

RE: William Patrick Castillo
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Thorpe's mother also reported that whenever a disagreement would arise that Ms. Thorpe would take William to his paternal grandmother's house for weeks at a time.

William was placed with the Delbo foster family on 10/30/1974. Catholic Charities records reflected that Mrs. Delbo was overprotective of William and resisted contact between William and his mother. Ms. Thorpe did, however, make regular visits with William and eventually removed William from the Delbo residence on 1/30/1975, one month after William's second birthday. The caseworker noted a concern in regards to the consistency of William's care and encouraged Ms. Thorpe to think of William's welfare.

One month prior to William's third birthday, the caseworker received correspondence from Ms. Gavan who indicated that Ms. Thorpe had moved to Florida with William and that she had asked her mother to care for William when she returned to Missouri. Her mother also reported that Ms. Thorpe was transient and working as a waitress. Shortly after the caseworker learned of this, William was brought back to Missouri to live with his paternal grandmother.

Two months after William's third birthday, Ms. Thorpe again called Catholic Charities looking for William to be placed in foster care. She stated that William's grandparents were unable to care for him. Ms. Thorpe reported at that time that she had received word that Mr. Thorpe was not caring for William properly and at times had been abusive to him. Ms. Thorpe also indicated that William's paternal grandfather cursed and fought in front of William.

Medical Records from 4/7/1976 reported that William had fallen off a roof several months earlier with no reported injuries sustained; however it was questioned why three-year-old William was on the roof by himself.

On 4/14/1976, William was reportedly placed in the foster home of Mr. and Mrs. Knowles. During this time, the foster parents were noted to report that William had a preoccupation with monsters, had imaginary playmates and nightmares. William reportedly missed his paternal grandmother and talked about her affectionately. Ms. Thorpe was noted to make regular contact with William at that time. Additionally, William reportedly had a difficult time adjusting to the Knowles home. It was reported that he would hit and kick other children and that he continued to have nightmares. William lived with Knowles family for approximately one year.

While William lived at the Knowles', his mother's life was noted to be tumultuous; Ms. Thorpe had been in a car accident, overdosed on drugs, and worked as a prostitute. Records indicated that Ms. Thorpe was admitted to the St. Louis State Hospital and released on 8/23/1976. A visit with Ms. Thorpe was reported on 7/23/1976. The Knowles' reported that after this visit, William returned with encopresis and enuresis and complained of nightmares of his mother's house. He also reportedly was noted to state, "I am afraid my daddy might hurt my mommy. I want to see my mommy but without my daddy. Sometimes I like him; sometimes he's mean." According to the caseworker's

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report, William showed his foster parents how his father would pound his fists when he became angry.

The foster parents also reported that when William first came to live with them, whenever he heard an ambulance he would be concerned that his mother was in it. He had said that he needed to take care of his mother because his father was going to hurt her. The foster family again noted that William had mentioned monsters after a visit with his grandparents in 12/1973.

William's nursery school teacher reported that William responded well to structure and consistency and that it appeared that he had a comfortable attachment with his foster family. Ms. Thorpe showed an interest in removing William from his foster care placement, at which time the caseworker attempted to prevent this from happening. Although the caseworker made every effort to protect William from returning to his mother's care, it was noted that the Missouri Juvenile Court Legal Department refused to authorize a petition based on "anticipated neglect or abuse." The records indicated that Ms. Thorpe removed William from his foster home on 4/21/1977.

Catholic Charities records were noted to be sparse for William between the ages of 4 and 6. Ms. Thorpe was noted to have relocated to Colorado Springs. William reportedly attempted to contact his foster parents while there. Ms. Thorpe was noted to have returned to Missouri in the beginning of 1978 but then was once again kicked out of her mother's home in August 1978 when she relocated with William to Lake Tahoe. It was noted that William reportedly had drowned his paternal grandmother's cat and had been setting fires. It was around this time that Mr. Thorpe was reported to have been paralyzed after his father shot him in August 1978.

Records indicated that Ms. Thorpe again requested foster care for William while in Lake Tahoe around 12/1978, right before William's sixth birthday. Catholic Charities records reported that it was not until after Ms. Thorpe left town that the Court granted temporary custody based on "sufficient evidence of neglect." Ms. Thorpe was noted to leave William with his father as of 1/12/1979 at the age of six. Weeks later William was ordered into foster care secondary to abandonment, although this was later dismissed when William was placed in the care of his paternal grandparents. The Missouri Catholic Charities case was noted to have been closed as of 12/29/1980.

It was noted that William had been sent to live with his maternal uncle in Florida for three months around the age of 7 because of his behavioral problems but his behavior did not change.

An Order for Adoption indicated that Ms. Thorpe had remarried Joseph L. Castillo and that Mr. Castillo petitioned the Court to adopt William on 1/6/1982 when William was age nine. Mr. Castillo said that when William would engage in serious bad behavior (e.g., stealing, lying, playing with fire, using foul language), that he would hit William with a belt.

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William was placed in out-of-home treatment with the Oasis Residential Facility in 1981. Note of 7/6/1981 indicated that William had lost control with his mother who reportedly had "screamed she would beat him if he did not tell her the truth." His mother was noted to have become completely incoherent and was shaking and William was removed from her presence. Program notes stated that William would frequently end telephone calls to his mother crying. Mr. Castillo requested that William be discharged from the program mid-September 1981; however three months later, two weeks prior to William's 9th birthday, Ms. Castillo contacted the coordinator of the program to request placement.

Psychological Evaluation Report of Dr. Triggs dated 5/24/1982 indicated that William continued to run away from home and displayed inappropriate behaviors (i.e. lying and stealing). William was subsequently referred to counseling by Juvenile Court Services, and Ms. Castillo was noted to indicate that she had William placed in foster homes because of financial problems.

Psychiatric Evaluation Report from the Las Vegas Mental Health Center of 7/7/1982 indicated that William had set fire to the family home and was placed in detention. The report noted that William showed no emotional response when discussing the fire. Mr. Castillo stated that William was involved in cutting the tires of motorcycles in the area.

On 7/29/1982, William was made a ward of the Juvenile Court as a "Neglected Child." The Court Ordered that William again participate in the Oasis Treatment Program. The notes later reported that William may have sustained a concussion in a car accident with a Teaching Parent.

Juvenile Court Transcripts from this time period (7/1982-12/1985) were reviewed and reflected a lack of consistency and effort on the part of William's mother. Ms. Castillo was also noted to have unrealistic expectations of William's progress.

William was subsequently committed to the Youth Hospital on 1/25/1983. By 2/21/1984, William was noted to have run away from the Youth Hospital many times and was reportedly sent to live with his grandparents in Missouri around April 1985 since alternative placements were not secured. William's father, Bill Thorpe, was also reported to pass away on 7/17/1984 secondary to Hodgkin's disease.

William was noted to have been involved in delinquent behavior while in Missouri and was remanded to a Detention Facility on 6/5/1985 and later transferred to the Boys Shelter Care. The St. Louis Juvenile Court then Ordered that William be returned to the care of his mother in Nevada as of 8/15/1985.

By 12/3/1985, William, age 13, was committed to the Third Cottage for treatment. Clinical Psychologist Sandra Rahrer reported that Mr. and Ms. Castillo said that they never wanted William home again, although Mr. Castillo was reportedly not yet willing to terminate his parental rights. Dr. Rahrer noted that William was taking Ritalin and it was helpful.

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Records indicated that William was committed to the Nevada Youth Training Center and committed five times between 1984 and 1991. As of 8/23/1989, William was noted to have described himself as a loner who said that he had never been home long enough to get to know Mr. Castillo.

The above history makes it abundantly clear that Mr. Castillo's early childhood was marked by extreme inconsistency, primarily stemming from his mother's intensely ambivalent, approach-avoidance behavior towards him from when he was an infant onwards. Oftentimes, his mother would ask for William when she felt capable of caring for him; but this feeling would dissipate quickly, resulting in her requesting placement from her mother, her mother-in-law or State agencies, e.g., Catholic Charities. Thus, throughout the course of his lifetime, and as evidenced from the record, William Castillo was consistently abandoned and reaccepted, only to be abandoned again. When with his mother, he was exposed to extremely violent and scary (especially to a toddler) events, including his mother's sexual exploits with men.

Based on the above neuropsychological testing, it is my opinion, as stated within a reasonable degree of neuropsychological certainty, that Mr. Castillo does have definite neuropsychological evidence of a cognitive/sensory-kinesthetic processing disorder involving significant impairment of tactile-motor integration, as assessed by the Tactual Performance Test; visual-motor integration as assessed by the Rey-Osterrieth Complex Figure Test with Recognition and Recall and by his copy of the key on the Aphasia Screening Test; impaired right-left transposition; impaired motor speed; and relative impairment of manual dexterity on the right. Mr. Castillo has bilateral difficulties in sensory processing, right somewhat worse than left. There is evidence that Ritalin helped Mr. Castillo as a child, but there is no adult neuropsychological evidence of an Attention-Deficit/Hyperactivity Disorder at this time, although he may well have met the requirements for an Attention-Deficit/Hyperactivity Disorder, predominantly Hyperactive-Impulsive Type, in childhood and adolescence.

Based on the history, it is clear that Mr. Castillo developed a Reactive Attachment Disorder of Infancy or Early Childhood. There is marked evidence that Mr. Castillo developed a Chronic Posttraumatic Stress Disorder in childhood, which was worsened by additional traumatic experiences as he became older. Dissociative Features of Mr. Castillo's Posttraumatic Stress Disorder include marked emotional numbing and interpersonal disengagement.

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FORMULATIONS AND IMPRESSIONS:

The following DSM-IV-TR diagnostic impressions are rendered in regards to Mr. Castillo, and are stated within a reasonable degree of neuropsychological and psychological certainty, as follows:

Axes		Codes	Descriptions
Axis I	Clinical Disorders	294.9 313.89 309.81 312.81	Cognitive Disorder NOS (includes Sensory-Integration dysfunction) Reactive Attachment Disorder of Early Childhood; Posttraumatic Stress Disorder, Chronic; Conduct Disorder, Childhood-Onset Type
Axis II	Personality Disorders/MR		Antisocial Personality Features
Axis III	Medical Conditions		History of serial concussions; Evidence from testing of sensory-integration difficulties.
Axis IV	Psychosocial Problems		Problems with primary support group; Problems related to the social environment; Problems related to interactions with the legal system.
Axis V	Global Assessment of Functioning		65/100

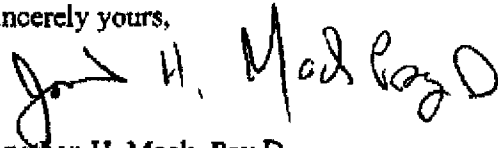
Based on all of the available information, it is my opinion, as stated within a reasonable degree of neuropsychological and psychological certainty, that the above-cited DSM-IV-TR diagnoses were present at the time of the criminal incident on or around 12/20/1995.

The history and test findings suggest, as stated within a reasonable degree of neuropsychological and psychological certainty, that at the time of the criminal events in question, Mr. Castillo was under extreme emotional duress due to activation of his Posttraumatic Stress Disorder by the specific circumstances of the criminal incident as they unfolded. It is my further opinion, as stated within a reasonable degree of psychological and neuropsychological certainty, that Mr. Castillo's Posttraumatic Stress Disorder combined with his organic tendency to be overreactive to environmental inputs as a direct consequence of his Cognitive Disorder NOS and underlying difficulties with sensory integration and sensory modulation to render him incapable of conforming his behavior to the requirements of law.

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Please do not hesitate to contact me if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jonathan H. Mack, Psy.D.", written in a cursive style.

Jonathan H. Mack, Psy.D.
N.J. Professional Psychology License #SIO2321
Director, Forensic Psychology and Neuropsychology Services, P.C.
Diplomate, American Board of Forensic Examiners
Diplomate, American Academy of Experts in Traumatic Stress
Diplomate, American Academy of Pain Management
Diplomate and Senior Analyst, American Academy of Disability Analysts
Registrant, National Register of Health Service Providers in Psychology

JHM/stb/cai

● ●

EXHIBIT 39

EXHIBIT 39

CURRICULUM V.

JONATHAN H. MACK

Primary Business And Mailing Address:

Forensic Psychology and Neuropsychology Services, P.C.
The Mercadien Building
3625 Quakerbridge Road
Hamilton, NJ 08619

Telephone: (609) 890-8844

Fax: (609) 890-8817

E-Mail: jhm@drjonathanmack.com

Website: www.forensicneuropsychologyexpert.com

PROFESSIONAL CERTIFICATIONS:

Licensed Psychologist, State of New Jersey
License Number: SIO2321, 1987;
Licensed Psychologist, Commonwealth of
Pennsylvania, License Number: PS-0048770-L, 1986;
School Psychologist, Commonwealth of PA, 1985
Registrant, National Register of Health Service Providers in
Psychology
Diplomate and Senior Analyst, American Board of Disability
Analysts;
Diplomate, American Academy of Experts in Traumatic
Stress;
Diplomate, American Academy of Pain Management

PROFESSIONAL MEMBERSHIPS:

The National Academy of Neuropsychology
American Psychological Association, Divisions of
Neuropsychology and Private Practice
Society

PARTIAL CLIENT LIST:

Consulting Neuropsychologist/ Forensic Psychologist

- Asbury Park, NJ Police Department
- Chesterfield, NJ Police Department
- Ewing, NJ Police Department
- Trenton, NJ Police and Fire Departments
- Hopewell, NJ Police Department
- West Windsor, NJ Police Department
- Federal Defenders Association: Philadelphia Region, Harrisburg - Region
- Office of the Public Defender, State of New Jersey - Hudson County, Essex County, Monmouth County, Mercer County, Middlesex County, Central Office
- Office of the Mental Health Advocate, Office of the Public Defender, Newark, NJ
- Cumberland County, NJ Prosecutor's Office
- Philadelphia, PA District Attorney's Office
- Parental Rights Unit, Office of the Public Defender, Trenton, NJ
- State of New Jersey, Department of Law and Public Safety, Office of the Attorney General
- Coastal Associates
- Department of Physical Medicine and Rehabilitation, Medical Center at Princeton, Princeton, New
- Pennsylvania Office of the Public Defender, PA - Delaware County, Philadelphia County, Luzerne County, Bucks County
- National Healthcare Resources, Inc.
- First Options, Inc.
- Medical Consultants Network)
- Capitol Health Systems/Corporate Health Center, Trenton,

NJ

-Numerous private law firms for plaintiff and defense

ADMITTED TO TESTIFY (PARTIAL LIST):

Federal Court: New Jersey

New Jersey Superior Court, Counties: Mercer, Middlesex, Monmouth, Ocean, Gloucester, Burlington, Hunterdon, Somerset, Essex, Hudson, Passaic, Bergen, Union, Cumberland

New Jersey Administrative Law, Workers Comp Court, Family Court: Hunterdon, Somerset, Camden, Mercer, Monmouth, Hudson, Monmouth, Middlesex, Burlington

Pennsylvania Superior Court, Counties: Luzerne, Philadelphia, York, Berks

FORENSIC TESTIMONY:

Qualified as an expert in neuropsychology, clinical psychology, forensic psychology and neuropsychology, and in child psychology and neuropsychology in Superior, Federal and Administrative Law Courts in New Jersey and Superior Courts in Pennsylvania. Numerous Depositions. Sample areas of expert testimony include:

- NGRI/Diminished Capacity;
- Competency to Stand Trial;
- Intelligent, Voluntary and Knowing Waiver;
- Death Penalty Mitigation;
- Risk/Dangerousness Assessment;
- Recidivism Risk in Sex Offenders;
- Qualification for Megan's Law Sentencing in Sex Crimes Cases;
- Juvenile Waiver;
- Competence of and treatment needs of developmentally disabled criminal offenders

- Fitness For Duty Evaluations, Public Safety Personnel;
- Pre-employment Psychological Evaluations, Public Safety Personnel;
- Psychological Fitness for Employment;
- Psychological Fitness for Medical Procedures, e.g., Bariatric Surgery, -Dorsal Coloumn Stimulator implant, Plastic Surgery

- Parental Rights/Fitness Evaluations;
- Child Custody Evaluations;
- Parent-Child Bonding

- Social Security Disability Benefit Eligibility;
- Civil Competency

- Psychological and Neuropsychological IME's, Defense and Plaintiff, including Workers Compensation, Motor Vehicle, Medical Malpractice, Workplace Stress/Harassment, Toxic Tort,

Age range: 3 years through geriatric for evaluation.

CURRENT POSITIONS:

January 1989 -Present:

President, Forensic Psychology & Neuropsychology Services, P.C. Lawrenceville, N.J and New Hope, PA.
(formerly Neuropsychology and Rehabilitation Associates, P.C., Jonathan H. Willard-Mack, Psy.D. and Associates)
Providing a full range of forensic psychological and neuropsychological services, as well as medical diagnostic evaluations. Providing clinical and administrative supervision, neuropsychological and psychological evaluations and consultation.

Director, The Mack Psychology Group (d.b.a Forensic Psychology and Neuropsychology Services, P.C.). providing neuropsychological and psychological evaluation services to adults and children, as well as psychotherapeutic and cognitive remediation services. Providing clinical and administrative supervision, evaluation services, and psychotherapy.

1997-Present
**Physical
Rehabilitation Hospital.**

**University Medical Center at Princeton, Department of
Medicine and Rehabilitation, Merwick**

2004-Present

Consulting Neuropsychologist,
Neuropsychology Consultant to Stroke Program

SUPERVISION:

the State

Supervision of approximately 7 temporary permit holders in

Of New Jersey, providing post-doctoral supervision to meet the criteria for State licensure as a psychologist, 1989 -

Supervising Externs in the MA of Forensic Psychology Program, John Jay College of Criminal Justice (Spring 2005)

EDUCATION:

1983 Doctor of Psychology (Psy.D.), Clinical Psychology
(APA-approved)

Virginia Consortium for Professional Psychology
Norfolk and Williamsburg, Virginia
Consortial with: The College of William and
Mary, Eastern Virginia Medical School; Old Dominion
University
And Norfolk State University
Fourth Year Specialization: Clinical Neuropsychology

Dissertation: The Evaluation of a Computerized Cognitive Stimulation Program for Older Adults with Dementia.

May 1979

M.S., Psychology
American International College
Springfield, Massachusetts

May 1977

B.A., Psychology
Amherst College, Amherst, Massachusetts

FELLOWSHIPS:

Graduate Fellowship
Eastern Virginia Medical School, Fall 1982

Graduate Fellowship
Norfolk State University, Fall and Spring,
1980 - 1981

Graduate Fellowship
Eastern Virginia Medical School, Fall 1980

EXTERNSHIPS:

October 1990 -
August 1991

Externship: Neuropsychological supervision
With Steven Mattis, Ph.D., A.B.C.N.,
New York Hospital, Westchester Division
White Plains, New York

PRIOR PROFESSIONAL EXPERIENCE:

1989 - 1994:

Clinical Instructor,
Department of Neurology,
Robert Wood Johnson Medical School
New Brunswick, NJ

1989 -1994:

Research on the Cognitive Effects of Lyme Disease,
Department of Rheumatology, Robert Wood
Johnson Medical School, Robert Wood Johnson University

Hospital

New Brunswick, New Jersey

1991 -1994:

Research on the Effects of Different Seizure

Medications on Cognition,
Department of Neurology,
Robert Wood Johnson Medical School
New Brunswick, NJ

1991 - 1993: Consulting Neuropsychologist, Faculty Practice
Department of Neurology, Robert Wood Johnson
Medical School, Robert Wood Johnson University Hospital,
New Brunswick, NJ

1991 - 1992: Clinical Director and Neuropsychologist
Mentor Clinical Care, Inc. Head Trauma Program
Edison, New Jersey

December 1986 -
December 1988: Executive Director,
Princeton Neuropsychology Center
Skillman, NJ

Sep. 1985-
Dec. 1986: Director of Neuropsychology/Neuropsychologist,
St. Lawrence Rehabilitation Center
Lawrenceville, NJ

March 1984 -
September 1985: Clinical Neuropsychologist,
The Devereux Foundation
Devon, PA

October 1984 -
September 1985: Instructor to the Interns and Post-doctoral Fellows
In clinical neuropsychology
Institute for Clinical Training and Research
The Devereux Foundation
Devon, PA

January 1983-
June 1983: Practicum in Child and Adolescent Clinical
Neuropsychology,
Norfolk Community Mental Health Center and
Psychiatric Institute
Norfolk, VA

September 1982-
December 1982: Practicum in Adult Clinical Neuropsychology,
Veterans Administration Medical Center

Hampton, VA

September 1981 -
August 1982:

Predoctoral Internship in Clinical Psychology
(APA approved),
The Irving Schwartz Institute for Children and
Youth/Philadelphia Psychiatric Center
Philadelphia, PA.
Provided child and adult psychotherapy, and psychological
and neuropsychological evaluation of adults and children

PRESENTATIONS:

August 2005

The National Institute for Trial Advocacy
Temple University School of Law
Philadelphia, PA
Served as Expert Witness in Mock Death Penalty Case in
the Preparation and Direct phase of a capitol murder case.

