

Disclaimer 00:00

The System contains adult content and may not be suitable for all audiences. Listener discretion is advised.

Tonya Strong 00:13

Kevin, you're accused of heinous crimes, aggravated murder and attempted murder. Children were shot and one was killed. Did you do this?

Kevin Keith 00:28

No I didn't Tonya. I love kids.

Kim Kardashian 00:33

This is from an interview between Kevin Keith and Tonya Strong at News Four. It takes place only days after the murders. Kevin has just been arrested. He's wearing an orange jumpsuit and he's sitting next to his defense attorney James Banks as he pleads his case to the public.

Tonya Strong 00:51

Did you know this family?

Kevin Keith 00:53

Yes.

Tonya Strong 00:54

What is your relationship with Marichell Chatman and Linda Chatman?

Kevin Keith 00:58

There was really no relationship. We had grew up earlier. I haven't seen them about four or five years.

Tonya Strong 01:04

So you grew up with them...

Kevin Keith 01:06

Yes.

Tonya Strong 01:06

In Crestline or the Bucyrus area?

Kevin Keith 01:08

Crawford County.

Tonya Strong 01:09

Okay. Had you ever been to that apartment?

Kevin Keith 01:14

No.

Tonya Strong 01:17

Were you near there the night of the crime?

Kevin Keith 01:20

No.

Tonya Strong 01:24

When I talked to you on the phone, you didn't seem nervous. But you look nervous now. You looked scared now.

Kevin Keith 01:32

I was scared when you were talking to me on the phone.

Tonya Strong 01:36

Are you afraid now?

Kevin Keith 01:38

I've been afraid ever since I got picked up. Because I wouldn't do a thing like this. I wouldn't hurt nobody's kids.

Tonya Strong 01:46

And two of the children who were injured, you say you knew well.

Kevin Keith 01:49

Yes,

Tonya Strong 01:52

Quentin and Quanita?

Kevin Keith 01:55

Yes.

Tonya Strong 01:56

How did you know them?

Kevin Keith 01:57

Because their dad and I spent a lot of time together. We was like best friends. They came over a lot this summer. And, you know, I fed them and their dad was going through bad times with a divorce, and I was there to comfort him.

Tonya Strong 02:12

If you are innocent, then this is certainly an incredible trial to go through emotionally, how are you holding up?

Kevin Keith 02:20

I'm not holding up. I'm not holding up. But, who can I talk to? I mean, they just came to my house, kicked the doors in and arrested me and brung me here threw these charges on me. I don't understand what's going on.

Tonya Strong 02:34

Is there anything you can say right now in your own defense?

Kevin Keith 02:37

I did not harm anyone. And I love kids. I would never do that to nobody's kids. Never. I have a daughter of my own. I did not do this crime.

Kim Kardashian 02:53

In this interview, Kevin says he knew the families, particularly the Reeves family, and that he babysat Quentin and Quanita Reeves in the past to help out his good friend and their father Demetrius while he was going through a divorce. I was shocked to hear that Kevin knew the kids so well, and was presumably best friends with their dad. He doesn't suggest that there was any bad blood between them. In fact, quite the opposite.

Kevin Keith 03:18

Demetrius two kids, I love them, like I love my own. And he knows that. I believe deep down inside, he really knows that.

Kim Kardashian 03:30

I'm Kim Kardashian. And this is The System. I don't know what it's like to not have a family member around because they're locked up like I don't know. But I can imagine you think that could have been my brother, that could have been my father. And I could think about my family and think about if one of us made one bad decision that got one of us locked up our whole lives would be different. And we would be just a completely different family. When someone gets locked up like it changes their whole family. It's not just one person. So imagine, you know, to get locked up for something that you didn't do. The fight of the family is also what I'm fighting for. This is where I was sitting when I interviewed your brother.

Charles Keith 04:44

Wow.

Kim Kardashian 04:44

On Zoom though.

Charles Keith 04:46

Well, I've practiced this a million times.

Kim Kardashian 04:49

Recently, I finally got to sit down face to face with Kevin's number one advocate, his older brother, Charles Keith. Yeah, I like your T-shirt, "I stand with Kevin Keith," with his big smile on his face,

Charles Keith 05:04

And I have one for you.

Kim Kardashian 05:05

You do?

Charles Keith 05:06

Yes.

Kim Kardashian 05:06

Oh good.

Charles Keith 05:07

Yes.

Kim Kardashian 05:08

Good. I love that.

Charles Keith 05:10

I smile now. And it's, it's, it's a smile of joy. I've tell people to believe in somebody and not stand. That's not good. You have to stand if you believe you must stand. If there's something that you believe in, you must stand up for it.

Kim Kardashian 05:30

Do you feel like... Has there been any point where you've lost yourself forgetting the fact that Kevin is your brother?

Charles Keith 05:42

Yes, I would have to say my first five years, I got a chance to see what hate really looked like. And it was starting to destroy me. The anger. The why me and the cries and the scream outs. And you know, and it was funny because I asked God, why me and it was a funny voice and came back and says why not you? The case no longer became a burden. It became something to do. Yeah it wasn't burdensome at all. This is my brother, he's not heavy. He's my brother. So yeah, the first five years was difficult. After the first five. I started learning. I started using my education. It's sad that I had to use my education as a weapon. I couldn't use it to benefit myself, prophet, or anything or to take care of my children or to take care of my family. I had to use my education as a weapon.

Kim Kardashian 06:38

You probably had no idea the whole scope of the case or the information on either side, really. Did you ever have like inside deep, deep, deep inside any secret doubts of like, well, we're here did get the death penalty?

Charles Keith 06:54

Well the secret doubt was they got to have something? I mean, there's got to be something that drew them toward Kevin. And that's what I thought. I'm like, so what is it? And that's what started me to investigate. Had I believe he was guilty, I would have never done anything. But I was like, well, what do they have on him? So when I got these documents in front of me, and I was able to read them, I was like, wait a minute, these documents never made it to court. Everything that I compiled. Everything that I gathered over the years, none of that stuff made it to court. That's why he was found guilty. It's not what the jury knew, it's what they didn't know.

Kim Kardashian 07:28

Yeah. And I've seen that whole case book. I mean, that's what made me want to get so heavily involved.

Charles Keith 07:34

Had any of those documents been entered in court they would have been no good to me.

Kim Kardashian 07:38

Yeah,

Charles Keith 07:38

And I didn't know that. So this is what was missing. So you imagine these people, these professionals coming up telling the story to convict a man, a black man, poor black man, which made the target very easy. Just overwhelm us. I mean, what are we supposed to do to defend ourselves?

