

COLUMBIA POLICE DEPARTMENT

FOLLOWUP REPORT
2001-014705/332

At 10:30 AM I displayed a Miranda rights card from my file and read ERICKSON his Miranda rights directly from this card. After reading ERICKSON his Miranda rights, he stated he understood and was willing to speak with us. I asked ERICKSON to go over the events that occurred on the night in question pertaining to the murder of Kent HEITHOLT.

ERICKSON began by telling us a short time, maybe one week or two weeks prior to murder he and FERGUSON had been arrested for minor in possession. He stated this incident occurred somewhere around West Blvd, but he was uncertain on the exact location. When checking the Columbia Police Dept in house records I noted ERICKSON and FERGUSON were arrested on 09/28/01 at West Blvd and Ash for minor law violation. ERICKSON stated FERGUSON was extremely upset with the Columbia Police department for arresting him, and in fact during that night while they were being held in an interview room, FERGUSON had urinated in a trash can while in custody at the Columbia Police Dept.

On Halloween night of 2001, ERICKSON stated he had gone to a party at a residence by the name of Ryan SWILLINGS. ERICKSON stated while at the party he had done one line of cocaine, and during the event of the party, police had come to the residence and broke the party up. ERICKSON stated he started dancing, and at that time he was approached by Ryan FERGUSON in Ryan's Mercedes car. He stated FERGUSON picked him up, and they began to leave the party. ERICKSON states he was dressed in a 70's style costume wearing bell bottom pants, but he stated FERGUSON was not wearing a costume. While driving in FERGUSON'S car, he stated FERGUSON was called by either his sister, or FERGUSON contacted his sister, and FERGUSON told him they were going to be able to get into the By George night club. ERICKSON stated they were going to meet Ryan's sister, and a friend of hers at the bar, and prior to going to the bar, ERICKSON went back to his residence and changed clothes before he and FERGUSON went to By George.

When they arrived at the bar, ERICKSON attempted to describe to us where FERGUSON had parked his car. He was not certain, therefore we printed an aerial photograph of the downtown off the internet. ERICKSON looked at this photograph and when I directed his attention to the By George nightclub, ERICKSON pointed to North First Street. ERICKSON stated FERGUSON parked on North First Street facing north on the east side of the road. He stated he parked just south of East Walnut on the west side of the Mizzou Credit Union parking lot.

When I asked what Ryan's sister's friends name was, ERICKSON stated he did not tell what her name was because he did not remember. ERICKSON stated the only name he could remember was she was an Asian female; but did not know what her name was. ERICKSON stated he and FERGUSON were able to gain entry into the nightclub even though they were 17 years old. He stated there was a large

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uncer who was a white male who allowed he and all the other individuals into the bar.

ERICKSON advised us while he was at his house changing, prior to going to George, when he came back out to the vehicle of FERGUSON'S, FERGUSON was on the phone with a female by the name of Holly ADMIRE. He stated this phone call is approximately midnight.

ERICKSON stated while they were in the bar, he did have some money and did FERGUSON. According to ERICKSON, he and FERGUSON ran out of money, and FERGUSON continually went to his sister to obtain more money. ERICKSON states FERGUSON went to his sister at least once, maybe 2 or 3 times more after that. At one point, ERICKSON stated FERGUSON'S sister cut them off and would not allow them to borrow any more money. FERGUSON and ERICKSON then decided to leave the bar and according to ERICKSON, when they left the bar, the party at the bar was "still going strong." ERICKSON stated when they got to FERGUSON'S car, he stated he wanted to go home, but FERGUSON stated they needed more money, and they were going to have to "rob someone." While they were talking about robbing, ERICKSON stated he was under the impression they were talking about doing a check pocket on someone. At that time ERICKSON stated FERGUSON came up with the idea of taking something with them because he felt like they were younger, and would need something to help themselves.

ERICKSON stated at that time FERGUSON got into the trunk of his Mercedes Benz and removed what he described as a tire iron or tire tool from the trunk. He stated FERGUSON immediately handed this tire tool/iron to him. ERICKSON could not be specific on what this tire tool was. He stated to the best of his knowledge and his memory, it had something to do with the jack system or something to do with taking off tires but that is all he could remember about it. ERICKSON stated FERGUSON removed the tire iron from the trunk as if it was right inside the trunk and available. He stated FERGUSON did not have to move anything or lift anything to remove this tire iron from the vehicle.

