

STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY

STATE OF WISCONSIN,)	
)	
Plaintiff,)	
)	Case No. 05-CF-381
v.)	
)	Honorable Judge Angela Sutkiewicz,
STEVEN A. AVERY,)	Judge Presiding
)	
Defendant.)	
)	

AFFIDAVIT OF GREGG McCrARY

Now comes your affiant, Gregg McCrary, and under oath hereby states as follows:

1. I have been professionally involved in violent crime investigations for more than 45 years including 25 years as an FBI Agent. In that capacity, I investigated violent crimes as a field agent for approximately 17 years and then was promoted and transferred to the FBI Academy in Quantico, Virginia as a Supervisory Special Agent where I worked in the National Center for the Analysis of Violent Crime (NCAVC). There I was assigned to the operational wing of the Behavioral Science Unit where my primary responsibility was to provide expertise in investigative techniques and crime scene analysis in violent crime investigations both to FBI field agents as well as to any law enforcement agency around the world that requested FBI assistance. My other responsibilities included conducting research into violent and sexually violent crimes and offenders and providing training to law enforcement agencies nationally and internationally.
2. I have investigated thousands of violent crime cases nationally and internationally. The following are among the agencies with whom I have worked or trained in violent crimes



and investigations; The New York City Police Department, The New York State Police, The Texas Rangers, The Boston Police Department, The King County Police in Seattle, The Florida Department of Law Enforcement, the California Attorney General's Office, Georgia Bureau of Investigation, The Massachusetts State Police, The Kansas City Missouri Police and the Maricopa County Sheriff's Office in Arizona. Included among the international agencies with which I have worked cases and/or provided training are the following: The Cuerpo Nacional De Policia in Spain, The Policia Judiciare in Portugal, The Hungarian National Police, Budapest Homicide, The French National Police, Scotland Yard, The Dutch National Police, Oslo Police Homicide, The Seguridad Publica in Costa Rica, The Belize Police Department, The Royal Bahamas Police Force, The Metropolitan Toronto Police, The Ontario Provincial Police, The Royal Canadian Mounted Police, The Austrian Federal Police, The Swedish National Police, the Carabinieri in Italy and serial murder task forces in Australia and Canada. I most recently provided training to the Swedish FBI regarding best practices in homicide investigations at their headquarters in Stockholm, Sweden in October of 2016.

3. I currently teach a graduate-level course in the Forensic and Legal Psychology Program at Marymount University in Arlington, Virginia and have been appointed as a research fellow at the Center for Geospatial Intelligence and Investigations at Texas State University's School of Criminal Justice. I have co-authored an article on stalking.¹ was a

¹ Wright, J.A., Burgess, A.G., Burgess, A.W., Laszlo, A.T., McCrary, G.O., Douglas, J.E., (1966) *A Typology of Interpersonal Stalking*; Journal of Interpersonal Violence, (11), (4) 487-501

contributing author to the FBI's Crime Classification Manual.² and contributed a chapter to the book Criminal Investigative Failures.³ I currently serve on the editorial review board of two professional journals, The Journal of Aggression and Violence and The Journal of Family Violence.

4. I hold the following opinions regarding police practices and investigative procedures to a reasonable degree of professional certainty. Every meaningful analysis of violent crime begins with victimology, i.e. a study of the victim(s). "Victimology is the collection and assessment of all significant information as it relates to the victim and his or her lifestyle. Personality, employment, education, friends, habits, hobbies, marital status, relationships, dating history, sexuality, reputation, criminal record, history of alcohol or drugs, physical condition and neighborhood of residence are all pieces of the mosaic that comprises victimology. The bottom line is, '*Who was the victim and what was going on in his or her life at the time of the event?*' Was the victim having any problems? Had the victim recently expressed any fears?....Did the victim express any concerns about his or her security? Was the victim in a relationship?...Ascertaining the victimology is the key to any successful death investigation."⁴
5. FBI Uniform Crime Report data consistently demonstrates that someone known to them kills most homicide victims. The motive typically stems from an interpersonal conflict between the victim and offender. Credible homicide investigations begin with the victim and move out in concentric circles, focusing first on those closest to the victim. The first

² Douglas, J., Burgess, A.W., Burgess, A.G, Ressler, R.K. (Eds.). (1992) Crime Classification Manual: A Standard System for Investigating and Classifying Violent Crimes: New York: Lexington Books.

³ Rossmo, K. (Ed) (2009) Criminal Investigative Failures: New York: CRC Press;

⁴ Geberth, V., (2006) Practical Homicide Investigation; New York: CRC Press Pg 21-22

ring would include family members, intimate partners and the victim's closest friends followed by associates, colleagues, acquaintances, etc. If those closest to the victim can be eliminated as suspects, then the investigation moves out methodically and incrementally to those who had less contact and involvement with the victim. The least likely scenario is that of a stranger-based homicide, i.e. one in which there is no prior relationship between the victim and offender.

6. While shifting prematurely from an evidence based investigation to a suspect based investigation is problematic, there are signs and behaviors that investigators should be sensitive to when developing or prioritizing suspects. Obvious reasons for investigative concern arise when people lie or mislead investigators. Those lies are designed to conceal that individual's motive and opportunity to have committed the crime. For example, mischaracterizing the nature of the relationship with the victim is especially common among those offenders who have had an intimate relationship with the victim.
7. It has been my experience that some more organized offenders inject themselves into the investigation in an attempt to exert as much control as possible over the investigation. They often do so as a seemingly cooperative and helpful witness, which itself can divert suspicion away from them, but their true purpose is to divert attention from himself or herself as a suspect by misleading investigators into developing an alternate suspect. Depending upon circumstances this "staging" can be minimal or quite elaborate. This is an important consideration as investigative failures are primarily caused by how investigators think, and if investigators are thinking incorrectly about the motive they will be also be thinking incorrectly about suspects, leading the way to an investigative failure that, at the least, could be an unsolved homicide, or, at the worst, a wrongful conviction.