October 2004

Merwick Unit, University Medical Center at Princeton
Title: The Role of the Neuropsychologist in a Stroke

Program

October 2004

Kats, Jamison, Van der Veen & Associates
Feasterville, PA
**Title: The Forensic Neuropsychological Evaluation of
Traumatic Brain Injury**

September 2004

Inservco Insurance Company, Lawrenceville, NJ Office
**Title: The Evaluation and Treatment of Work-Related
Posttraumatic Stress Disorders in Public Safety Personnel**

Fall 2002

Merwick Unit, University Medical Center at Princeton
Title: The Treatment of Depression in Geriatric In-patients

February, 1998

Lupus Foundation
Lawrenceville, N.J.
Title: The Neuropsychology of Lupus

July 30, 1997

New Jersey State Internship Program
Princeton, New Jersey
Title: Introduction to clinical neuropsychology

June 1, 1997	<p>Biofeedback Society of New Jersey</p> <p>Title: The Integration of Neurofeedback & Cognitive Rehabilitation with John Andiorio, M.Ed.,B.C.I.A.c.</p>
July, 1996	<p>New Jersey State Internship Program</p> <p>Princeton, NJ</p> <p>Title: Introduction to Clinical Neuropsychology & Cognitive Rehabilitation</p> <p>Quarter Day Workshop</p>
February, 1996	<p>Rehabilitation Insurance Nurses Group</p> <p>Marlton, NJ</p> <p>Title: Forensic Neuropsychology</p>
January, 1996	<p>New Jersey Neuropsychological Society</p> <p>Edison, NJ</p> <p>Title: Forensic Neuropsycholgy, Part II</p>
November, 1995	<p>New Jersey Neuropsychological Society</p> <p>Edison, NJ</p> <p>Title: Forensic Neuropsychology, Part I with Edward Dougherty, Ed.D.</p>

October 11, 1995	<p>Stark & Stark Lawrenceville, NJ Title: Introduction to Forensic Neuropsychology</p>
July, 1994	<p>New Jersey State Internship Program Princeton, NJ Title: Introduction to Clinical Neuropsychology and Cognitive Rehabilitation Half Day Workshop</p>
May 15, 1993	<p>Back Rehabilitation Institute Hamilton, NJ Title: Management of Offensive Behavior</p>
January 22, 1993	<p>Children's Specialized Hospital Mountainside, NJ Title: The Neuropsychology of Lyme Disease</p>
May 20, 1991	<p>CH.A.D.D. of Mercer County Trenton, New Jersey Title: Neuropsychology of ADHD</p>
May 1, 1991	<p>Robert Wood Johnson University Hospital, Department of Psychiatry, Psychiatry Reading Seminar New Brunswick, New Jersey Title: Neuropsychological Effects of Lyme</p>
Neuroborreliosis	
March 20, 1991	<p>Robert Wood Johnson University Hospital, Department of Rheumatology New Brunswick, New Jersey Title: Neurobehavioral Effects of Infectious Diseases</p>
February 27, 1990	<p>Robert Wood Johnson University Hospital, Department of Neurology New Brunswick, New Jersey Title: Neurobehavioral Grand Rounds: Neuropsychology of Minor Head Trauma</p>
December 12, 1990	<p>North Jersey Child Study Team, Association of L.D.T.C.'s Title: Head Trauma in School-aged Populations with Jean McCarthy, MA, CCC-SP</p>

December 19, 1990	New Jersey Lyme Support Group Title: Lyme Disease and Its Psychological and Cognitive Effects
November 9, 1990	New Medico Philadelphia, Pennsylvania Title: Post-traumatic Stress Disorder in Traumatic Brain Injuries
September 29, 1989	CH.A.D.D. of Bucks County Title: A Team Approach to ADHD
April 18, 1989	CH.A.D.D. of Bucks County Title: The Neuropsychology of ADHD
December 12, 1988 Learning	New Jersey Association for Children and Adults with Disabilities Edison, New Jersey Title: Neuropsychological Assessment and IEP Planning for Learning Disabled Children
June 22, 1988	Jersey Association of Rehabilitation Professionals in the Private Sector Forsgate County Club, Jamesburg, NJ Title: Neuropsychological Assessment
February 17, 1988 Trauma	Hunterdon Medical Center, Flemington, NJ Grand Rounds with Charles Kososky, M.D. Title: Neurology and Neuropsychology of Minor Head Trauma
November 18, 1987	Robert Wood Johnson Medical School New Brunswick, NJ Seminar to neurology residents Title: Minor Head Trauma
October 28, 1987 Brain Injury	Conference on Traumatic Brain Injury Rehabilitation, Somerset, NJ Co-Sponsored by the New Jersey Head Injury Association and the Continuing Education Program for Rehabilitation, SUNY, Buffalo Title: Cognitive Rehabilitation of Traumatic Brain Injury; The Psychological Impact of Traumatic
October 5, 1987	Rock Brook School, Rocky Hill, NJ

Title: Pediatric Neuropsychology Assessment

July 14, 1987	Princeton Medical Center Emergency Room Princeton, NJ Presentation to Emergency Room Staff Title: Minor Head Injuries
September 15, 1986	St. Lawrence Rehabilitation Center Lawrenceville, NJ Presentation to Stroke Club Title: Psychological Reactions and Adjustment to Stroke
November 15, 1986	St. Lawrence Rehabilitation Center Lawrenceville, NJ Presentation to Mercer Chapter, New Jersey Head Injury Association Title: Cognitive Rehabilitation
February 18, 1986	Central Rehabilitation Association Freehold, NJ Presentation to Rehabilitation Nurses Title: Neuropsychological Assessment and Cognitive Rehabilitation
November 13, 1985	Philadelphia Clinical Neuropsychology Group Philadelphia, PA Title: Cognitive Remediation of Geriatric Dementia Patients
September 10, 1985	IVth Work Congress of Biological Psychiatry Philadelphia, PA Title: Head trauma: Neuropsychological Assessment and Its Value For Rehabilitation and Treatment (With Solomon C. Litman, M.D.)
October 18, 1984 Braintree Hospital	Fifth Annual Traumatic Head Injury Conference of the Braintree, Massachusetts Title: The Neuropsychological Investigation in the Rehabilitation of Head Injuries; Problems and Solutions (with David W. Ellis, Ph.D.)
March 1984	Moss Rehabilitation Hospital, Philadelphia, PA Title: Current Trends in Cognitive Rehabilitation
March 6, 1984	Child Guidance Clinic, Media, PA Title: Neuropsychological Assessment: Uses, Techniques, and Future Trends

February 14, 1984

Psychology Department, Philadelphia Geriatric Center,
Philadelphia, PA

Title: Current Trends in Cognitive Rehabilitation

February 1, 1984
Hospital,

Neuropsychology Laboratory, Thomas Jefferson University
Philadelphia, PA

Title: The Evaluation of a Cognitive Stimulation Program
for Older Adults with Dementia

December 8, 1983

The Beth Shalom Home of Eastern Virginia
Virginia Beach, VA

Title: The Evaluation of a Cognitive Stimulation Program
for Older Adults with Dementia

1 EXH
FRANNY A. FORSMAN
2 Federal Public Defender
State Bar No. 0014
3 GARY A. TAYLOR
Assistant Federal Public Defender
4 Nevada Bar No. 11031C
NISHA N. BROOKS
5 Assistant Federal Public Defender
Nevada Bar No. 11032C
6 411 East Bonneville Avenue, Suite 250
Las Vegas, NV 89101
7 Phone: (702) 388-6577
Fax: (702) 388-5819
8

9 Attorneys for Petitioner

10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 WILLIAM P. CASTILLO,

13 Petitioner,

14 vs.

15 E. K. McDANIEL, Warden, and
16 CATHERINE CORTEZ MASTO,
17 Attorney General of the State of Nevada,

18 Respondents.

Case No. C133336
Dept. No. XVIII

**EXHIBITS TO
PETITION FOR WRIT
OF HABEAS CORPUS**

(Death Penalty Habeas Corpus Case)

FILED

SEP 18 2003

John L. Williams
CLERK OF COURT

19 VOLUME 3 OF 15
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1 EXH
FRANNY A. FORSMAN
2 Federal Public Defender
State Bar No. 0014
3 GARY A. TAYLOR
Assistant Federal Public Defender
4 Nevada Bar No. 11031C
NISHA N. BROOKS
5 Assistant Federal Public Defender
Nevada Bar No. 11032C
6 411 East Bonneville Avenue, Suite 250
Las Vegas, NV 89101
7 Phone: (702) 388-6577
Fax: (702) 388-5819
8

9 Attorneys for Petitioner

10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 WILLIAM P. CASTILLO,

13 Petitioner,

14 vs.

15 E. K. McDANIEL, Warden, and
16 CATHERINE CORTEZ MASTO,
17 Attorney General of the State of Nevada,

18 Respondents.

Case No. C133336
Dept. No. XVIII

**EXHIBITS TO
PETITION FOR WRIT
OF HABEAS CORPUS**

(Death Penalty Habeas Corpus Case)

19 **VOLUME 1 OF 15**

20 Exhibit No. Description

- 21 1. Judgment of Conviction, State v. Castillo, Clark County, Case No. C133336,
22 November 12, 1996
- 23 2. Indictment, State v. Castillo, Clark County, Case No. C133336, January 19,
24 1996
- 25 3. Order of Appointment of Counsel, State v. Castillo, Clark County, Case No.
C133336, March 14, 1996
- 26 4. Amended Indictment, State v. Castillo, Clark County, Case No. C133336, May
27 29, 1996
- 28 5. Special Verdict, State v. Castillo, Clark County, Case No. C133336,
September 25, 1996

- 1 6. Special Verdict, State v. Castillo, Clark County, Case No. C133336,
2 September 25, 1996
 - 3 7. Verdict, State v. Castillo, Clark County, Case No. C133336, September 25,
4 1996
 - 5 8. Guilty Plea Agreement, State v. Michele C. Platou, Clark County, Case No.
6 C133336, September 26, 1996
 - 7 9. Notice of Appeal, State v. Castillo, Clark County, Case No. C133336,
8 November 4, 1996
 - 9 10. Appellant's Opening Brief, Castillo v. State, Nevada Supreme Court, Case No.
10 29512, March 12, 1997
 - 11 11. Appellant's Reply Brief, Castillo v. State, Nevada Supreme Court, Case No.
12 29512, May 2, 1997
 - 13 12. Petition for Rehearing, Castillo v. State, Nevada Supreme Court, Case No.
14 29512, August 21, 1998
 - 15 13. Order Denying Rehearing, Castillo v. State, Nevada Supreme Court, Case No.
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- 1 23. Instructions to the Jury, State v. Castillo, Clark County, Case No. C133336,
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- 8 28. Declaration of Joe Castillo
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- 10 30. Declaration of Regina Albert
- 11 31. Declaration of Cecilia Boyles
- 12 32. Declaration of Ramona Gavan-Kennedy
- 13 33. Declaration of Michael Thorpe
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- 15 35. Declaration of Lora Brawley
- 16 36. Evaluation Report by Rebekah G. Bradley, Ph.D.
- 17 37. Curriculum Vitae of Rebekah G. Bradley, Ph.D.
- 18 38. Confidential Forensic Report by Jonathan H. Mack, Psy.D.
- 19 39. Curriculum Vitae of Jonathan H. Mack, Psy.D.
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- 27 46. Affidavit of Vital Statistics, Barbara Margaret Thorpe v. William Patrick
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- 1 47. William P. Thorpe, Sr. Missouri Department of Corrections with Fulton State
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- 3 48. Catholic Services for Children and Youth, Catholic Charities, Archdiocese of
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 - 12 • Divorce proceedings regarding William Patrick Thorpe, Sr., pages 26-
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- 26 152. Recorder's Transcript Re: Defendant Castillo's Petition for Writ of Habeas
27 Corpus, Defendant Platou's Petition for Writ of Habeas Corpus, State's
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- 28

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- 23 163. Reporter's Transcript of Jury Trial, Volume IV - Afternoon Session, Castillo
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- 26 164. Trial Transcript, Volume V - Morning Session, Castillo v. State, Clark
27 County, Case No. C133336, September 3, 1996 9:35 A.M.
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16 176. Transcript, Motion for Appointment of Psychiatrist and Co-Counsel, Castillo v. State, Clark County, Case No. C133336, December 6, 1999
17 177. Reporter's Transcript, State's Motion to Place on Calendar, Castillo v. State, Clark County, Case No. C133336, October 23, 2000
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19 179. Recorder's Transcript, Defendant's Motion for Extension of Time to File Defendant's Supplemental Brief in Support of Defendant's Petition for Writ of Habeas Corpus, Castillo v. State, Clark County, Case No. C133336, March 12, 2001
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21 181. Recorder's Transcript Re: Request of the Court: Argument, Castillo v. State, Clark County, Case No. C133336, April 10, 2002
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- 3 183. Recorder's Transcript Re: Evidentiary Hearing, Castillo v. State, Clark
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OFFICE OF THE DISTRICT ATTORNEY

CERTIFICATE OF MAILING

Catherine Cortez Masto, Nevada Attorney General
Heather D. Procter, Deputy Attorney General
Attorney General's Office
100 North Carson Street
Carson City, Nevada 89701-4717

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EXHIBIT 40

EXHIBIT 40

DECLARATION OF KELLY LYNN LEA

I, Kelly Lynn Lea, hereby declare as follows:

1. I am a resident of Clark County, Nevada. I make this declaration in connection with the proceeding of *William P. Castillo v. E. K. McDaniel* in the United States District Court, in Las Vegas, Nevada.
2. In 1996, I was a member of the jury for both the guilt and the penalty phases of Mr. Castillo's death penalty trial which was held in state court. At the time of my selection for the jury, I had recently given birth to my son about three or four weeks earlier and I had just returned to work from maternity leave. I recalled that I received my jury duty notice on the same week of my return.
3. Serving on a jury was the last thing I wanted to do at that time, because I did not want to spend extra time away from my baby. I told Judge Maupin at the beginning of voir dire that I did not want to serve. Besides my anxiety over having to spend extra time away from my baby, I also explained to the judge that my baby was keeping me up throughout the night and I wasn't getting enough sleep. I was experiencing sleep deprivation at that time and I told the judge that I was concerned whether I could focus properly on the trial given my condition. Judge Maupin told me that my issues were not of major concern, and he said that it was my civic duty to serve on the jury if I were picked. I recall being sleep deprived throughout the proceedings.
4. During the voir dire, I did everything I could to avoid being selected. I was brutally honest

in my responses and I basically told the judge, prosecutors and defense lawyers that I would vote death if I found Mr. Castillo guilty of the crime. It was clear to me that the prosecutors wanted me to sit on the jury, but I could not understand the defense attorneys' reactions to my answers. Mr. Castillo's attorneys did nothing to challenge the answers that I gave, and did not seem to have any problems with most of the things that I said, despite the fact that I was warning them about what I would do if I found their client guilty.

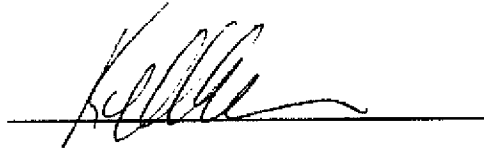
5. I was employed as an office ^{Paralegal} manager at a civil law firm at the time of the trial. After I was selected to sit on the jury, I was so upset that I spoke with attorneys at my office to see if there was anything that they could do to help get me out of jury duty. I was disappointed when the attorneys told me that there was nothing that they could do to assist me. I desperately wanted to get out of serving on the jury.
6. It was apparent to me, early on in the trial, that Mr. Castillo was guilty of the crimes because his attorneys conceded his guilt by the way that they tried the case. Mr. Castillo's attorneys never made any arguments in regards to his innocence.
7. Since Mr. Castillo's guilt was undisputed, my focus turned towards his demeanor. I wanted to see whether Mr. Castillo showed any visible emotions of guilt or remorse for the crimes, so I looked directly at him almost all the time during each day of the trial. Unfortunately for Mr. Castillo, he never showed any emotions.
8. By the end of the penalty phase of the trial, I heard all that I needed to hear to reach my verdict, and I was ready to impose a death sentence upon Mr. Castillo, as I said I would do during the voir dire. Mr. Castillo was guilty, he didn't seem remorseful, and this was all that

I needed to know.

9. Myself and all, but one of the jurors, felt that deliberating the penalty was a waste of time because Mr. Castillo was guilty. I also wanted to get back to my regular schedule of spending time with my newborn child.
10. The lone hold out was a tall male African-American juror who kept saying that he was on the fence in his decision on whether Mr. Castillo deserved to die or spend the rest of his life in jail. Many of the jurors, including myself, were not all that respectful of the hold out and I recalled asking him what it took for me to help knock him off the fence. I even recall saying, in jest, that if he didn't hurry up and vote for death like he said he would during the voir dire in the beginning, that I may need representation for capital murder myself. I, nor anyone else on the jury, had any intentions of physically harming the juror who was holding out, but we did put a tremendous amount of pressure on him to join our vote.
11. I vaguely recall that we asked to have some portion of the trial read back to us, but this was done only to appease the juror who was holding out. Me and the other jurors had already made up our minds at this point. I don't remember the reasons or issues that were causing the hold out difficulty in joining our death vote, and I don't know what caused him to change his mind in the end.
12. I don't recall ever hearing evidence that Mr. Castillo suffered any brain damage, and I don't recall hearing that he was physically abused by his family members during his childhood. I believe that these items, if validated, could have played a role in how we voted had they been presented.

13. I have never been interviewed by anyone in regards to my jury service on Mr. Castillo's case, until Herbert Duzant, an investigator with the Federal Public Defender office, spoke with me a few weeks ago at my residence.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Clark County, Nevada, on ^{October 24} ~~September 24~~, 2008.

A handwritten signature in black ink, appearing to read "Kelly Lynn Lea", is written over a horizontal line.

Kelly Lynn Lea

EXHIBIT 41

EXHIBIT 41

DECLARATION OF DALE ERIC MURRELL

I, Dale Eric Murrell, hereby declare as follows:

1. I am a resident of Clark County, Nevada. I make this declaration in connection with the proceeding of *William P. Castillo v. E. K. McDaniel* in the United States District Court in Las Vegas, Nevada. In 1996, I was a member of the jury for both the guilt and the penalty phases of Mr. Castillo's death penalty trial. I am an African-American male, and I was the only minority member of the juror panel.

2. During the penalty phase deliberation, it was clear to me that most of the other jurors wanted to vote for death without properly deliberating the facts that were presented. As soon as we entered the deliberating room, ~~a vote was taken and everyone voted for death, except me~~

everyone on the jury wanted to vote without deliberating the facts

This was not a straw poll, but the actual vote on the appropriate penalty. I told the other jurors that I didn't feel comfortable with just issuing a death verdict without first discussing the facts of the case. The foreman and others on the jury were upset with me because they did not want to deliberate and thought that I was being difficult and wasting their time. The jury was rushing into judgment and I wanted to slow them down, and make them think about what we were doing.

3. I wanted to discuss Mr. Castillo's experiences and anything that was presented in regards to his background which could explain his actions on the night of the murder. I wanted to know whether Mr. Castillo had any issues in his life that could possibly explain his lack of judgment and functioning.