Kim Kardashian 07:57

Yeah,

Charles Keith 07:58

Because when you speak up as a black family, he didn't do it, you don't have any... and if Kevin didn't have any integrity, we didn't as a family, you're the brother of this murderer, and that's who our family became. So we became outcast, even in our own community, which was even worse, oh my god, you guys believe Kevin did that. In a hood, whatever you say about somebody, it's so easy to believe it, because look where you're from, you know, and if you were a good person, then you would not be living in the hood. And that's how people think. You know, it's funny, because we were sitting in Crestline. And, you know, I'm just sitting here and I'm laughing. And I'm thinking about all the people that were there, and we grew up, we used to call it clothesline, because everybody just was just hanging. Nobody was looking for careers, it was like you could not get out of Crawford County. You know, you just couldn't do anything. So everybody just kept hanging around, hanging around, hanging around. And it's

funny because the relationships grew out of the male and females that could not stand each other when they were younger. Now they all have kids together. It's funny.

Kim Kardashian 08:59

I know you said that all the families were close or connected growing up. What was the family dynamics between the Keiths, the Chatmans, the Reeves and the Meltons?

Charles Keith 09:11

We were all kids together, grew up together, went through elementary school together. And then you know, some of the Chatmans and the Keiths got together. They became family. We have mutual family members, not with the Melton family, but we still all knew one that we grew up. But yeah, we have mutual family members. So I'm able to talk to my cousins that talk to their cousins, which are the Chatmans.

Kim Kardashian 09:37

It wasn't just Demetrius and Kevin who were friendly. I was surprised by just how close all of the families involved were. They grew up together. And many of the families were not so distantly related in this tight knit community. Demetrius Reeves was Kevin's good friend. Kevin insisted he never would have done something like this to kids, much less kids of a friend like Demetrius. Kevin also said he knew the kids well. But it wasn't until after Kevin was arrested that the police got a statement from one of the kids, Quanita. Here's producer and Kevin Keith advocate Lori Rothschild on the Quanita Reeves interview.

Lori Rothschild 10:18

Quanita and Quentin were the two kids that survived. They were shot and survived. When police questioned Quanita they said, you know who shot you? She said.

Quanita Reeves 10:30

It was Bruce.

Michael Corwin 10:30

It was Bruce. Who's Bruce?

Quanita Reeves 10:30

My daddy's friend.

Michael Corwin 10:30

Your daddy's friend. Okay.

Lori Rothschild 10:40

She literally said, "My daddy's friend Bruce shot me." She didn't say Kevin Keith. Quanita was seven years old at the time. I have an eight year old at home. My eight year old would know who babysat her by name. By the way, there's no cross racial identification issues. They're both black. She would have

known exactly who walked into that room if it was Kevin Keith, but instead she said it was my daddy's friend Bruce.

Michael Corwin 11:12

Have you ever seen this Bruce before?

Quanita Reeves 11:12

Yeah. In the Crestline. Yeah.

Michael Corwin 11:15

Where have you seen him at?

Quanita Reeves 11:17

Everywhere.

Michael Corwin 11:18

Everywhere?

Quanita Reeves 11:19

He been talking to me.

Michael Corwin 11:20

He been talking to you?

Quanita Reeves 11:22

At the apartment.

Michael Corwin 11:23

Back to the apartment

Quanita Reeves 11:25

At my grandma's

Michael Corwin 11:27

Oh you were at your grandma's house. is that where you saw him? Okay your shaking your head again. Oh in Crestline? I see. Okay, so you saw him in the Crestline.

Kim Kardashian 11:47

During the interview Quanita says she'd seen this Bruce before at her grandma's house in Crestline.

Lori Rothschild 11:54

She wasn't sedated in the interview. She sounds completely lucid. I mean, she sounds like she... I mean, she sounds like a seven year old little girl. You know, she sounds like a... she sounds like a child.

She sounds like an innocent kid who just saw a horrific scene happen in front of her. And she was lucid enough to say my daddy's friend Bruce.

Michael Corwin 12:20

Did he say anything?

Quanita Reeves 12:21

Yeah.

Michael Corwin 12:23

What did he say?

Quanita Reeves 12:24

Just get down.

Michael Corwin 12:25

Just get down. He didn't tell you why?

Rachel Troutman 12:34

The police arrested Kevin they decided Kevin was the perpetrator and arrested him before they even interviewed Quanita Reeves.

Kim Kardashian 12:42

This is Rachel Troutman again. Kevin's current attorney from the Ohio Public Defender's Office.

Rachel Troutman 12:48

It was the nurse from the hospital that was taken care of Quanita was the one who reached out to the police. Because Quanita had told her nurse that it was her daddy's friend Bruce and that she was afraid. So that nurse called the police and that at that point the police came in and interviewed her and she told them the same thing. So after she tells him the same thing they showed her the lineup, the photo lineup.

Michael Corwin 13:15

Okay. If I showed some pictures and if his picture is there you think you'll recognize it?

Quanita Reeves 13:20

Yes.

Michael Corwin 13:20

Okay. I got six pictures, right here okay, I just want to look at them and if you can't see him, that's okay but if you see him, you just point at him and tell me which one he is.

Quanita Reeves 13:38

No.

Michael Corwin 13:38

None of those are him?

Quanita Reeves 13:40

He doesn't have a head like that.

Michael Corwin 13:43

What do you mean he doesn't have it. You just pointed at number five right?

Quanita Reeves 13:47

He doesn't have a lump.

Michael Corwin 13:49

He doesn't have a lump?

Quanita Reeves 13:55

On his head.

Kim Kardashian 13:57

Michael Corwin pulls out six pictures for Quanita to pick from but she says that none of them are the gunman. Then she points at picture number five. And though it's hard to hear, she says that he doesn't have that lump on his head.

Michael Corwin 14:11

Well do you think he was wearing a hat?

Quanita Reeves 14:12

No.

Michael Corwin 14:14

No?

Quanita Reeves 14:18

The fat man looks like him, that's not him though.

Michael Corwin 14:21

That looks like him but that's not him...

Quanita Reeves 14:22

No.

Michael Corwin 14:22

Because the guy you saw doesn't have a lump on his head? Okay.

Lori Rothschild 14:29

Remember Kevin Keith babysat Quanita and Quentin, she knew who Kevin Keith was. And his picture was different from the other pictures on the lineup. His was a little bit closer. His was shown to be bigger. He looked like a bigger black man. And Quanita points at Kevin and says it looks like him. But it's not him because Kevin, if you look at his face, Kevin Keith, he has a knob on the top of his head.

