

[Transcript] The Coldest Case In Laramie / Episode 3

In hindsight now, there is, I would say, I am 99.9% sure Fred Lam murdered Shelley. Previously, on the coldest case in Laramie. You could literally see the flames coming out of the door, and I don't even remember him sticking his head out the door to look over. Somebody mailed me a card with a \$100 bill in it and said, if you're smart, you'd leave town. They think it was probably Fred that did that. The detective who was in charge of it now is not somebody who was originally a police officer at the time. He's not from Laramie. And what's his name? His name is Robert Terry. Turn left onto Wyoming 130 East, Wyoming 230 East. We drove into Laramie just before Easter, my first time back in decades. It was a strange sensation to drive through this place that had been frozen in my memory. I tried, but mostly failed, to restrain myself from pointing out all the landmarks I remember to Jasmine, my friend and road trip partner. The old houses I'd lived in as a teenager. Stink Lake, the construction pit where my old high school had been torn down, fitting into that place as far as I was concerned. I started slow, working around the edges. I was wary about rolling into town in a new red Prius with New York plates and handing out my New York Times business card. That kind of combination can work against you in Wyoming. I needed some time to adjust to the elevation. Get the lay of the land. I wonder if one of these was like fosters, you know what I'm saying? Like, it was in this area. This would be the area that a truck stop would be. Lori and Brandi flew in from California. We had dinner at the home of Vicki, Lori and Shelley's mom. Lori showed us around the outside of Shelley's old apartment. And that was her bedroom window. That would have been like where her bedroom window was right there. And Michelle's was on the back side. And then the other living room window was right here. Shelley's apartment had been turned into a garage. The other four apartments in the building had been renumbered and repainted. A cheery blue instead of a dingy brown. The whole town had a bit of a makeover really. Fosters had been torn down and turned into a sprawling ex on truck stop. The new high school had a gleaming football stadium, an actual running track. Just off Grand Avenue, there was, and probably, a vegetarian restaurant. After we spent Easter weekend with Shelley's family, Jasmine and I hit the library. We've got a Laramie Daily Boomerang Microfish from October 19th to December 13th, 1985.

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That's a good picture of her.

Yeah. I haven't seen that one in the...

Yeah. She was very sporty.

Right.

Shelley's murder barely registered in the local paper.

But again, that's not a jump. That's it.

That's it. Five paragraphs.

Hi.

I don't want to interrupt you if you're in the middle of...

I can help you.

So if I'm looking for court records, is this right, Ken?

Well, if it's for a felony, a probate...

A trip to the courthouse was also kind of a dead end.

We ran Fred's name through the court system and the only thing that popped up was a traffic ticket.

If Shelley's family hadn't kept a few of the court documents, like the old search warrant for Fred, and a list of witnesses who were expected to testify, I wouldn't have had any paper trail.

The record of the murder charge had been fully expunged.

The mailbox is full and cannot accept any messages at this time.

I called old police officers, Shelley's friends, everyone on the list of witnesses, really anyone in Laramie who is even tangentially related to the investigation.

Hi, this is Stephanie. Please leave your message. Thank you.

I left a lot of messages.

Hi, Stephanie. My name is Kim Barker and I'm actually a reporter with the New York Times.

I'm calling you on Thursday afternoon at about 12.30.

I'd been in Laramie a week before I built up the nerve to call Detective Robert Terry, the man who was in charge of the investigation.

I was, truthfully, avoiding it.

If he didn't want to talk, this story would be a lot harder to pull off.

I didn't see how I could figure out what was happening in this investigation.

If nobody doing the actual investigating would talk to me.

I'd been through this many times before.

I would call and get the typical police line in this kind of situation.

Open case, no comment.

But I'd keep reporting and come back a little later.

Just checking in.

I'd be persistent, but respectful.

A buzzing fly with good manners.

Eventually, with a little luck, I would wear him down.

But it would be a careful dance.

A delicate game of cat...

Is this Robert Terry?

Yes, it is.

Hi. I don't know if I call you assistant police chief or mister, which do you prefer?

It doesn't matter.

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Okay. Well, my name is Kim Barker and I'm actually a reporter with the New York Times. And I'm in Laramie right now.

And I'd love to be able to talk to you about a case I know that you've worked on pretty hard over the last decade or so.

Involving Shelly Wiley.

Right.

I'm actually in Laramie.

I'm from Laramie.

I went to high school here.

I was actually in my sophomore year.

In 1985, she was killed.

And so I've just like always found it.

It was a... I mean, you weren't here, but it was a horrific time in Laramie.

And I've always just been curious what's happened with the case.

And so is there any way we could meet in person and just sort of talk about what we're doing?

I don't mind meeting with you in person, but I can't really speak a lot about the case because it's still open.

Uh-huh.

I can sure discuss some of the things that are already divulged.

Yeah.

