the breakup between herself and Hobbs. Because this interview was not recorded, we do not know what questions Detective Fuhrman specifically asked DeAnn. It is also possible that DeAnn did not know what Angie did to Hobbs to make him so upset.

It was also stated, through several interviews, that Hobbs had a very violent temper. Debra Bonsor (DeAnn Calloway's mother) told investigators that DeAnn was afraid of Hobbs because he would get mad and start hitting things.

Contamination of Tapp's Interviews

During the first interview Tapp denied any knowledge of Angie's death. During this interview, Detective Fuhrman began to contaminate the interview by providing information as to how Angie was killed.

Detective Fuhrman told Tapp that Angie, "was butchered, stabbed and sliced."

From this point in the investigation any information that Tapp provides concerning a knife being used in the crime (a knife is used to butcher, stab, and slice) and/or the person being butchered, stabbed or sliced is tainted.

Tapp was arrested on January 11, 1997, because he failed to show for his interview voluntarily. Tapp had retained an attorney.

Tapp was brought into the interview room again. Detective Fuhrman further corrupts the interview as he again informs Tapp that Angie was cut over and over again.

On January 15, 1997, Tapp is given a polygraph by Idaho Falls Detective Finn. During this exam Tapp is again provided information as to the specifics of the crime. One of the questions Detective Finn is asked Tapp was, "did you see Angie Dodge's body in the apartment, on the floor before the murder was reported?"

Tapp now knows that Angie was murdered on the floor of her apartment, that a knife was used to stab her multiple times, and there are probably cuts on her.

In the January 17, 1997, Tapp was being interviewed by both Idaho Falls Detectives Fuhrman and Brown. Tapp gave details as to how Hobbs stabbed Angie.

(03:03:51 video) Detective Brown entered into the interview room and shows Tapp pictures of the crime scene. These photographs show Angie as was she was found on the floor. Anything that Tapp reveals now, as to information as to the crime scene, is tainted and cannot be deemed independent corroboration.

January 17, 1997, Detective Fuhriman has learned that the DNA found at the crime scene doesn't match Tapp or Hobbs. Detective Fuhriman starts to question Tapp if Jeremy Sargis could have also been in the apartment when Angie was killed.

Tapp tells Detective Fuhriman that he doesn't recall Sargis being in the apartment that night. Detective Fuhriman tells Tapp that he (Fuhriman) now believes that Sargis was with them. Tapp is still saying that he can't remember Sargis being there.

During this interview, at different times, Detective Fuhriman goes back and asked Tapp if Sargis could have been in the apartment. Tapp responds, "no."

Detective Fuhriman: "It has come to our attention that it looks like Jer was probably more involved."

Detective Fuhriman continued with, "what involvement --I mean, it looks like he probably was there at one time. Yeah?"⁶⁷

Tapp: "How could he have been there? I'd remember Jer being there wouldn't I?"⁶⁷

Detective Fuhriman: "I would think so."⁶⁷

Tapp: "I don't remember seeing him there."⁶⁷

Detectives already interviewed Jeremy Sargis and found that he had an alibi for where he was the night Angie was murdered.

Detective Fuhriman then started to ask Tapp where the knife was. Tapp is telling Detective Fuhriman that he doesn't know. Detective Fuhriman told Tapp that he told him that he already (Tapp) tossed it.

Tapp, during the interview of January 15, 1997, Tapp did say that he tossed the knife. However, he corrected himself and said that Hobbs tossed the knife in the river.

Tapp is given another polygraph by Detective Finn on January 18, 1997.

During this pre-polygraph exam, Detective Finn asked Tapp who else was in the apartment with him and Hobbs.

Tapp: "Some guy, I remember somebody else being there. I have to."

67. Tapp interview transcripts January 17, 1997, page 50.

Tapp continues with "**maybe** Jer was. Jeremy, put Jer there." Tapp also said he was "**speculating** that Jer was there, so I'm going to go with yes on that."

Tapp is not saying Jeremy Sargis is in Angie's apartment. Detective Finn should have stopped Tapp and told him that he needed to know if Jeremy was there, yes or no, before continuing with the polygraph exam. Detective Finn would have known by Tapp's response that he was going to get a failed polygraph test.

Instead Detective Finn proceeds with the test and Tapp answered "yes" to Jeremy Sargis being in the apartment when Angie was killed.