Rachel Troutman 15:04

The one thing that you can really tell is the shape of his head is and it's unmistakable. I have never seen a more biased photo lineup for somebody to pick Kevin in this case and she did not she instead the one thing you can tell because the features of the lineup you know, Kevin's features are very darkened, it doesn't even look like him, but he is set much more prominently towards the front towards the camera, whereas everybody else in the lineup is set back. So here it is, it is very much created in a way that emphasizes him.

Michael Corwin 15:40

Now let me ask you this. Is that the guy that you know... That's not the guy you know that came in?

Quanita Reeves 15:45

No.

Michael Corwin 15:46

You know who that is?

Quanita Reeves 15:47

No.

Michael Corwin 15:48

You've never seen him before? Okay.

Rachel Troutman 15:52

So when they showed her then the photo lineup and they said do you call him Bruce? She said no. And she said he doesn't he didn't have a head like that. And so she excluded Kevin's picture based on the shape of his head and also said that no, she did not call that person Bruce, which became the issue at trial her mother despite that recording, her mother then testified that Quanita called everybody Bruce essentially that that was just this her seven year old little girl called people by the wrong name.

Michael Corwin 16:28

Do you recognize any of those other pictures?

Quanita Reeves 16:35

No.

Michael Corwin 16:35

Okay. Have you seen any news or anything? You haven't? So you've never seen... you've never seen this picture before I showed it to you?

Quanita Reeves 16:42

No.

Michael Corwin 16:42

No. Okay.

Kim Kardashian 16:48

Corwin also asks if she recognizes any of the pictures to which she also replies No. He then asked if she had seen any of the news since she's been in the hospital which she denies.

Michael Corwin 17:00

Are you scared? Yeah I sure would be too.

Quanita Reeves 17:03

You caught him?

Michael Corwin 17:04

Well, we've got somebody in jail. We're trying to make sure we got the right somebody. We want to make sure. Okay?

Kim Kardashian 17:13

Quanita asks, you caught him. Michael Corwin says that they have someone in jail, but they want to make sure they have the right someone.

Michael Corwin 17:23

I can't think of anything else I want to... Now let me ask you one more time you say that looks like him except for the head.

Quanita Reeves 17:29

Yeah.

Michael Corwin 17:30

Number five. This guy right here.

Quanita Reeves 17:31

That is not him. No.

Michael Corwin 17:33

That is not him?

Kim Kardashian 17:40

Quanita didn't attend the trial, presumably because she was so young or still recovering from the traumatic event. Instead, the recorded police interview was played and her mother, Joyce Reeves, testified in her place. During the rebuttal examination of Joyce Reeves by prosecutor Russell Wiseman, Joyce said that her daughter had called Kevin Keith Bruce before. When Weissman asked, Did she call other people Bruce? Joyce replied Yes. Then Kevin's lawyer James Banks objected, saying

Attorney James Banks 18:15

Objection to what she called other people unless he's bringing the young lady in. You can bring her in.

Kim Kardashian 18:22

The court sustained the objection. Prosecutor Russell Wiseman said no further questions. Thank you. Quanita was never called to the stand.

Dr. Scott Groenland 18:41

People don't really understand how memory works, and how easy it is for someone's memory to trick them.

Kim Kardashian 18:50

This is Dr. Scott Groenland, a memory expert and professor of psychology at the University of Oklahoma. He has studied Kevin's case for years.

Dr. Scott Groenland 19:00

Rachel Troutman, Kevin Keith's attorney, she contacted me and asked me to write a report and I wrote a report that went to the Ohio Supreme Court and to the US Supreme Court in the hopes that they would take up the case, but they also did not take up the case.

Kim Kardashian 19:18

We wanted to talk to Dr. Groenland, about the identifications made by the three key eyewitnesses. Nancy Smathers, Quanita Reeves and Richard Warren. Dr. Groenland is an expert on how memory might affect reporting in a criminal case. We've already heard Quanita's interview, and we'll hear Richard's account later. How could these three eyewitnesses with varying stories have all eventually pointed law enforcement towards Kevin Keith? And what's important to keep in mind about their different experiences on that night?

Dr. Scott Groenland 19:49

These eyewitnesses, really, any of the eyewitnesses and all these wrongful conviction cases, they're not lying. They honestly believe what they're reporting. But if you understand how memory works, you understand how easy it can be for your own memory to trick you. We're actually pretty bad at keeping track of what we actually experienced in an event versus what we added to that event. Did I really remember that the robber had a crooked nose, or was it one of the other witnesses who commented to me, remember, that guy had a crooked nose. While I might not remember that, but I do now that you've mentioned it to me. And so our memory for everyday events for eyewitness events, for family vacations that we took last year, 10 years ago, are a combination of things that actually happened, things that were suggested to us, things that other people reported to us about what happened. That all gets mixed

up. And we're really bad at keeping track of the source of where the information in our memory came from. The three main phases that any sort of memory task entails the information has to be encoded, or it has to be incorporated into memory, the information has to be stored, has to be maintained for some period of time. And then the information has to be subsequently retrieved. And so look at the conditions for the eyewitnesses when the crime was taking place, right when they were encoding the information about what happened, about what the perpetrator looked like.

Kim Kardashian 21:42

I think the encoding phase is very important to consider here. Keep in mind the conditions for each eye witness as they experienced this horrific night. In the timeline section of episode one, we mentioned that the perpetrator was reported to be wearing a mask. The victims were also under an extreme amount of stress. Details like this can affect encoding. Listen, for those moments as we continue.

Dr. Scott Groenland 22:08

Then you can look at well what happened, you know, between when the crime happened, and when they got tested, right. So that's the storage time. And that's a time when they might be exposed to seeing something on the news, they might be exposed to another witness making suggestions to them. And then the last phase typically in an eyewitness situation would say be a lineup. Right? There's the test of someone's memory, the retrieval phase. I guess the first step is to figure out who the eyewitnesses are. And this case, there were three of them. There was Richard Warren, who was shot three times, played dead and then heroically took off after a perpetrator and was shot again, but survived. So he's maybe the main eyewitness. There was a neighbor, Nancy Smathers, who heard something and saw someone get into a car from some distance away. Not sure how far but it was night. The perpetrator got in a car, ran the car into a snowbank had to stop and rock the car. You know, trying to get the car out of the snowbank.

Kim Kardashian 23:32

Nancy Smathers gave statements to the police several times leading up to trial. Smathers was a Caucasian neighbor who lived across the street from the Bucyrus estates complex. Her first statement was recorded in the initial police report. The report states that Smathers heard gunshots then saw a man running towards a car in the parking lot. He peeled out but slid on ice and got lodged in a snowbank. The report says Smathers could hear him cursing as he shook the car free and sped away. She described the car as light cream colored, short and compact, make and model unknown. She said the man had dark clothing, a large winter coat and a hat and that his face was not covered.