That'd be great.

That'd be perfect.

Maybe just get to know each other, but I mean, I can't speak about some of the things we're doing.

Yeah.

I know you can't talk about things that are going on behind the scenes, but like just about the stuff that's been in the public.

And I know, I mean, I know you've been very personally invested in the case.

And so, I mean, according to the family, you're like the person that they've come to depend on.

So like to talk a little bit about that, because it doesn't really have anything to do with anything ongoing.

Um, you know, because it's nice to have like considering who was arrested, you know, to have a positive police officer involved, if that makes any sense.

Yeah, sure it does.

Okay.

Um, oh, you want to come to my office?

Yeah, I'd love to come to your office.

When would work for you?

How about now?

I'm Margaret Lyons. I'm a TV critic for The New York Times and a writer for The Times newsletter called Watching.

To create this newsletter, my colleagues and I step through hundreds of movies and shows so we can help you find something you'll love.

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We can move these papers.

Everything just piles up.

Here we go.

So all right, if you could start by introducing yourself.

Sure.

My name is Robert G. Terry and I'm the assistant chief for the Laramie Police Department in Laramie, Wyoming.

So talk about this case. How did you come to this case?

So this case is probably the most prolific case in Laramie and it never was solved.

And Laramie has a few cold cases that we've worked on over the years, but this is one that a lot of officers had looked at and done some work on.

It's by far the most worked case in the history of the PD as far as hours and manpower.

And this was one I really wanted to take a peek at. And so we pulled all the case files out and went through what we had in evidence, which...

So when they bring you out the reports and you're starting to dig into this, I mean, are we talking this much, like a foot and a half, two feet?

Like how much like are you looking at? I know a lot of it was on microfish.

So maybe it's just like a few microfish cards.

So kind of how it worked is people before me had printed them all off and printed them off, you know, three whole punch them and put them in notebooks.

So it started off with two, like large, well, they're right there actually, those blue ones that say one and two, they're just like that.

You've got it right here.

Yeah, I've lived with these for 11 years.

Both of those things.

Just the two blue ones were what were put together kind of prior to me.

And that included all of the written police reports to that point.

And you keep them here?

I keep them with me, yeah.

So back in the beginning, they didn't talk a lot about the blood.

They just, there was a lot of blood. And I know from the one piece of paper I was able to get was, yeah, yeah, the search warrant and your affidavit.

But it talks about the blood going down these two doors.

And was there a handprint or was there blood on that door that was two doors down from Shelley Wiley?

So the blood evidence between the apartment complexes, you know, is primarily between apartment three and one.

Hers being one, the apartment where Fred Lamestay and number three.

So there was blood evidence on number three, and then on the sidewalk leading to and into number one.

So we know our crime scene, at least that portion of it is in there from there to there.

So in lots of it, there's a lot of, a lot of story there.

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The story as Detective Robert Terry told it was pretty simple, if a little vague. He said that when he first started poking around the case, he looked through all of the evidence and read through all of the police reports. Basically, the write ups of the interviews the police did in 1985, right after the murder. Terry said he got interested in Fred Lam for several reasons. Fred was there, but his reason for being there seemed odd for a guy with a family. Terry thought it was suspicious that Fred, a former cop, didn't immediately respond when he heard a commotion outside. Fred was interviewed by police the day of Shelley's murder, but that interview seemed a bit cursory and strange to Terry. Finally, biggest of all, when Terry sent out cheek swabs of possible suspects to see if they matched with any of the DNA found at the crime scene, he got a match for Fred Lam. So what ties the DNA of Fred Lam to Shelley Wiley? I can't tell you all that, but obviously we have blood evidence of Fred in that crime scene. So that's really all I can tell you, which says a lot, really. I mean, that's almost too much, but that's really it. We know that he was there. I mean, we saw him there that morning. It's not like the whole point of this is like this. This homicide is not not very difficult. It just not. I would hope, you know, knock on wood this doesn't happen. But if it happened today, I've always said this, I believe that the outcome would be much different just because of the way that we're trained and how we do things. But it wasn't, it's not complicated. You know what I've talked to some of the guys and you know, some of them aren't alive anymore that were there. They, they everybody knew, I mean, you worked with them Fred worked with everybody at that scene. You know, and not only that, but was in the guard. And I mean, that's like a friend. So you're showing up and your friends there and you're kind of like, well, that's doesn't make much sense. But yet surely people that I work with wouldn't be responsible for something like this. So the dynamics and the culture and the friendships and everything just, it, it made things more difficult. And it had to been extremely hard for the officers because they were uncomfortable. And they would never have thought that somebody that they knew and worked with, especially as a police officer, would be involved. But. So there's some match that comes back that you can't discuss, but it implicates Fred with, with, you know, DNA evidence. What happens after that? So we'll go back and listen to his interview.