At the conclusion of the test Detective Finn tells Tapp that he is 100 % truthful when he said that Jeremy Sargis was in Angie's apartment.

It is possible that Tapp cannot recall all the details of this crime. A study conducted showed that 26% of men who had been convicted of murder or manslaughter could not remember committing the crime. In other studies, between 25% and 65 % of convicted murders report some level of amnesia associated with their crime.⁶⁸

A contributing factor to this failed memory includes a state of intoxication.

Numerous times throughout Tapp's interviews, he states that he was extremely high prior to going to Angie's apartment.

Tapp left the polygraph room and went to the interview room believing that he has told the truth that Jeremy Sargis was in the apartment when Angie was killed.

Interview January 18, 1997

Detective Fuhrman further contaminates the interrogation when he asked Tapp if he noticed any stuffed animals in the room where Angie was killed.

Tapp tells Detective Fuhrman that he (Tapp) doesn't recall any stuffed animals.

Detective Fuhrman stated "*this is pretty important*" he followed the statement with "did anyone put anything over her face or her mouth and muffle her screams, or her cries or anything?"

Detective Fuhrman has informed Tapp now that a stuffed animal was used to muffle the screaming of Angie during her murder.

68. Reid Criminal Interrogations and Confessions (Fifth Edition). Chapter 15, Distinguishing Between True and False Confessions. Accuracy of Corroboration, page 359, a number of factors can inhibit a guilty suspect's ability to recall specific details of a crime during a confession. Among the most common are being under the influence of drugs or alcohol at the time the crime was committed.

Detective Fuhriman continued to contaminate the interview by telling Tapp that some sexual acts were performed on Angie during her murder.

Detective Fuhriman continued to tell Tapp what "he" (Detective Fuhriman) believed happened during the murder of Angie.

Detective Fuhriman told Tapp that someone was forcing her (Angie) to perform oral sex on them during the crime.

This information was very specific to this crime. This is information that should have never been told to a suspect especially one believed to have been present during the murder.

Interview January 29, 1997

Prior to this interview, Tapp was taken to the apartment where Angie was murdered. This trip was not, in any manner, documented. By taking Tapp to the crime scene and not documenting any of it, makes any information received from Tapp here after is questionable as to its reliability. There is no way to know if it is independent corroboration or if this is information that Detective Fuhriman or Finn provided, or suggested to Tapp while they were in the apartment.

Tapp's agreements with the State for his cooperation were revoked and Tapp was charged with the murder and rape of Angie. The reason the State revoked the agreements was they believed he violated the agreement by lying about his involvement and the identity of other participants in the murder of Angie, and he lied specifically as to Sargis being involved.

Tapp appealed the decision of the District Court upholding the States right to void the agreement. (State of Idaho vs. Christopher C. Tapp NO. 25295)

The Court denied Tapp's appeal.

Detective Fuhriman was the one that introduced Sargis as a suspect even when Tapp denied this. Detective Finn assisted in convincing Tapp that he (Tapp) was telling the truth when he stated that Sargis was in Angie's apartment when she was killed. It was after the polygraph by Finn that Tapp believed Sargis was involved in the murder of Angie.

In my opinion, any statements Tapp made regarding his involvement assisting or holding Angie, during her murder, after the visit to her apartment on the 29th, is questionable and tainted. This is based on the fact that Detective Fuhriman, in every one of his interviews with Tapp, informed Tapp of some detail(s) of the crime. Additionally, Detective Finn, who was also present during this undocumented visit, had also provided specific crime scene details to Tapp during polygraph exams. Detective Finn at one point even instructed Tapp how to answer a specific question (using the term "in fear of his life").

Detective Fuhriman testified during Tapp's trial, that Tapp told him (while at the apartment) he (Tapp) was standing on Angie's left side holding her arms down.

In review of the crime scene photos, on the left side of Angie's shoulder is a white plastic laundry hamper filled with stuffed animals. Had Tapp been standing there, he most likely would have turned over the hamper, shoved it out of the way, or disrupted it in some manner. He would have been unable to stand near her head as she was too close to the wall. Hobbs and the unknown subject are already at her hips and legs (according to Fuhriman).

This statement seems very unlikely to have occurred as stated by Fuhriman.