Dr. Scott Groenland 24:17

So I'm willing to agree that the person she saw was the person that committed the shooting, and was trying to flee the scene. But we talked about these three phases of memory, right this encoding phase, when the police asked her later, you know, soon after the event, when your memories gonna be the best. You know, when the police first show up, they asked her to describe the guy. And her description, I think essentially was big black guy. So that tells me that you didn't get much of a look at who this was. So encoding, you know, I argued not very good. It was night she was some distance away. I think she saw the guy from the back. I believe the police asked her. Can you think of making ID or something and

she said I can't, I didn't get a very good look. But Kevin Keith, very quickly became a suspect and very quickly was arrested and appeared, I believe on the television.

Kevin Keith 25:20

Don't you find it kind of strange that the police haven't questioned me at all about this.

Reporter 25:25

What do you think about it?

Kevin Keith 25:26

I think it's as a frame,

Dr. Scott Groenland 25:27

Nancy Smathers saw him on TV. And then she told the police, she can make an ID. Well, anybody could have made ID after seeing somebody on television. The police should not do that. And I argued in my report that the police should not should not have shown her a lineup after she saw his face on the television, because that becomes her memory, not because she remembered him from that night. Because she told us what she remembered that night. She told us soon after the event that a large black man. That's not a very detailed description. We can't encode everything, we fill in details, and then we can't keep straight where those details come from. So I think that her identification should be dismissed. Let's deal next with Quanita Reeves, the little girl. Let's she also had a little brother who was four who also survived. He could have been an eyewitness, but I believe they judged him to be too young, I guess. And so they never tested him. She was shown the lineup. She pointed at Kevin Keith's photo in the lineup. And she said, That looks like the man that shot me. But that's not the man that shot me. I argued. And there is research to support that, at least in the laboratory setting when you have control of everything, a non identification, which is what her identification was right? She didn't pick Kevin Keith, she said, That's not him. That looks like him. But that's not him. That non identification research shows is actually indicative of innocence. And so I argued that her identification actually lends support the idea that Kevin Keith was not the perpetrator, Kevin Keith had babysat for those kids. You know, the Chatman family, the Keith family, they kind of knew each other. But even you know, that notwithstanding the fact that she did not make an identification is an indication that the guilty person was not in the lineup.

Kim Kardashian 27:34

But in 1994, that's not what happened. Kevin was arrested even before Quanita gave her interview to the police. And her non identification didn't change that. Nor did her mention of Bruce. To me this seems like an indication of a rushed arrest. Not all of the witnesses had been interviewed. So how could all persons of interest be thoroughly investigated and cleared?

Damon Chatman 27:59

Quentin and Quanita Reeves, they are my cousins.

Kim Kardashian 28:23

This is Damon Chatman again, victim Marichell Chatman's brother. Damon says that despite Quanita's first interview with the police Quanita and Quentin are now adamant that Kevin is the one that shot them.

Damon Chatman 28:36

They do you know, they tried to twist their words and tried to say that they said it was somebody else but they know who Kevin was from the jump because Kevin used to hang out with their dad all the time Demetrius Reeves. Kevin used to hang out with Demetrius all the time. And so Quanita and Quentin seen him at their house so many times. Quanita and Quentin they're doing fine right now, but they're just they're having a hard time dealing with this still. You know, they still they go to counseling, you know, because they can't get over it either. Especially Quanita, it breaks her down a lot. When Kevin comes up in situations she don't even want to hear his name. Richard Warren, is one of the victims that got shot, was my sister's boyfriend. And he was a, he was a good guy. He treated my sister good. There's nothing bad. I really could say about Richard, you know. Him and my sister met and they lived together out their at Bucyrus Estates. He didn't know nobody around here. He didn't know nobody in Crawford County area. He didn't know nobody.

Kim Kardashian 29:48

Apparently, Richard Warren had only lived in Crawford County and the Bucyrus estates complex for a couple of weeks. Being so new to the area means he likely wouldn't have known the gunman that shot them or any backstory on motive.

Damon Chatman 30:03

He'd never knew Kevin from anywhere till the day he seen him come in my sister's house with that trash bag with that gun in there. Then sat there and watched my sister beg for her life, and he shot him anyways.

Kim Kardashian 30:25

The following police interview took place on the 14th the night after the shootings, and four days before Quanita's interview on the 18th. This interview was between Detective Michael Corwin and surviving victim Richard Warren. This is the most complete First Person account of the night of the murders and the only one from an adult survivor.

Michael Corwin 30:53

1712B Marion Road that's in Bucyrus, Ohio. How long did you live there Richard?

Richard Warren 31:00

Two or three weeks.

Michael Corwin 31:02

Why were you living there?

Richard Warren 31:04

I was living with my girlfriend.

Michael Corwin 31:06

And who is your girlfriend?

Richard Warren 31:08

Who was my girlfriend. Marichell Chatman.

Michael Corwin 31:12

I mean, we have a bunch of names and we're trying to see who was with who here. Okay?

Kim Kardashian 31:17

Michael Corwin asks Richard Warren, who is your girlfriend? And Richard corrects him saying, who was my girlfriend?

Michael Corwin 31:27

Okay, Richard, let's go back to February the 13th which would have been yesterday at around nine o'clock pm last night. You were obviously involved in some kind of a shooting incident Correct. Okay. And the shooting incident took place at 1712 B. Marion Road in Bucyrus, Ohio. Who all was there at the time?

Kim Kardashian 31:49

Richard Warren goes on to list everyone that was in the apartment that evening.

Michael Corwin 31:54

At around nine o'clock. There was a shooting in the apartment.

Richard Warren 31:57

Yes.

Michael Corwin 31:58

Do you know who shot?

Richard Warren 31:59

No. I have an idea. His name was Kevin something. He came to the door looking for Linda.

Kim Kardashian 32:11

Michael Corwin asks, Do you know who shot you? Richard Warren responds No, but I have an idea. His name was Kevin something.

Michael Corwin 32:22

Okay, let's hang on a minute. This Kevin something came in looking for Linda. Okay. Why was Linda there?

Richard Warren 32:31

To pick up the kids

Michael Corwin 32:32

To pick up...

Richard Warren 32:34

The niece and nephew

Michael Corwin 32:35

The niece and nephew. Okay.

Richard Warren 32:37

She said somebody had been following her.

Michael Corwin 32:39

Said somebody's been following her.

Richard Warren 32:40

Yeah.

Kim Kardashian 32:42

Richard says that Linda Chatman thought someone was following her that night when she arrived at the apartment.

Attorney James Banks 32:48

Did she say who?

Richard Warren 32:49

No she didn't know.

Michael Corwin 32:51

Okay

Richard Warren 32:52

Well first of all Linda and Marichell was in the kitchen, I was sitting on the couch.

