

[Transcript] Crime Junkie / PRECEDENT: Amber Hagerman

Hi crime junkies, are you surprised to see me in your feed today?

I'm thinking no, by this point I'm sure you're starting to take Britain Eye off next week to mean you get another precedent episode.

And you're right.

Now just a little reminder, precedent was a limited series that was released on Stitcher Premium and our partners over there agreed to let us release them to you all this year.

Today's episode is number seven out of ten, but before we get into it, I wanted to take a minute to acknowledge that this month is Pride Month.

This year, Audio Check is sponsoring Indiana Youth Group, which is an LGBTQ plus community center that is actually local to us right here in Indianapolis.

The Indiana Youth Group is dedicated to creating a safe space for young people ages 12 to 24 who self-identify as LGBTQ plus and for their peer allies.

They provide an incredible support system and community where individuals can build a strong relationship with one another and themselves as they continue their journey of self-discovery.

And all of their programs and services are free of charge, but that is because of their supporters like us and we can only do that because of our supporters like you.

So I encourage each of you to go check out Indiana Youth Group's resources and programming and see how you can get involved, whether you're looking for an opportunity to volunteer if you're local or if you just want to support an organization through donations.

This month and beyond, you can visit them at indianayouthgroup.org to learn more.

You can also visit our show notes to see a full list of other amazing organizations that we have sponsored over the years, all just as deserving of your attention and support.

Again, not only this month, but all year round.

Every person deserves to be fully and proudly themselves and feel safe and celebrated for it.

So happy Pride, my friends.

Now, the last time I gave you a precedent episode, I told you about Adam Walsh and the Code Adam, which was a predecessor to the Amber Alert, something that we all know pretty well by now.

You know it because you've probably been in this exact scenario at some point.

You're in a crowded space when you hear a cell phone buzz.

At first, maybe you think it's a text or an email, but soon other phones around you also start to buzz.

And then comes that sound.

The unmistakable shock you out of your stupor sound that blares from your phone and all of the phones around you to tell everyone that a child has gone missing.

But before there was an Amber Alert, there was Amber Hagerman.

This is her story.

Saturday, January 13, 1996, was super warm in Arlington, Texas for the season.

And Donna Whitston was making the most of it.

She and her children, nine-year-old Amber and five-year-old Ricky, had burgers for lunch and spent some time at the park.

Now, they were headed to their grandparents' house for a visit.

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Donna barely had the car in park before Amber and Ricky started asking if they could ride their bikes around the block.

Donna told them yes, of course, but just around the block, no further.

And the kids were like, yeah, yeah, mom, we know.

And off they went.

That was 3.10pm.

They hadn't even made it one lap around the block when the siren song of the old Windixie parking lot started to call.

The store was long closed, and the abandoned lot was all the rage with kids on their bikes because it had this cool ramp that Amber and Ricky loved to use.

They'd been there before loads of times, and they wanted to go back now.

The issue was, the lot was a block farther than their mom said they could ride.

But they figured, it's a block.

What's one more block?

What could go wrong?

Amber and Ricky rode around the lot a few times, but before long, Ricky started to worry about getting in trouble.

He hated not doing what their mother said, and so he wanted to head back home ASAP.

But Amber?

No way.

She wasn't done.

She told Ricky to go right ahead if he really wanted to, but she was going to stay back and ride around for a few more minutes.

She'd catch up later.

According to a documentary produced by ABC News affiliate WFAA News in Dallas, it took Ricky like two minutes to get back to his grandparents' place, and of course the first thing Donna asked him was, where's your sister?

Ricky didn't bother fibbing.

He said they went to the Windixie, and Amber was still there, but she said she'd be right behind him any minute.

She wasn't right behind him, though, and so Donna sent Ricky back up to the Windixie to tell his sister to bring her butt home now.

But Donna's dad, Jimmy, didn't like the idea of the kids being split up.

Even for those couple of minutes it took to get to the house and back, and so he went into full grandpa mode, hopped into his truck, and drove down to the parking lot.

When he pulled up, he saw Amber's pink and white bicycle right away.

What he didn't see was Amber.

Instead, he saw a police officer talking to a guy who lived in one of the houses that backs onto the Windixie, and all the alarm bells started ringing in his head.

Jimmy drove up to them and asked what was going on, and the guy said he'd just watched some guy literally snatch a girl off her bike and drive away.

Jimmy knew right away that he could only be talking about Amber.

This witness said he was in his backyard, which was separated by a chain link fence from the Windixie lot, and Amber was just riding up and down the lot when a black truck pulled

up beside her and a man jumped out.

This guy watched in horror as the man grabbed Amber right off her bike and pulled her in through the vehicle's driver's side door.

She kicked and screamed and tried to fight him off, but within seconds the truck, the man and Amber, were gone.

Jimmy went back to the house to tell Donna, and the first words out of his mouth were, somebody got Amber.

Donna couldn't believe it.

What do you mean somebody got Amber?

She figured it must have been some kind of mistake.

There's no way.

Amber wasn't even alone for eight minutes.

How is this even possible?

Donna started toward the Windixie lot, calling out for Amber over and over, but there was no response.