4. I recalled convincing the jury to have the testimony of Mr. Castillo's psychologist read back to us. However, after going over the psychologist's testimony, I found nothing that could

explain away Mr. Castillo's actions. It seemed like Mr. Castillo was a normal person that had a rough childhood, but this was not enough to overcome the aggravating nature of the crime.

5. Although Mr. Castillo's attorneys seemingly conceded his guilt during the trial and had a hard task to accomplish in attempting to save his life, I believe that they could have probably done more in their representation.
6. I never heard any evidence that Mr. Castillo suffered from brain damage during the trial, and I believe it could have played an important role in the outcome of our verdict, during the penalty phase. If it was shown that Mr. Castillo had brain damage that adversely effected his thinking process and functioning, I am confident that this would have been a significant factor in the deliberation. In fact, I know that I could not have brought myself to vote for death if Mr. Castillo was proven to have brain damage, even if that meant hanging the jury.
7. I was never interviewed by anyone in regards to my jury service on Mr. Castillo's case, until Herbert Duzant, an investigator with the Federal Public Defender office, spoke with me a few weeks ago at my home.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Clark County, Nevada, on ~~September~~ ^{October 27}, 2008.



Dale Eric Murrell

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EXHIBIT 42

EXHIBIT 42

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1 Children's Hospital in St. Louis, foster care placement records from Catholic Charities in Missouri,
2 or the State of Nevada Department of Human Resources Division of Child and Family Services
3 Reports of Abuse. I understand that Mr. Castillo's current attorneys have declarations from various
4 members of Mr. Castillo's family, criminal and medical records of Mr. Castillo's biological father,
5 medical records of Mr. Castillo's mother, medical records of other family members, foster care
6 placement records from Catholic Charities regarding his mother's placement in the foster care
7 system, and criminal records of Mr. Castillo's half-brother. None of these records were made
8 available to me and I did not interview any members of Mr. Castillo's family (though I suggested
9 such interviews were warranted).

10 5. Had the above records been provided to me at the time I evaluated Mr.
11 Castillo, I believe such records ^{may be} ~~would~~ have affected my opinion. In every case, and especially with
12 regard to a death penalty case, it is imperative that I review all of the available records surrounding
13 a client and his family's history. My diagnoses, and opinions, are limited by the information
14 available for my review. In other words, the conclusions I made with regard to William Castillo, his
15 childhood and his offense, were based upon, and limited by, the information I was provided.

16 6. Mr. LaPorta did not request a neuro-psychological evaluation in Mr. Castillo's
17 case. I was not provided any evidence to suggest that Mr. Castillo had brain damage.

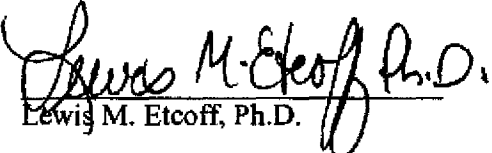
18 7. In my written report, I suggested that William Castillo's mother and step-
19 father be interviewed in order to substantiate or corroborate the information Mr. Castillo provided
20 me. I do not know whether this was accomplished, but I never received any information relating to
21 such interviews. Collateral interviews are important. First, such interviews confirm the information
22 provided to me--rebutting any biases inherent in self-reports. But, even more important, my
23 impressions were limited by Mr. Castillo's ability to recall his childhood. I was subsequently
24 informed by Nisha Brooks and Gary Taylor from the Law Offices of the Federal Public Defender that
25 a substantial amount of collateral information was obtained in the ensuing years. Such collateral
26 information may be pertinent to the opinions I rendered in Mr. Castillo's case.

27 8. As a professional, I would like any and all relevant records and information
28

1 regarding a client's background. This information will provide me the clearest and most complete
2 picture of the client and allows an in-depth psychological evaluation. Interestingly, I currently have
3 an active forensic practice relating to civil litigation and I find that I am provided much more
4 information than what I previously received in the death penalty cases in which I consulted. I have
5 no problem concluding that my evaluation and testimony in Mr. Castillo's case was limited by the
6 information I was provided. I have no doubt that such greater resources ^{he} would have had an impact
7 upon my opinions and testimony. ~~may have~~

8 9. It is my understanding that Mr. Castillo's attorneys received in-depth reports
9 from other mental health professionals regarding Mr. Castillo's childhood, and the effect of his
10 childhood on his mental health and his actions as an adult. I did not have the opportunity to review
11 the records these professionals relied upon. I believe such records may be pertinent to the opinions
12 I rendered in Mr. Castillo's case.

13 I declare under penalty of perjury that the foregoing is true and correct to the best of
14 my knowledge and belief, and that this declaration is executed on the 8th day of December, 2008,
15 Las Vegas, Nevada.

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17 Lewis M. Etkoff, Ph.D.
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EXHIBIT 43

EXHIBIT 43

DECLARATION
OF
MARY KATHLEEN KNOWLES

I, Mary Kathleen Knowles, hereby declare as follows:

1. I currently reside in Rock Falls, Illinois, having moved here 2 years ago from Kirkwood, Missouri, where I had lived since 1968. I am now 62 years of age. My husband, John Knowles, and I were the foster parents of Billy Castillo, known to us then as Billy Thorpe, from the time he was about 3 1/2 years old to about 5 years old. We also have an adopted daughter, Kelly, who is about a year older than Billy. My husband and I both enjoyed children and wanted a big family, but had been told that we would be unable to have biological children. Abortion had been legalized at about that time, and we had been told that it was unlikely that we would be able to adopt another child because there weren't that many available. So, we trained to become foster parents. Before Billy came into our lives, we had already fostered 2 teenagers for periods of about a year each, but were hoping to have a younger child placed with us, possibly one that we could adopt.

2. Kelly was a special-needs child in some ways. She had been born prematurely and had suffered oxygen deprivation at birth. Also, it was likely that her birth mother had exposed her to alcohol and/or drugs before her birth. Despite that, she was at the time a healthy, bright, active child, though she was to develop some learning disabilities and emotional issues as she grew older. I had been a special-needs teacher for several years, so I felt I could handle whatever problems might develop. I stopped working outside the home when we adopted Kelly because I felt strongly that babies should be raised by people who loved them. My husband worked as a carpet installer, and with careful budgeting I was able to be an at-home mom. John continued to work as an installer for over 40 years until he retired. I returned to teaching when Kelly was 9 or 10 years old.

3. John and I were licensed foster parents with both Catholic Charities of St. Louis and Family and Children's Services of St. Louis. Sometime around 1975, we received a call from a caseworker at Catholic Charities that

they had a 3 ½ year-old boy with some special needs who needed a foster family. We decided to meet him and give it a try. The caseworker brought Billy Thorpe (Castillo), his mother, and his grandmother to our house. We loved Billy from the beginning -- such a cute and smart little boy -- and agreed to be his foster parents. He stayed with us from that day. I noted that he didn't cling to his mother or cry at separating from her. She also seemed fairly emotionless about leaving him. The caseworker asked Billy what he would like to call us. He said that he would like to call John "Daddy" because he didn't have a daddy. When asked if he would like to call me "Mommy", he said with his little serious face, "Oh, no, I couldn't do that. I already have a mommy. I'll call you Grandma." For a few weeks, he called us "Daddy" and "Grandma", which was funny when we were out in public. But, he eventually started calling me "Mommy" on his own.

4. What I distinctly remember about those early weeks with Billy is that he was a mess, physically, emotionally, and socially. Billy seemed almost like a child who had been raised by wolves. The few clothes that were sent with him were unwearable, being either torn, stained, or much too small. I remember a few socks without mates and a pair of pants with the entire crotch ripped out. The shirt he wore the day he arrived was a girl's shirt, cut off at mid-chest. The canvas shoes on his feet were so small that his toes were curled under. I had to request our caseworker to give me an emergency clothing allowance for him because he didn't have one outfit that he could wear the next day. He also had no underwear or pajamas.

5. Billy's toenails were unclipped. His hair was long, shaggy, and hanging in his face. He didn't know how to use silverware, and ate with his hands. Though he got along with Kelly pretty quickly, he didn't know how to interact with other children. We always had a lot of neighbor children playing in our yard, and Billy interacted with them at first by biting and throwing rocks.

6. Since we lived in a small, 2-bedroom house, Billy and Kelly shared a room. In the first weeks, Billy often awoke at night screaming and crying. He would say that snakes were crawling on him or that his mommy was hurt. He would be sweating and shaking and really scared. I would sit with him and comfort him. I wondered if the snake nightmares could have been related to some kind of physical or sexual abuse he might have suffered. His caseworker, Mary Louise Anzalone had told us that Billy had been left

in over a dozen different homes during the previous 18 months of his life, sometimes with virtual strangers. These were not foster homes, but just a variety of people his mother left him with. Over time, the nightmares disappeared.

7. As the months went on, Billy made wonderful progress. I enrolled him in preschool 2 half-days a week to help him with his social skills. John and I spent almost all our free time with Billy and Kelly, giving them both as much love and affection as possible. Billy learned to brush his teeth, and loved taking bubble baths. He got used to wearing underwear and clean clothes, and he liked his new haircut, though his mother (Barbara Thorpe, now Wickham) was very unhappy when she found that we had cut his hair. Though he was not originally a physically affectionate child, he began to enjoy snuggling up with Kelly and me for the nightly bedtime stories or when we sang songs together. His favorite was "Billy Boy". We always kissed the children good night when they were in bed for the night, and Billy became a good hugger and good-night cheek kisser.

8. I remember that Billy was an impulsive child, often seeming to act before he thought. As an example, because he was very strong and coordinated, he learned to ride his little bike without training wheels before he turned five years old, but he didn't know how to operate the brakes. He was so exhilarated by being able to ride fast, though, that he wouldn't take the time to practice braking. We rode our bikes at the school playground. He would ride around as fast as he could go, and then run right into the brick wall at full speed when he wanted to stop. Although he took some bad falls, he didn't cry or fuss. In fact, he never seemed to react much to pain or injury.

9. Another time, we had asked some friends to watch Kelly and Billy for a few hours while we ran some errands. When we returned, they told us that Billy, barely 4 years old, had given them quite a scare. They had lost sight of him for a few minutes, and began searching for him. They eventually found him -- swaying happily at the very top of a tall young tree in their front yard. They feared that Billy would fall, and yet the tree wasn't strong enough for an adult to climb very far up and get him. The neighbors gathered, amazed that such a little boy could climb such a tall tree. I don't remember how they eventually got him down safely, but I do remember that our friend's husband said, "I don't want to ever babysit that kid again!"

Although all little children act sometimes without considering consequences, Billy seemed to seek out thrills without inhibition or fear.

10. After Billy was with us for several months, we decided to buy a larger home so that the children could each have their own rooms. Billy really liked cowboys, so John built him a "cowboy bed" for his room out of rustic cedar. Billy really liked that. At first, both children were afraid to sleep in a room alone, so we kept them together for awhile and gradually moved them into adjoining rooms. They seemed to get along fine, with few conflicts. Billy didn't really know how to play when he came to us, but Kelly taught him how. One of their favorite games was superheroes. They would have me pin towels or baby blankets on them for capes, and then Kelly would be Wonder Woman and Billy would be Superboy. I can still remember them running through the house, laughing.

11. We couldn't afford to take real vacations and stay in hotels, but we took Kelly and Billy on lots of camping trips in Missouri. Billy absolutely loved camping. He loved sleeping in the tent, and especially liked doing things outside that are normally done indoors, like brushing teeth and spitting out toothpaste in the woods or urinating in the woods instead of a bathroom. He also loved going to drive-in movies, the zoo, playing in the park, and riding his bicycle. We also made sure that he learned to swim.

12. I always felt that Billy was a very smart little boy, in addition to his exceptional physical coordination. He learned things such as song lyrics and rhymes quickly and remembered them. He made amazing progress in his pre-school class, and his teachers were proud and impressed. Because of his circumstances, his teachers went above-and-beyond to help him in every way they could. He was quite a charmer with adults, I remember, with his sparkling brown eyes and big smile.

13. During the year-and-a-half that Billy was with us, we saw his mother only a few times. She would be gone for months -- no one knew where -- and then she would suddenly pop up and demand to see Billy. She would take him out for the day, usually with a boyfriend, and Billy would come back with gifts, balloons, and candy, looking sad, tired, and confused. Then, she would disappear again and he would be crabby for about a week before we settled back into our normal life. Despite their strange relationship, though, he felt a bond with his mother, and we allowed and

encouraged him to talk about her when he wanted to. On the other hand, I never really felt that Barbara had a true bond with Billy. She showed little interest in his development. I felt that she showed up just often enough so that she would retain custody of him, but that he was more a possession to her than a human being.

14 I must admit that I resented her at times because of the disruption she caused for our whole family and the hurt she did to Billy. It was also hard for Kelly to see Billy coming home with all the gifts, etc., though she understood as well as a 5-year-old can, that I was her real mother, but not Billy's.

15. John and I never met Billy's father, who I believe was named Bill Thorpe. As far as I know, there was no contact with him while Billy lived with us. However, someone from the Thorpe family did take Billy for a visit on a holiday, maybe Christmas or Easter when he was four years old. It may have been the grandfather or an uncle. An older man brought Billy back to our house, and had given him a toy motorcycle, which he loved. I also remember that I was shocked when Billy got back, because he said to me, pointing to the crotch of his pants, "You told me a lie! You said that this is called my penis, but it's not! They said it's called a weenie, and if I do something bad they can cut it off!" I remember how furious I was on the inside at those people as I reassured Billy that no such thing was ever going to happen. I reported the incident to Mrs. Anzalone, the caseworker, who was as appalled as I was.

16. After a year and a half, Barbara Thorpe returned to St. Louis and notified Catholic Charities that she wanted physical custody of Billy. According to our caseworker, she said that she had met a man who wanted a son and they were going to get married. Billy would have an ideal life with her and her new husband, who was willing to adopt Billy, according to Barbara. Catholic Charities rebuffed her request because the social workers were very happy with Billy's progress in our home and felt strongly that removing Billy from our home would prove detrimental to his development. I am not sure if Barbara eventually took Catholic Charities to court to regain custody of Billy, or Catholic Charities took her to court to retain custody. At any rate, there was a court hearing in which Catholic Charities presented substantial evidence regarding Barbara's history of neglecting and endangering Billy, and also presented evidence of his progress since he had

children at times. When she got mad with us for something we had done she would tie us to a post in the basement with no light." Ms. Wickham recalls that her mother would "beat us with an electric cord when she was angry. She also reports "if she wanted Max, Ramona or me to do something, she threw her high-heeled shoes at us or put a hot iron next to our faces or bodies".

64. Per self statements and statements of family members, Mr. Castillo's mother, Barbara Wickham and her sister experienced repeated childhood sexual abuse by her stepfather (Alton Brawley).

65. Per statements of family members, Mr. Castillo's maternal uncle, Max Brawley was physically abused by his mother and his stepfather, Alton Brawley. Barbra Wickham (his sister and Mr. Castillo's mother) reports that these beatings were severe and she could hear them from the basement of the house.

66. Per self report, report of multiple family members, Catholic Charities records, Mr. Castillo's medical records, and Mr. Thorpe's medical records, Mr. Castillo's mother (Barbara Wickham) experienced repeated, severe physical abuse by her husband and Mr. Castillo's father (William Thorpe). These include an incident in which she was "severely beaten" when she was 7 months pregnant with Mr. Castillo; an incident in which William Thorpe locked Ms. Wickham and his mother (Sue Thorpe) in a room, doused it with lighter fluid and set it on fire; and an incident in which William Thorpe hung her off of a highway overpass by her legs and threatened to drop her off of the overpass. She also reports repeated sexual assault and rape by William Thorpe.

67. Mr. Castillo's father, William Thorpe was also physically abusive towards Cecilia Bowles his 2nd Wife. She reports that he beat her repeatedly and threatened her life while holding a knife to her throat.

68. Per his Fulton Hospital medical records and report of family members, Mr. Castillo's father (William Thorpe) witnessed violence between his parents when he was a child. Regina Albert (ex-wife of Mr. Castillo's paternal uncle, Michael Thorpe) stated: "beating women was no problem amongst many of the men the Thorpe family and it went back as far as Michael's paternal grandfather's abuse of his wife, Henrietta".

69. Per self statement and statement of his ex-wife, Mr. Castillo's paternal uncle, Michael Thorpe, was physically abusive towards his wife multiple times.

70. Though not biologically related to Mr. Castillo, his adoptive father, Joseph Castillo's childhood experiences appear to have impacted the way he parented Mr. Castillo. He states,

"My role in Billy's outcome was the physical and mental abuse that I put him through at a time when I believe he needed love, compassion and understanding. I had a strict upbringing during my childhood in Mexico and my father did the same things to me that I later did to Billy".

71. Mr. Castillo's family has a multigenerational pattern of criminal behavior, mental illness, and use and abuse of alcohol and drugs in both his maternal and paternal family histories. Understanding this family history is important because having family members with mental illnesses and substance use related problems increases an individual's risk for developing these types of problems. This occurs through increased genetic risk and through increased risk related to being raised by and exposed to family members with

these types of problems. In addition, for similar reasons, children raised in environments in which criminal behavior is common are at higher risk for becoming engaged in criminal behaviors.

- a. Per Catholic Charities Record Mr. Castillo's maternal grandfather (Robert Becker) has a history of unspecified "mental illness" including discharge from Naval service secondary to a suicide attempt and a "split personality".
- b. Per Catholic Charities Records, Mr. Castillo's maternal grandmother, Alegria Thieret had an "anxious personality". In addition, per report of her daughter, Lora Brawley, Mr. Castillo's maternal grandmother, also had an addiction to "nerve pills" which may have been valium. Ms. Brawley also reports that her mother (Mr. Castillo's maternal grandmother) was psychiatrically hospitalized several times when Ms. Brawley was a child.
- c. Per Catholic Charity records, self report and statements by multiple family members, Mr. Castillo's mother, Barbara Wickham, has been treated for multiple mental disorders and has a longstanding history of substance abuse. She has repeatedly attempted suicide and has a related record of multiple psychiatric hospitalizations.
- d. Mr. Castillo's maternal aunt, Yolanda Becker has been diagnosed with and treated for multiple mental disorders including mood disorders (Depression and Bipolar Disorder), symptoms of psychosis, posttraumatic stress disorder (PTSD), other anxiety disorders and borderline personality disorder. She has also had multiple psychiatric hospitalizations and repeated suicide attempts.
- e. Mr. Castillo's biological father, William Patrick Thorpe, has a history of drug abuse of multiple illegal drugs.
- f. Per self statement, Mr. Castillo's paternal uncle (Michael Thorpe) has been diagnosed with PTSD secondary to military service in Vietnam.
- g. Mr. Castillo's Mother, Barbara Wickham, engaged in multiple criminal activities throughout Mr. Castillo's early childhood and adolescence these included prostitution and drug use. She also is reported to have engaged in theft and robbery. Mr. Castillo was present when his mother was using drugs. He reports an early memory of "sitting on the carpet and de-seeding her weed".
- h. Based on statements by family members as well as legal records, Mr. Castillo's biological father, Michael Thorpe, has long history of multiple criminal behaviors including non-violent (e.g. theft) and violent (e.g. physical and sexual assaults) crimes and drug related crimes. This also included involvement in a gang, "The Brotherhood of the Gypsy Outlaw". This gang was not only a locus of criminal activity but also incorporated themes of both race and Satanism. Mr. Castillo's paternal uncle and other relative were also members of this gang. Mr. Castillo's father reportedly had a swastika tattooed on his chest and his paternal uncle, Michael Thorpe had a swastika tattooed on his forearm.

72. Mr. Castillo's childhood and adolescence including repeated incidents of running away from home, as well as later from foster and group homes and other institutional/correctional settings. His running away appears to have begun as part of a

negative pattern of interaction between him and his parents (mother and adoptive father, Joe Castillo). Specifically, he reports that he would run away from home after being punished (which at the time included abusive punishment), once he returned or was returned home he would be punished (which at times included abusive behaviors) in response to his running away and then he would run away again. Describing this cyclical family pattern, Mr. Castillo called it a "vicious cycle...beat me, run away, come home, he'd beat me, run away". Mr. Castillo's adoptive father, Mr. Joseph Castillo also identifies this pattern. He states:

When Billy was 9 or 10 years old he got into trouble at school for talking in class and being disruptive. He ran and stayed away from home for three days in order to avoid being punished by me. During Billy's time away he lived with homeless people around the 'union pacific railroad tracks. Billy also begged for food and money at the Circus-Circus Hotel and Casino.