Michael Corwin 32:59

Okay.

Richard Warren 33:00

Until this guy opens the door.

Michael Corwin 33:01

And this guy just came in?

Richard Warren 33:03

Well he just came to the door.

Michael Corwin 33:06

That's Kevin that came to the door? We're calling him Kevin? Okay.

Richard Warren 33:09

Kevin came to the door and turn around and walked off. I didn't know who it was so I went and opened the door. He said you seen Linda? I said yeah, she's here.

Michael Corwin 33:25

Okay, let's stop right there for a second. Go ahead and clear your throat.

Kim Kardashian 33:31

During the interview, Richard Warren is lying on an emergency room hospital bed after undergoing surgery for gunshot wounds to the face. He's on a ventilator breathing through a tube and periodically needs to pump out excess saliva.

Michael Corwin 33:45

Can you describe it to me?

Richard Warren 33:47

Fat black guy

Michael Corwin 33:49

A fat black guy. Okay what was he wearing?

Richard Warren 33:53

I don't remember.

Michael Corwin 33:55

You remember about how tall he was?

Richard Warren 33:56

He was about six foot to six foot two.

Michael Corwin 34:00

Six foot to six foot two.

Richard Warren 34:01

Yeah.

Michael Corwin 34:01

Okay

Richard Warren 34:03

Around 250.

Michael Corwin 34:05

Around 250.

Richard Warren 34:06

He had like turtle neck shirt on with the neck pulled all the way up over... to his nose.

Michael Corwin 34:14

Turtleneck shirt on with the neck all the way pulled up over to his nose or over?

Richard Warren 34:18

Over his nose.

Kim Kardashian 34:20

In her full statement to the police. Quanita also mentions that the assailant was wearing a mask of some sort pulled up over his mouth.

Michael Corwin 34:27

Okay.

Richard Warren 34:29

And they went outside and they talked for a few minutes.

Michael Corwin 34:32

Okay, hang on a moment. So he walked away for the first time.

Richard Warren 34:35

Yeah.

Michael Corwin 34:35

Then he came back. Did he just ask... Did he come in or did he ask you through the door where Linda was?

Richard Warren 34:41

First he asked me through the door.

Michael Corwin 34:43

Okay.

Richard Warren 34:43

And Linda... I said Linda somebody's here for you.

Michael Corwin 34:47

Okay, so he asked her the door if Linda was there. Good And you told Linda to somebody was there for her.

Richard Warren 34:54

Yeah. So she came to the door? He said Linda, can I talk to you for a minute?

Michael Corwin 35:00

Okay Linda came to the door and this guy asked to talk to her.

Richard Warren 35:03

And she went outside while she was outside. And when I asked Marichell who was that, she said Kevin something he had been involved in a drug bust.

Kim Kardashian 35:16

Richard says that the man went outside to talk to Linda for a few minutes. During that time, Richard says, he asked Marichell who the man was, and she said his name was Kevin something, but he can't recall the last name. Richard says that Marichell also mentioned that the man was involved in a recent drug bust.

Michael Corwin 35:36

Linda came to the door, and he asked her to come outside, and she went out and talked. Okay, and then you asked Marichell, who it was, and she said.. Did she mention Kevin's last name or she just said Kevin something?

Richard Warren 35:53

She mentioned his last name.

Michael Corwin 35:55

She said Kevin...

Richard Warren 35:56

I can't remember it.

Michael Corwin 35:58

And the last name but you can't remember it. Okay. And she said he was involved in a big drug bust where?

Richard Warren 36:04

I didn't say where.

Michael Corwin 36:06

How long was Linda outside with him?

Richard Warren 36:09

About five minutes.

Michael Corwin 36:10

About five minutes. Then what happened?

Richard Warren 36:13

He got a glass of water. Marichell got it for him.

Michael Corwin 36:16

Okay, came in and asked for a glass of water. And Marichell got it for him.

Richard Warren 36:22

And he drank it through the mask.

Michael Corwin 36:24

He drank it through his shirt?

Richard Warren 36:27

And he had a trash bag with him, a green trash bag.

Michael Corwin 36:30

A green?

Richard Warren 36:31

Yeah, I was still sitting on the couch. Marichell and Linda was standing over there by him and then he went in the trashbag and pulled out a Tec nine.

Michael Corwin 36:45

Okay, let's stop right there for a second.

Kim Kardashian 36:48

Richard describes the perpetrator finishing his glass of water and then reaching into a trash bag pulling out a gun. A Tec-9 to be exact.

Michael Corwin 36:57

What is a Tec-nine?

Richard Warren 36:58

A big ass gun.

Michael Corwin 37:00

But I mean, you know, what caliber it is or anything? Nine millimeters. Nine millimeters.

Richard Warren 37:05

It's got a hate monger on the end and it had an extended barrel on it.

Michael Corwin 37:09

Okay, what color is the gun?

Richard Warren 37:12

The body of the guy was chrome and the extended barrel black.

Michael Corwin 37:18

It this like a submachine gun or a handgun or?

Richard Warren 37:22

It's a handgun.

Michael Corwin 37:23

It's a handgun.

Richard Warren 37:24

Yeah, they're legal.

Michael Corwin 37:26

Say they're legal?

Richard Warren 37:27

Yeah.

Michael Corwin 37:27

Okay.

Richard Warren 37:29

He pulled out the gun and he cocked it. And he pointed it at me, and he said, get over there. I just looked at him because I was fucked up because ain't no shit like that ever happened to me. So you know, I didn't know what to do.

Michael Corwin 37:43

Okay, now when you say you were fucked up. You mean you were drunk or on drugs or anything?

Richard Warren 37:47

No, I mean I was just like in awe.

Kim Kardashian 37:53

Richard says that the man took a Tec-9 out of the trash bag. A Tec-9 is a semi automatic weapon, which Richard recognized from working at a pawn shop. The masked man pointed the gun at them and started giving orders. Richard says he was fucked up over this. Not drunk but just completely shocked by what was happening to them.

Michael Corwin 38:15

Scared?

Richard Warren 38:15

Yes.

Michael Corwin 38:16

Okay. I probably don't blame you there. I mean I'd be just a little concerned too.

Richard Warren 38:21

And he said alright well shit, get over here. And I went over there to get down on ground. And he told everybody else to get on the ground too.

Michael Corwin 38:34

Okay, so had you get off the couch and come over to towards the door? And he made you lay down. And he made Marichal lay down, and Linda lay down.

Richard Warren 38:44

And the kids.

Michael Corwin 38:45

And all three kids he made them lay down too. What did he tell them?

Richard Warren 38:49

They just laid down.