8. From the first exposure to a crime scene, an investigator begins to construct a story, narrative or hypothesis about the crime. This narrative is born from the union of the chaos that is the crime scene as well as the models and mindsets of the investigators. Once an event is framed a certain way, (i.e. the event was a homicide, a suicide, an accident, etc.) that framing can create a perilous sway. Once investigators have framed the problem and created a narrative, it fundamentally alters how they perceive that event or crime from that point forward, jeopardizing objectivity. What follows is unconscious psychological pressure to look for that evidence that fits within the frame and to reject evidence that does not. This makes investigators increasingly vulnerable to a host of other cognitive biases. The problem arises most frequently when investigators label or frame a crime prematurely, based on incomplete evidence, inaccurate assumptions, faulty beliefs or untested hypotheses.
9. The investigation then becomes an exercise in validating the dominant hypothesis rather than a search for the truth. Once a hypothesis becomes fixed, it creates organizational momentum, which, like a boulder going down a mountain, gains enough force to crush anything in its way.
10. Cognitive biases such as confirmation bias, anchor traps, organizational momentum and groupthink are among the subtle hazards and traps that commonly cause investigators to make avoidable mistakes and jeopardize the successful resolution of their investigation. Unlike airplane crashes or building collapses where exhaustive efforts are made to understand what went wrong, criminal investigative failures are rarely examined, and,

therefore, these biases often remain undetected.⁵ “A growing body of research reveals that our behavior and decision making are influenced by an array of such psychological undercurrents and that they are much more powerful and pervasive than most of us realize. The interesting thing about these forces is that, like streams, they converge to become even more powerful.”⁶

11. Tunnel vision is a narrow focus that unduly limits the range of alternatives. It is insidious and can result in the elimination of other suspects who should be investigated. Events that could lead to other suspects are eliminated from the officers’ thinking as well. Getting locked into a mindset is a consistent thread in analytical and investigative failures. Premature closure, which is closely associated with tunnel vision, results when investigators make early judgments about the resolution and then defend those initial judgments tenaciously, limiting the scope of the investigation. Premature closure, “...can lead an investigator to select subsequent evidence that supports the favored solution and to reject evidence that conflicts with it.”⁷ There is a tendency to put more weight on evidence that supports the hypothesis than evidence that weakens it, and we tend to remember those things that support what we believe. “Arresting the first likely suspect, then closing the investigation off to alternative theories, is a recipe for disaster; tunnel vision has been identified as a leading cause of wrongful convictions.”⁸ Belief

⁵ The *Innocence Protection Act of 2001*, a bipartisan bill that failed to make it through Congress, would have required states to investigate reasons for wrongful convictions, publicize them, and find ways to prevent such errors from reoccurring.

⁶ Brafman & Brafman (2008); *Sway: The Irresistible Pull of Irrational Behavior*; New York: Crown Publishing p 16

⁷ Clark, Robert M. (2007) *Intelligence Analysis: A Target Centric Approach*; CQ Press; Washington, D.C.

⁸ FTP Heads of Prosecutions Committee Working Group (2004) *Report on the Prevention of Miscarriages of Justice*. Ottawa Department of Justice.

perseverance, the stubborn embrace of a belief in the face of disconfirming evidence, and tunnel vision are both closely related to *confirmation bias*.

12. Confirmation bias is a type of selective thinking in which an individual is more likely to notice or search for evidence that confirms his/her hypothesis while ignoring or refusing to search for contradicting evidence. When police have a “prime suspect,” information regarding other suspects tends to become marginalized. Secondary suspects are often ignored because they do not fit the dominant theory at that time. Anchor traps occur when “a person does not consider multiple possibilities, but quickly and firmly latches on to a single one, sure that he has thrown his anchor down just where he needs to be. You look at your map, but your mind plays tricks on you (confirmation bias), because you see only the landmarks you expect to see and neglect those that should tell you that in fact you’re still at sea. Your skewed reading of the map ‘confirms’ your mistaken assumption that you have reached your destination.”⁹ Group think is another cognitive bias that often ensnares investigations. “Group think is the reluctance to think critically and challenge the dominant theory (no one wants to tell the emperor he has no clothes). It occurs in highly cohesive groups under pressure to make important decisions.”¹⁰ \

13. The symptoms of groupthink are:

- a. Illusion of invulnerability (Group thinks it is invincible and can do no wrong);
- b. Collective rationalization (Members discount warnings and do not reconsider their assumptions);
- c. Belief in the inherent morality of the group;
- d. Demonizing out-groups as being too weak, stupid or evil to deal with;
- e. Direct pressure on dissenters to conform to the group’s beliefs;
- f. Self-censorship. (Doubts are not expressed = don’t rock the boat);
- g. Illusion of unanimity; and

⁹ Goopman, J. (2007) *How Doctors Think*. New York; Houghton Miffling.

¹⁰ D. Kim Rossmo; Criminal Investigative Failures; 2009, Taylor and Francis Group
Boca Raton, FL p. 28

advertised other adult entertainment services. (Affidavit of Tom Pearce, attached as **Exhibit A** to this affidavit). She also had an affair with a married man who subsequently got divorced, and had a brief sexual relationship with her ex-boyfriend's best friend with whom she shared a house. (11/4/05 Calumet County Sheriff's Department Interview of Bradley Czech, attached as **Exhibit B** to this affidavit).