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He tells them about said piece of evidence.

And it's like, holy fuck, like, excuse my language for whoever's listening to this, but like seriously, he told them about it in 1985.

It's just, it just goes back to, to that dynamic of the relationships.

Like, okay, Fred, thank you.

We'll get a hold of you later.

I mean, just didn't do anything with it.

What was he like?

He might find my blood there because I was putting a screen back in or something like that.

Yeah, always has the reason for anything.

You know, like he knows, he knows what they're going to ask.

And he just, he told them what he wanted them to know and just made them super uncomfortable.

And that's how it ended.

Just, that's it.

Okay.

Thanks, Fred.

See you later, buddy.

Let me know when you get back.

We'll go have a beer.

Like, kind of thing, you know, it's just like me talking to one of my friends and there's no, that's why we're here.

Now almost 40 years later.

Can you talk about where the case stands now?

Just as much as you can say.

Yeah, I mean, the case is still active.

I need a new prosecutor.

I'm still working with Peggy's office to get that accomplished.

And then move forward with, with our plan.

We want to take this to trial.

We just got to have a prosecutor assigned and somebody that wants to do it.

Fred needs to let up on our restrictions for courtroom.

The jurors need to see this.

They have to see it.

The family has to be there.

Maybe not all of her family, but a lot of them want to know.

They deserve that.

And it's, it's the time is running out.

I mean, that's just the sad part of it.

You know, people are getting old and people are passing away.

You know, the cops are passing away.

The families are passing away and eventually Fred's going to pass away.

And that's, that's the biggest worry of the whole thing.

It's like, are we going to miss, you know, opportunity to hold him responsible?

We know who did this.

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We just have to prove it.

Fred sent word that he didn't want to talk.

But his lawyer, Vaughn, he had a lot to say.

When Judge Sanford became a judge, I got all drunk and I started giving Terry and all the cops a bunch of shit.

And there was, you know, there was some of this going on.

And I was telling them what a bunch of putzes they were for having the wrong guy.

Can I ask you just to identify, say what your full name is and what you do for a living?

I'm Vaughn Howard Newbauer. I'm a criminal defense attorney.

So when you go to law school, do you want to do defense law?

I wanted to be a public defender. I've always hated the death penalty.

I've never liked the cops. I hate authority.

Yeah, I wanted to be a public defender and I would, if I wouldn't have gotten fired, I'd still be one.

But there you have it.

When my second daughter died, I had a very bad year.

I got arrested four times in one year and they let me go.

Oh my God, you're okay. Number one, your second daughter died?

They were both stillborn. But yeah.

But we got two boys.

But that had to be really, and so you were working as a public defender.

I had a stressful time.

Public defender, your second daughter dies, you mess up a few times and they fire you.

And then you go and you hang your own shingle out. Is that about it?

That's about the way it worked, yeah.

And had you had any of your big cases before then?

Oh yeah, all the death penalty stuff was as a public defender.

Also did the Bush case, which was a 20-year-old cold homicide.

Cold cases don't happen all that often.

For Wyoming, I've done a significant number of cold homicide cases.

How many would you say you've done?

Eaton, Bush, Bean, Lamb, four.

Yeah, that's a lot.

For Wyoming it is, yeah.

So talk about how you got involved with the Lamb case and how you first heard about it.

They called me.

I don't know how they got my name and they hired me.

So then what happens?

Boy, we were ready to go and they dismiss claiming that they had to get other evidence tested.

Now this was a 20-some-year cold case.

And the way these work is every time somebody gets promoted to detective, they're handed all the cold cases.

So every new detective since when it was 1988 or 1985 has had this case.

Every piece of physical evidence has been tested.

There was nothing left to retest and they dismissed saying they needed to get evidence tested some

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more,
which was not even true.
There's nothing left to retest.
They're out of blood.
They still have the swabs from the door where Freddie was.
And just because some of Fred's blood was on a door, two doors down, I always failed to see the significance of that.
They had nothing inside the apartment.
Yeah, I mean, her bot, there was enough left to identify her.
She wasn't completely consumed by the fire.
The fire really only did the living room.
Lots of the bedroom, the kitchen, lots of stuff in that survived.
And they collected bed sheets.
I can't remember what all else, but there was nothing to connect Fred Lam with the inside of that apartment.
They found a bloody matchbook cover with a fingerprint on it.
Yeah, kind of like that.
I don't know if any of this is in my electronic files or not.
Now, Fred said I could talk to you, so if it's not in here, I mean, because there is so much, I don't know if we put it in the electronic files or not.
It's in storage either over at 6th Street or in our storage locker, I can go find it.
But again, it's a cold case.
I mean, the DVDs are that high.
There's a lot of stuff.
I'm happy to look through that with you if you're amenable to that.
Sure.
Okay, so we do have it.
See, it's thinking.
Yeah, it got mad at me.
You made it do a lot of the same things to me there.
But yeah, let's go back to talking and then we can look at some stuff.
So you get involved, you get all this discovery, you start going through it, and you're working with somebody who's, it's been a very long time.
I don't know, is he, is his mind all there? Does he remember that night?
Yeah, you know, Fred's a, he's a simple man, but no, his memory's good.
I mean, he remembers going to sleep.
He remembers some kind of commotion.
He looked out the window and then there's people banging on his door saying there's a fire.
You know, that's what Fred remembers.
And so he's a guy, you know, he really thought that the police were coming to scratch his brain to see if he could have any insights, you know, seven hours.
He didn't see it coming.
And they confronted him with all these lies about what the physical evidence was.
And after seven hours, the most Terry could get Fred Lam to admit,