Michael Corwin 38:50

Okay. They didn't ask any questions or anything.

Richard Warren 38:53

And Marichell was saying. What are you doing? We don't have anything. We don't have anything. Kevin, Kevin. And he kept on saying don't say my name, don't say my name.

Michael Corwin 39:04

So she called him by name huh?

Richard Warren 39:05

Yeah.

Michael Corwin 39:05

Kevin.

Kim Kardashian 39:07

According to Richard the gunman repeated, Don't say my name. Don't say my name.

Richard Warren 39:12

She said you aren't going to shoot anybody are you? I don't want nobody getting hurt while these kids are out. I don't want none of these kids getting hurt. He said what the fuck would I do that for? Then she said something and he said shut up and put the gun to her head.

Michael Corwin 39:26

To whose head?

Richard Warren 39:27

Marichell.

Michael Corwin 39:28

Okay, this, he's talking to Marichell. this whole time the rest of you are being quiet?

Richard Warren 39:31

Yes. Linda was like leaning to the side, she wasn't all the way on the ground, she was leaning to the side smoking a cigarette. You know, he said, you should have thought about that before your brother started ratting on people.

Michael Corwin 39:46

All right, hang on a minute.

Kim Kardashian 39:49

In case you didn't catch that the gunman allegedly said you should have thought about that before your brother started ratting on people.

Michael Corwin 39:57

This is something we want to cover okay. This is Marichell talking to Kevin. And she called him by name Kevin. And Kevin told her to shut up. And why did he say she... You just said that she should have thought of that before what?

Richard Warren 40:12

Before your brother started ratting on people.

Michael Corwin 40:14

Do you know what he meant by that?

Richard Warren 40:16

I don't know stuff like that.

Michael Corwin 40:18

Okay, you know who her brother is?

Richard Warren 40:20

Damon.

Michael Corwin 40:23

Damon Chatman? Do you know if he has any other brothers?

Richard Warren 40:27

Rudel Chatman.

Michael Corwin 40:28

Okay.

Kim Kardashian 40:30

Corwin asked Richard who Marichell's brothers were to see who the gunman might have been referring to. Richard says Damon Chatman and Rudel Chatman. You've heard Damon's voice a few times by now on this podcast.

Michael Corwin 40:43

Do you know which brother they were talking about? You're shaking your head. Do you mean no?

Richard Warren 40:48

No as far as I can tell it was Damon.

Michael Corwin 40:51

Okay.

Richard Warren 40:52

Rudel isn't always around and in that kind of shit.

Attorney James Banks 40:55

Rudel doesn't come around there much?

Richard Warren 40:57

No he lives with his girlfriend and their two kids in Crestline.

Michael Corwin 41:03

Okay.

Kim Kardashian 41:04

At this point, Richard believes that the gunman was referring to Marichell's brother Damon Chatman. He thinks that Damon was more involved in "that kind of shit." And he also says Rudel wasn't really around.

Richard Warren 41:18

And she said, well my brother didn't tell on you or something. And then he says, Shut up put the gun to her head again. And the next thing I know he shot her.

Michael Corwin 41:27

He shot Marichell?

Richard Warren 41:30

Yeah,

Michael Corwin 41:31

That was the first time he shot the gun?

Richard Warren 41:32

Yeah. Then he shot me in the jaw.

Michael Corwin 41:35

Okay, shot Marichell in the head first. Then he turned the gun to you and shot

Richard Warren 41:40

Well I guess he shot her in the head. I didn't see where he shot her.

Michael Corwin 41:42

Okay. You're just guessing... The last you saw the gun was pointing at her head. So you're just figuring out for you hit her.

Richard Warren 41:48

Yeah.

Michael Corwin 41:48

Okay.

Richard Warren 41:49

Then when he shot me in the jaw, I turned my head around and acted like I was dead.

Michael Corwin 41:55

Okay.

Richard Warren 41:56

Then I just heard the gun going off about 10 to 12 times.

Michael Corwin 42:03

Okay, so you didn't see anything from then?

Richard Warren 42:06

And then I know I got hit two more times.

Michael Corwin 42:10

Okay, first time I hit the jaw you know, we got hit the second time?

Richard Warren 42:16

No.

Michael Corwin 42:16

Okay.

Richard Warren 42:17

I've got four shots, but...

Michael Corwin 42:18

Okay.

Richard Warren 42:20

Then, after he shot me two more times I heard the door closed so I figured he like ran out.

Michael Corwin 42:27

When you got shot. You just laid there and played dead. And while you were playing dead he shot you two more times. Than you were heard the door open.

Richard Warren 42:34

I heard it yeah.

Michael Corwin 42:35

Did you see whether he went out or?

Richard Warren 42:37

Well I guess he did, because I turned around and he was gone.

Michael Corwin 42:40

Okay.

Richard Warren 42:41

I got up, I ran outside.

Kim Kardashian 42:45

Richard describes the horrific attack. He was shot in the jaw, and then he attempted to play dead. Meanwhile, hearing what he thinks was 10 to 12 more gunshots. While playing dead, the gunman shot him two more times. Then Richard heard the door open and assuming the gunman left he made a run for it.

Richard Warren 43:06

I ran straight out the door started going straight across over the Ike's screaming help me, help me, help me. Screaming as loud as I could help me, help me, help me, I've been shot. Help me. And then I finally got about 50 yards and I heard him shooting some more. I got hit in the ass I fell face first into the snow. As soon as I fell I jumped right back up and took off running again. And the whole time he was still shooting and I could just think to myself please don't let me get hit anymore.

Michael Corwin 43:11

Okay.

Kim Kardashian 43:37

Richard says he ran outside toward the nearby restaurant Ike's screaming for help. He got about 50 yards before the gunman shot at him again striking him and causing him to fall.

Michael Corwin 43:48

How many times did you guess he shot outside at you?

Richard Warren 43:51

Shit, 10.

Michael Corwin 43:53

At least 10 times outside too, huh?

Richard Warren 43:54

Yeah.

Michael Corwin 43:56

We're guessing you guessed 10 to 12 times inside. Which hand did he shoot with, you remember?

Richard Warren 44:01

His right hand.

Michael Corwin 44:01

His right hand. Okay, I'm gonna stop here for a minute and then flip this tape. Okay. Okay, still with me? Okay, we're back on tape now. Okay. You think you can recognize this guy if you saw him again?

Richard Warren 44:12

Yeah. Not sure.

Michael Corwin 44:19

This Kevin.

Richard Warren 44:20

I recognize him by his build, that's about it.

Michael Corwin 44:22

Okay. I've got some pictures here of some people. Okay.