18. She sustained both verbal and physical abuse in her relationship with her ex-boyfriend. At the time of her death, the ex-boyfriend was unemployed, lived close by and visited her home frequently. (TT:2/13:173-74, 176-77, attached as **Exhibit C** to this affidavit). The day before her death, the ex-boyfriend was at her house, but provided vague statements to authorities as to when and why he was there. (11/4/05 Calumet County Sheriff's Department Interview of Ryan Hillegas, attached as **Exhibit D** to this affidavit). I have seen no evidence that he offered an alibi or any sort of statement regarding his activities from 10/31/05-11/3/05. Nor have I seen any evidence that the authorities ever asked him to do so.
19. Mr. Hillegas injected himself into the police investigation by taking an active role in the volunteer search. He gave a female volunteer searcher a camera and a direct phone number to the sheriff. (8/9/06 Motion Hearing:84, attached as **Exhibit E**; TT:2/13:194, 215, 237-38, attached as **Exhibit F**). It appears that he directed her to the area where the victim's vehicle was located. He also appears to have misled police when he told them that Ms. Halbach had damaged the front driver's side of her vehicle months before her disappearance, had a filed an insurance claim for that damage and had taken the cash payout without repairing her vehicle. (11/7/05 DOJ Report, attached as **Exhibit G** to this affidavit). However, it appears that particular damage was done more

- h. Protect the group from contrary viewpoints.
14. Moving prematurely from an evidence-driven investigation to a suspect-driven investigation is particularly problematic and a common feature in investigative failures. The attitude becomes, "We know who did it. Now let's get the evidence that proves it." This type of tunnel vision leads to confirmation bias in searching for and interpreting evidence. Alternate hypotheses are not considered and alternate suspects not properly investigated.
15. Regardless of what seemingly valid alibis are offered, potential suspects should be examined for injuries when investigators believe that a violent crime has occurred. Injuries are best considered to be transient evidence and if they are not documented early in an investigation, they will be lost. All alibis and statements should be thoroughly investigated and corroborated before eliminating anyone as suspect. Any statements that contain non-public information about the crime or crime scene are of particular importance as it is the type of evidence that can turn a non-suspect into a suspect or elevate a given suspect into a prime suspect. The key issue in those situations is how the individual came by that information. Such incriminating slips can easily be overlooked if investigators have unwittingly developed tunnel vision about a suspect. This evidence is then ignored or discounted because it does not fit the narrative they have developed about how the crime occurred and who did it.
16. I have been provided certain police reports and pertinent affidavits identified below.
17. Teresa Halbach, the victim in this case, could be considered to be at an elevated risk for becoming the victim of violence due to her prior abusive relationship with her ex-boyfriend, Ryan Hillegas, and her business, which involved nude photography and

contemporaneously with the crime, and a check with Ms. Halbach's insurance company revealed that she never filed an insurance claim for the frontend damage. (Erie Insurance Report, attached as **Exhibit H** to this affidavit).

20. On at least one occasion, Mr. Hillegas had misidentified himself as Mr. Kilgus to gain access to the Avery property. (Ryan "Kilgus" Map, attached as **Exhibit I** to this affidavit, 11/16/05 DOJ Report, attached as **Exhibit J** to this affidavit). Regardless, the authorities allowed Mr. Hillegas multiple entries to the Avery property while it was under police control as documented in a log maintain by the police at their command post. (Crime Scene Logs, attached as **Exhibit K** to this affidavit). On November 7, 2005, the day before the victim's burned bones and electronic devices were found in Mr. Avery's burn pit and burn barrel, Mr. Hillegas entered the property without signing in at the command post. (Crime Scene Logs, **Exhibit K**, STATE 6130). There is no way to know exactly when he entered the property or how long he had remained, but it might explain how, despite previous searches of that property, that bones the victim bones were not discovered until November 8, 2005. At the very least, this type of unauthorized entry to a restricted crime scene violates proper police practices and risks contaminating the scene.

21. Ms. Halbach's vehicle was discovered on Mr. Avery's property on November 5, 2005 and at that point it appears that all investigation into her ex-boyfriend's potential involvement in Ms. Halbach's disappearance and death stopped. At that point it appears that detectives moved from an evidence -based investigation to a suspect based investigation targeting Mr. Avery. For example, on the morning of November 5, 2005, shortly after Ms. Halbach's vehicle was found and four days before Mr. Avery's arrest, a

Manitowoc County detective was recorded asking if Mr. Avery had been taken into custody yet. (TT:2/12:151, attached as **Exhibit L** to this affidavit). This is a strong suggestion that investigators had shifted to a suspect-based investigation with Mr. Avery as that suspect. An important point related to this is that well trained and supervised law enforcement officers should have ensured that Manitowoc County authorities were not involved in this investigation due to an obvious conflict of interest. Mr. Avery had filed a \$36 million dollar lawsuit against Manitowoc County alleging that they had wrongfully convicted him of a rape for which he had served nearly 18 years in prison.

22. There is evidence that voice messages were deleted from Ms. Halbach's voice mailbox after her death and before law enforcement initiated their missing person investigation. To do so required one to have the password to Ms. Halbach's voicemail account. Mr. Hillegas is one individual who knew Ms. Halbach's username and password and assisted law enforcement in accessing her Cingular Wireless account to obtain a list of her phone calls during the relevant time period. (TT:2/13:159, attached as **Exhibit M** to this affidavit).

23. Mr. Hillegas became improperly embedded into the investigation of Mr. Halbach's disappearance. By serving as primary liaison between the victim's family and law enforcement, he was in a position to monitor law enforcement's investigative efforts as well as become directly involved in some of those efforts, such as helping coordinate the citizen search effort as noted above.

"The police commenced and carried on their investigations, not for the purpose of finding out who was the guilty party, but for the purpose of finding evidence against Edalji, who they were already sure was the guilty man." (Case of George Edalji: Commission of Inquiry, 1907, as summarized by commission member Dr. Arthur Conan Doyle).

24. Investigators are the gatekeepers for the rest of the criminal justice system. At their best, investigators can protect us from some of society's most dangerous predators. At their worst, they can create and perpetuate egregious injustices. "Investigators must keep an open mind about how to interpret data and evidence until they have gathered as many facts as possible. At its inception an investigation should be multidimensional. No single hypothesis (or suspect) should be either embraced or eliminated until all pertinent facts and evidence have been collected and thoroughly examined."¹¹
25. Well-trained investigators would have conducted an exhaustive victimology, i.e. a study of the victim. This is especially important in cases like this where the victim's lifestyle included risk-enhancing behaviors as noted above. Instead of starting their investigation with the victim and moving out in concentric circles, which would have included her ex-boyfriend, Mr. Hillegas, among others, investigators quickly and improperly limited the universe of suspects down to one, Mr. Avery. Investigators overlooked indicators that Mr. Hillegas should have been investigated as a suspect. The fact that he injected himself into the investigation was one such factor. The fact that he had observable injuries similar to scratch marks on his hands immediately after the homicide is another factor. The fact that he falsely identified to police during the investigation and made unauthorized entry to the crime scene are other factors. In summary, this was a substandard investigation in which investigators became ensnared by tunnel vision, confirmation bias, group think and other cognitive biases all of which compromised the integrity and objectivity of the investigation.