Amber really was gone.

According to the National Center for Missing and Exploited Children, the witness told police that the man was driving a solid black truck with a single cab, and it was in good shape.

Police sent out a B on the lookout for anyone driving a black truck, and from that point on, if a black pickup moved in Arlington, police were on it.

Within an hour, the family had missing persons posters up, and Arlington police were out searching, not just for the truck, but for their suspect.

The witness told police the entire abduction happened fast, but he was able to get a good look at the guy.

He described the man as white or Hispanic in his late twenties or thirties, under six feet tall, with a medium build and dark hair.

Now, I mentioned that the Windixie was abandoned, but the neighborhood around it certainly wasn't.

There was a laundromat next door, some popular stores nearby, poems, traffic.

This was actually a busy spot.

So police canvassed the neighborhood, going house to house, asking if anyone had seen anything.

They hoped someone in that busy laundromat had seen something, but by the time they got there, everyone had left, and there was no way to track them down.

Now, it wasn't just police who were searching for Amber.

The community came out to help as well.

A 1996 article in the Fort Worth Star Telegram talks about this one man who heard Donna's screams, got the skinny on what happened from police and then went out to look for the truck.

Neighbors also joined police in the ground search, homing streets and creeks and bushes.

When the sun set, they didn't stop.

They just went home to get flashlights and continued on.

In that time, Donna waited helplessly at home for Amber, or for news of Amber.

That night, she, along with Amber and Ricky's father, Richard, went on the evening news to plead for their daughter's safe return.

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By the end of that first day, the street in front of Donna's parents' house was filled with journalists.

And though they were no longer married, together, Donna and Richard took every opportunity they could to speak to the media and raise awareness for Amber's case, often speaking directly to her abductor and pleading for her safe return.

Neighbors continued to do whatever they could to help.

They tied pink ribbons to trees and light posts and car antennas and delivered meals to Donna and the family at home.

A local dairy and radio station together offered a \$15,000 reward for information that would lead to Amber or her kidnapper.

On January 15th, after two days of round the clock searching, police ended their ground and air search.

There was real concern that Amber may not even be in Texas anymore.

Law enforcement's focus shifted to the dedicated tip line they'd set up for Amber's case. More than 50 law enforcement officers were working on the case, including agents from the FBI's Child Abduction and Serial Killer Unit.

And they were investigating every tip that came in, including the ones from psychics and mediums.

There were no shortage of potential leads, of law enforcement resources, of community support, but nothing got them any closer to finding Amber.

But on day four of their investigation, that changed.

That's when a man four miles away from where Amber was abducted was out walking his dog when he noticed something white in a creek behind an apartment building.

When he went over to get a closer look, he quickly realized what it was.

It was the body of a young girl, bruised and bloody, her throat slit.

She was naked, except for a single sock on her right foot.

Authorities soon identified the body as that of Amber Hagerman, and it hadn't been there long.

According to a story by Crystal Bonvalian published on Kiro7's website, maintenance workers from the apartment complex right next to the creek had been there just hours earlier that day and saw nobody.

The water levels were much higher than normal on that day because of a huge rainstorm that hit the area the night before, and police thought her body had washed to this spot from wherever it had been originally dumped.

Unfortunately, the rain also washed away important physical evidence from the body and from the creek.

Her body was sent for autopsy and the results painted a disturbing picture of what had happened to Amber.

The horror was, and still is, unimaginable.

The results showed that Amber had been dead for two days, which means she'd been held captive for two days before she was killed, and during that time she'd been beaten and sexually assaulted repeatedly.

While the discovery of Amber's body solved one part of the mystery, police had work to do to find the monster responsible for her death.

They knew what he looked like, and the vehicle he drove, but they needed more. So FBI analysts helped create a criminal profile of their suspect. According to a piece by Michael East for front page detectives, the man they were looking for likely had connections to Arlington, either he lived in the area or worked there. He was comfortable in the city basically. And they thought he probably had a criminal record already, maybe even for crimes against children. They thought he probably lived alone and likely not in an apartment or anywhere too busy. He'd need access to a place where he could keep his captive without any worry that he'd be seen. They believed the attack itself was likely triggered by something stressful in his life. Maybe getting fired, getting divorced, that kind of thing. And the attack itself, they knew it wasn't well planned or methodically plotted in advance. This was opportunistic. I mean, this is a guy who happened to be on this street during the short eight minute window that Amber was alone in the parking lot. Eight minutes. The reality of Amber's death rocked the community of Arlington and the surrounding areas. People struggled to come to grips with the news and in particular that she had been held for two days and could have been rescued. Diane Simone, a mom from Fort Worth, was one of those people. She'd watched the search for Amber unfold on the TV and couldn't fathom that a little girl could be yanked from a parking lot at three in the afternoon in full view of homes and businesses and traffic and that no one saw anything. Diane felt like someone had to have seen something and probably did see something but had no idea what they were looking for. She told Cox Media's Crystal Bonvillian, quote, the problem was not that people didn't see them. It's that they didn't know what they were seeing, end quote. So Diane called into a Dallas Fort Worth radio station to share her frustrations and in the process she also shared an idea. If the media can issue weather alerts on TV and radio, warning people of dangerous conditions, why couldn't they do the same for a kidnapped child? Something that would interrupt broadcast and get people's attention. If you're a crime junkie like me then you know the stats on child abductions. You know that the first 48 hours are critical and the first three are the most important of all. So the idea that law enforcement could tap into an existing public broadcast system within hours, even minutes of a child's abduction, it was perfect, genius even. Diane's idea took off like wildfire, police loved it, broadcasters loved it, the community loved it. Right away media in the Dallas Fort Worth area started working with local law enforcement to figure out how to make Diane's vision a reality. It started at a local level but nine months later, in October of 1996, Diane and Richard

helped unveil the Amber plan across the USA.