Kim Kardashian 44:27

At this point, Michael Corwin pulls out the photo lineup. He asks Richard if he thinks he could identify the man who shot him. Richard says he could recognize him by his build, but that's about it.

Michael Corwin 44:39

I'm gonna show him to you. There's six pictures and you... and we're gonna see if you can pick him out.

Richard Warren 44:44

The bottom in the middle

Michael Corwin 44:47

The bottom in the middle. This one right here?

Richard Warren 44:49

Yeah.

Michael Corwin 44:50

This one where it says five above it?

Richard Warren 44:51

Yeah.

Kim Kardashian 44:53

Corwin shows Richard the same photo lineup as Quanita. Richard picks number five, which is Kevin. But then Richard says he's not 100% Positive.

Michael Corwin 45:04

You're sure. Is there any doubt in your mind at all?

Richard Warren 45:10

Oh, I can't say I'm 100% positive.

Michael Corwin 45:12

Oh Okay. That's okay. You're sure that's him but you want to see him in person is that what you're saying?

Richard Warren 45:17

Yeah.

Michael Corwin 45:17

Okay, I understand now. From the picture that looks. You're 95%? Sure it's him. Well, I'll tell you what we're going to do. Due to your condition. I'm not going to go into any more detail tonight. Okay.

Kim Kardashian 45:32

Here's where things get a little strange.

Richard Warren 45:34

Can I ask a question.

Michael Corwin 45:36

You sure can sir.

Richard Warren 45:38

What is that guy's name?

Michael Corwin 45:40

Well, Kevin, you got the right first for right. Okay. But I don't really want to tell you the last name because...

Richard Warren 45:47

Oh that's fine.

Michael Corwin 45:48

If you remember it...

Richard Warren 45:49

Yeah then that's fine.

Michael Corwin 45:50

You know, I don't want it to look like I planted in your mind or anything.

Richard Warren 45:53

Yeah I understand that I would never forget anything about that brother.

Kim Kardashian 45:59

At the end of Richard's interview, he has one question. What's the guy's name? Michael Corwin says that Richard got the first name, "right." But he says he doesn't want to tell him the last name to make

sure he doesn't seem like he's planted something in his mind. He says maybe Richard will remember once he's feeling better. Then the tape ends.

Michael Corwin 46:21

Very good. This is going to conclude the tape. Again, this is Monday, February the 14th, 1994 at 7:30pm.

Dr. Scott Groenland 46:45

The last identification. The last eye witness was Richard Warren. He was obviously taken to the hospital and in very serious condition. And a day or so later, was shown this lineup.

Kim Kardashian 46:59

Here's memory expert, Dr. Scott Groenland again.

Dr. Scott Groenland 47:03

So when he was shot that fourth time, he was near Ike's restaurant, and patrons, and Ike's restaurant came to assist him and reported asking Him Who shot you? Who shot you? And he said, I don't know. I don't know. And the police arrived shortly thereafter. And they asked him who shot you, who shot you? And that he reported I don't know. I don't know. Which is interesting, because in court months later, he reported that he knew that someone named Kevin had shot him. Never makes sense to me why he's not telling people Kevin at that time. His answer was that he didn't know Kevin, but I think they've got a name at that time. You should say it. And so I believe he learned that named later. D reports. He was watching the NBA All Star game. And this man comes into the into the apartment, Linda Chapman, I believe let him into the apartment. And he's got the turtleneck over his face. And then of course, he gets shot. So I again argued, you know about this first phase of memory, the encoding phase, you know, he doesn't have much of a memory for the face, didn't get to see it didn't get to see it very long. Stress is bad for memory. And this is clearly... it doesn't start as a stressful situation, but it quickly turns into a stressful situation. And, you know, when asked to describe him, he just said, you know, big, Husky black man, that's, again, not much of a description. He did subsequently, in the hospital, make an identification. And I laid out four possibilities that I thought might be true about this identification. One is, it could be accurate, right? It's possible. This is an accurate identification. The biggest issue for me has to do with the lineup. The lineup is very unfair. Every time I teach this in class, every time I give a talk that involves this case, I read for them the description from Nancy Smathers and from Richard Warren, you know, big husky, black man. And then I show them the lineup and I ask them, pick out the big Husky black man. Now, of course, they have no idea what Kevin Keith looks like. But I've shown this lineup now dozens of times to hundreds of people, classes, talks, and I would estimate 75% of the time or better people choose number five Kevin Keith. And then we discuss especially in class, what that means, right? What should happen if this lineup had been fair, if a lot had been fair, then all six of these individuals in the lineup should have got some votes, right I make them choose because of course they have no idea... they will be hesitant to choose anyone but I know you got to pick someone who best matches that description and 75% or more of them, pick Kevin Keith. What should happen is that 3, 4, 5, ideally, all six of these people should get roughly equal number of votes, or at least three or four of them should get a substantial number of sort of nominations. But no people that are naive to what he

really looks like, going but just based on the description are drawn to that face. It would be nice for people to see this, you know, on a website or something.

Kim Kardashian 50:31

We've included a picture of the lineup on our resource page, hyperlinked in this episode's description.

Dr. Scott Groenland 50:37

All the men are black. All the men are big. But Kevin Keith's face is cropped so that he's the biggest, he is the closest right, That's most zoomed in on him. He is the blackest, and of the individuals. And people are just drawn to making that choice, right, people that can't possibly have a memory for the event are drawn to that face. So I think there's a very good chance that Richard Warren, with a very poor memory for what happened, and the police telling him to pick him out. Right, the police didn't say, hey, we may have the right guy, we may not if you see him, please pick them. But you know, it's important to not pick someone unless you're sure the police said pick him out. Well, I already demonstrated that. If you tell people with no memory to pick out Kevin Keith, they're going to be drawn to Kevin Keith 75% of the time or better. So it's not a fair test, right, we talked about that third phase of memory, the retrieval phase, this was a biased test. This did not allow someone to properly evaluate their memory with six reasonable choices. But anyways, that's the second reason that I laid out for why Kevin Keith was chosen, right? Number one, could have been correct. Number two, if you're going to force someone to choose, it doesn't really have much of a memory for the event. They're going to be drawn to the Kevin Keith photo. As I discussed a moment ago, the Keith family, the Chatman family, I mean, the Keith family lived in the area. It's possible Richard Warren had seen Kevin Keith and other situations, even if he didn't know him. You know, somebody can look familiar for other reasons. And you're trying to make an identification of someone from a lineup. You want to help the police right? You want to pick someone fact, the police told you to pick someone, and that one face might look familiar, because you saw him in the parking lot. You saw him at the grocery store. So that's also possible. And finally, let's pretend Richard Warren had a good memory for the face despite what he told the police. Despite his vague description, Kevin Keith's face would be the only one he couldn't eliminate. That face is so dark, you can't see the facial features. And if you had a decent memory for what the person looked like, or at least some aspects of the face, you can look at the other faces because you can kind of see them. You can say well, number one, well, that's not the guy I saw number two, that's not right. Number three, number five. That could be him I guess. Yeah number five could be almost anyone. You can hardly make out any any features. And so final possibility, is that Richard Warren has had a decent memory. And Kevin Keith was the only one he couldn't eliminate. And since the police wanted him to pick someone, he might have felt compelled to pick that as the only face he couldn't eliminate. The biggest problem for me though, is that lineup is just not fair. People are just drawn to that face.