¹¹ McCrary, G. (2009) *Who Murdered Stephanie Crowe* in Criminal Investigative Failures; New York; CRC Press

FURTHER AFFIANT SAYETH NAUGHT



Gregg McCrary

Subscribed and sworn before me
this 8th day of May, 2017.



Notary Public

MERRITT STEPHENS
Notary Public
Reg. #332290
Commonwealth Of Virginia
My Commission Expires June 30, 2019



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GREGG O. McCRARY
SUPERVISORY SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION (RETIRED)
NATIONAL CENTER FOR THE ANALYSIS OF VIOLENT CRIME
FBI ACADEMY QUANTICO, VIRGINIA, USA

EDUCATION

Bachelor of Fine Arts Degree, Ithaca College, Ithaca New York, 1967
Graduate studies, Criminal Justice, Long Island University 1975-1976
Additional Graduate studies at University of Virginia 1989-1990
Master of Arts in Psychological Services, Marymount University Arlington, VA 1992

EMPLOYMENT

Federal Bureau of Investigation, Special Agent (1969-1994)
Threat Assessment Group (1995-1997)
Behavioral Criminology International (1997-Present)

Independent Contractor for:

- Park Dietz and Associates, Newport Beach, CA
- Threat Assessment Group, Newport Beach, CA
- Judges for Justice

Faculty and Research Positions:

- Adjunct Professor of Forensic Psychology and Criminal Justice
Marymount University, Arlington, Virginia
Forensic and Legal Psychology Program (Graduate Level)
- Research Fellow Texas State University; Center for Geospatial Intelligence and Investigation; Department of Criminal Justice

SPECIALIZED TRAINING

FBI In-Service Training:

Selective Operations Seminar (1978)
Drug Enforcement Administration Training (1979)
Labor Racketeering (1980)
Special Weapons and Tactics (1980)
Expert Firearms and Defensive Tactics Instructors School (1981)
Crisis Management (1981)
White Collar Crime/Fraud (1982)
Profile/NCAVC Coordinator (1985)
Narcotics Raid Planning (1986)
Advanced Profile/NCAVC Coordinator (1987)
Criminal Sexuality Instructor (1987)
Arson Investigation (1988)
Advanced Criminal Sexuality Instructor (1991)
Advanced Violent Crime Investigators Seminar (1992)

OTHER TRAINING

- Basic and Advanced Forensic Pathology
Armed Forces Institute of Pathology (1988)
- Reid School of Interview and Interrogation (1988)
- Black Belt Instructor Shorinjii Kempo (1984)
- Brown Belts in Judo and Aikido (1973-79)
- Scientific Content Analysis by Avinom Sapir Rockville, MD (1991)
- International Conference on Violent Crime, September 13-17, 1999, Barrie, Ontario
- Psychopathy and Crime: Dr. Robert D. Hare, FBI Academy, Quantico, Virginia (1999)
- International Homicide Investigators Seminar September 18-22, 2000, FBI Academy
- ICIAF training, Key West Florida May 20-24, 2001
- ICIAF training, Barre, Ontario, September 25-28, 2001
- CPTED Certification: National Crime Prevention Institute: University of Louisville
October 8-12, 2001
- Institute of Law Psychiatry and Public Policy, University of Virginia: Assessing Criminal
Behavior: The Importance of How the Crime was Committed September 26, 2003
- Reading People: Risk of Violence Predictions. October 12-14, 2005
- APA Seminar on False Confessions, San Francisco, CA August 19, 2007
- Youth and Young Adults: Violence Risk Assessment, Prevention and Threat
Management; San Diego, CA January 22-25, 2008
 - "The Structured Assessment of Violence Risk in Youth (SAVRY)"
 - "Assessing Risk of Juvenile and Young Adult Violence"
 - "Suicide Risk Assessment in Youth and Young Adults"
 - "Schools at Risk: Managing Bullying, Gangs and Violent Females"
 - "School Violence Threat Management"
 - "Pathways from Childhood Aggression to Adolescent Violence"
 - "Adolescent and Young Adult Mass Murder: Assessment and Management of
Catastrophic Risk"

- ICIAF training, Forsyth, Georgia, June 9-13, 2008. Crime Scene Reconstruction (Post Certified)
- American Psychology and the Law Society (AP-LS); March 5-7 San Antonio, Texas; False Confessions; Eyewitness Fallibility; SVP's and Sex Offender types, Child Molesters, Pedophiles and Pornography; Use of Informants
- Institute of Law, Psychiatry and Public Policy, University of Virginia, Charlottesville, VA. April 17, 2009; Risk assessment of Sexually Violent Predators: Paraphilias, NOS – Rape and Coercion. – Current Controversies
- Institute of Law, Psychiatry and Public Policy, University of Virginia, Charlottesville, VA. April 24, 2009; Assessing Malingering and Waiver of Miranda Rights. Implications for criminal and civil litigation
- ICIAF training, Myrtle Beach, FL May 3-7, 2010: Violence Progression in Paraphilics: False allegations; Sexual Homicide; Serial Murder; Victims' Reaction to Sexual Violence.
- Crimes Against Children Conference, Dallas, Texas August 9-12, 2010
- Assessing Risk for Violence in Juveniles: University of Virginia, Institute of Law, Psychiatry and Public Policy, February 25, 2011.
- Advanced: Police Custody and Interrogation of Juveniles. University of Virginia, Institute of Law, Psychiatry and Public Policy, November 4, 2011.
- American Society of Criminology Round Tables on Criminal Investigative Analysis and Wrongful Convictions. Washington, DC November 17-18, 2011
- Master Class: Investigative Interviewing using PEACE model; International Investigative Interview Research Group (iIRG) Toronto, Ontario, Canada May 22-23 2012
- ICIAF Conference Forsyth, GA September 10-14, 2012; Psychopathy and advances in Crime Analysis.
- TAG Seminar, Washington DC; September 16-17, 2013:
 - Principles of Workplace Violence Prevention
 - Safe Hiring
 - Assessing and Managing Workplace Threats
 - Personality Disorders and Workplace Violence
 - Mental Illnesses and workplace Violence
 - Domestic Violence and the Workplace
 - Stalking and Cyberstalking
 - Safe Termination of End Stage Employees
 - Problematic Former Employees
 - Protection of Targeted Victims
 - Active Shooter Situations
 - International Issues
- ICIAF Training FBI Academy, Quantico, VA May 12-16, 2014
 - Lone Wolf Terrorism
 - Interview/Interrogation
 - Criminal Investigative Failures