Detective Fuhriman also testified that Tapp told him (while in the apartment) as he was holding her down, the sex acts were being done.

It is believed that one of the assailants attempted fellatio during the attack. There is evidence of this by the pubic hairs (Angie's) found on her face and hands. In my opinion it is uncommon for an assault to have a female attempt fellatio while she laying flat on the ground on her back. This is also based on the position/location of Angie. She is laying near the bed and wall with Hobbs at her feet and Tapp on her left side making this act very difficult for a third person to attempt.

Tapp's own statement that he cut Angie across the breast is questionable. Tapp stated that when he cut her, her shirt was up. There is a cut in her shirt that correlates with the cut across her breast. This proves her shirt was down when the cut across the breast was made.

Toward the end of the interview, Tapp wanted to stop and talk with his attorney, who is not present in the room during the interview. Detective Fuhriman questioned Tapp as to why he wanted to speak with his attorney and doesn't want Tapp to stop the interview. Tapp has the right to stop the interview at any time he has a question and to discuss legal issues with this attorney and Detective Fuhriman has no right to know what those issues are.

Interview January 30, 1997

Tapp had been re-arrested because the Idaho Falls Police Detectives believe that Tapp is withholding information as to the identity of who the donor of the DNA was.

At this point, Tapp had taken several polygraphs conducted by Detective Finn. During the pre-question phase of the test, Detective Finn explains to Tapp that he is looking at a very long sentence and even the possibly the death sentence if he doesn't cooperate.

Usually informing a suspect of the consequences of his acts is not considered threatening. However, Tapp was told continually throughout the interviews of the possibility of a death sentence. I believe that the repeated consequences stated to Tapp and the fact that he could end up with the death penalty had started to affect his creditability as to the truthfulness of his statements.

Prior to the start of the interview of January 30, 1997, Detective Fuhriman told Tapp that he had talked with "both attorneys, both sets." By this conversation I surmised that another agreement was being drawn up for Tapp.

It is my opinion that after the visit to the apartment, and the detectives continually providing specific crime scene information, anything Tapp said, any statement that he made concerning the murder of Angie has been contaminated and is questionable and needs to be authenticated.

Tapp has been given numerous promises that he will be ok if he cooperates and tells the truth as to the facts of the murder of Angie. Tapp believes these promises, provides what he believes is the truth, is given freedom (released from jail), only to then have that freedom revoked and returned back to jail.

Tapp has been given numerous polygraphs throughout this process. It is evident during the January 17, 1997, polygraph that Tapp doesn't believe that Jeremy Sargis was in the room when Angie was killed when he takes this test.

After the test, Detective Finn told Tapp that he was 100% truthful. Tapp then believed that Sargis was in the room when Angie was killed.

It is plausible that Tapp can't recall specific events of the murder of Angie due to his intoxicated state.

January 17, 1997, Detective Stacy further contaminated Tapp's statements by also providing him with additional specific crime scene details.

Detective Stacy asked Tapp what happened to the cloth that was used to clean Angie.

Tapp responded that they used a plastic sack (grocery type) to carry the items out of the house.

This statement from Tapp is tainted by the undocumented trip to Angie's apartment. Detective Fuhrman stated that they went into different rooms of the apartment. It is possible that while in these rooms Tapp was provided information as to possible events that detectives believed occurred in these rooms.

During the interview of January 31, 1997, the contamination of Tapp's interview continues.

Detectives Stacy and Brown start out interviewing Tapp.

Tapp is provided additional details of events that possibly occurred during the murder of Angie.

Detective Brown asked Tapp if a stuffed bear was used to cover Angie's mouth.

When Tapp doesn't answer immediately, Detective Stacy inserts, "You did, didn't ya."

Tapp told them, "Ben grabbed the bear."

Detective Stacy then *tells* Tapp *that Ben made him* (Tapp) cut Angie, so he (Tapp) cut Angie across the breast.

Tapp: "yes."

This statement was made by Tapp after his polygraph exam where Detective Finn told Tapp how to answer this question. When he (Detective Finn) was questioning Tap, Detective Finn instructed Tapp to say that he (Tapp) was in fear of his life.

Detective Stacy followed this question with, "was the shirt up or down?"

Tapp: "it was up."

The crime scene photographs show that the cut to Angie's breast was through the shirt. The shirt was down when the cut to her breast was made.