ERICKSON stated at that time both of them began to walk downtown because they needed to get away from the By George bar area if they were going to rob anybody. When asked why they would have to be away from that location, ERICKSON just stated they felt like they needed to be away from there so they could get back into the bar later on. When we asked again why they took the tire tool/iron with them, ERICKSON stated their thinking was they might need to use this item because things might get out of hand. ERICKSON stated FERGUSON told them they needed a weapon, and they got the tool in case things "got fucked up."

We asked ERICKSON to be more specific about the conversation about

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obtaining the weapon. He stated they were standing on the passenger side of FERGUSON'S vehicle when this conversation occurred. ERICKSON stated when FERGUSON brought up the conversation about the weapon, FERGUSON told him to "come here" and he stated FERGUSON stated they needed a weapon. He stated he opened the trunk, handed him the tire tool, and then said, "We can use this." FERGUSON then directed ERICKSON to walk towards downtown, and they began to walk in an easterly direction from First and Ash.

ERICKSON stated they did not see anyone until they crossed Providence Road, and they saw the victim (Kent HEITHOLT) in the back parking lot of the Columbia Tribune. ERICKSON stated they hid behind what he thought was dumpsters as they watched the victim (HEITHOLT) in the parking lot. He said the victim (HEITHOLT) was outside of his vehicle.

ERICKSON stated while they were hiding behind the dumpster enclosure, FERGUSON looked at him and stated, "We need to do this. We need to get this over with." He stated FERGUSON looked at him and said, "You need to hit him." ERICKSON stated at that point he ran towards HEITHOLT and hit him in the head with the weapon. ERICKSON stated HEITHOLT had his back towards him, and he stated he landed the blow in the back of his head. He stated he may have hit him more than once. He stated while he was hitting HEITHOLT in the head, FERGUSON was standing to his right and behind him. ERICKSON stated he continued to strike HEITHOLT in the head with the tool until the victim went to the ground. ERICKSON stated HEITHOLT staggered at first, and when he went to the ground, he stopped hitting him. ERICKSON stated HEITHOLT could not go anywhere because he was pinned between the open door of the car and the car itself.

ERICKSON stated HEITHOLT made a horrible noise that he described as a "moan", and when he saw the blood, he went and sat on a wall directly across from where they had attacked HEITHOLT. ERICKSON stated he put his head in his hands, and when he looked up, he saw HEITHOLT was face down on the concrete, and he said FERGUSON was on top of him. He stated FERGUSON had what he believed to be a left foot in the shoulder area of HEITHOLT'S back.

We asked what FERGUSON was doing, and he stated he was "strangling him." ERICKSON stated FERGUSON was strangling him with his belt. He stated FERGUSON had his belt around his neck, and was pulling it back by one strap of the belt. The way ERICKSON described it was the belt was wrapped around HEITHOLT'S neck by the belt being looped through the belt buckle. He felt the buckle was up against the victim's neck, and FERGUSON was pulling back on the strap causing the injuries to HEITHOLT'S neck.

ERICKSON stated at that point is when he got up and pushed FERGUSON off the victim, and removed the belt from the victim's neck. At that time we interrupted ERICKSON and asked how HEITHOLT'S hands were injured, because they

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are injured on the back of his hands as if he had struck something with his hands, or as if he fought back.

ERICKSON stated at no time did the victim fight back or strike them in any way. ERICKSON stated he thought the victim had kicked him in the testicles, but he stated he was unsure about that now. ERICKSON stated when he was striking HEITHOLT in the head with the iron tire tool, HEITHOLT had placed his hands on top of his head to protect himself and thought that was possibly the only way HEITHOLT'S hands could have been injured. ERICKSON continued to state that he and FERGUSON saw some people come out the back door of the Tribune. He stated they said something but he did not remember what it was. ERICKSON stated he told them to go get help because somebody was hurt, but he stated FERGUSON said nothing.