- ICIAF Training, FBI Academy, Quantico, VA June 13-17, 2016
 - Arson and Bombing
 - Contemporary Terrorism Issues
 - Cognitive Biases and Investigative Failures

MAJOR PRESENTATIONS

Charles O. Bick College
Toronto, Ontario Canada 1986

State University College at Brockport, NY (1987)

Five State Peace Officers Association
Woodward, Oklahoma October 12-14, 1988

Bureau of Criminal Apprehension
St. Paul, Minnesota February 6-8, 1989

Harvard Associates of Police Science
University of Maryland Medical School
Chief Medical Examiner's Office
Baltimore, MD 1989

First Annual Governors' Conference on Violent Crime
Myrtle Beach, South Carolina
May 18, 1989

International Criminal Investigation and Training Program (ICITAP)
Criminal Investigative Analysis
Belize, Central America
Principal Instructor August 18-26, 1989

University of Virginia
Institute of Psychiatry and the Law
Featured Speaker 1989

Metropolitan Toronto Police
Principal Instructor; Criminal Sexuality Seminar 1990

Colorado Association of Sex Crime Investigators
Glenwood Springs, Colorado ; Principal Instructor May 15-18, 1990

Ontario Police College
Alymer, Ontario
Criminal Sexuality Seminar May 21-24, 1990

Southeastern Association of Criminal Investigators
Criminal Sexuality Seminar -Principal Instructor -Tampa, Florida September 15-20, 1990

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Featured Speaker at Homicide Symposium,
Crime Scene Analysts Conference and King

County Police Sex Crime Investigators Training
Seattle, Washington

Olympia, Washington
Yakima, Washington May 6-10, 1991

New York City Police
Advanced Homicide Detective Training
Featured Speaker May 1991
New York, NY

FBI National Academy Retraining Seminar
Violent Crime
Rochester, New York, June 23-26, 1991

Marymount University
Psy Chi National Honor Society for Psychology
Guest Lecturer "Inside the Violent Mind".
Arlington, VA - October 1, 1991

FBI National Academy European Chapter
Violent Crime Investigation
Brussels, Belgium November 1992

First International Symposium on Criminal Investigative Analysis
Principal Instructor and
Coordinator Vienna, Austria - October 1993

Policia Judiciare
National Police Academy of Portugal
Investigating Violent Crime
Principal Instructor
Lisbon, Portugal - November 1993

Cuerpo Nacional De Policia
National Police Academy of Spain
Investigating Violent Crime
Principal Instructor Avila, Spain - December, 1993

Hungarian National Police
Investigating Violent Crime
Principal Instructor
Budapest, Hungary - June 1994

French National Police
Investigating Violent Crime
Principal Instructor - Paris, France - June 1994

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California District Attorney's Association
10th Annual Homicide Symposium
San Diego, California: January 1995

Defense Research Institute
Premise Liability re Violent Crimes
Boston, Massachusetts
May 25-26, 1995

Pacific Coast Labor Law Conference
Seattle, Washington
Workplace Violence Prevention
June 7-9, 1995

Grand Rounds
University of Virginia Medical School
Charlottesville, Virginia
November 8, 1995

Center for the Study of the Mind and Human Interaction
University of Virginia
Charlottesville, Virginia - January 17, 1996

Defense Research Institute
Premises Liability for Violent Crimes San Diego, California March 27-29, 1996

Association of Trial Lawyers of America
Premises Liability for Violent Crimes
Mega Seminar
Las Vegas, Nevada
February 1997

Defense Research Institute
Premises Liability for Violent Crimes
New Orleans, Louisiana: April 10-11, 1997

FBI National Academy
International Retraining Symposium
Burlington, Ontario Canada
July 14 - 15, 1997

Northeastern Association of Forensic Scientists
White Plains, New York
October 17, 1997

Employers Reinsurance Corporation
Violent Crime Seminar
San Francisco, CA
Oct. 27, 1997

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Atlanta Apartment Association
Premises Liability - Violent Crime Seminar
Atlanta, Georgia, May 20, 1998

“The Violent Mind”
Nova Southeastern University
(APA accredited)
Ft. Lauderdale, Florida
June 20 - 21, 1998

Association of Trial Lawyers of America
Inadequate Security Litigation Group
National Convention
Washington, D.C. - July 13, 1998

Institute of Continuing Legal Education in Georgia
Premises Liability-Violent Crime Seminar
Atlanta, Georgia – November 5, 1998

Annual Claims Exposition & Conference
Premises Liability – Violent Crime Presentation
St. Louis, Missouri – November 13, 1998

Eastern Analytical Symposium
Criminal Profiling
Somerset, New Jersey – November 18, 1998

American Academy of Forensic Sciences
Panel Member
Suicide and Equivocal Death Investigations
Orlando, Florida – February 15, 1999

Nova Southeastern University
The Violent Mind (APA Accredited)

Orlando, Florida - February 27-28, 1999
Miami, Florida – May 15-16, 1999

Burns International Security Seminar
Las Vegas, Nevada; September 13-15, 1999

Henry C. Lee Institute of Forensic Science
Cold Case Homicide Workshop
University of New Haven
January 11-13, 2000

Northern California Fraud Investigator’s Conference
Monterey, California
April 11, 2000