Tapp was charged and tried as a principal for Murder in the First Degree and Rape.

From reviewing the investigative reports, interviews and trial transcripts, the charges stem largely from Tapp's own statements which, from analysis, prove that most of his statements as to his personal involvement were questionable.

Detective Fuhrman, during the trial of Tapp, testified extensively that Tapp was never provided specific information as to the murder of Angie.

Q: "Would it be an acceptable interview technique for you to interview someone and tell them everything you know about the case?"

A: "No, absolutely not." ⁶⁹

Q: "Tell us, if you can, what Mr. Tapp talked to you about on the 11th after Mr. Taylor came?"

A: "He revealed that Mr. Hobbs had cut her over and over, which was new to us, and described that it was sick." ⁷⁰

Q: "In the course of this interview, as in the course of the interview on the 7th and the 10th did you reveal anything to Mr. Tapp about specific details of the crime; that is, where the stabbed marks were, where the slice marks were on the body of Angie Dodge, where the body was laying, anything of that sort of detail about the crime scene?"

A: "No."

⁶⁹ Page 1154 Trial transcripts of Fuhrman's testimony.

⁷⁰ Page 1190 Trial transcripts of Fuhrman's testimony

During part of Detective Fuhrman's testimony, he testified as to what happened when they took Tapp to the apartment where Angie was murdered.

Q: "Did he tell you anything different about what happened that he had told you in the previous interview tapes?"

A: "Yes."

Q: "What did he tell you?"

A: "It was at this point in time that he admitted that he actually took part in holding her (Angie) down."

Q: "Okay. And did he describe to you how that occurred?"

A: "Yes, he did."

Q: "Tell us what he said."

A: "He showed us exactly where the body was or the general area where the body was. And he walked."

This is why documentation of the suspect's statements and activity when he/she is taken back to a crime scene is important. This is an unclear and misleading answer. Did Tapp show them exactly where Angie was found or did he show them the general area?

Continuing with Detective Fuhrman's trial testimony starting with page 1240.

Q: "Okay. From your review of the physical evidence found at the scene, was there anything inconsistent with what Mr. Tapp had been telling you in that regard, either in prior interviews, at the scene on the 29th or during the interview on the 29th?"

A: "Inconsistent?"

Q: "Yes."

A: "No. Everything was pretty much verified."⁷¹

Q: "Now, we had interviews on the 7th, the 10th, the 11th, the 17th, the 18th, the 29th, the 30th, and now we'll see later today the 31st. Were you around the investigation of this case during that period of time?"

⁷¹ Page 1240 Trial transcripts of Fuhrman's testimony.

A: "During those dates, yes, I was."

Q: "To your knowledge, was anyone divulging anything to Christopher Tapp about the crime scene or about the facts of the case that you as investigators knew in between the interviews?"

A: "No, not to my knowledge."⁷²

Q: "Okay. Now, what is this evidence you have against Hobbs?"

A: "Basically the statements Mr. Tapp has made that we have been able to prove, bear out that they have been true."⁷³

Tapp, during his interviews, told detectives that he assisted in holding Angie while she was stabbed and raped by Hobbs.

Q: "Okay. But you did certainly intend to manipulate and to lead Christopher Tapp?"

A: "Well, I don't know about leading. All I was doing is--he had a lot of information, and it was slowly coming out. So we would present different ideas and present different options, and a lot of times he answered the right questions. But there were some times that we threw out some options, but he said, no that's not it."⁷⁴

Q: "So the information at least to the extent that Mr. Tapp was coming up with on that date (11th or 10th) about Ben Hobbs cutting Angie was something that he did not get from you?"

A: "No, absolutely not."⁷⁵

During the trial at the start of the viewing of the recorded interview of January 17th, 1997, Tapp's attorney, Mr. Booker, had stopped requesting that the entire video of Tapp's interviews be shown to the jury. So as of this date, the jury is only seeing what portions of the video the prosecution was wanting them to see.

It is also important to note that the jury is not seeing the video recordings of the polygraph interviews and the information that is being provided to Tapp during these polygraph interviews by Detective Finn.

Detective Fuhrman is being crossed on his testimony during the trial by Tapp's Attorney, Mr. Booker. (Note this in reference to the first trip to the house where Tapp identified where Angie's apartment was located).