ERICKSON stated he began to panic, thinking about the things they had touched and picked up that belonged to HEITHOLT. I asked what were the items they had touched or taken from the scene. ERICKSON stated he knew they touched the victim's cellphone because it was on the concrete in the drive when he was looking around. He stated they took the victim's keys and he felt FERGUSON had touched the victim's wallet. ERICKSON stated he took the belt with him when they left the scene. Also removed from the victim was the victim's wrist watch. According to ERICKSON, Ryan FERGUSON had taken the watch, the keys and the tool with him, and the keys were taken from the victim's pants pocket. ERICKSON stated the only thing he removed from the scene was the tool that was used to strike the victim in the head.

According to ERICKSON, when they began to run from the scene, they left in the opposite direction from where they came. ERICKSON stated that they ran towards Broadway and ran behind the Broadway Diner on south Fourth Street. He stated after running southbound past the Diner, they began to run in a westerly direction across and through Flat Brank creek. ERICKSON said he stopped and shed his hands in the creek because they had blood on them. He stated they came out on the north side of the convenience store located at Providence and Locust. He stated there in the intersection, he saw Dallas MALLORY sitting northbound at the stop light at Providence and Locust. ERICKSON stated there were 2 females in the vehicle, but he did not know who they were. ERICKSON stated he does not understand how MALLORY could not have seen FERGUSON, because FERGUSON was standing directly behind him, or so he thought when they used to talk to MALLORY. ERICKSON stated when they heard the sirens, and saw the vehicles going back to their right which was towards the Columbia Tribune, he knew the police had been notified. He stated he specifically told Dallas MALLORY they had just beat somebody down behind the Tribune. He stated at that time MALLORY took off when he heard the sirens. ERICKSON stated both he and FERGUSON ran through the Osco parking lot traveling in the direction of FERGUSON'S car.

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We stopped ERICKSON and asked him if he had the belt in his hand when he talked to Dallas MALLORY, and he stated he did. He stated Ryan had the tool, the watch and the keys.

When they reached FERGUSON'S vehicle, FERGUSON opened up the trunk and got the keys, the tool and the watch and put them in a plastic Kroger style shopping bag. ERICKSON stated this bag was made out of plastic. He stated the belt was also placed in this plastic bag. ERICKSON stated he knows he had the victim's blood on his shirt, therefore, he put his coat on over his shirt, and they then went back into the bar at By George. ERICKSON said he pretty much stayed alone in the bar by himself until it was time to go and FERGUSON came and talked to him and stated they all left with the crowd. He stated they waited because there was a police car outside pertaining to something going on on the parking lot.

ERICKSON then told us that prior to going and committing the robbery, FERGUSON had contacted a subject by the name of Brian DUNN. ERICKSON stated this phone call was made after they left the bar and prior to going to commit the robbery. He stated FERGUSON made the call on the way to the car. He stated they called DUNN to see if there was anything else going on or anything else to do. ERICKSON stated while he was sitting in the bar after they returned after doing the robbery, he stated FERGUSON wanted to stay. He stated he told FERGUSON they they needed to leave when the crowd left the bar. He stated while in the bar, ERICKSON asked FERGUSON if he thought they had killed a victim, and FERGUSON replied yes. ERICKSON stated on the drive home, FERGUSON stated he would not have committed this robbery or hurt that individual if he had not been arrested by the police on the prior minor in possession charge.

ERICKSON stated after he and FERGUSON left the bar, they drove down Broadway and saw all the activity behind the Columbia Tribune. He stated at that point, he stated, "It was fucked up, what we did." He stated FERGUSON stated to him, "It does not matter, I always wanted to kill someone before I was 60." ERICKSON stated they only went to the scene once, and that is the only time they saw it. He stated after that point, FERGUSON took him straight back to his residence and he went to bed. He stated the following morning, a subject by the name of Scott TURNER, took him to school, but he told TURNER nothing.

We asked if ERICKSON and FERGUSON had spoke about this incident more than once, and ERICKSON stated from the time the incident happened until January 1, 2004 at a New Year's Eve party was the first time he talked to FERGUSON about what had happened. He stated that was the night he asked FERGUSON about what they had done, and FERGUSON told him if he ever told

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anybody that he would kill him too. According to ERICKSON, FERGUSON never did anything that he had done with all the items that were removed from the scene. ERICKSON stated he did not want to face what had happened.