73. As noted above, during his childhood Mr. Castillo had multiple experiences in which he was unable to protect himself from repeated abandonment by his parents and other caretakers. He was also frequently unable to protect himself from physical and verbal abuse in his household. He reports that when his stepfather physically abused him he felt "helpless, angry, small". It is not uncommon for some children in such an environment to begin patterns of behavior in which they also behave aggressively towards others including sometimes the person who is abusive to them. However, because they cannot directly fight the caretakers who are also the abusers they will sometimes engage other forms of aggressive actions. This pattern began with William Castillo and his stepfather when he was young. Based on statements of his mother, stepfather and other family members and per his report he would engage in acts of "retribution". These would lead to further excessive punishments that were also at times abusive which would lead in turn to further aggressive actions on his part. This cycle of abuse and aggression was established very early in Mr. Castillo's life.

74. The family and later the schools are the environments in which children become socialized and learn what is and what is not appropriate and acceptable behavior. When children such as Mr. Castillo are raised in abusive and violent contexts in the family (and later in juvenile institutions), they learn that violence and aggression are appropriate and effective ways to solve problems and responding to others. In addition, children raised in these abusive and threatening environments learn patterns or "scripts" for interacting socially and develop skewed interpretations of the behaviors and intentions of others. Specifically, there is a tendency to presume that others have hostile intent even when such intent is not present. This makes it difficult to learn to trust others. In response to their inaccurate tendency to interpret the behavior and intentions of others as hostile or threatening, they draw on the hostile and aggressive behaviors they have learned in these environments. Mr. Castillo was raised in an environment which places his early aggressive behaviors into context. For example, it helps to understand the incident in which he drowned his grandmother's dog. Given the family environment, it is likely that he had learned that aggression and violence were appropriate behavior in response to feelings of jealousy or in response to the belief that something which belongs to you has been taken. Mr. Castillo described his relationship with grandmother and his experience of lying on the sofa with his head in her lap when he was a child stating: "that was the best space in the world. Safe. Home. Everything was right when I was laying on the couch. I felt loved, wanted that was the greatest place in the world, grandmother's lap." His memory of the incident in which he drowned the dog is that he did this because he was jealous of the dog, "it took my spot in grandmother's lap."

75. In 1993, the above points were well known to mental health professionals and well documented in available social and behavioral literature including (but not limited to) the below:

Briere, J. & Runtz, M. (1990). Differential adult symptomatology associated with three types of child abuse histories, Child Abuse & Neglect, 14, 3, 357-364.

Briere, J. (1992). Child Abuse Trauma: Theory and Treatment of the Lasting Effects, Sage Publications: New York.

Bryer, J. B., et al. (1987). Childhood sexual and physical abuse as factors in adult psychiatric illness. The American Journal of Psychiatry, 144, 1426-30.

Dodge, K.A., Bates, J.E., Petit, G.S. (1990). Mechanisms in the cycle of violence. Science, 250, 4988, 1678-1683.

Egeland, B., Sroufe, L., & Erickson, M., (1984). The developmental consequences of different patterns of maltreatment, International Journal of Child Abuse, 7, 459-469.

Egeland, B., & Farber, E., (1984). Infant-mother attachment: Factors related to its development and changes over time, Child Development, 55, 753-771.

Farrington, D. (1989). Early predictors of adolescent aggression and adult violence, 4 Violence and Victims, 4, 79-100.

Herman, J. (1992). Trauma and Recovery. New York: Basic Books.

Kashani, J.H., Anasseril, E., Dandoy, A.C., Holcomb, W. R. (1992). Family violence: Impact on children, Journal of the American Academy of Child & Adolescent Psychiatry, 31, 2, 181-189.

Keve, P. (1974). Prison Life and Human Worth. University of Minnesota Press: Minneapolis, MN

Levenson, H. (1975). Multidimensional Locus of Control in Prison Inmates, Journal of Applied Social Psychology, 5, 342.

Malinosky-Rummell, R., and Hansen, D.J. (1993). Long-term consequences of childhood physical abuse. Psychological Bulletin, 114, 1, 68-79.

Masten, A. & Garmezy, N. (1985). Risk, vulnerability and protective factors in developmental psychopathology, in F. Lahey & A. Kazdin (Eds.) Advances in Clinical Child Psychology.

McCorkle, R. (1992). Personal Precautions to Violence in Prison, Criminal Justice and Behavior, 19, 160-173.

McLeod, J.D. (1993). Poverty, parenting, and children's mental health. American Sociological Review 58, 3.

Taylor, A. (1961). Social Isolation and Imprisonment, *Psychiatry*, 24, 373.

Widom, Cathy S. (1989). Child abuse, neglect, and adult behavior: Research design and findings on criminality, violence, and child abuse, *American Journal of Orthopsychiatry*, 59, 3, 355-367.

76. I have gathered and reviewed extensive data on Mr. Castillo's developmental experiences and his bio-psycho-social functioning across his lifespan. These data include: 1) my clinical interview of Mr. Castillo and 2) my review of a) institutional and medical documents/records as noted above b) statements by multiple informants c) video tapes from Mr. Castillo's childhood. Based on this information, it is my opinion that, at the time of the criminal events in question, Mr. Castillo was very likely to have been experiencing extreme emotional duress.

77. To summarize my findings, Mr. Castillo's childhood beginning at a young age was marked by experiencing severe and repeated, physical and emotional abuse by: his biological father, William Thorpe; his adoptive father, Joseph Castillo; his natural mother, Barbara Wickham; his maternal uncle, Max Brawley; and, at least one staff member at a juvenile detention facility. William Castillo also experienced emotional and physical neglect as a child and was repeatedly abandoned by his mother and left in the care of family members or charity foster homes. Several aspects of his experience of abuse and neglect are notable for their likely impact on the bio-psycho-social development of Mr. Castillo: 1) the young age of onset of the abuse and neglect, 2) the repeated occurrence of the abuse and neglect across the course of his development 3) the fact that the abuse occurred at the hands of multiple primary caregivers. In addition, these factors interacted and compounded one another which is likely to have exacerbated the negative impact of this abuse on the Mr. Castillo.

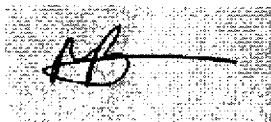
78. William Castillo's mother, Barbara Wickham, led a chaotic and unstable life which included drugs, prostitution and psychiatric hospitalizations. She abandoned William Castillo to the care of relatives whose individual lives were marked by violence, disruption, mental illness and chaos. The only stable home environment William Castillo ever had occurred during his periodic placements into the charity foster care program. However, as the records I reviewed demonstrated, these placements were abruptly terminated and, as a result, insufficient to, in any meaningful way, counter the negative impact of these abandonments on Mr. Castillo's biological and psychological development as a young child.

79. My review of the records provided, and my interview with William Castillo, demonstrated that Mr. Castillo, within a reasonable degree of probability, suffered from Posttraumatic Stress Disorder (PTSD) from a very early age. My data are also consistent with the diagnoses of Dr. Etcoff and Dr. Mack that Mr. Castillo suffered from reactive attachment disorder. Moreover, my assessment indicates that Mr. Castillo exhibited dissociative symptoms beginning in childhood and continued into young adulthood. Assessment and testing by Dr. Mack are consistent with and supportive of my finding that Mr. Castillo experiences dissociative symptoms.

80. In the records from mental treatment and juvenile facilities as well as in his evaluation by Dr. Etcoff, Mr. Castillo is diagnosed conduct disorder and with features of anti-social

personality disorder. It seems likely to me that these diagnoses were made without appropriately taking to account Mr. Castillo's experiences of abuse and neglect, the environments he was exposed to as a child and adolescent and his other psychological disorders. Although Mr. Castillo clearly exhibited behaviors which would consistent with these diagnoses, it is inappropriate to make such diagnoses when the behaviors in question may also be the result of other psychological disorders or responses to the environment to which a person is exposed. As I described above, Mr. Castillo suffered several other psychological disorders and he was also exposed to multiple violent, abusive and chaotic environments over the course of his development (in some cases he was living in these environments at the times the diagnoses were being made). Based on my review of the records, it seems to me that these factors were not taken into account when Mr. Castillo was diagnosed with conduct disorder and features of antisocial personality disorder.

81. Mr. Castillo's criminal actions as an adult, including the commission of this offense, were tragic. It is inappropriate and incorrect to suggest that Mr. Castillo's early circumstances in any way excuse his later actions. However, it is likewise inappropriate and unfair to judge Mr. Castillo's overall character or the crimes he has committed without also taking into account the developmental impact of the environments in which he was raised and his other formative life experiences including his abuse, neglect and repeated institutionalization over the course of his childhood and adolescence.



Rebekah G. Bradley, PhD.

12-11-08

Date

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EXHIBIT 37

EXHIBIT 37

CURRICULUM VITAE

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Intern, APA accredited Clinical Psychology Internship
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Wesleyan University, Middletown, Connecticut
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Emory University
August 2002-Present

PUBLICATIONS

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EXHIBIT 38

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CONFIDENTIAL FORENSIC REPORT

December 11, 2008

Gary Taylor, Esq.
Law Offices of the Federal Public Defender
411 E. Bonneville Avenue, Suite 250
Las Vegas, NV 89101

RE: William Patrick Castillo, Jr.
REPORT: Neuropsychological Evaluation
DATE(S) OF EVALUATION: 11/27/2006; 11/28/2006
DATE OF BIRTH: 12/28/1972
AGE: 34; Age at time of Offense, 22
YEARS OF EDUCATION: 12, Graduated 1990
EXAMINERS: Jonathan H. Mack, Psy.D.,
Records Summarization Assistance
provided by Robyn Klim, LCSW
Scoring provided by Elizabeth M.
Maurer, M.A., Neuropsychometrician

Dear Mr. Taylor:

The following represents my report of Neuropsychological Evaluation of William Patrick Castillo, Jr. As you know, Mr. Castillo is a 34-year-old, Caucasian, single male on death row at Ely State Prison for crimes committed on or around 12/20/1995. This report is based on an extensive review of medical records, a 1 ½ hour clinical interview with myself of Mr. Castillo and about 10-plus hours of face-to-face testing conducted by myself. My Master's level clinical assistant, Elizabeth M. Maurer, M.A., assisted in records summarization, scoring, and data entry for this report. Robin Klim, LCSW also provided assistant with records summarization for this report. All interpretive conclusions and opinions are solely my own.

TESTS ADMINISTERED:

Beck Anxiety Inventory
Beck Depression Inventory-II

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Beck Hopelessness Scale
 Boston Diagnostic Aphasia Screening Examination, Complex Ideational Material Subtest
 California Verbal Learning Test-II
 Controlled Oral Word Association Test/Animal Naming
 Grooved Pegboard
 Halstead-Reitan Neuropsychological Test Battery
 Aphasia Screening Test
 The Booklet Category Test-II
 Finger Oscillation Test
 Grip Strength Test
 Lateral Dominance Examination with Right/Left Orientation
 Reitan-Klove Sensory-Perceptual Examination with Visual Field Screening
 Seashore Rhythm Test
 Speech Sounds Perception Test
 Tactual Performance Test
 Trail Making Tests, A and B
 Multiscale Dissociation Index
 Paced Auditory Serial Addition Test
 Posttraumatic Stress Diagnostic Scale
 Rey-Osterrieth Complex Figure Test with Recognition and Recall
 Stroop Color and Word Test
 Test of Memory Malingering
 Visual Cancellation Tests, Verbal and Nonverbal
 Wechsler Adult Intelligence Scale-III
 Wechsler Memory Scale-III
 Wide Range Achievement Test - 4
 Wisconsin Card Sorting Test

RECORDS REVIEWED:

Copious amounts of records provided by the Office of the Federal Public Defender, Region of Nevada, were reviewed. The majority, but not all, of the records reviewed are summarized in the following table.

DATE	SUMMARY	DOCUMENT
08/01/1958; 08/04/1958; 08/05/1958; 08/11/1958; 08/18/1958; 08/22/1958; 09/15/1958; 11/04/1958; 02/06/1959; 10/06/1959; 06/17/1960; 08/21/1962; 02/21/1963;	Catholic Charities Records were reviewed and summarized as per relevance below. Family demographic information was included. It noted that Max Allen, (DOB: 12/31/1951, William's maternal uncle) was born in Pennsylvania, Yolanda (DOB: 07/09/1953, William's maternal aunt) was born in Pennsylvania and Barbara (DOB: 10/26/1954, William's biological mother) was born in New York to Robert Becker (DOB: 02/28/1930, William's maternal grandfather) and Allegria Dehry (DOB: 05/05/1936, William's maternal grandmother) who was born in French Morocco and her parents were reportedly Jewish. Mr. Robert Becker and Ms. Allegria Dehry were married on 03/13/1951 and divorced on 07/15/1955. Ms. Allegria Becker was reportedly	Department of Children, Catholic Charities Records- Becker family

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06/03/1963:	<p>awarded custody of three Becker children. Ms. Becker was subsequently remarried to Mr. Clifford Gavan on 07/14/1956 and divorced on 08/13/1958. Ms. Becker was then noted to have been remarried to Mr. Al Brawley on 03/03/1962.</p> <p>Medical Records and Baptism Certificates for the three Becker children were reviewed.</p> <p>08/01/1958: Case note was reviewed and noted that Mr. Becker suffered from mental illness and was discharged from the Navy for a suicide attempt in Iceland. Ms. Becker referred to Mr. Becker as having a "split personality." Mr. and Ms. Becker divorced due to his involvement with another woman whom he reportedly had gotten pregnant. Ms. Becker remarried and had a child with Mr. Clifford Gavan. Marital discord was reported between Ms. Becker and Mr. Gavan which resulted in their separation. The three Becker children were split among aunts.</p> <p>08/04/1958: Case note indicated that Ms. Gavan requested placement for the three Becker children. The Gavan child was reportedly placed with Ms. Gavan's mother-in-law.</p> <p>08/05/1958: Case note indicated that the paternal aunt that was caring for Barbara Becker requested a more permanent plan as her husband no longer wanted to care for Barbara Becker</p> <p>08/11/1958-08/15/1958: Summary of case notes revealed that Ms. Gavan was not focused on any alternative plans other than the placement of Becker children.</p> <p>08/18/1958-08/21/1958: Summary of case notes indicated that a call was received regarding Ms. Gavan. The caller reportedly stated that Ms. Gavan "does not want the children, runs around with different men every night and often does not even see to the acquiring of a babysitter for the children when she has gone out." It was noted that Mr. Becker asked Ms. Gavan several times to give up the Becker children for adoption. It was reported that Mr. Becker had 2-3 other children from his second marriage and reportedly put the two of them up for adoption.</p> <p>08/22/1958-09/11/1958: The Becker children were returned to Ms. Gavan as of 08/21/1958. Ms. Gavan requested placement of the three children on 08/22/1958.</p> <p>09/15/1958: The Department of Children placed the Becker Children at the German St. Vincent Orphan Association. Summary of the Receiving Committee from the German St. Vincent Orphan Association was reviewed.</p> <p>11/04/1958: Ms. Gavan reportedly selected Barbara to spend Christmas vacation with while her siblings went to stay with relatives. It was noted that Ms. Gavan then changed her mind and spent Christmas with all three children.</p> <p>02/06/1959: The caseworker noted that Barbara and Max had a more</p>
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	<p>difficult time with their separation from their mother than Linda. It was noted that Barbara stopped wetting her bed, but tired easily.</p> <p>10/06/1959: Ms. Gavan reportedly had not missed a visit with the children since they were placed</p> <p>06/17/1960: It was noted by the caseworker that Ms. Gavan broke up with her boyfriend because he did not accept her children.</p> <p>08/21/1962: Case note indicated that the last 8-10 months at the German St. Vincent Orphan Association had been emotional for Max and Barbara. The reported cause was the "prolongation of their institutional placement and the insufficient amount of individual attention which these children are very much in need of." It was noted that Ms. Gavan, now Ms. Brawley, knew her husband one month prior to their marriage. It was reported that Ms. Brawley had an anxious personality, but had planned well for the children since they returned home.</p> <p>06/03/1963: Caseworker noted that Barbara had failed all of her subjects in school and that her conduct was poor. It was also stated that Barbara would have to repeat the third grade.</p> <p>Various letters written between Ms. Brawley and Department of Children Caseworkers were reviewed</p> <p>10/22/1963: It is noted that Ms. Brawley gave birth to a baby. Department of Children case closed 01/30/1964.</p>	
12/20/1973- 12/24/1973	<p>St. Louis Children's Hospital Record indicated that William P. Thorpe, Jr. (DOB: 12/28/72), age 12-months was admitted to the hospital on 12/20/1973 with admitting diagnoses of diarrhea and dehydration. The record reflected four days of hospitalization with a discharge date of 12/24/1973 and discharge diagnoses of gastroenteritis and pneumonia.</p> <p>Radiological report of the Chest and Airway was reviewed. Impression was of croup and pneumonia. Laboratory records were reviewed.</p> <p>Progress Notes for William Thorpe's treatment at St. Louis Hospital were reviewed. Mother Barbara Thorpe reported that she had been beaten by her husband in her 7th month of pregnancy and was hospitalized with vaginal bleeding. Family history revealed that Barbara Thorpe, age 19, had a history of shock treatment. Father, William Thorpe, reportedly had contracted Hepatitis 7-months prior from a needle. Mr. and Ms. Thorpe were noted to be divorced and William's grandmother was reported as his primary caregiver.</p> <p>Progress note dated 12/21/73 indicated that a family evaluation had been recommended and William had been referred to social services by Dr. Frank. Somewhat illegible progress note of 12/22/73 indicated that Ms. Thorpe was upset by the social service referral. It was noted that she had previously been working with a social service worker.</p> <p>Progress note of 12/24/73 reported that Ms. Thorpe continued to be</p>	St. Louis Children's Hospital Medical Records

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	<p>upset by the social service referral. She reportedly had a Catholic Charities social worker. Maternal grandmother was interviewed and reportedly stated that William would continue to be in her care as he had been since early infancy. Ms. Thorpe was reported to be unemployed.</p> <p>Medical-Surgical Discharge Summary reported that William was a 1-year-old white male with a temperature of 104° on 12/20. His mother, Barbara Thorpe, was noted to have been ill with a "touch of pneumonia." Ms. Thorpe reportedly noted that William had a fever of 105° the previous day, gave him aspirin and had consulted with Dr. Margolis. No convulsions were reported. The record indicated that Ms. Thorpe's delivery of William was normal and that he had begun sitting at 4-months. Physical examination revealed that William was well-nourished with diaper rash noted. Impression of Dr. Allan Frank was read as follows: "diarrhea; pneumonia; laryngotracheal bronchitis; and poor home situation and tracheal aspiration..."</p>	
06/16/1973- 11/1/1973	Progress notes were reviewed from Dr. Kessler. Progress note dated 02/01/1973 indicated William had a history of a small laceration on the scalp. Progress note dated 4/23/1973 indicated that William fell from car seat to the carpeted floor and reportedly suffered a concussion.	Medical Progress notes from Dr. Kessler
07/14/1973; 03/13/1974	07/17/1973: Petition for Divorce was reviewed. 03/13/1974: Divorce Decree of Mr. and Ms. Thorpe and Attorney Correspondence was reviewed. Ms. Thorpe was awarded sole custody of William and Mr. Thorpe was awarded visitation.	Petition for Divorce, Divorce Decree of Mr. and Ms. Thorpe and Attorney Correspondence
04/10/1974	Ms. Thorpe (19) was seen by Dr. Wohlschlaeger due to a car accident that reportedly occurred in on 04/10/1974. Ms. Thorpe's prognosis stated that she would continue to have cervical discomfort in the future, as evidenced by the marked myospasm that was present.	Medical Examination Report by Dr. George D. Wohlschlaeger and Attorney Correspondence for Medical Claim
12/06/1973; 12/07/1973; 12/11/1973; 12/14/1973; 12/31/1973; 01/03/1974; 01/08/1974; 01/10/1974; 10/17/1974; 10/18/1974; 10/30/1974; 01/20/1975; 01/30/1975; 03/01/1975; 11/19/1975; 11/25/1975; 02/06/1976; 04/06/1976; 04/14/1976; 04/30/1976; 07/23/1976; 08/10/1976;	<p>Catholic Charities Records were reviewed and summarized as per relevance below.</p> <p>Demographic information was included. William Patrick Thorpe, Jr. (DOB: 12/28/1972) was reportedly born to William Patrick Thorpe (DOB: 12/30/53) and Barbara M. Becker (DOB: 10/26/54). Mr. and Ms. Thorpe were noted to be married on 12/16/1971, separated and divorced in 3/1974. Mr. Thorpe reportedly remarried to Sissy Taylor in 1/1976. Multiple residences were reported for William between 12/27/1973 and 4/22/1977. Maternal and Paternal relatives were listed.</p> <p>12/6/1973: Ms. Thorpe reportedly contacted Catholic Charities to request placement for William. It was noted that Ms. Thorpe had had a nervous breakdown and that William's grandmother had been caring for him but she had to return to work. William's father was reportedly AWOL from the service and incarcerated. Mr. and Ms. Thorpe were noted to be 19-years-old.</p> <p>12/7/1973: Interview with Ms. Thorpe and her mother, Ms. Rosene was indicated for this date. Caseworker observed Ms. Thorpe's mother to be controlling throughout the interview. Ms. Thorpe was</p>	Department of Children, Catholic Charities Records- Thorpe/Castillo Family