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he got him to admit that, yes, I agree that the great weight of the evidence points towards me. He'd never had a speeding ticket.

The one and only crime he's ever been charged with is first degree murder.

I'm assuming that would have been your defense had you gone to trial.

It would have been both a negative defense.

Fred didn't do it.

And we had an alternate suspect that we thought we could have put pretty big meat on.

Now, I don't know if the boomerang ever had this before the fire department got called.

Some Hispanic male came in about gas.

I think this is at the fly store.

They did a composite sketch of him.

And it sure looks like Larry Montez's junior, junior year, high school yearbook photo to me.

I know Larry did it.

He did it.

I mean, it was pervious hell.

That night, Larry, he drove, he had a crush on some teenage girl up in Rock River.

He drove up there in the middle of the night, went into her house.

I don't think he had to break in.

They probably had the door open, but sat there and watched her sleep for like an hour.

And he left Rock River in plenty of time to get back down here and do this.

Yeah.

And Larry Montez's name, it's never been like made public.

No, they dragged Fred through the dirt.

And, yeah.

I mean, he went to prison for being a child molester, you know, but...

Larry did.

Yeah, he died in prison.

Right, right.

So what is your impression of how that scene was handled from the very beginning and like the evidence collection and like what the police did?

You know, I'm not a cop, but I do know they like to keep a track of their witnesses.

Well, in the early stages of an investigation, they had a very racist response.

They'd gotten information that Shelly Wiley had had an African-American boyfriend and maybe she had a preference for African-American males.

And, oh my God, did they turn this town upside down looking for African-American males?

In talking to her family, they just, they also talk about all the rumors that were being spread about Shelly at that point.

You know?

Vic blaming her, you know?

She had to come when she was flirting with guys at the truck stop.

She was going out with African-Americans.

She had to be a slut, you know, because of that.

You know, I mean, no morals whatsoever.

Didn't she think something like this was going to happen to her?

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Yeah, there was lots of that.

There was, you know.

Do you think they're at all investigating anything now?

They did a search warrant on Fred less than a year ago.

Me and Fred had to go get a whole other set of complete handprints taken.

And they're not going to show anything because Fred was asleep.

I mean, I don't know all the killers, but I've met a lot of killers.

If Fred Lam's a killer, I'll kiss your ass on Main Street.

Did you, did any, did they give you any of the old audio of the initial investigation?

Like the interviews?

Let's see.

These are from 2009.

Here's a, that's from 11.

Here's one from 1985.

Three discs.

Sounds idiot even.

You have a, and you do have this that connects to there.

So we can just bring over a hard drive.

And that works, right?

Looks like they're all there.

You got some nighttime rain.

Over the years, I've had lawyers show me documents they believe will persuade me of their client's story.

I've had lawyers give me depositions that never made it into a court file.

I've gotten redacted police reports through public records requests.

But I've never had a lawyer hand me everything they've gotten in discovery.

All the police and lab reports and basically say, have at it.

I was confused about why Vaughn made the offer and suspicious about whether he would actually give me the entire file.

Or just the stuff that made his client look innocent.

It was hard to know how seriously to take Vaughn.

He told me that the only DNA they found of Fred was at the door of apartment number three.

The information that Terry was being tight lipped about.

But was that true?

I could already sense him trying to sell me on the Larry Montes thing.

I was skeptical.

Felt pretty damn convenient to blame the murder on a sex offender.

And a dead one no less.

When Vaughn ended the interview that day, he said we'd hit beer o'clock.

We headed over to the Buckhorn, the oldest, weirdest bar in Laramie.

Vaughn's favorite.

Jasmine and I drank more beers than we should have.

Over the next few days, we circled back and grabbed all of the case files.

I sat at Vaughn's office computer, sandwiched between art prints of Che Guevara and Cheech and

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Chan, making sure I got everything.

It was a fire hose of reporting material.

I'm pretty sure Vaughn thought that once I reviewed it all, I'd have to come to the conclusion he'd been paid to come to.

Or at least paid to defend.

There was no way Fred Lamb committed this murder.