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Institute of Continuing Legal Education
Atlanta, Georgia
Premise Liability and Violent Crime – November 3, 2000

University of Virginia
Critical Incident Analysis Group
Religious Violence/Waco
November 14, 2000

California State Hospital at Atascadero
Presentation to Staff re Violent Sex Offenders
May 9-11, 2001

Marymount University
“The Violent Mind”
October 23, 2001

Institute for Continuing Legal Education
Atlanta, Georgia
Premise Liability and Violent Crime, November 2, 2001

DeSales University
Bethlehem, PA.
“The Violent Mind”: November 14, 2001

Violence Risk Assessment through Crime Analysis
DC Superior Court Pre-Trial Services
Washington, D.C.
December 6, 2001

Henry C. Lee Institute of Forensic Science
Cold Case Homicide Workshop
University of New Haven
December 10-12, 2001

Homicide: Behaviors, Motives and Psychology:
A Gathering of Leading Experts
Monte Carlo Hotel
Las Vegas, Nevada
March 11-13, 2002

University of Paris
Institut de Criminologie
Departement de Recherche
Premiere Conference Internationale
Sur L'Analyse Criminelle et le Profilage Criminel
391 Rue, de Vaugirard/75006 Paris, France
June 3-5, 2002

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Conference of County Court Judges
Ft. Myers, Florida
Risk of Violence Prediction
July 12, 2002

Colorado Sex Crime Investigators Association
Aspen, Colorado
August 28-30, 2002

American University
Washington, D.C.
International Criminal Justice Seminar
September 6, 2002

Defense Research Institute
Sexual Torts: Rape and False Allegation of Rape
Hotel Del Coronado

San Diego, California
October 24-25, 2002

Canadian Association of Psychiatry and the Law (CAPL)
Annual Conference
Banff, Alberta Canada
October 31, 2002

Profiling and Crime Analysis:
Homicides, Sex Crimes and Other Crimes of Violence
A Program for Law Enforcement, Justice and Mental Health Professionals
Nova University, Ft. Lauderdale, Florida
November 8-9, 2002

Henry C. Lee Institute of Forensic Science
Cold Case Homicide Seminar
University of New Haven
January 6-9, 2003

American College of Forensic Examiners
National Conference; Scottsdale, Arizona
October 9-11, 2003 – Violent Female Offenders

Marymount University
Profiling and Beyond
December 6, 2003
Arlington, Virginia

Ithaca College
Ithaca, New York
Department of Psychology

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FBI Profiling and the Criminal Mind
March 1, 2004

Nova University
Homicide Presentation for Law Enforcement
Miami, Florida
March 26, 2004

Nova University
Homicide Presentation for Law Enforcement
Las Vegas, Nevada
April 2, 2004

Markle Symposium
Henry Lee Institute of Forensic Science
Foxwood Resorts
Ledyard, Connecticut April 5-6, 2004

Advanced Markle Symposium
Cold Case Homicide Workshop
Henry Lee Institute of Forensic Science
University of New Haven
April 7-9, 2004

Atascadero State Hospital
Presentation to staff re violent offenders
Atascadero, California
May 3, 2004

Public Defenders Service
Washington D.C.
Interview/Interrogation Techniques
Dynamics of False Confessions
May 17, 2004

Delaware State Police
10th Annual Homicide Conference
Dover, Delaware December 5-9, 2005

Nova South Eastern University
Ft. Lauderdale Florida
Crime Analysis and Criminal Profiling
January 21-22, 2006

Henry C. Lee Institute of Forensic Science
Cold Case Homicide Seminar
University of New Haven
April 24-27, 2006

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International Association of Women Police
Saskatoon, Saskatchewan, Canada
September 19-21, 2006

Office of the Attorney General
State of California Department of Justice
Violent Crime Conference
Anaheim, California
December 12, 2006

Henry C. Lee Institute of Forensic Science
Cold Case Homicide Seminar
University of New Haven
January 22-26, 2007

American Psychological Association National Convention
Invited Speaker – Criminal Profiling: Using Psychology to Catch Criminals
San Francisco, California August 18, 2007

Florida State University– Criminal Investigative Analysis;
Panama City, Florida January 31, 2008

National Center for Missing and Exploited Children (NECMEC)
National Seminar, Alexandria, Virginia
Training - July 22-24, 2008 and October 15, 2008

State Bar of Georgia; Premise Liability and Violent Crime
CLE – October 30, 2008

June 15, 2011 – OCDETF Fusion Center, Virginia, Investigations (14 Federal Agencies)

September 13, 2011 – Boulder Colorado – Investigator’s School

October 12, 2011 – Canadian Association of Psychiatry and the Law (CAPL) – *A Day in the Mind of a Murderer* (Accredited by the Canadian Royal College of Physicians and Surgeons and the Canadian Psychiatric Association)

October 17, 2011 – Regional Organized Crime Homicide Conference; Chattanooga, TN; Homicide presentation to 300 officers from 14 states.

November 4, 2011: *Advanced: Police Custody and Interrogation of Juveniles*. University of Virginia, Institute of Law, Psychiatry and Public Policy.

November 18, 2011: *American Society of Criminology*; National Symposium, Washington, DC; Panel participant discussing Crime Analysis and Criminal Investigative Analysis.

June 29, 2012 *American Professional Association on Abuse of Children (APSAC)* – 20th Annual Colloquium; Chicago, Illinois – Criminal Investigative Analysis and Failures

August 1, 2012 *College and University Police and Investigators Conference (CUPIC)* Fairfax, VA. – Criminal Investigative Analysis and Failures

October 29, 2012, *Elon University, Elon, N.C.* Criminal Investigative Analysis and Failures

February 27, 2014 – Institute of Law, Psychiatry and Public Policy, University of Virginia, Juveniles in the Criminal Justice System: Best Investigative Practices.

March 7-8, 2014; Training for homicide investigators from the Massachusetts State Police, Boston Police and prosecutors from the Suffolk County, Mass. District Attorneys' Office re Best Practices for investigations.

September 19, 2014 – Law Enforcement Conference, DeSales University.