But the heart of the plan was, of course, the Amber Alert.

The Amber in Amber Alert is two things.

First and foremost, a tribute to the little girl who inspired the idea.

And second, an acronym that stands for America's Missing Broadcast Emergency Response, A-M-B-E-R

Alert System.

According to reporting by John Austin for the Fort Worth Star Telegram, the Amber Plan directed police to notify participating broadcasters via fax, this was 1996 people, as soon as an abduction was confirmed, radio stations would break into scheduled programming immediately with the information.

Once the information was in the hands of the community, they became part of the search team, the eyes and ears of law enforcement covering far more ground than police could ever do in such a short time.

In the years since its implementation, the program has grown and evolved.

You don't just hear Amber Alerts on the radio, you see them everywhere, on TV, on highway and road signs, on digital billboards, and even online via internet ad exchanges and service providers.

And of course, you get them directly to your wireless device.

According to statistics from the National Center for Missing and Exploited Children, in 2019, there were 145 Amber Alerts issued in the United States.

And you might be thinking, like, how is that possible?

Like, in that time, I didn't get a single one.

And there are two important reasons for that.

The first is that the alerts are almost always sent locally, either within a county or state or region.

There are more than a dozen states that had no Amber Alerts at all in 2019.

But just because you didn't see an Amber Alert doesn't mean there were no child abductions in your area.

There were over 420,000 missing children reports entered into the federal database in 2019.

And Amber Alerts are only issued in a small percentage of those.

The criteria for issuing an alert is actually pretty strict, much stricter than I realized before I started researching for this show.

The first bit of criteria, according to the U.S. Department of Justice website, is that there has to be a reasonable belief by law enforcement that the child has been abducted and is in imminent danger.

Second, the child must be 17 years old or younger.

And finally, there has to be enough descriptive information about the victim and the abduction for people to know what to look for.

Of course, Amber Hagerman's abduction met all those criteria.

These were on the scene in minutes and had a description of both the suspect and the vehicle.

They issued a bolo to law enforcement.

And it's hard not to imagine a different outcome if everyone, not just law enforcement,

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had known what they were looking for, that they were looking for a dark-haired man with a young girl and a black pickup truck.

It's really hard not to get caught up in the what-ifs.

Even harder because Amber's case is still unsolved.

January 2021 marked the 25th anniversary of her murder.

And while the alert that bears her name has helped bring more than a thousand children home safely, law enforcement still have not brought her killer to justice.

It's not for a lack of trying.

At one time, the community had put up \$75,000 in reward money to help solve the case.

Police have investigated more than 7,000 leads over the years.

And in all that time, the only witness who ever came forward was the man who watched it all unfold in real time.

Police believe that there are people out there who know something, who maybe think that maybe they saw something, but probably not.

You know what I mean.

The laundromat next door to the Winn-Dixie lot, it was full of customers when the first police officer arrived at the scene.

But by the time they started to canvas the area, it was empty.

Everyone had scattered.

It was a popular spot among local immigrants, some of whom may have been undocumented.

And police feared then and still now that the threat of deportation kept witnesses from coming forward.

In January 2021, on the 25th anniversary of her death, police in Arlington made a renewed plea for information.

For the first time, they shared that they have DNA evidence in Amber's case.

Evidence that as DNA technology continues to advance, we'll get them closer and closer to finding her killer.

Amber's life was stolen from her after just nine short years on this planet.

If she were alive today, she'd be in her mid-30s.

And maybe her own children would be begging her to ride bikes in the neighborhood.

What I can say for certain is that the legacy Amber left has lived on and will continue to live on for many years to come.

It's hard to imagine a world without Amber Alerts, without Amber, without Kitty or Adam or Jacob or Megan or Polly, and all the ways their lives and deaths have changed our world forever.

And it's just as hard to imagine how our world would be different without the changes that came thanks to Ernesto and Henry and Daniel and John.

Their contributions have moved the dial toward a more protective justice system, especially for our children.

And next time I'm back, I'm going to tell you about a case that was pivotal in creating a more fair and balanced justice system for the people who find themselves in it on the other side of the courtroom.

To find all the source material for this episode, you can go to our website, crimejunkiepodcast.com.

Be sure to follow us on Instagram at [CrimeJunkiePodcast](https://www.instagram.com/CrimeJunkiePodcast), and we'll be back on Monday with a

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regularly
scheduled episode.
We'll see you in the next one.
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