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08/11/1976; 10/04/1976; 11/26/1976; 12/02/1976; 12/07/1976; 12/09/1976; 12/14/1976; 12/23/1976; 01/11/1979; 03/09/1979; 12/29/1980;	<p>noted to be expressionless but she reportedly spoke in animated tones. Ms. Rosene provided many reasons as to why Ms. Thorpe could not appropriately care for William.</p> <p>Ms. Thorpe then mentioned her hospitalization at St. Vincent's after she attempted suicide. Ms. Thorpe reportedly attributed her problems to her bad marriage. Ms. Rosene stated that Ms. Thorpe had done well in high school until she met Mr. Thorpe who was noted to have a "very bad background" and whose mother influenced their marriage. Ms. Thorpe then stated that she had married Mr. Thorpe "out of fear as he threatened to kill himself." Mr. Thorpe was noted to have been placed at Lakeside (residential treatment program) and at the Boonville Treatment Center. Shortly after being married, Mr. and Ms. Thorpe were stationed in Germany. At one point during her pregnancy, Mr. Thorpe had "beat her up so badly the doctor at the post advised her to return to the states." After she returned to Missouri, they separated and he went AWOL from the service after she threatened divorce. In August Mr. Thorpe was noted to "severely beat up his mother and battered Mrs. Thorpe." Mr. Thorpe was then reportedly incarcerated.</p> <p>Ms. Rosene spoke of Barbara's history including placement of Barbara and her two older siblings for "several years" at the German St. Vincent Orphan Association from 1958-1962. Ms. Rosene revealed her history as follows. She stated she was on her fourth marriage. She first married Mr. Becker (Barbara's father) while he was in the service but she eventually divorced him and he reportedly became "mentally ill." Ms. Rosene then married Mr. Gavan who then "turned out to be a gambler." She reported that Barbara and her two older siblings were returned to her after she married Mr. Brawley, but that this marriage also ended. In 1971, she married Alfred Rosene who was noted to not like Barbara and did not want her in the home.</p> <p>Due to Ms. Thorpe's living arrangements, she was not allowed to care for the baby and therefore her mother cared for William. Ms. Thorpe reported that she was not in treatment at the time of the interview as she could not afford to pay for therapy although continued treatment had been encouraged. The caseworker summarized, "She [Ms. Thorpe] is fearful that she may be abusive to William when he gets on her nerves although she had never done more than spank him up to this time. She expressed exasperation over how she is going to handle her situation saying that sometimes she thinks she is just going to take William and 'split.' She has no idea about where she would go or what she would do. Mrs. Rosene said she is concerned that Barbara might do this without thinking of her child's welfare."</p> <p>Ms. Thorpe offered the following information about her husband's family. Mr. Thorpe's half brother Chuck Nottingham was reportedly incarcerated while his other brother Mike Thorpe also had a police record. One brother, Bob Thorpe reportedly suffocated while in the service and another brother, Mark, lived in Mexico City. Mr. Thorpe's father was noted to be an alcoholic. Ms. Thorpe reported that she did not have a relationship with her father since her parents separated.</p>	
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The caseworker's impressions were that Ms. Rosene was a "manipulative woman" who did not want the responsibility of caring for William. The caseworker also noted that Ms. Thorpe was "somewhat immature and dependent." The caseworker reviewed prior Department of Children records of Robert and Allegría Becker. It was noted in the record that Barbara had "showed symptoms of emotional deprivation as a child, she was fearful and inclined to illness and had difficulties achieving at school, although she had adequate ability."

12/14/1973: The caseworker interviewed Mr. Thorpe at County jail and noted that he appeared "rather withdrawn and pensive." Mr. Thorpe reported that the probable outcome of his hearing would be commitment at the State Hospital at Fulton. He reportedly mentioned spending time in institutions such as Lakeside and Boonville, as noted above. Mr. Thorpe was noted to have inquired about the foster home William would be placed in and asked about visitation. He reportedly understood the situation and signed the appropriate consents. The caseworker noted that a transfer of custody may be indicated due to Mr. Thorpe's violent history.

<<William Thorpe, Age 1>>

12/31/1973: Letter addressed to caseworker from Ms. Thorpe's treating Psychiatrist, Dr. John Fischer indicated that Ms. Thorpe displayed "immature behavior" and was "irresponsible" and had been "problemated with a depressive illness and had made some suicide attempts." He reported that while at St. Vincent's Hospital psychotherapy, antidepressant drugs and tranquilizers had not controlled her illness and she subsequently had a course of electroshock therapy with reported improvement. Dr. Fischer commented that he had not seen her for some time in his office.

01/08/1974: Caseworker note indicated that Ms. Thorpe had agreed to allow her mother to care for William and a foster home was no longer required. It was noted that Ms. Thorpe was to complete school and then pursue custody of William from her mother.

01/10/1974: Case was reportedly closed as of this date.

10/17/1974: Ms. Thorpe was noted to contact the caseworker for William's placement because Ms. Rosene reportedly requested she and William leave. It should be noted that her mother-in-law, William's paternal grandmother, had recently attempted suicide and was in the hospital. It was further noted that Ms. Rosene was now divorced and remarried to a Bruno Hensel. Ms. Thorpe and Mr. Thorpe were also noted to be divorced.

10/18/1974: Ms. Thorpe reported that she had been unable to hold down a job because of her "emotional problems." She reported a suicide attempt and hospitalization a week prior at the Normandy Hospital. She also indicated that she had been hospitalized in Rolla, MO after a traumatic incident involving Mr. Thorpe threatening her with a gun. Ms. Thorpe noted that Mr. Thorpe was again incarcerated and that she had filed charges against him for assault. The

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	<p>caseworker stated that a foster care placement would be considered provided that Ms. Thorpe would attempt to better her situation for eventual reunification.</p> <p>10/30/1974: The caseworker indicated a visit at Ms. Thorpe's residence. According to Ms. Thorpe's mother, Ms. Hensel, Ms. Thorpe had begun to use drugs and Mr. Thorpe was reportedly using heroin. Ms. Hensel also reported that Ms. Thorpe had not been able to care for William and had not initiated employment. She was noted to stay out all night and sleep all day and spend little time with William. According to Ms. Hensel, whenever she and Ms. Thorpe would disagree, Ms. Thorpe would take William to his paternal grandmother's home for weeks at a time. William was placed in the foster care of Mr. and Mrs. Delbo on this date. During this process, Ms. Thorpe stated that she had wished that her mother had relinquished her parental rights because of her tumultuous upbringing but that she was not going to relinquish her rights of William because she envisioned creating a life for them.</p> <p><<William Thorpe, Age 2>></p> <p>01/20/1975: According to the caseworker, William's foster mother, Mrs. Delbo was overprotective of William and resistant to contact with his biological family. During this time, Ms. Thorpe was noted to make regular visits with William despite making inadequate attempts at rehabilitation. It was also noted that Ms. Thorpe maintained a relationship with Mr. Thorpe during this time period while Mr. Thorpe was incarcerated. The caseworker indicated that Ms. Thorpe finally earned gainful employment at a dress shop and moved out of her mother's house into an apartment with a friend.</p> <p>01/30/1975: On this date, it was indicated that Ms. Thorpe took William from the Delbo's home without incident. The caseworker was reportedly concerned about removing William at this time and recommended that William's care be consistent.</p> <p>03/01/1975: It was noted that Ms. Thorpe's address was unknown despite regular contact with her mother, Ms. Hensel.</p> <p>11/19/1975: The caseworker reported that he had received a call from Ms. Hensel who indicated that Ms. Thorpe had moved to Florida but that she planned on returning in the near future. Ms. Thorpe had asked her mother to care for William when they returned to Missouri. Ms. Hensel was noted to be divorced and living with her ex-husband, Mr. Rosene. Ms. Hensel reported that Ms. Thorpe had been transient and working as a waitress in Florida. Mr. Thorpe was reportedly at Archway House and unemployed. Ms. Hensel stated that Ms. Thorpe was willing to give William to Mr. Thorpe although Ms. Hensel preferred to care for William, although she did want custody. It was also reported that Ms. Thorpe had been impregnated by Mr. Thorpe over the summer and had an abortion.</p> <p>11/25/1975: The caseworker's report indicated that William was brought back to Missouri to live with his paternal grandmother.</p>	
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	<p><<William Thorpe, Age 3>></p> <p>02/06/1976: Caseworker reported that Ms. Thorpe called and stated that she was living with her mother. She requested that William be placed in foster care as his paternal grandmother was no longer able to care for him. She reported that her mother had to work and was unable to care for William.</p> <p>04/14/1976: William was placed in the foster home of Mr. and Mrs. Knowles. During placement, Ms. Thorpe commented that William had a pre-occupation with "monsters" and had imaginary playmates. She also stated that he had nightmares. Ms. Thorpe and Ms. Hensel continued to make regular contact with William while in placement.</p> <p>04/30/1976: Ms. Thorpe reportedly called the caseworker on 04/22/1976 and stated that she was in a motor-vehicle accident where she was temporarily paralyzed from a pinched nerve. She reportedly planned to pursue a settlement and arrange for care of William.</p> <p>07/23/1976: Ms. Hensel contacted the caseworker concerned that Ms. Thorpe was "prostituting." She stated she was also concerned that Mr. Thorpe had spent the night with Ms. Thorpe although he was remarried. She commented that Mr. Thorpe was separated from his wife.</p> <p>08/10/1976: Ms. Thorpe reported to the caseworker that she, Mr. Thorpe and her sister Yolanda were together one night. Ms. Thorpe stated that afterwards, her sister and Mr. Thorpe had intercourse in front of her.</p> <p>08/11/1976: Caseworker received a call from Ms. Hensel who indicated that Ms. Thorpe had reportedly overdosed on drugs the previous night and was in the ICU at Missouri Baptist Hospital. She went on to say that this was the sixth time that Ms. Thorpe had overdosed. The caseworker contacted a social worker at Missouri Baptist Hospital and requested that Ms. Thorpe be seen by a psychiatrist.</p> <p>08/12/1976: Ms. Thorpe was reportedly transferred to St. Louis State hospital and released on 8/23/1976. She indicated to the caseworker that she was seeing a psychiatrist and started with vocational rehabilitation as she aspired to become a probation officer or social worker.</p> <p>10/04/1976: Caseworker received a letter from Ms. Thorpe. At the time she was living with her sister, Yolanda and a girlfriend at a hotel in Colorado Springs. In the letter, she wrote, "I am going to go straight- I mean no more hooking." Ms. Thorpe was unemployed at the time of the letter. It should be noted that prior to Ms. Thorpe leaving St. Louis in mid-September, she had given visitation privileges with William to Ms. Hensel only while she was away.</p> <p>11/26/1976: Caseworker received a call from Ms. Hensel who stated that Ms. Thorpe was reportedly taking William out of his foster home placement before Christmas and she concurred with the caseworker</p>	
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that this was not "good planning" for his care. Ms. Hensel indicated that Ms. Thorpe was going to marry a man by the name of David Abramson who was reportedly a karate instructor. The caseworker then received a letter from Ms. Thorpe dated 11/21/1976 who stated that she was going to marry Mr. Abramson sometime in 1977 and that she had a nice home in Colorado Springs where William would reside with his own room, fenced-in yard and a school down the street. She stated her plan was to have William in her care by February of 1977 and she requested that the caseworker inform the foster family of her plans. Caseworker responded to this letter dated 12/01/1976 with concerns of security for William and suggested that William have an opportunity to meet Mr. Abramson prior to a permanent move with him and Ms. Thorpe.

12/02/1976: Ms. Thorpe contacted the caseworker and stated she was going to take William out of foster care placement on 12/22/1976. The caseworker attempted to persuade Ms. Thorpe to take William out of placement following her wedding to Mr. Abramson in March 1977 to allow for time to plan for reunification. Ms. Thorpe disagreed with caseworker's suggestions.

12/07/1976: (Letter reviewed from caseworker to Mr. Kenneth M. Hensiek, Chief Juvenile Officer of the St. Louis County Juvenile Court) requested for the Court's involvement to delay William's return to Ms. Thorpe's care until the Department of Children could assure that Mr. Abramson and Ms. Thorpe would be able to provide stability and security for William.

12/9/1976: (Summary of contacts by caseworker with foster home from 04/29/1976-12/9/1976). Caseworker reported that William, (age 3) initially had difficulty adjusting to the foster home and would kick and hit the other children that resided there. He also continued to have nightmares. Mr. Knowles would let William help him with carpentry projects to spend time with him. Following a visit with Ms. Thorpe on 07/23/1976, William returned to the Knowles home with encopresis and enuresis and continued nightmares of "his mother's house" while he also stated, "I am afraid my daddy might hurt my mommy." The caseworker had received confirmation from Ms. Hensel that Billy's father had spent the weekend with them despite Mr. Thorpe being remarried. Ms. Knowles was able to use positive reinforcement with William to encourage him to use the toilet and his soiling and wetting reportedly ceased. William was reported to be enrolled in nursery school 2-3 mornings a week by Ms. Knowles and tested "average to above average in all areas- personal, social, gross adaptive motor and language" on the Denver Developmental Test administered on 09/09/1976. His teacher commented that William responded well to structure and consistency, that his aggressive behaviors began to diminish, and that he had a comfortable attachment with his foster family.

12/09/1976: Caseworker letter to Ms. Thorpe requested that she reconsider taking William out of foster care placement. The caseworker also sent a letter to the St. Louis Juvenile Court describing William's situation and asked for advice pertaining to any action that could be taken to assure stability and security for William.

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	<p>12/14/1976: Caseworker was advised from Kathy Captain, Deputy Juvenile Officer that a hold could be placed on William's removal until an investigation of Ms. Thorpe's home with Mr. Abramson in Colorado Springs was conducted.</p> <p>12/23/1976: Caseworker received a phone call from Deputy Juvenile Officer Captain stating that the Juvenile Court Legal Department had "refused to authorize filing of a petition on basis of 'anticipated neglect or abuse'." He advised that the temporary hold order was no longer in force.</p> <p><<William Thorpe, Age 4>></p> <p>02/02/1977: Letter was reviewed from caseworker to Chief Juvenile Officer, Mr. Kenneth M. Hensiek that requested the Court intervene on William's behalf and award temporary custody to the Department of Children, Catholic Charities.</p> <p>04/21/1977: (Summary of caseworker contacts from 12/23/1976-4/21/1977). Ms. Thorpe reportedly contacted the caseworker over the Christmas holiday and requested a visit with William. She stated that she and Mr. Abramson had "hitchhiked from Colorado." The caseworker learned from Mr. Thorpe and his parents that Ms. Thorpe was reportedly two months pregnant. On 02/01/1977, William's paternal grandmother contacted the caseworker and stated that Ms. Thorpe planned to take William out of his foster home placement on 02/05/1977 and requested that custody be transferred to Ms. Hensel. Mr. Thorpe was concerned about William's stability and contacted the foster home and reported that Ms. Thorpe was wanted on a charge of prostitution. William was removed from his foster home on 04/21/1977 by Ms. Thorpe.</p> <p><<William Thorpe, Age 4-6>></p> <p>03/09/1979: (Summary of caseworker contacts from 04/21/1977-03/09/1979). William reportedly contacted his foster parents while in his mother's care in Colorado Springs. In December of 1978, the caseworker received a call from Ms. Hensel that Ms. Thorpe resided in Lake Tahoe, California with William and worked as a waitress. Ms. Thorpe reportedly requested foster care placement as she was having problems with William. Ms. Hensel stated that she returned to St. Louis for the beginning of 1978 (William, age 5) and depended on her mother to care for them. She was then reportedly "kicked out" of Ms. Hensel's home in August of 1978 and then moved to Lake Tahoe. Ms. Thorpe stated that William had "drowned a cat at his paternal grandparent's home, had been setting fires and had been truant from school." The caseworker requested that Ms. Thorpe seek counseling and explained that the Division of Children would need to take custody of William in order to seek another placement as per her request. Mr. Thorpe was in the care of his mother as he was paralyzed from a gunshot wound he received when his father shot him in August, 1978. (Newspaper clipping was reviewed). Several phone calls to the caseworker were noted over this period.</p>	
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	<p><<William Thorpe, Age 6>></p> <p>01/11/1979: (Letter reviewed from caseworker to Mr. Kenneth M. Hensiek, Chief Juvenile Officer of the St. Louis County, MO, Juvenile Court). This letter requested the Court grant temporary custody as there was "sufficient evidence of neglect for the Court to take action." This letter also requested that Ms. Thorpe participate in intensive psychotherapy. The Court did not take action as a result of this letter until Ms. Thorpe left town and the paternal grandmother reported Ms. Thorpe's actions to the Court as abandonment.</p> <p>Various Detention Orders and Foster Care Review Reports, Board Payment Agreements, Consents for Medical Treatment, copies of Parental Rights and Duties, and Client Status Update Forms were reviewed.</p> <p>Various Letters from Ms. Thorpe to caseworker were reviewed and consistent with caseworker contact notes.</p> <p>Immunization records for William were reviewed along with William's Baptism Certificate, Marriage License of William's biological parents and Divorce Decree were reviewed.</p> <p><<William Thorpe, Age 8>></p> <p>12/29/1980: Department of Children Case closed.</p>	
11/07/1973- 05/01/1974	<p>Various Fulton State Hospital Records were reviewed and summarized as per relevance below.</p> <p>A Staff Note dated 04/29/1974 stated that Mr. Thorpe (age 20) had been ordered to undergo a pre-trial psychiatric examination due to his arrest after reportedly physically abusing his wife and both of his parents. He was charged with Assault with Malice and Forethought, Assault with Intent to do Great Bodily Harm, Flourishing a Deadly Weapon, and Parole Violation. According to reports from his parents, Mr. Thorpe has been observed physically abusing his wife, and has "been observed physically abusing his fifteen month old son, once by flinging the child against the wall."</p> <p>4/29/1974: Mr. Thorpe was admitted to the Fulton State Hospital for a pre-trial Psychiatric evaluation as ordered by the Court to determine competency to stand trial. Record dated 04/29/1974 noted that Mr. Thorpe was in the average range for intellectual functions with no reported signs of organic impairment as per psychological testing. Antisocial traits were noted in the test results. Mr. Thorpe reportedly attempted to escape from the hospital one time. The report noted that Mr. Thorpe lacked guilt or remorse when he discussed his past antisocial behaviors. It was recommended that Mr. Thorpe be returned to Court for disposition of the charges pending against him.</p>	Fulton State Hospital, Mental Health Records
05/02/1971; 12/27/1971; 01/22/1981; 08/15/1981; 11/04/1981; 12/25/1981;	<p>Florissant, Missouri Records were reviewed and summarized as per relevance below.</p> <p>Arrest Record information is summarized as follows:</p> <p>05/02/1971: Mr. Thorpe was reportedly arrested for Peace</p>	Florissant, Missouri Police Records