November 3-6, 2014 Smokey Mountain Law Enforcement Conference, Gatlinburg, TN

May 13-14, 2016 – International Academy of Investigative Psychology, New York City
Cognitive Biases; Noble Cause Corruption and Investigative Failures

June 16, 2016 – ICIAF: FBI Academy, Quantico, VA
Cognitive Biases; Noble Cause Corruption and Investigative Failures

October 4th and 6th 2016 - Stockholm, Sweden, Swedish Police Authority (Polisen)
Cognitive Biases; Noble Cause Corruption and Investigative Failures

OPERATIONAL SUPPORT OF MAJOR INVESTIGATIONS

Agent McCrary has been a consultant to law enforcement agencies both nationally and internationally in over 1000 cases involving sexual homicide, serial murder, rape, arson, child abduction, child molestation, threat assessments and other violent crimes.

October 24, 1987 On-site consultation, Toronto, Canada re the homicide of Margaret McWilliams

November 9-11, 1988 On-site consultation, Little Rock, Arkansas re the abduction of infant Christopher Michael Jones from a hospital.

November 21-23, 1989 On-site consultation, Toronto, Canada, re “The Scarborough Rapist”

January 12, 1989 On-site consultation with the Massachusetts State Police, New Bedford, Mass. re serial murder of prostitutes.

February 7, 1989 On-site consultation, prosecutive strategy re John William Doughty (kidnapping and attempted murder) St. Paul, Minnesota

April 26, 1989 On-site New Bedford, Massachusetts re serial killing of prostitutes.

April 27, 1989 On-site consultation re sexually sadistic rapist; Waterford, Connecticut
November 3-8, 1989 On-site consultation with Royal Bahamian Police re a serial murder investigation

November 12-18, 1989 ICITAP presentation and case consultation in San Jose, Costa Rica.

December 13-15, and 27-29, 1989 On-site consultation re serial killings of prostitutes, Rochester, New York.

December 26, 1989 On-site Consultation re mass murder of Harris Family, Ithaca, NY

September 4-6, 1990 Newark, New Jersey Multi-agency meeting re Eric Napoletano serial murder investigation.

January 9-11, 1991 Suffolk County New York Police, Kathy Woods Homicide

April 22-23, 1991 Multi-jurisdictional task force re Peter Stark, suspected serial killer, Province of Ontario, Canada

August 27-29, 1991 Phoenix, Arizona re the murders of nine individuals in a Buddhist Temple.

September 24-26, 1991 Greenville South Carolina State Organization of Victim's Assistance Multi-State Conference and case consultation with SLED re serial rapist

October 16-22, 1991 Vancouver, BC On-site consultation re a series of sexual homicides.

November 5-8, 1991 Charleston, SC consultation re a series of rapes (The North Charleston Rapist).

March 18, 1992 - April 3, 1992 On-site consultation re murder of FBI Agent Stanley Ronquist - Kansas City, Kansas

May - June of 1992

At Morristown, New Jersey re kidnapping of Sidney J. Reso, President of Exxon International

August 1992 Dr. Ernst Geiger and Magistrate Thomas Mueller, Vienna Austria re serial murder investigation (Signature Crime Analysis).

October 1992 Leslie Mahaffey, Kristen French homicides - Project Green Ribbon - St. Catharines, Ontario Canada.

November 1992, at Brussels Belgium and Amsterdam for FBINA presentation and case consultation re serial child molester.

March-April 1993 - At Waco, Texas re Branch Davidian standoff

May 1993 - At Vienna, Austria with Dr. Geiger and Thomas Mueller re three additional homicide cases

November 1993 - At Lisbon, Portugal re a serial murder investigation

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December 1993 - At Avila, Madrid and Barcelona, Spain re unsolved homicide and serial rape investigations

December 1993 - At Babenhausen, Germany re abduction and sexual homicide of a two-year-old female.

March 1994 - In Florida and Alabama re Frank Potts serial murder investigation

March of 1994 - In Mexico City assisting Mexican authorities re assassination of Presidential Candidate Luis Donaldo Colosio

June 1994 - At Graz Austria - provided expert testimony re Jack Unterweger, Serial Murderer.

June 1994 - At Budapest, Hungary re unsolved homicides and rapes with Hungarian National Police and Budapest Homicide

June 1994 - At Paris, France re unsolved homicides

September 1995 - At Morristown, New Jersey re Nicholas Muscio homicide investigation

January of 1996 - At Somerville, Massachusetts re Edward O'Brien homicide investigation

April of 1997 - Testified the transfer hearing of Edward O'Brien in a homicide case for the Middlesex County Prosecutor

May of 1998 - At Ventameglia and San Remo Italy re on-going serial murder Investigation

July 29, 1998 – At University of Virginia, Institute of Psychiatry, Law and Public Policy, re serial murder investigation in Perth, Australia (Macro Task Force)

September 1999 – At Barre, Ontario Canada with an Australian Multi-Agency Task force investigating a series of sexually sadistic homicides committed by a group of offenders.

March 31 – April 3, 2000 – Testified in the Sam Sheppard civil trial in Cleveland, Ohio.

March 2003 – Testified in Alaska v. Wade, Anchorage Alaska. (Sexual Homicide)

May 4, 2004 – Testified in San Diego, CA in State v. Richard Raymond Tuite (Child Homicide)

January 16-19, 2006 - State of Alaska v. Betsy Hester – Domestic Homicide
Kenai, Alaska

May 22-24, 2006 - United States Marine Corps v. Joyce – Equivocal Death; False Confession
San Diego, CA

June 13-22, 2006- Fukushima Prefecture, Koriyama City, Japan re unsolved homicide of Asemi Yamagishi

September 6, 2007 – Testified before Governor Kaine's Commission regarding the "Norfolk 4" case in Richmond, Virginia

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April 30, 2008 – Testified in hearing re signature crime analysis in Bridgeport, Connecticut on behalf of the State of Connecticut.