⁷² Page 1244-1245 Trial transcripts of Fuhrman's testimony.

⁷³ Page 1269 transcripts of Fuhrman's testimony.

⁷⁴ Page 1280 transcripts of Fuhrman's testimony.

⁷⁵ Page 1185 transcripts of Fuhrman's testimony.

Q: "There were no cameras there were there?"

A: "No. didn't need any."

Q: "Tape recordings?"

A: "Didn't need any."⁷⁶

At this time the Idaho Falls Police Department are still conducting extensive DNA tests on specific items of evidence.

January 11, 2013, the purple "Enuf" t-shirt, the sweatpants and the teddy bear were tested at Bode Technology in Lorton, Virginia.

The STR profiles of Ben Hobbs, Christopher Tapp, Jeremy Sargis and Christian Grebstad were submitted for comparison.

Only Christian Grebstad could not be excluded on the sweatpants. Hobbs and Tapp were excluded.

The "Enuf" t-shirt had three (3) or more contributors. Hobbs and Tapp were excluded.

The teddy bear also had two (2) contributors. Hobbs and Tapp were excluded.

The above DNA testing does not preclude the fact that Hobbs or Tapp were the contributors it only means that a positive result could not be concluded with the DNA discovered.

June 14, 2016, again tests were conducted, this time using a MVAC filter through Sorenson Forensics, in an attempt to identify DNA.

The MVAC filter analysis covers a much larger area in the DNA testing process.

Tests prior to the MVAC were conducted by taking a very small sample of a suspected area and submitting it for analysis.

The MVAC analysis is a sterile wet-vacuum. It creates a "mini-hurricane" that loosens the DNA material which is transferred to the collection bottle and later concentrated onto a filter. This allows for the testing of a much larger area.

The following were tested using the MVAC. The sweatpants, (FB1 and FB2) the teddy bear, t-shirt and swabs from Angie's hands.

76. Page 1284-1285 Trial transcripts of Fuhrman's testimony.

Only one area of the sweatpants was tested. A mixture of Y-STR DNA profiles from a minimum of three (3) male contributors were obtained. The test was inconclusive.

The teddy bear had a mixture of Y-STR DNA from a minimum of three (3) male contributors. One of the contributors is the unknown male already found. The other two are inconclusive.

The t-shirt. A mixture of Y-STR DNA from a minimum of four (4) male contributors was obtained from this item. Due to the complexity of this mixture, this DNA is inconclusive and cannot be compared to any known reference sample.

Angie's right hand swab. A mixture of Y-STR-DNA profiles from two (2) male contributors was obtained from this item. The major Y-STR-DNA is from the already unknown male donor, the minor is inconclusive.

Angie's left hand swab. A mixture from three (3) male contributors was obtained. The major again is the unknown male donor, the other two mixtures are inconclusive.

Tapp stated that he held Angie down by her arms and wrist, he stated at one time that he cleaned his hands on her shirt, and he said that he picked up the teddy bear that had been placed over her mouth.

From the statements Tapp gave to the Idaho Falls Police Detectives explaining his involvement in the murder of Angie in 1997, especially with the latest MVAC that was conducted, one would think that his (Tapp's) DNA would be present on at least one of the items above.

With everything I have reviewed, it is my opinion that Tapp was at the apartment when Angie was murdered. This is based on not one specific statement by Tapp, but by the totality of the statements provided that were not contaminated or tainted, by evidence from the scene, and statements provided by witnesses.

Tapp at least witnessed the attack and the stab(s) to her chest area. He was present at least when her sweats were pulled down or at some point in time he saw her as she was found.

In my review of this case, statements made by Tapp of his personal involvement in the death of Angie are either tainted, questionable, or unlikely.

With cases being overturned by DNA, the research as to individuals confessing to crimes that they actually were not involved in is much more prevalent than back in 1997. As is the different studies and research into the Disease of Certainty,⁷⁷ False confessions, and "I Did It" confessions.

Jurors today are wanting (expecting) to see more forensic evidence during a trial. The lack of Tapp's DNA in this case in my opinion would be a huge factor.

The above opinion was based on the information that I was provided. If additional information is discovered it could change this opinion.

⁷⁷ Perspective the Disease of Certainty (FBI) Everett Doolittle D.P.A.