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	<p>Disturbance and sentenced to 2 days in County Jail.</p> <p>12/27/1971: Mr. Thorpe was reportedly arrested for Tampering with a Motor Vehicle (Misdemeanor) and issued a fine.</p> <p>01/22/1981: Mr. Thorpe was reportedly arrested for Violation of Missouri Substance Law Sale (Felony) and sentenced to one day in County Jail.</p> <p>08/15/1981: Mr. Thorpe was reportedly arrested for Driving while Intoxicated and sentenced to 90 days in County Jail.</p> <p>11/04/1981: Mr. Thorpe was reportedly arrested on an outstanding warrant for Sale of Morphine (Felony) and sentenced to one year in County Jail.</p> <p>12/25/1981: Mr. Thorpe was reportedly arrested for Assault in the First Degree (Felony). He was sentenced to 5 years Probation that was revoked on 03/07/1983. It was reported that Mr. Thorpe was later sentenced to serve 5 years incarcerated.</p>	
02/15/1977	Letter from El Paso County Department of Social Services caseworker Francis D'Annunzio to Ms. Anzalone, Department of Children, Catholic Charities Caseworker was reviewed. The letter was in response to Ms. Anzalone's request for Mr. David Abramson's history and current demographics, Ms. Thorpe's fiancé. Mr. D'Annunzio described his contacts with Ms. Thorpe and Mr. Abramson and stated that he was "disturbed" by Ms. Thorpe's vague answers about William's foster care placement. Mr. D'Annunzio also commented, "Several factors concerned me about Barbara's plan, such as lack of stable employment, and difficulty of follow-up if they move to New York." Mr. D'Annunzio reported that Ms. Thorpe and Mr. Abramson also showed enthusiasm about taking William in their care.	Letter from El Paso County Department of Social Services
10/24/1974-08/05/1977	Medical progress notes reviewed from a Clinic in St. Louis, MO, for Department of Children physical exams. On 04/07/1976, William was seen for a physical exam. It was reported that William had fallen from a roof several months ago. No additional information was provided.	Supplementary Medical Record sheets reviewed from a Clinic in St. Louis, Missouri for Department of Children physical exams
01/12/1979	Handwritten letter from Ms. Thorpe to Mr. Thorpe was reviewed. Ms. Thorpe indicated in her letter that she had to return to Lake Tahoe and that she had left William with Mr. Thorpe. She stated that she promised to return for William in 3-4 months. Ms. Thorpe attached a letter that gave Mr. Thorpe temporary physical custody of William (age 6).	Handwritten letter from Ms. Thorpe to Mr. Thorpe
01/22/1979; 06/28/1979	<p>01/22/1979: Family Court documents were reviewed. Detention Order from 01/22/1979 noted the reason William was Ordered into foster care as Abandonment. William was reportedly left in the care of his paternal grandmother and father, neither of whom were reportedly capable of caring for William.</p> <p>06/28/1979 Court Petition for William (age 6) was documented as dismissed. William was again left in the care of his paternal grandmother and father.</p>	Juvenile Court, St. Louis County, Missouri
01/06/1982	Order for Adoption in the Matter of the Adoptive Petition of Joe L.	Order for Adoption

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	Castillo and Barbara Castillo was reviewed. By Order of District Judge Thomas J. O'Donnell, William Patrick Thorpe, Jr., age 9, was adopted by Joe L. Castillo.	
1980-1984	<p>Several Handwritten notes authored by Mr. Castillo were reviewed. The notes summarized William's behaviors that Mr. Castillo had reportedly witnessed over the years. Mr. Castillo stated that William killed his grandmother's dog for attention at age 5. William (age 6-7) was noted to have burned the backs of the couches in the home and Mr. Castillo reportedly found matches by his toys. Mr. Castillo stated that he had William hold a burning match in his hand until the match went out in his hand. He noted that it hurt, but William learned his lesson. Mr. Castillo documented that William had choked girls at school for no reason at all.</p> <p>Mr. Castillo stated that William (age 7) was sent to live with Ms. Castillo's brother (a religious man) in Florida for approximately three months because of his behavioral problems. Mr. Castillo commented that William had not changed after living with his uncle. During the same year, it was noted that William, while on vacation in CA with Mr. Castillo's parents, broke into a home with another youth and vandalized it. William was reportedly taken into custody.</p> <p>William (age 9) was noted to have been seen by a psychiatrist who recommended a special diet which Mr. and Ms. Castillo reportedly never followed through with. Mr. Castillo reported that at age 11, William was able to complete the wrestling season with no violent behaviors and he played baseball and did well until he ran away again. Mr. Castillo also noted that William had set fires. He stated that fires became William's source of attention. Mr. Castillo wrote that William (age 12) broke into a home construction site and vandalized the premises and stole a calculator and radio. It was noted that William then set a fire using WD-40 and then proceeded to set fires on top of a building. Mr. Castillo stated that William had constant supervision at school but not at home. Mr. Castillo reported that when William did serious things such as stealing, lying, playing with fire and using foul language, he would "get the belt." Mr. Castillo stated in his notes that all he wanted was for William to make an effort and to "just try" in school.</p>	Handwritten notes authored by Joseph L. Castillo
03/25/1981	<p>Intake summary by Mr. Chuck Vernon, MA was reviewed. It stated that William (age 8) had a long history of pre-delinquent behavior and that Ms. Thorpe sought services for William in Louisiana, Florida, Colorado, California, Lake Tahoe and Las Vegas. William was reportedly classified as a juvenile delinquent in Los Angeles and Douglas County. Mr. Vernon reported that William's first run away was at the age of seven.</p> <p>It was noted in this summary that on William's first day at school at age eight, he kicked a girl off the bus and gave her a concussion. Three days prior to this interview, William reportedly broke a car window. At age five, it was stated that William drowned his grandmother's dog to "get even with her" and at age six, "killed several birds by smashing their skulls with rocks." The summary stated, "Natural father is reported to have been institutionalized several times and jailed several times. Child observed and was subject to abuse by his natural father. Mother reports the child has</p>	Intake Summary for Treatment, Oasis Program

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	been moved approximately twenty times since birth with five or six out of state moves."	
06/09/1981; 06/15/1981; 06/22/1981; 06/29/1981; 07/06/1981; 07/13/1981; 07/20/1981; 07/27/1981; 08/24/1981; 09/11/1981; 09/14/1981; 12/15/1981	<p>Various case notes were reviewed from Oasis Residential.</p> <p>06/09/1981: Upon admission, it was reported that William fought at school, did not pay attention to work assigned and "does whatever he wants." William reported he was "immune to punishment." He was noted to be in a regular classroom setting. Teaching Parents note indicated that on this day, "Ms. Castillo has hung up the phone in anger and been extremely rude to both the Teaching Parent and assistant. This lack of self-control and negative attitude concerning the program are of concern to us at this time."</p> <p>06/15/1981: It was noted that William displayed no inappropriate behavior in the home and that he responded well to positive interaction and seemed eager to please.</p> <p>06/22/1981: It was stated that William was "somewhat aggressive with other children in the home." It was documented that William had gone into a depressive state and that his mother "always sends him to foster homes and relatives and doesn't like to have him around." It was noted by the Teaching Parent that Ms. Castillo "shows very little interest" in seeing William.</p> <p>06/29/1981: It was documented that during a family vacation with his Teaching Parents, William had "several problems staying under control. He constantly made sexual remarks to other children in the program and the Teaching Parent's daughter." It was further noted that "lying was a major problem."</p> <p>07/06/1981: It was noted that William had improved with accepting criticism and responded well to positive interactions. It was also reported that William spent a lot of time that week crying. William was picked up by his mother this week and reportedly "lost complete control" when he lied to her. Ms. Castillo reportedly "screamed she would beat him if he did not tell her the truth. She became completely incoherent; we couldn't tell what she was yelling. She was shaking and out of breath." William was reportedly removed from her presence and Ms. Castillo sat with Teaching Parents to discuss alternative disciplinary strategies.</p> <p>07/13/1981: It was noted that William had reduced his aggression and had received good school notes all week. The Teaching Parents during parenting skills training with Mr. and Ms. Castillo noted that they observed that Ms. Castillo interrupted Mr. Castillo and pointed out what he had done wrong in the past. Ms. Castillo apparently avoided being involved in the program and seldom attended sessions. The program noted that when William had telephone conversations with his mother, he ended the call crying and stated that his mother was busy.</p> <p>07/20/1981: It was noted that sexual problems resumed and that William pulled his pants down in front of the Teaching Parents' daughter and asked her to pull other children's pants down. It also stated that this behavior had included the Teaching Parents' young</p>	Case notes from Oasis Residential Facility

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	<p>son.</p> <p>07/27/1981: It was noted that every night of that week there were problems with William and that sexual problems continued with comments directed at the Teaching Parent's daughter. Time Out's and ignoring were reported to have little effect. At school William reportedly had good grades and demonstrated appropriate social skills.</p> <p>08/24/1981: It was noted that Ms. Castillo had trouble with her temper and "has difficulty dealing with Billy's relationship with his stepfather, seeing any improvement as a personal threat to her own parent skills, or what people think of them." Teaching Parent recommended outpatient work with this family and a reconsideration of placement due to Ms. Castillo's lack of involvement in William's treatment.</p> <p>09/11/1981: Mr. Castillo reportedly requested that William be discharged from the Program as he and Ms. Castillo had acquired behavioral management skills and William demonstrated the ability to feel sorry for his misbehaviors.</p> <p>9/14/1981: Ms. Castillo reportedly contacted Oasis and requested that William be discharged as of this day.</p> <p>12/15/1981: Ms. Castillo was noted to have contacted Coordinator of Community Based Group Homes and stated that William had been kicked out of school for kicking a classmate and ran a piece of glass down a youth's back that required three stitches for the injured youth. Ms. Castillo was reportedly pregnant at the time of the call and feared that Mr. Castillo would hurt William in frustration. She requested William be placed back in Oasis. Coordinator suggested immediate outpatient intervention to get through this crisis. Mr. Castillo then reportedly contacted the Coordinator and stated he would hurt William if he was not removed from the home. The stated plan was to take William to detention.</p>	
06/09/1981; 06/14/1982	<p>06/09/1981: Treatment goals were reviewed.</p> <p>06/14/1982: Behavioral report revealed that "William will always profess his innocence. Lying does not seem wrong to him." It was further noted that he did not seem to "believe his actions had any effect on the people around him." It was reported that William was in need of a "very structured" environment.</p>	Behavioral Reports and Clinical Service Agreements from Clark County Juvenile Court Services
05/24/1982	<p>Psychological Evaluation conducted by Dr. Triggs revealed that William was referred on a charge of runaway. William reportedly had run away from the home five times in the previous month. At the time of report, William resided with his mother and adoptive father, Mr. and Ms. Castillo. William reportedly displayed inappropriate behaviors that included lying, stealing and running away. William alleged that Mr. Castillo used excessive physical punishment.</p> <p>The conclusion noted that William was of "average intellectual ability and may also have some behavior problems including poor peer interaction, non-compliance, stealing, lying and runaway behavior." Dr. Triggs recommended the following least restrictive interventions,</p>	Psychological Evaluation by Dr. Triggs

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	"special education programs, social skills training, group/peer counseling, individual counseling, family counseling and parent skills training."	
05/28/1982	William (age 9) was referred to counseling by Juvenile Court Services. Ms. Castillo reportedly stated that she placed William in foster homes due to financial problems. Mr. and Ms. Castillo were noted to be married when William (age 6) was in a foster home. Mr. and Ms. Castillo reportedly used physical punishment in the home by belt or hand, grounded William typically for one day at a time, and took privileges away such as biking and swimming. They also stated they used yelling and lectures to discipline William. They stated that they were "at the end of their rope." Document appears to be missing additional pages.	Intake Summary for Clinical Services
07/07/1982	Psychiatric Evaluation of William Castillo dated 07/07/1982 was reviewed. It was noted that this evaluation followed his stay in Detention after setting fire to the family home. Dr. Hechter stated that William showed no emotional response in discussion of the fire. Mr. Castillo reported that around the time his home was burned William was cutting the tires of motorcycles in the neighborhood. William was diagnosed with Axis I Conduct Disorder, unsocialized, aggressive with a poor prognosis and long term treatment at an educational facility was recommended.	Psychiatric Evaluation from the Las Vegas Mental Health Center
07/23/1982	<p>Dispositional Report written by Deputy Probation Officer, Elizabeth Alvarado was reviewed. On 07/01/1982, William "set fire to the family home which burned to the ground. After setting the fire to the home, Billy ran from the scene without telling his mother, who was inside the house with this infant sister, about the fire." Ms. Castillo (William's mother) was treated for smoke inhalation but no other injuries were reported. When William was picked up by police, Mr. Castillo (adoptive father) reported that William had no remorse for his actions and that William had a knife in his possession.</p> <p>William's history was reviewed and indicated that on 04/15/1981 he was referred to Children's Behavioral Services. William also had reportedly run away four times between 01/20/1982-05/20/1982 and was placed on House Arrest on 06/24/1982. Ms. Thorpe reported that William's biological father, Mr. Thorpe had attempted to shoot her and was subsequently arrested on charges of Possession of a Deadly Weapon with Intent to Kill. Mr. Thorpe's mother (William's paternal grandmother) was reportedly committed to mental health facilities several times for attempted suicide. It was noted that Mr. Thorpe was arrested for an attempt on his mother's life when he held a knife to her throat and was awaiting sentencing where he will be "committed to an institution for the criminally insane."</p> <p>Ms. Alvarado stated that she believed that Mr. Castillo had made an effort to have William socialize with other boys his age. William was recommended to be placed in the custody of the Administrator of the Department of Human Resources for appropriate placement and co-custody was recommended to the Nevada State Welfare Division and the Division of Mental Hygiene and Mental Retardation.</p>	Juvenile Division Court Records, Clark County, Nevada Dispositional Report
08/09/1982; 08/16/1982; 08/30/1982; 09/07/1982;	Weekly Summary dated 08/09/1982-08/15/1982 noted that Psychiatrist, Dr. Hechter, had suggested placement for William out of State in order to deal with his "severe behavioral problems" and to "provide training in occupational skills." The Court instead placed	Intake and Case Notes from Erik and Helen Masager, Teaching Parents

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10/19/1982; 11/06/1982	<p>William in the Oasis Program on 08/09/1982. During the first two weeks, it was documented that William's behaviors were exceptional and he was able to accept criticism and follow instructions. Mr. Castillo reportedly was pleasant and straight forward during discussions with the Teaching Parent. He reportedly brought William toys and clothing upon his admission to the program. It was noted that Ms. Castillo was "less cooperative because she has been repeatedly and seriously the object of his behavior."</p> <p>Weekly Summary dated 08/16/1982-08/22/1982 indicated that Mr. Castillo reportedly took William fishing and observed that William's impulsiveness was quite controlled.</p> <p>Weekly Summary dated 08/30/1982-09/06/1982 documented that Mr. Castillo strongly supported the program and spent time with William working around the house and swimming that week. William reportedly received a package from Mr. Thorpe and Ms. Castillo stated that she did not want William to have contact with his father. It was not clear as to whether or not William was able to view the contents of the package as Mr. and Ms. Castillo were to monitor William's mail while in program.</p> <p>Weekly Summary dated 09/07/1982-09/12/1982 indicated that William did not earn the privilege to go home that weekend and while at the duty home, he "pulmuted a pet turtle with a spit wad and broke a pen that did not belong to him." William also ran away with another youth the night of 09/12/1982 but was located the same night.</p> <p>Case Note dated 10/19/1982 reported that William ran from school in the morning and the Police, Mr. Castillo, and the Teaching Parents searched for him. William reportedly turned himself in on 10/20/1982 and was placed in isolation until his hearing that was scheduled for the following morning. The program was reprimanded in Court on 10/22/1982 for not providing William "enough of what he needed." He was referred to an outpatient therapist to deal with run away behavior on 11/02/1982.</p> <p>Case Note dated 11/06/1982 stated that the Teaching Parent and William were involved in a motor vehicle accident. It was documented that "we both were tossed forward on impact and struck the tips of our heads on the windshield which was undamaged." William was treated at Southern Nevada Hospital approximately two hours after the accident. It was noted that William was checked for a concussion, but no confirmation of this diagnosis was noted. No hospital records were available for review.</p>	
07/29/1982; 09/21/1982; 10/05/1982; 12/07/1982; 01/14/1983; 01/25/1983; 05/24/1983; 07/26/1983; 08/02/1983; 02/21/1984;	<p>07/29/1982: Court Transcript was reviewed from Court date on 07/29/1982 wherein Mr. and Ms. Castillo were noted to be present and the unsuccessful attempts for the Castillo's to obtain treatment for William was discussed. William was made a Ward of the Court under Neglect Adjudication.</p> <p>09/21/1982: Case plan stated the following: William was to remain at the Oasis Residential Program, Mr. and Mrs. Castillo were to continue to participate in said program, while they maintained child support for William. Mr. Castillo was Ordered to maintain stable</p>	Juvenile Court Transcripts, Case Plans, corresponding Orders, Treatment Plan submitted for Case Reviews, Parole Agreement, Nevada