February 10, 2010 – Testified before North Carolina Innocence Commission re State of N.C. v. Gregory Flint Taylor, File 91-CRS-71728

February 19, 2010 – Testified in State of Ohio v. Yazeed Essa, Cuyahoga County Prosecutor's Office, Cleveland, Ohio

August 10, 2011 – Testified in Oslo, Norway in a hearing to reopen a double child homicide case (The Banaheia Murders)

April 16, 2015 – Testified in hearing in U.S. District Court in Richmond re the Norfolk 4 case

October 22, 2015 – Testified in hearing in State Court in Fairbanks, Alaska re The Fairbanks 4 case

PUBLICATIONS:

Contributing author to *The Crime Classification Manual* Macmillan Inc. 1992

A Typology of Interpersonal Stalking, Co-authored with Dr. Ann Burgess and others; published in the *Journal of Interpersonal Violence* - December 1996. Sage Publications.

The Unknown Darkness; Profiling the Predators Among Us. ISBN 0060509570; Co-authored with Dr. Katherine Ramsland; Published by William Morrow in September 2003.

Who Killed Stephanie Crowe? Chapter 8 in *Criminal Investigative Failures*; ISBN 9781420047516; Edited by D. Kim Rossmo; Published by CRC Press 2009

PROFESSIONAL AFFILIATIONS:

Member of Editorial Review Board for *Aggression and Violence* a Professional Journal
Member of Editorial Review Board for *Journal of Family Violence* a Professional Journal
Member of the American Society for Industrial Security (**ASIS**)
Member of the International Criminal Investigative Analysis Fellowship (ICIAF)
Member of the Society for Former Special Agents of the FBI
Member of the International CPTED Association (ICA)
Charter Member of the International Homicide Investigators Association (IHIA)
Member of International Association of Campus Law Enforcement Administrators
Member International Association of Corrections and Forensic Psychology
Member Society for Police and Criminal Psychology
Member Association of Threat Assessment Professionals

PUBLIC RECOGNITION OF AGENT McCRARY'S EXPERTISE:

- Noted British Criminologist and author Colin Wilson dedicated his 1990 book, "The Serial Killers" to Agent McCrary.
- "Mind of a Serial Killer" which was an Emmy nominated production by NOVA for the Public Broadcasting system (PBS) in 1992.
- Agent McCrary's work in an international serial murder investigation was highlighted in the documentary "A Stranger Murder" produced by the British Broadcasting Corporation (BBC) in conjunction with the Arts and Entertainment Network (A&E) in 1995.
- Agent McCrary's expertise was featured in a documentary produced for Japanese National Television by FUJI Television Productions in 1995 entitled, "The Nonfiction Approach to Serial Killers"
- Agent McCrary's expertise was featured in two documentaries in 1998. One was titled "Born to Kill" and was produced for Discovery Magazine and aired nationally on the Discovery Channel. The second was a French documentary produced by *Sciences et Avenir* and aired internationally from Paris.
- Agent McCrary's expertise was featured in three documentaries in 1999. One for *Time Zone International*, a German Television Production a second for "The FBI Files" produced by the Discovery Channel which also produced a third documentary entitled "The Profilers."
- Agent McCrary's expertise in crime analysis was featured in an MSNBC documentary "The Jon-Benet Murder Mystery" which aired nationally on January 23, 2000.
- Agent McCrary's expertise in stalking behaviors was featured in a Documentary produced for Japanese Television the FUJI Television Productions in May of 2000.
- 48 Hours Investigates: "Cry Rape" Expert analysis in an alleged rape and assault. September, 2003
- TV ASAHI Tokyo, Japan – Murder of Asemi Yamagishi July 2006
- TV Norge, and Oslo, Norway PD. Six cold case homicides and a child abduction 2007-2008
- CNBC Documentary "Madoff Behind Bars" 2010
- PBS Frontline Documentary "The Confessions" Regarding the "Norfolk 4" case. 2010
- C-Span: One hour interview re FBI Crime Analysis and Profiling; August 19, 2011

Mr. McCrary has worked with numerous victims groups throughout the United States and has served as a member of the national advisory board for Parents of Murdered Children.

Agent McCrary has provided expert commentary for such media organizations as NBC, ABC, CBS, Cable News Network (CNN), The Today Show, Good Morning America, Nightline, 60 Minutes, Dateline, 48 Hours, Larry King Live, The Discovery Channel, BBC, RTL Television in Germany, Japanese National Television and other national and international programs. He has also provided expert opinions to print media including Time, Newsweek, U.S. News and World Report, The New York Times, The Washington Post, The San Francisco Chronicle, The Toronto Star, and "Psychologie" Magazine in the Netherlands among others.

FBI ASSIGNMENTS

FBI Academy, Quantico, Va. 1988-1994

Behavioral Science Unit

National Center for the Analysis of Violent Crime/Critical Incident Response Group

Types of Crimes:

- Threatening Communications and Extortions
- Product Tampering
- Homicide (Serial, Mass, Sexual, Domestic, etc.)
- Rape, child molestation and other sex crimes
- Stalking
- Arson
- White Collar Crime
- Foreign Counterintelligence
- Kidnapping and Abduction
- Bank Robbery
- Organized Crime and Drug Trafficking

Services:

- Criminal Investigative Analysis (Including Profiling)
- Threat Assessments
- Violence Risk Assessments
- Interview and Interrogation Techniques
- Expert Testimony

- Training and Research
- Investigative Strategy and Indirect Personality Assessments

Buffalo Field Division, 1977-1988

- White Collar Crime
- Foreign Counterintelligence
- Threats and Extortions
- Kidnapping and Abduction
- Bank Robbery

Sex Crimes
Homicide
Hijacking
Undercover Assignments
Organized Crime
Drug Trafficking
Expert Firearms and Defensive Tactics Instructor
Special Weapons and Tactics Team Leader

New York City Field Division, 1971-1977

Foreign Counterintelligence
Organized Crime
Bank Robbery Homicide
Hijacking
Threats and Extortions
Homicide
Kidnapping and Abduction
Undercover Assignments
Loan Sharking and Gambling

Detroit Field Division, 1970-71

Bank Robbery
Kidnapping and Abduction
Homicide
Threats and Extortion
Organized Crime
Hijacking, Loan-Sharking and Gambling