We then asked more about the conversation that occurred on the New Years Eve 01/01/04. ERICKSON stated they had gone to a party at John MITWORTH'S house. ERICKSON stated he and FERGUSON went outside to have a cigarette. ERICKSON stated he told FERGUSON he thought we had killed the individual at the Tribune. He stated FERGUSON stated, "No." ERICKSON stated he began to become more irritated at one point and FERGUSON asked him if he was wearing a wire." ERICKSON said later on in the evening, they were in the kitchen talking and FERGUSON again made the comment or statement that he always wanted to kill somebody before he was 60. He stated at that time is when FERGUSON told him in a very aggravated voice, "We didn't kill him. If you tell anyone, I will kill you." We asked if there was anybody around when these statements were made, and ERICKSON stated an individual by the name of Kim BENNETT was outside when they were talking about the murder, but stated he did not believe she said or heard anything. We asked if there was anybody else at the party who he could remember their names or anybody who could have possibly heard anything. ERICKSON stated he did not think anybody else had heard anything, but he did provide us with the following names of partygoers: John DEER, Travis JEFFRIES, Eric TIMMERMAN, Nicole BENNETT, Megan ARTHUR, Tiffany WILKINS, and Ashley COOPER.

We again asked ERICKSON about the clothing he was wearing that night. ERICKSON stated he was wearing a gray Abercrombie shirt with red lettering. We asked what happened to the coat he was wearing that night, and he stated it was a dark colored reversible "puffy" coat, but he stated he later had either given away this coat or lost it at a party at Brian WALTHER'S house.

We asked ERICKSON if there were other people at By George that had seen ERICKSON and FERGUSON together that night, and he stated there was a girl who had known them before the crime was committed by the name of Melissa GRIGGS.

I then told ERICKSON when I interviewed him the first time, he told me about an individual he had seen coming out the back door of the Tribune, and that was the first person he saw. He stated that was true, the first person he saw was a white female with dark hair that he believed was curly and about shoulder length. He said he had seen this individual with what he described as a cord around her or near her that he could see through the crack of the door. I told ERICKSON when he first talked to me, he told me he thought this individual was a young lady, and he agreed with this statement.

I then displayed the aerial satellite photo of the downtown area of Columbia so ERICKSON could show the path of travel used that night. ERICKSON

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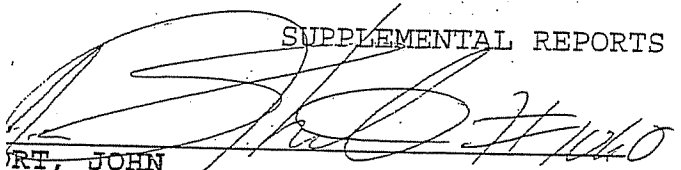
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tated by pointing at the picture, he stated they started on North First Street and either went eastbound on Walnut or eastbound on Ash. He stated they traveled to Providence where they crossed the road on Providence between the locks of Ash and Walnut. ERICKSON stated they walked up the alley way north of the Columbia Tribune where they hid behind some dumpsters. He directed my attention to an area where there is a dumpster area that has a brick wall around it to hide the dumpsters. He stated that is where they hid prior to attacking the victim. After the murder of HEITHOLT, ERICKSON stated they traveled southbound on North Fourth Street, they crossed Broadway ran behind the Broadway Diner, and then traveled westbound through Flat Branch creek, crossed that, ran between where he directed was north of the convenience store between Providence and Locust. He stated they ran between buildings there, which could have been the Blumer's flower shop and the convenience store at that intersection. They stopped at Providence and Locust to speak with MALLORY, and then they ran in a northwesterly direction through the Osco lot back to North First Street and back to the vehicle. This was all at the direction of ERICKSON.

After obtaining ERICKSON'S statement, he was fed a sandwich and provided several restroom breaks through this interview. After obtaining this statement, he was then transported back to the Boone County Jail where he will be held until further pertaining to his case.

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SUPPLEMENTAL REPORTS FOR THIS OFFENSE


PORT, JOHN
REPORTING OFFICER

MONTICELLI, STEPHEN P
SUPERVISOR