

## **The Fundamental Question in Ryan's Trial: Why did Prosecutor Crane choose to ask Jerry Trump if he could identify Ryan in court, rather than ask Shawna Ornt?**

Let's examine each of the crime scene witnesses to determine if we can understand Prosecutor Crane's motive.

Back in 1999 Jerry Trump was arrested in Mexico, Missouri for a crime he plead guilty to and he was subsequently sentenced to five years in prison. Trump began his prison term in October 1999 and was released on parole in February 2000. While out on parole, Trump gained employment doing various jobs. His last position in 2001 was with the Columbia Tribune working as a custodian.

In July 2001, Trump met with his parole officer and was given a routine polygraph test, which he failed. This was a violation of his parole, which led eventually to his return back to prison to serve the balance of his five year sentence. Trump reentered prison on December 17, 2001, just 47 days after the murder of Kent Heitholt on Halloween Night.

During the time that Trump was in prison, the Columbia Police created a video which asked the public and prison inmates for help in solving the Heitholt murder. The video depicted the crime scene, explained various details of the crime and gave an update of the investigation. The police offered a \$2,500 reward to anyone who could provide information which would lead to the arrest of the murderers. A toll free number was provided. Trump admitted during Ryan's trial that he saw the Columbia Police video while he was in prison and was aware of the \$2,500 reward. Yet he never contacted anyone in reference to the murder. This is because Trump had no useful information or knowledge about the crime prior to December 21, 2004.

In March 2003, Detective Nichols had just completed a composite drawing course at the FBI Academy located in Quantico, Virginia. With this new knowledge, Detective Nichols decided to re-interview Shawna Ornt and ask her to once again assist the police in drawing a better composite. She had assisted police in drawing the initial composite the night of the murder a year and a half earlier. Shawna agreed and in April 2003, the ColumbiaTribune newspaper featured an update on the unsolved Heitholt murder. In this article Sgt. Monticelli told the Tribune that Shawna Ornt was the "sole eyewitness" who saw the people in the parking lot the night of the murder. Ornt's latest composite was featured in that Tribune article.

Going back to the night of the crime, Halloween 2001, Trump had been working at the Tribune. Sometime between 2:10 am and 2:25 am, Trump was made aware that there was a problem in the parking lot by his co-worker Shawna Ornt. Ornt and Trump quickly returned to the open overhead door which overlooked the Tribune parking lot. They saw Kent Heitholt's car but didn't see anyone in the lot. After a short time Trump yelled out, "We see you! Come out!" At this point two college-age boys appeared. One was positioned toward the back and the other toward the front of the victim's car. The one at the back of the car, walked toward Ornt and Trump into a bright light as they stood on the loading dock. At this point Trump became alarmed and decided to close and lock the pull-down door and call 911. The time was 2:26 am as per Police Report #1.

The young man was described as white, college age, 6 feet tall, good build with short blondish hair which flipped up in the front. He was wearing a light colored t-shirt similar to the one Ornt was wearing that night. This account can also be seen in Police Report #1.

Ornt and Trump were interviewed by detectives almost immediately upon their arrival at the crime scene. While being interviewed the police decided to ask Ornt to assist them in drawing a composite of the person that walked toward her into the alley before they closed the overhead door. Detectives decided not to ask Trump because he had "little useful information" per detectives (PR# 1).

Now fast forward three years to December 13, 2004. Jerry Trump was released from prison. He had just completed three years of his five-year sentence and would now start a two-year probationary period, which would then complete his original five-year sentence. This was standard policy for the state of Missouri at the time.

On December 21, a week after his release, Jerry Trump was ordered to meet with Prosecutor Crane in his third floor office in the Boone County court house. Naturally, Trump was reluctant as he walked into Crane's office. We now know Trump knew nothing about the identification of the boys in the parking lot. But a few minutes later he walked out of Crane's office as a key witness to the identification of Ryan Ferguson. Unbeknownst to Prosecutor Crane, Trump had already told 5 different people between the time of the murder and his return to prison (47 days) that he could not see the faces of the boys in the parking lot.

From the night of the murder until his December 21st meeting with Crane, Trump testified he had no contact with authorities in reference to the Heitholt murder. In all the time that had passed since the murder, Prosecutor Crane had no interest in Jerry Trump based on the police reports from the night of the murder in which detectives acknowledged that he had "no useful information". So what changed? Why did Prosecutor Crane suddenly want to talk with Trump after 1144 days?

Remember, Shawna Ornt is the only one who was asked to assist the detectives in drawing two different composites. She was considered the "sole eyewitness" according to the quote in the Columbia Tribune in April 2003. During Ryan's trial, Prosecutor Crane did not ask the "sole witness" if she could identify Ryan as the person she saw in the parking lot the night of the murder. One of the two college-age men had spoken to her while standing only a few feet away, illuminated by the parking lot light. Now we know why Prosecutor Crane did not ask Ornt the crucial identification question. Prosecutor Crane already knew her answer and it did not support his version of the events.

Finally, in Ornt's 2008 testimony during Ryan Evidentiary 29.15 Hearing, she was asked if she had met with Prosecutor Crane prior to Ryan's trial. She testified she met with Crane 2-3 times. Each time she told him that the person she saw in the parking lot was not Ryan or Chuck. Her answer was a resounding NO! Yet, during Ryan's trial, Prosecutor Crane failed to ask the "sole witness", the person who had helped police with not one but two composite sketches, if she could identify Ryan Ferguson as the person she saw that night. He did this for the pure fact, that he knew Shawna Ornt would testify that Ryan was not the person she saw. The fact that

Prosecutor Crane chose to ask Trump rather than Ornt this critical identification question is very telling and reveals Prosecutor Crane's unethical motive. It would appear that Crane was more interested in winning a guilty verdict than seeking justice.

Now we see the results of Prosecutor Crane's deceit. During Ryan's April 2012 Habeas Hearing, Jerry Thump admitted he lied under oath. Trump testified that his lie was aided and abetted by Prosecutor Crane. Trump has now exposed himself to 10 years of prison time for committing perjury during a murder trial. This behavior by Prosecutor Crane shows the level of his desperation and deplorable behavior to find false evidence against Ryan. He knew Ryan was innocent. This is why he shoe-horned Trump into falsely testifying against Ryan.

Even worse, we now know from the April 2012 Habeas Hearing, that Prosecutor Crane had his chief investigator, Bill Haws, make a private unrecorded telephone call to Trump in a private office while he was still in prison. This call was not revealed to Ryan's defense team. Also during Haws' testimony, he admitted he called Barbara Trump who told him she did not send the newspaper article to her husband, which had been a part of Trump's original trial testimony. Prosecutor Crane knew Barbara Trump had not sent the newspaper. Yet Prosecutor Crane still had Trump take the stand and testify he had received the newspaper story and photographs of Ryan and Chuck. By law, Crane should have turned this information over to Ryan's defense team. The fact that he didn't, constitutes a possible Brady violation. Crane KNEW that Trump's testimony was false. Crane KNOWINGLY withheld crucial information. Prosecutor Crane committed suborned perjury by knowingly putting a witness with false testimony on the stand under oath.

Now that we know Jerry Trump lied during the trial, had Prosecutor Crane asked the identification question to the "sole witness" on the night of the murder, the jurors would have heard the truth. This single question could have freed Ryan. It is evident why Shawna Ornt was not asked this question... Prosecutor Crane wanted a "win at any cost", not justice.