Kim Kardashian 53:52

Again, I'm like Quanita's interview with the police. This one took place before Kevin's arrest. However, the tape suggests that this is still not the first time Kevin's name has been suggested. When Detective Michael Corwin says that Richard got the first name right. He's implying that they got Kevin's name somewhere in the last 22 hours since the shooting occurred from someone that wasn't one of the victims.

Lori Rothschild 54:21

Richard Warren jets out of the apartment and runs to a nearby restaurant, where they call 911. They call 911. And they ask Richard what happened? Who did this to you? What went on? And he said, I've been shot I've been shot. And at the time he said he didn't know who shot him. And he was taken to the hospital. A day later. I have a report from a therapist, psychologist that comes in to talk to him. He still says he doesn't know who the killer is. He still doesn't say the name Kevin. Yet, we have a recording from Captain John Stanley, who claims he gets a call from a woman named Amy Gimmets. So we have a recording of a telephone call that comes in.

Nurse Amy Gimmets 55:11

Hi this is Amy Gimmets. I wanted to let you know, that the name of the patient or the patient has identified the assailant, I guess.

Captain Stanley 55:20

Yes.

Nurse Amy Gimmets 55:21

The first name is Kevin. He doesn't know the last name, but he said if you talked to Damon, who was Marichell, which is I guess, the victim. Her brother is Damon and Damon knows Kevin's last name. Apparently the patient and Marichell were boyfriend and girlfriend.

Captain Stanley 55:41

I see. Okay.

Nurse Amy Gimmets 55:44

Anyway, hold on, and I'll see if I could transfer your call into his room.

Captain Stanley 55:47

Yeah, that would be a great help.

Nurse Amy Gimmets 55:48

Okay.

Captain Stanley 55:48

Thank you.

Lori Rothschild 55:52

Captain Stanley records the call. And she this woman identifies herself as Amy Gimmets, and she is the ICU nurse taking care of Richard Warren. And Amy Gimmets says, hey, you know, I just wanted to let you know, Richard Warren, he was just extradited, tube out of the throat. And he's saying that a guy named Kevin is the one who shot him. And she then transfers Captain Stanley's call into Richard's room, where Richard picks up the phone, and then tells the story about how Kevin is the one who shot him. And how Kevin the whole story that I told you about the the mask over the face, the drinking the water through the mask, the gun being in the trash bag. All of that information comes from Richard

Warren at that moment. Now, here's the problem. Later on in it the trial, Amy Gimmets was never called to the stand. John Stanley, Captain Stanley reads a transcription of that audio file, referring to the Amy Gimmets telephone call, which we have, I have a copy of that phone call. And she clearly says and identifies herself as Amy Gimmets. The problem is that there is no Amy Gimmets that worked at that hospital at any time, number one and number two, there was no Amy Gimmets in the state of Ohio. So who is Amy Gimmets? Who's Amy Gimmets??

Rachel Troutman 57:36

I went through every record to see if anybody was named Amy.

Kim Kardashian 57:41

This is Rachel Troutman again, Kevin's current attorney from the Ohio Public Defender's office. She never located any person by the name of Amy Gimmets In Ohio, much less connected to the case. Rachel did find one nurse referenced in Richard Warren's medical records who had the first name Amy. However, this Amy has a distinctly different last name, and had never been mentioned by the police or prosecutor or listed on any witness list.

Rachel Troutman 58:10

I called all the hospitals to see if there was anybody named Amy Gimmets. I checked all the records in the state to see if anybody's ever lived in Ohio named Amy Gimmets. And there was nothing and so when we found the only Amy that was in Richard Warren's medical records, I reached out to her and she provided me an affidavit I actually hadn't even met her in person. We were talking over the phone and then through email, she told me she did not recall. That she did not have a name Kevin and she would not have wanted to get involved. And so I said, Okay, well, can you put that down in an affidavit, which she did, and then she on her own, got it notarized and then mailed it to me. So never never even met her face to face years after she provided me that affidavit saying that she had never gotten the name Kevin she met with the Attorney General on the case, and provided her was an affidavit saying that it was her and she did get the name, Kevin, if anything, the most troubling aspect of Amy Gimmets to me was there's a Confrontation Clause violation. You know, you have a police officer, testifying about what she had said in a way and this incriminating information about Kevin where she never even came to court. You know, we don't know who talked to her ahead of time. We know nothing. It's so frustrating with the way memory works as well. Like there's no way now for anybody to find out exactly what happened because memories have shifted. And because Richard Warren was under a significant amount of medications. He was under anesthesia. He was under you know, pain medications. It's very troubling that nobody can pinpoint exactly when and how the name Kevin came into the case.

Kim Kardashian 59:47

This is confusing, and more than a little concerning to me. I mean, a nurse with a different last name has signed two different affidavit saying two different things? And yet this recorded phone call made it into Kevin's trial as part of the case against him. This makes it all the more complicated to pinpoint the first recorded mention of Kevin Keith's name.

Lori Rothschild 1:00:11

Why didn't Richard Warren, when he went in and he went into that restaurant, why didn't he say, they said his name is Kevin. They said it over and over again. He heard it because that's the story. He gave police later. Why didn't he say it then? Wouldn't it have helped them catch the killer at that very moment? Just doesn't add up. And no, no physical evidence. There's never any physical evidence tying Kevin Keith to this crime. So it's questionable how the name Kevin Keith gets into the case.

News Clip 1:00:41

Did chief tell you that Rick Warren had identified Kevin? No he told me that. He just said how about if he did say he was Kevin. He raised a hypothetical question? Yeah. Yeah. Yeah. hypothetical question.

News Clip 1:00:51

Keith's fiance couldn't imagine it.

Zina Scott 1:00:54

He wouldn't do that.

Reporter 1:00:57

What if they show up during the trial and they say that they've got a witness? What if the wounded guy says yeah it was Kevin.

Zina Scott 1:01:01

I'll just die. I would just die.

Kim Kardashian 1:01:16

The System: The Case of Kevin Keith is a Spotify original series produced in partnership with Big City TV and Tenderfoot TV.

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