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03/14/1984; 04/23/1984; 08/13/1984; 04/08/1985; 12/02/1985; 12/19/1985;	<p>employment and housing and work towards reunification.</p> <p>Formal Court Review was reviewed. Date was illegible on document.</p> <p>10/05/1982: It was reported that the State Welfare Department was concerned that Ms. Castillo had made no effort to visit William and had "unrealistic expectations of William's progress." Mr. and Ms. Castillo were Ordered to comply with case plan dated 09/21/1982.</p> <p>12/07/1982: Dispositional Report was reviewed. William reportedly ran away from the Oasis Program on 10/19/1982 and turned himself in on 10/20/1982. This was reportedly his first overnight runaway. Prior to this, William had run away approximately seven times with the majority of times being away from school grounds. It was recommended that William remain under Formal Supervision until 05/07/1983. Terms of Supervision were noted on the Order filed on 12/08/1982.</p> <p>Formal Court Review and 90 Day Review by Teaching Parents between the dates 09/14/1982-12/01/1982 was reviewed and was consistent with Dispositional Report from 12/07/1982. Date of report was not included on this document.</p> <p>Transcript of Proceedings from 12/07/1982 was reviewed. Ms. Thome from Nevada State Welfare noted that William did not have problems with running away when he was under constant supervision. Ms. Castillo stated that William ran away because he was not allowed home on the weekends. Ms. Castillo also noted that she had a miscarriage after four-and-a-half months. The Honorable Judge Fisher asked Ms. Castillo to be more optimistic about counseling and explained that reunification with William was the goal. During proceedings, it was noted that the Teaching Family Parents were leaving and William would be placed with a new family.</p> <p>Dispositional Report (01/25/1983), attached Petitions (01/07/1983), Affidavit of Arrest (01/01/1983) and Clark County Fire Department (01/03/1983) records were reviewed for the charges of Arson and Runaway. On 1/1/1983, William (age 10) and another juvenile ran away from Children's Behavioral Services and reportedly set fires in Circus Circus Hotel and Casino and at the Oz Chinese Restaurant. Six fires were documented. The Fire Department reported the seriousness of the fire setting and the preplanning which took place during the incidents. William and another juvenile used a flammable accelerant. William and the other juvenile who set the fire stated their motive was to get back at a woman who had thrown them out of Circus Circus Hotel and Casino the previous evening and that they had planned on burning the whole building to the ground to "get even." The Fire Department noted that "both juveniles are using arson as a vehicle for attention, and a way to strike back at other people."</p> <p>Transcripts of Court proceedings from 01/25/1983 were reviewed along with Terms of Probation.</p> <p>Supplemental Court Report dated 05/24/1983 noted that prior to the</p>	
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	<p>Arson incident on 01/25/1983, William had set a fire in one of the apartments at Children's Behavioral Services and had stuffed papers in a heater vent while away for the weekend with his parents in California. The Court Ordered that Mr. and Ms. Castillo have out of residence visitation with William.</p> <p>Terms of Probation were reviewed from 07/26/1983-01/26/1984.</p> <p>Supplemental Order dated 08/02/1983 was reviewed.</p> <p>Commitment Order and Formal Court Review of Case and Case Plan dated 02/21/1984 was reviewed. It was noted by therapist Dr. Bryan Young that William had a "total lack of cooperation regarding any meaningful therapy." It was noted that his behavior seemed unchanged from date of admission on 01/25/1983. William was reportedly booked on 02/01/1984 on a charge of battery against his teacher and ran away from the Youth Hospital on 02/12/1984. Mr. Castillo reportedly contacted Nevada State Welfare Division caseworker and requested to relinquish his parental rights. It was stated in the Court Report for the 02/21/1984 proceedings that William's actions and psychological test results were consistent in defining his behavior as Conduct Disordered. Ms. Barbara Qualls, ACSW stated that continued placement in the Youth Hospital was unlikely to yield results.</p> <p>Outpatient Consultation Report by Dr. Kirby Reed dated 01/14/1983 stated there was no neurological basis for any of William's behavioral difficulties. It was recommended that William reside in a 24-hour supervised residential placement for the safety of William and the general public. Dr. Reed did not recommend any further neurological testing.</p> <p>Court Petition, State of Nevada was reviewed. William (age 11) had reportedly placed detergent in a large vat of mashed potatoes being prepared for the use of persons at the Clark County Juvenile Court Services.</p> <p>The Nevada Youth Service Treatment Plan dated 04/23/1984 was reviewed. Dr. Sandra Rahrer, Psychologist and Jerry Herring, School Counselor reported that William was "fully aware of what he is doing and wholeheartedly resists any modification of his behavior by others." William was noted to have an Average range of intellectual functioning and low self-esteem. The treatment plan highlighted specific behaviors that required change such as non-conformity and attention seeking.</p> <p>Parole Agreement effective 08/13/1984 was reviewed.</p> <p>Court Petitions (04/08/1985 and 12/02/1985) and Review Court Date document dated 12/19/1985 were reviewed. It was noted that since William was placed on Parole he had three violations. The Petition stated that William was caught with some type of acid and matches at school. William reportedly ran away on two occasions. His current counselor reported that "William feels that the world revolves around him and his needs must be met before anyone else's." Out of State</p>	
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	programs were reportedly sought. Parole Officer, Bruce Kennedy recommended that William's parole be revoked and that he be returned to the Nevada Youth Training Center.	
07/29/1982; 07/26/1983	<p>07/29/1982: As per the Court Order, William was made a ward of the Juvenile Court as a Neglected Child and was to be placed in the co-custody of the Nevada State Welfare and the Department of Mental Hygiene and Mental Retardation for appropriate placement. It was further Ordered that Mr. and Ms. Castillo abide with the treatment plan. Treatment Agreement was signed on 07/29/1982 by Mr. and Ms. Castillo.</p> <p>07/26/1983: Termination Court Report indicated that William was placed at the Oasis Residential Program at Children's Behavioral Services. On 01/25/1983, William was placed on Formal Probation due to charges of First Degree Arson and Runaway. William reportedly had set several fires at the Circus Circus Hotel and Casino on 01/01/1983 with a peer as well as a separate fire at the Oz Chinese Restaurant. William was placed in the Youth Hospital at the Children's Behavioral Services for six months and it was recommended that William remain in a residential placement after discharge from Youth Hospital (Southern Nevada Child and Adolescent Mental Health Services).</p>	Juvenile Court Orders, Nevada
01/07/1982; 03/09/1982; 03/07/1983; 03/9/1983; 06/06/1983; 07/21/1983; 11/18/1983	<p>Department of Corrections, Missouri records for Mr. Thorpe were reviewed and summarized as per relevance below.</p> <p>01/07/1982: Judgment and Sentence was reviewed. Mr. Thorpe was sentenced to one year for the Conspiracy to Attempt Sale of Controlled Substance, Morphine.</p> <p>03/09/1982: Mr. Thorpe was reportedly sentenced to 5-years Probation for Assault in the First Degree with the condition that Mr. Thorpe receive recommended psychiatric treatment and had no contact with his father.</p> <p>03/07/1983: Revocation of Probation and Commitment indicated that Mr. Thorpe violated Probation by assaulting two women and presenting a weapon on 05/01/1982. He was sentenced to 5-years in prison.</p> <p>03/9/1983: Diagnostic Report was reviewed. It noted that Mr. Thorpe, age 29, served time in a Juvenile Facility for 11-12 months around age 15. It also stated that at age 16, Mr. Thorpe was placed at the training center in Boonville, Missouri for approximately 9 months. Mr. Thorpe reported that at age 17 he was charged with Burglary of a business and placed on 3-years probation. The document also stated that Mr. Thorpe had been drinking since age 13. The report indicated that Mr. Thorpe scored in the below average range of intelligence on the Revised Beta Examination and satisfactorily read on the 9th grade level.</p> <p>06/06/1983: Work and Training Reports stated that Mr. Thorpe was a good student and worker and his work assignment was Air Conditioner/Refrigeration repair.</p> <p>07/21/1983: Conduct Violation Report stated that Mr. Thorpe had</p>	Missouri Department of Corrections Records, Mr. Thorpe (William's biological father)

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	money in his possession. 11/18/1983: Conduct Violation Report stated that Mr. Thorpe was fighting with another inmate.	
01/03/1983	Runaway Incident Report by Michael Barber, Teaching Parent indicated that William (age 10) and another youth left the home on 12/31/1982 and "were picked up for eight counts of Arson and one count of Attempted Murder." William and the other juvenile had reportedly stolen several cans of lighter fluid and lighters from the shop Circus Circus and had made paper fuses to time delay the fires. They were noted to have made repeated attempts to burn Circus Circus. An Attempted Murder charge was noted to have been filed because of the "sophistication and persistence of the fire setting attempts and the large crowd present at the hotel for the New Year's Holiday." William and the other youth were detained.	Runaway Incident Report by Teaching Parent
01/25/1983	Medical Examination dated 01/25/1983 was reviewed and noted some diminution of pain and tickle sensation in the hands and feet. The sensation was described as a "glove stocking." The report recommended that William's hand and foot sensations be checked once a month.	Medical Examination from Children's Behavioral Services
05/19/1983	Psychiatric Evaluation of William (age 10) was conducted following the incident wherein William and another youth set fires at the Circus Circus Hotel in Las Vegas. It was noted that William was preoccupied with picking his fingernails. Dr. Saranga noted that Mr. Castillo seemed committed to give William a chance to do well. His behavior was reportedly attributed to his inconsistent upbringing. The report noted in the diagnostic conclusions that William lacked a nurturing figure and a consistent, predictable environment during his early childhood. The possibility of familial genetic inheritance was suggested. The possibility of Hyperactivity and Attention Deficit Syndrome reportedly needed to be ruled out to clarify the course of William's treatment. It was recommended that William receive Psychological testing for Perceptual Disability, formal IQ Testing, Projective Testing and Vision and Hearing testing. The evaluation recommended William for a trial of Ritalin so that he would be amenable to Cognitive Therapy and Psychotherapy.	Psychiatric Evaluation, Southern Nevada Child and Adolescent Mental Health Services by Dr. Saranga, Child Psychologist
Approximate dates for notes, 06/24/1983	Home Notes were reviewed. Mr. Castillo completed three Home Notes while William was home from the Nevada Youth Training Center. Mr. Castillo noted that William must be active all the time and that he continued attention seeking behavior.	Home Notes written by Mr. Castillo while William Resided at the Nevada Youth Training Center
07/15/1983	Assessment Report indicated that the Youth Hospital 6-month observation was not the "optimal" setting for William. He was reportedly admitted on 01/25/1983. Mr. Castillo stated at time of report that he thought William should stay at the Youth Hospital for another 6-12 months until he "shaped up." It was noted in the recommendations that the stay at the Youth Hospital had little effect on William's delinquent behavior. Discharge recommendations stated he "would best be served by discharging him from the Hospital and having him experience the full legal consequences of his actions."	Assessment Report, Southern Nevada Child and Adolescent Mental Health Services by Dr. Brian W. Young, Psychologist
Approximately 12/1983- Date missing on	Social History from Child Behavioral Services was reviewed. It was noted that since William was adjudicated he was a "child in need of supervision" due to increased run away behavior. At the time the	Social History, Child Behavioral Services

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report	<p>social history was taken, it was noted that an out-of-state placement at Boys Town in Nebraska was being sought. Mr. Castillo reportedly stated that giving William his last name may benefit him when he adopted William in 1982.</p> <p>It was documented that William on a recent vacation with the family stuffed papers in the bathroom heater with the intent to start a fire. William reportedly did this to get even with Mr. Castillo who had slapped him for talking back. On 12/19/1983 William reportedly placed a hot pad on the stove heating element and caused damage to the stove. Due to these incidents, it was noted that Mr. and Ms. Castillo did not deem it safe for William to reside with them and their nine-year-old daughter.</p> <p>It was also noted that William's natural father was of German descent, Ms. Castillo was French, Jewish and American Indian and Mr. Castillo was of Mexican descent. Ms. Castillo stated that she had difficulty liking William because he reminded her so much of his biological father, Mr. Thorpe. The social history stated that was easy for William to make friends, however, he enjoyed the attention of his peers from running escapades. He was noted to be in the fourth grade at the time of this report and received failing grades. His teacher noted that his poor grades were not related to any learning disabilities.</p> <p>In the second Social History (date missing on report) completed by Child Behavioral Services, it was noted that his attendance in school had been perfect except for his five runaways from school. The attached recommendations from Dr. Young, Psychologist, suggested that William would maybe respond better in a group home environment. His diagnosis was as follows: Axis I. Conduct Disorder, under-socialized aggressive; Axis II. Childhood Antisocial behavior; Axis III. None; Axis IV. Psychosocial stressors and Axis V. 5-Poor.</p>	
10/26/1983- 12/28/1984	Home videos of Castillo household were reviewed. On 11/05/1983, Mr. Castillo (camera man for all videos), noted that this was William's first visit home in over a year. William stated on camera that he enjoyed baseball. On 12/29/1983, the family celebrated William's 11 th birthday and William stated his goals for the year were to stay out of trouble and get back into baseball. The video dated 12/29/1984 was of the family celebrating William's 12 th birthday. William stated to the camera that he was not making promises he could not keep this year. Mr. Castillo stated that William was starting wrestling soon.	Home Videos- William Castillo's family
1983-1984	Transcript from Independence High School was reviewed. Date of entrance to the school was reported as 3/9/84 with a withdrawal date of 8/6/84. Only second semester marks was reported with marks ranging from D+ to C+.	Independence High School Record
02/21/1984	Formal Court Review of Case and Case Plan was reviewed. It was noted by former therapist Dr. Bryan Young that William lacked cooperation in regards to any meaningful therapy. It was indicated that William had run away from the Youth Hospital three times since the last review and was booked on a charge of Battery against a teacher.	Formal Court Review of Case and Case Plan, Juvenile Court, Nevada
03/09/1984- 01/10/1991	Records from the Nevada Youth Training Center were reviewed. Identifying information for William Patrick Castillo noted that he was	Nevada Youth Training Center Records

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	received at the Scout Cottage on 3/9/84. According to this document, Mr. Castillo's committing offenses were runaway, parole violations, possession of a dangerous weapon, auto burglary and grand larceny. Dates of parole and return to the facility were reported: Paroled 8/13/84, Returned 5/30/86; Paroled 5/26/87, Returned 7/8/88; Paroled 2/28/89, Returned 7/31/89; Paroled 2/27/90, Returned 4/25/90. William Castillo was reportedly "Certified" on 01/10/91 and dropped from the program.	
03/21/1984- 05-04-1984	Medical records were reviewed. Mr. Thorpe's admitting diagnosis on 03/21/1984 was Left Supraclavicular Mass, Unknown Etiology and Discharge Diagnosis was Probable Hodgkins Disease with Bilateral Chest Involvement, Stage IV and Superior Vena Cava Syndrome. He was transferred to the University of Missouri Hospital on 05/04/1984.	Missouri State Penitentiary Hospital Records- Mr. Thorpe- (William's Biological Father)
05/04/1984- 07/17/1984	Medical records were reviewed. The following procedures were performed prior to Mr. Thorpe's death on 07/17/1984: Bronchoscopy on 05/08/1984, Left supraclavicular lymph node biopsy on 05/08/1984, Gastrostomy tube placement and liver biopsy on 06/22/1984, Tracheostomy on 07/14/1984, and Radiation therapy from 05/18/1984 to 06/07/1984 the anterior and posterior lung. Cause of death was reported as respiratory failure.	University of Missouri Hospital Records- Mr. Thorpe- (William's Biological Father)
10/24/1984; 05/27/1986	William's Present Levels of Educational Performance (PLEP) Annual Review dated 10/24/1984 was reviewed. William reportedly had a poor attitude and used negative behavior to cover insecurity and poor self-concept. Learning levels were noted to be at the following grade equivalents: Reading- 8.9, Spelling- 6.2, Math- 5.4 and it was stated that lined paper was needed for Written Expression. PLEP dated 05/27/1986 was reviewed. William was noted to have "very significant problems in attention, poor impulse control and sense of persecution." Learning levels were noted to be the following grade equivalents: Reading-11.4, Reading comprehension- 10.9, Spelling- 6.0, and Math- approximately at 9 th grade level.	Present Levels of Educational Performance (PLEP) for William Castillo
08/22/1985	Violation of Parole Report and Petition for Parole Violation Hearing records were reviewed. William reportedly had resided with his grandparents in St. Louis, Missouri since April, 1985 since attempts to secure placement in Nevada and out of state for William were unsuccessful. William's first charge was on 05/15/1985 where he had broken a glass door at a neighbor's home. It was further noted that on 09/26/1984, William used a lighter to start a fire on a construction site. No property damage was reported. The report stated that on or about 07/24/1985, William became involved in an incident where he was charged with oral sodomy while in the Detention Facility. William met with a potential foster family on or about 08/07/1985 and the foster parents refused to take him into their home. William was then returned to Las Vegas on 08/16/1985 as a result of unsuccessful attempts to secure placement. It was recommended by the Youth Parole Counselor, Bruce Kennedy, that William receive institutionalized care and counseling.	Violation of Parole Report and Petition for Parole Violation Hearing, Clark County, Nevada
06/04/1985- 08/27/1985	Police reports were reviewed from 6/4/1985. William was taken into custody with another juvenile for Burglary and Larceny and detained in Juvenile Detention as his paternal grandmother refused to take him home as she had current custody of him.	Police Department Records from Family Court of St. Louis County on William

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06/05/1985- 08/06/1985; 08/16/1985	<p>Juvenile Court Detention Orders and Juvenile Detention Hearing documents was reviewed. William was detained in the Juvenile Detention Center on 06/05/85 and then transferred to the Boys Shelter Care on 07/30/1985. William ran away from the Boys Shelter Care on 07/31/1985 and was suspected to be involved in a first degree Burglary and Robbery. He was apprehended and detained on 08/06/1985 in the Juvenile Detention Center.</p> <p>8/16/1985: Various Juvenile Court Orders were reviewed. William was ordered by Juvenile Court of St. Louis County to return to the Nevada and Ms. Thorpe would resume custody of William.</p>	Castillo. Juvenile Court and Detention Records, St. Louis County, Missouri.
03/12/1986	Judicial Review indicated that William (age 13) was committed to the Third Cottage on 12/03/1985 and stayed at the facility for three months. He reportedly entered the facility with sixteen prior referrals to the Court. It was noted that William had made progress in the educational area of the program, however made little progress with psychological goals. It was further stated that Mr. Castillo participated in family counseling sessions and was supportive of William. Ms. Castillo had not participated in any sessions, but maintained contact with William via phone. It was recommended that William continue placement at the Third Cottage.	Judicial Review, Juvenile Court, Clark County Nevada
03/17/1986	Clinical summary noted prior Services as: formal psychological testing, psycho-educational assessment (by school district), psychological and psychiatric interviews, observation and token economy programs in the Hospital Unit, observation and token economy programs in the school classroom attached to the hospital unit, home visits, interviews and counseling with William and Mr. and Ms. Castillo. On the Quay-Peterson Behavior Checklist, a Multiple Affect Check list and the California Personality Inventory, William had no signs of a mental disorder or thought disorder. His score on the Delinquency scale was at the maximum level. It was noted that William performed at grade level and had no evidence of learning disabilities. Upon William's entrance to the hospital, Mr. and Ms. Castillo stated they never wanted William home again, although Mr. Castillo was not willing to terminate parental rights. William utilized a day pass with Mr. and Mrs. Castillo on 06/10/1986. His diagnosis at time of report was Axis I Conduct Disorder Undersocialized, aggressive, provisional with Axis II and Axis III Deferred.	Reactivation Summary, Department of Human Resources by Dr. Sandra Rahrer, Clinical Psychologist
05/29/1986; 05/06/1986; 05/07/1986; 05/09/1986; 05/18/1986	Court Order and Supplementary Report dated 05/29/1986 was reviewed. Ms. Castillo reportedly participated in family counseling sessions since the last review on 03/12/1986 which seemed to have had a positive effect on William. Following five weeks of positive behavior at the Third Cottage, William was involved in incidents such as disruptive classroom behavior, destruction of private property, hitting a peer, stealing and writing a note with homosexual connotations to another resident in the program. Clark County Juvenile Court Services Incident Reports dated 05/06/1986, 05/7/1986, 05/9/1986, and 05/18/1986 were reviewed.	Court Order and Supplementary Report, Juvenile Court, Clark County Nevada and Clark County Juvenile Court Services Reports
05/29/1986	Parental Authorization for Placement of William into Specialized Educationally Handicapped Program with Clark County School District was signed by Mr. Castillo.	Parental Authorization for Placement, Clark County School District
06/02/1986	Report on the Jessness Inventory dated 06/02/1986 was reviewed. Report noted that William's scores were not extreme when compared	Report of Jessness Inventory by Dr. Sandra

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	to those of delinquents and that the descriptions given should be viewed as tendencies and not absolutes. Dr. Rahrer stated that William's Asocial Index score of T=70 suggested that the likelihood for him to engage in antisocial behavior was high.	Rahrer, Clinical Psychologist
10/22/1986	Treatment Plan for William Castillo was reviewed. Most recent date of entrance was noted to be 05/30/1986. It is noted that while William attended Independence High School, he was a "C"- "D" student. His favorite subject was math where he earned "A's" and "B's." William's prior record at this time included running away, assault, arson and violation of probation and parole. At this time, William resided in the Third Cottage and the goal was reunification with Mr. and Ms. Castillo. It was noted that William appeared genuine in the interview concerning his desire to make a positive change. William's score on the Wide Range Intelligence and Personality Test indicated his level of intellectual functioning to be in the High Average range.	Nevada Youth Training Center, Treatment Plan
1985-1987	Nevada Youth Training School High School Records were reviewed. Academic achievement was noted to be in the average range with grades ranging from C to B. California Achievement Test results as of 05/1987 were reported as Reading, 12.9, grade equivalent, Language, 11.1 grade equivalent and Math, 10.0 grade equivalent. His withdraw date from school was 05/26/1987.	Nevada Youth Training Center, School Records
05/26/1987	Parole Agreement signed by William on 05/25/1987 and placed into effect on 05/26/1987 was reviewed.	Parole Agreement. Juvenile Court, Clark County, Nevada
06/20/1988	Court Petition noted that on June 20, 1988, William willfully and unlawfully had a concealed weapon in his possession. The weapon was a knife.	Juvenile Court Petition, Clark County, Nevada
08/31/1988	Treatment Plan for William Castillo (age 16) was reviewed. Most recent date of entrance was noted to be 07/8/1988. Treatment plan stated this was William's third admittance to the Training Center. Prior services included mental health counseling, children's Behavioral Services, foster home placement, Spring Mountain Youth Camp and Third Cottage Program. The report described William's adjustment into the community as poor. It also noted that it was realistic for William to graduate High school.	Nevada Youth Training Center, Treatment Plan
04/12/1989; 07/05/1989; 07/07/1989; 10/11/1989	Court Petition dated 4/12/1989 was reviewed and noted that on April 12, 1989, William stole a pack of cigarettes from Albertsons. Court Petition dated 07/05/1989 indicated that William stole a Smith and Wesson 9mm handgun, a .22 caliber handgun, and a boot knife from Mr. Castillo. Court Petition from 07/07/1989 was reviewed and noted that William stole a motor vehicle from a dealership in Las Vegas. Parole Violation Report dated 10/11/1989 was reviewed and was consistent with charges obtained on 07/05/1989 and 07/07/1989. It noted that on 03/30/1989, William was placed on AWOL status after failing to return home after visiting a friend. He was then placed on House Arrest for two weeks ending 05/21/1989.	Juvenile Court Petitions and Parole Violation Report, Clark County, Nevada
8/23/1989	Treatment Plan for William Castillo (age 17) was reviewed. It was noted that this was William's fourth commitment to the Training Center. It stated that William was unable to follow the rules of the Parole Agreement and maintain his behavior according to the laws of	Nevada youth Training Center Treatment Plan

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	<p>society. William stated during the interview that he had never been home long enough to get to know Mr. Castillo and that Mr. Castillo had not taken the time or effort to get to know him. He also stated that he was a "loner." He reported that he wanted to pursue a career in forestry or carpentry. William stated that he aspired to go to college and earn a degree. It was further noted that he was more mature this time and that he still had some problems with depression and feelings of inadequacy. Goals for treatment remained consistent with William's prior three commitments. It was noted that it was realistic for William to continue his efforts to graduate with a High School diploma.</p>	
10/04/1989; 04/08/1990	<p>10/04/1989: Divorce Decree was reviewed. Mr. and Ms. Castillo were awarded joint custody of the three Castillo children, William, Crystal D.O.B. 03/20/1982 and Joseph D.O.B. 09/29/1985.</p> <p>04/08/1990: In Motion to Modify Divorce Decree, Mr. Castillo's affidavit noted that William was sleeping in the same room with Crystal (8) and he stated this was dangerous and inappropriate. Mr. Castillo stated that he wanted sole custody of Crystal and Joseph.</p>	Divorce Decree of Mr. and Ms. Castillo & Motion to modify Divorce Decree
1983-1990	<p>Independence High School Records were reviewed. Academic achievement was noted to be in the average range with grades ranging from C to A. Freshman year was reported to be 1987/1988 with a graduation date of 2/27/90. William was reported to be on the Honor Roll in November 1989 and January 1990. California Achievement Test results as of 7/12/88 were reported as Reading, 12.9 grade equivalent, Language, 12.5 grade equivalent, and Math, 11.9 grade equivalent. It was noted that William was rettested for Math on 2/13/89. Nevada Proficiency Results dated 10/89 were reported as follows: Math 477 (pass), Reading 574 (pass) and Writing 6.0 (pass).</p>	Independence High School Records
03/21/1990	<p>Amended Parole Agreement Signed on 03/21/1990 stated that William was to reside with his mother, Ms. Castillo, not leave Clark County without permission from Parole Officer, and maintain full-time employment.</p>	Amended Parole Agreement
04/07/1990; 04/22/1990; 04/23/1990; 12/19/1990;	<p>Petition dated 04/07/1990 was reviewed. William was charged with Grand Larceny (Motor Cycle).</p> <p>Petition dated 04/22/1990 was reviewed. William was charged with Auto Burglary.</p> <p>Parole Violation Report dated 04/23/1990 was consistent with charges filed for incidents on 04/07/1990 and 04/22/1990.</p> <p>On 12/19/1990, three Petitions were filed for Escape and Attempted Burglary. William reportedly escaped from the Nevada Training Center with a 7.63mm handgun in his possession and attempted to commit Larceny when he kicked open the front door of a residence. Police report for this incident was also reviewed.</p>	Juvenile Court Petitions and Parole Violation Hearing Report, Clark County, Nevada
04/23/1990	<p>Parole Violation Hearing Report in the matter of William Castillo, age 17, was reviewed. It was noted that William had been to the Nevada Youth Training Center on four occasions and had also been incarcerated in the Third Cottage Program. Parole violations were reported for Grand Larceny and Auto Burglary. His Parole Officer reportedly recommended that William return to the Nevada Youth Training Center. William was described as "immature, irresponsible, and un-amendable to supervision on parole status." It was further</p>	Parole Violation Hearing Report

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	<p>noted, "William always has an excuse for his actions; the wrongdoing is someone else's fault."</p> <p>It was reported that after William was released on 2/27/90, he was placed in the Chapel Foster Home. At that time he was noted to be employed at Lucky's Supermarket. On 3/21/90, William reportedly went to reside with his natural mother after he reportedly expressed a strong desire to be with her. William was arrested 17 days after he returned to live with his mother for Grand Larceny and then arrested again two days later for Auto Burglary.</p>	
05/02/1990- 05/04/1990	Certificate reported that William Castillo had successfully completed the Basic Firefighter and Introduction to Fire Behavior courses.	Nevada Youth Training Center Certificate
05/17/1990	<p>Treatment Plan for William Castillo was reviewed. Most recent date of entrance was noted to be 4/24/90 for the offenses of Auto Burglary and Grand Theft. It was noted that this was William's fifth commitment to the Training Center. Prior services included informal and formal probation, mental health counseling, Children's Behavioral Services, foster home placement, Spring Mountain Youth Camp and Third Cottage.</p> <p>His ex-step-father, Mr. Castillo, reportedly would use his presence as leverage in a custody battle for his other children. William reported that he graduated from high school and planned to work as a bell boy at a casino. He reportedly denied drug use and stated he drank "a little." The following was documented in the treatment plan, "The problem areas of William's personality as reported in various records is that he is unmanageable, impulsive, refuses to face the reality of his situation, has been institutionalized most of the time since he was twelve, steals, has committed arson, has very poor judgment about peer relations and is potentially violent."</p>	Nevada Youth Training Center Treatment Plan
01/23/1991; 01/25/1991	<p>Certification Hearing Report dated 01/23/1991 indicated that at the time of William's last offenses, he was 18-years-old and certification to adult status was being sought by the Parole Officer. This report indicated that William had 27 referrals to Juvenile Court and it was documented that William had exhausted all known alternatives available through the Juvenile Court System.</p> <p>Certification Order dated 01/25/1991 stated that William was certified for criminal proceedings as an adult due to the nature and seriousness of the charged offenses, persistency and seriousness of past adjudicated or admitted criminal offenses, and subjective factors such as turning 18 a month prior to the incident.</p>	Certification Hearing Report and Order
04/01/1991	William wrote a statement as to why he should be granted probation. He stated that the reason for committing the crime was so that his friend could buy his girlfriend a ring. William stated, "I want to redeem myself and to change my life before it's too late."	Handwritten statement from William Castillo
05/4/1991	Handwritten letter from William Castillo (18) while in Indian Springs Penitentiary was reviewed. The letter addressed the juveniles at the Nevada Youth Training Center. William's letter pleaded with the juveniles to pay attention and get help as he was serving two years in jail and did not learn his lesson five times prior when placed in the Nevada Youth Training Center.	Handwritten letter and Poem from William Castillo
12/14/1992	Voluntary statement from robbery victim was reviewed. The victim stated that William yanked her purse from her while she was walking on River Boulevard. He was noted to have been driving in a vehicle	Voluntary Statement, Las Vegas Metropolitan Police Department

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	with another man.	
04/24/1993	Handwritten statement from William addressed why he should be granted probation. He stated that he had only been in trouble one time as an adult. He stated he wanted to go to Idaho with his wife and start over.	Handwritten statement from William Castillo
07/22/1993	Psychological Evaluation dated 07/22/1993 by Gary Copas, Senior Psychologist was reviewed. It stated, "Mr. Castillo presents a relatively normal profile. He is basically pro-social with significant factors being immaturity and poor judgment." It was noted that William had no observable clinical issues. The recommendation was that William be discharged from parole since he had "reasonable plans for his future."	Psychological Evaluation, southern Desert Correctional Center
09/12/1993; 09/15/1993; 11/30/1993; 12/07/1993; 12/15/1993; 01/13/1994; 01/19/1994; 01/20/1994; 02/1994; 08/05/1994; 08/17/1994; 09/27/1994;	<p>09/12/1993 & 09/15/1993, 10/20/1993 & 10/22/1993: "Notice of Charges" and "Summary of Hearing and Officer's Inquiry and Disposition" were reviewed. It noted that tattooing paraphernalia was confiscated from William's cell.</p> <p>11/30/1993: Inmate Program Evaluation was reviewed and noted that William's performance of his Inmate assignment as Truck Unloader was "Acceptable."</p> <p>12/07/1993: "Summary of Hearing and Officer's Inquiry and Disposition" was reviewed. It stated that William was involved in a physical altercation with other inmates. Victim was noted to be "badly beaten" and was admitted to the infirmary.</p> <p>12/15/1993: "Summary of Disciplinary Hearing" was reviewed. Incident was unclear due to blacked out material on document.</p> <p>01/13/1994 & 01/19/1994: "Notice of Charges," "Summary of Hearing and Officer's Inquiry and Disposition," and "Summary of Disciplinary Hearing" were reviewed. It was noted that William and an inmate who shared the cell with him put paper in the locks of the cell to keep them from locking.</p> <p>01/20/1994: Segregation Psychological and Brief Psychiatric Rating scales were reviewed. William was noted to be 21-years-old. The reason for segregation resulted from the Assault and Battery of another inmate. It noted that William cut his wrists two times in the past around 1988, once when his father died and once for attention. The Psychiatric Rating Scale indicated that William was in the "mild" range for Anxiety and Suspiciousness."</p> <p>01/24/1996: Disciplinary History was reviewed.</p> <p>02/1994: Parole Progress Report stated that William had plans to return to Las Vegas to live with Mr. Castillo and work as a landscaper. He had served one year and two months at the time of the report. It stated that William had an above average education level and the following employment skills: welding, mechanics, woodworking and landscaping.</p> <p>08/05/1994, 08/17/1994: "Notice of Charges," "Summary of Disciplinary Hearing" and "Summary of Hearing Officer's Inquiry and Disposition" were reviewed. 09/27/1994: Statutory Time</p>	Northern Nevada Correctional Center, Nevada Department of Prisons Records

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	<p>Forfeiture Referral Report for incident that occurred on 08/05/1994, stated that William was found guilty of all charges by the Disciplinary Committee. William allegedly hit another inmate with a lock in a sock and caused a gash in victim's head. On the day of the incident, it was noted that William refused to submit to a urine test. It was recommended that William lose an appropriate number of statutory good time credits.</p>	
<p>12/19/1995; 12/20/1995</p>	<p>12/19/1995 Recorded police interview by Detective D. Morgan, Homicide Detail of the Las Vegas Police Department of William Castillo was reviewed. William stated that he was under the influence of marijuana and beer in the 48-hours that preceded the crime. William stated that he did not murder Ms. Berndt and ended up with stolen goods in his apartment from another man who allegedly brought them there for William to sell.</p> <p>12/20/1995 Recorded Police Interview by Detective D. Morgan, Homicide Detail of the Las Vegas Police Department of William Castillo was reviewed. Allegedly, Tammy Bryant, William's girlfriend on a taped statement reported that William came home with the victim's property and told her that he hit somebody and that it got out of hand and that the person was dead. Detective Morgan also stated that Kirk Rasmussen, William's friend, reported on a taped statement that the key to Ms. Berndt's house was found when scraping the roof and that William went back to the house on Sunday, heard someone snoring and whacked the person with a tire iron until the victim was no longer breathing. After turning on the light, William allegedly left the house with the stolen property. William then reportedly stated that he did hit the victim whom he believed to be a man snoring because he did not want the victim to see his face. He stated he needed the money to pay his lawyer and for Christmas presents for his siblings as the reason for the burglary. William stated the tire iron came from the back of Michelle Platou's, (William's roommate) car. William stated that he murdered Ms. Berndt and allegedly burned the house down not due to finger prints, but, because he "wanted to hide the ugly facts."</p>	<p>Voluntary Statements by William Castillo, Las Vegas Police Department</p>
<p>07/02/1996; 07/03/1996 07/14/1996</p>	<p>Handwritten notes and Life History Questionnaire from Dr. Lewis M. Etcoff were reviewed and consistent with findings in his typed Forensic Psychological Evaluation. Invoice for billing of this service was also reviewed along with HIPPA Releases signed by William Castillo. On the Social History Questionnaire, there was a handwritten note by "alcohol/drug use" that stated that William used Methamphetamine intravenously for one year around the ages 20-21.</p> <p>Forensic Psychological Evaluation dated 07/14/1996 was reviewed. The test battery for this evaluation included a records review, a 2.5 hour interview with William Castillo and the Millon Clinical Multiaxial Inventory- II (MCMI-II).</p> <p>Dr. Etcoff diagnosed William with the following early childhood diagnoses:</p> <p>Axis I: Reactive Attachment Disorder of Early Infancy and Childhood, Inhibited Type; Neglect of Child; Physical Abuse of Child; Attention Deficit Hyperactivity Disorder, Combined Type</p>	<p>Handwritten notes from interview with William, Life History Questionnaire, Raw Data and Interpretive Report from MCMI II and typed Forensic Psychological Evaluation by Dr. Lewis M. Etcoff, Ph.D., A.B.P.N</p>

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	<p>Conduct Disorder, Childhood Onset, Severe.</p> <p>His Adult diagnoses were noted as: Axis I: Amphetamine Abuse Axis II: Personality Disorder, NOS with Narcissistic, Antisocial, Histrionic and Passive/Aggressive Features Axis III: Per Physicians.</p> <p>Dr. Etcoff noted in his conclusion that William was placed in 20 different homes or facilities as a child with 5-6 stays out of state. He further noted that William's lack of treatment for ADHD and use of amphetamines "produced in him even more energy necessary to engage in criminal acts and less impulse control necessary to refrain from engaging in these criminal acts." He concluded that William was incapable of forming warm attachments to human beings.</p> <p>Millon Clinical Multiaxial Inventory-II (MCMI-II) Raw Data and Interpretive Report dated 07/02/1996 and 07/03/1996 were reviewed and William appeared to be in high clinical range for Histrionic, Narcissistic, Antisocial, Aggressive/Sadistic, Passive Aggressive and Drug Dependence.</p>	
01/02/1996	<p>Handwritten notes of William's life story is summarized per relevance below:</p> <p>William reported that as a baby he fell off the roof of his grandmother's house. He stated that his grandmother loved him but that his grandfather would hit him and that his grandfather was always drunk. William stated that he drowned his grandmother's dog because the dog took William's spot on grandma's lap. William stated that he remembered being at the bar where a fight ensued with his father and another man and he got dropped off by the police at home as his father was taken into custody. He described his father as a "drug user, an alcoholic, the meanest most violent mother fucker that walked the earth and he was crazy."</p> <p>William reported that his mother hated him for the longest time because he was the "spitten image" of his father. He stated that his Aunt Lori would tease him when his Mom was not around. William recounted numerous fights he had been in. William stated, "I never had the security a child needs when growing up. There was no stability in my life." He recounted time he spent with his Uncle Max in Florida as his uncle's "slave" and that he was "whipped" for sins. William noted that Mr. Castillo would beat him with a leather belt. He discussed his fire setting incidents as a child. William stated that all of the attention from Mr. Castillo shifted to Crystal, his sister when she was born.</p> <p>William stated that at one point he was "shooting dope" for 10 months and was involved in a shoot-out during a robbery. William stated that he used to carry guns on him and eventually a knife after he sold the guns to buy dope. He stated that while in prison, he showed another inmate "no leniency" similar to how Mr. Castillo used to punish him. William, at age 22, described his relationship with girlfriend, Tammy, as his teacher. He stated that "after 22 years of being rejected, pushed away, shunned, physically and mentally</p>	Handwritten Life Story by William Castillo

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	abused, I was going to live with my true love." William stated that he burned the murder victim's house because his accomplice, Michelle was not wearing gloves. He stated that his heart hurt severely over it and that he was sorry for what happened.	
01/18/1996	Poem called "A Blur" was reviewed. Poem reportedly recounted William's perception of his life experiences.	Handwritten Poem by William Castillo
09/19/1996	<p>The Jury found William Castillo guilty of First Degree Murder and the penalty phase commenced. Victim impact statements were presented. Mr. Harmon, the State's attorney, indicated that the prosecution alleged six aggravating factors. The first factor being that the murder of Isabella Berndt was committed by a person, William Castillo who was previously convicted of a felony that involved use of a threat of violence to the person of another. The second factor related to the circumstance of the offenses.</p> <p>Mr. Harmon commented that the murder of Mrs. Berndt was committed while William was engaged in the commission of or an attempt to commit or flee after committing a burglary. The prosecution alleged in the third factor that the murder was committed while the defendant was engaged in the commission of or an attempt to commit or flee after committing a Robbery. The fourth factor was that the alleged murder of Mrs. Berndt was committed to avoid or prevent a lawful arrest. Mr. Harmon stated that William had already admitted to girlfriend, Tammy Bryant, that he had killed the victim so that she could not identify his face. The next aggravating circumstance was that the crime was committed by the defendant for himself or another to receive money or any other thing of monetary value.</p> <p>Evidence was reviewed before the Jury that the following property was stolen: VR, a hundred dollars in cash, Christmas booties used to store fifty dollar savings bonds that were taken, six watches and an angel pendant. Mr. Harmon discussed William's pre-delinquent behavior and family history including William's placements and previous charges and commitments to the Nevada Youth Training Center and Nevada State Prison for Felony Convictions. It was stated that William served time at the Nevada State Prison on 04/16/1991 for two years and on 05/20/1993 for approximately two years. He indicated that Mark Berg from the Department of Prisons would refer to the number of infractions that William received while at Nevada State Prison. The two months of William's life prior to the crime committed were reviewed and the State concluded their opening statement.</p> <p>Mr. Schieck for the defense indicated that William did not contest his guilt, but rather requested that the Jury decide on the appropriate punishment. Mr. Schieck reviewed the history of William's dysfunctional family history of mental illness and numerous family moves.</p> <p>Testimony of Bruce Kennedy, Chief of the Nevada Youth Parole Bureau was reviewed. He testified to the availability of services for youth through the juvenile justice system and provided an overview. Mr. Kennedy testified that Mr. Castillo was on his caseload as a parole counselor around 1984 and that he had completed home visits</p>	Nevada Court Documents

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to the Castillo home. He stated that Ms. Castillo never wanted to give William up and always wanted to find something to do to help him. Mr. Kennedy remarked that she delegated a lot of the parenting to Mr. Castillo. He described William's relationship with Mr. Castillo as somewhat strained, however he involved William in wrestling, tennis and baseball. He testified that the Castillo home was appropriately furnished with activities available to William. Mr. Kennedy reviewed William's history of pre-delinquent behaviors as well as all charges incurred and treatment William received while in the Juvenile System. Cross-examination of Mr. Kennedy revealed that he did not directly supervise William while he was at the Nevada Youth Training Center, Elko. Mr. Kennedy testified that at times, Mr. and Ms. Castillo were reluctant to take William back home while he served time at the Nevada Youth Training Center. Mr. Schieck read a document from 12/19/1985 that stated "out of State programs have been looked into but due to their expense and due to the poor prognosis the State has been unwilling to provide specialized care for William."

Ms. Lisa Keimach testified that the victim, Ms. Isabelle Berndt was her grandmother. She stated that her grandmother was active socially and as to how her grandmother's death had affected the family.

Ms. Ronda LaLicata testified that the victim, Ms. Isabelle Berndt was her grandmother. She testified to the memories she and her children had with her grandmother.

Ms. Jean Hosking testified that she Ms. Isabelle Berndt's only daughter. She gave testimony to the memories she and her family had with her mother.

William Castillo waived his right to testify during these proceedings.

The Defense called Lewis M. Etcoff, Ph.D. to testify. He stated that he evaluated William Castillo on July 2, 1996. Dr. Etcoff also testified that there was an enormous amount of family dysfunction when William was growing up. Dr. Etcoff stated that William had suffered from Reactive Attachment Disorder wherein he was unable to form normal human bonds since the age of five. He testified that William was diagnosed as ADHD by Dr. Hechter in 1982 and the records indicated that he was given a trial of Ritalin by Dr. Saranga in January of 1983, but, nothing in the record supported how successful the trial was or how long it was used.

Dr. Etcoff stated that due to the first four to five years of William's life being so chaotic, he would have benefited from a long term residential center that provided a strong behaviorally based household with about 15-20 children and ancillary services. He reported that if a child like William had been given that opportunity, there would be a 50/50 percent chance that he would lead a semi-normal life.

Dr. Etcoff stated that when he interviewed William, it was revealed that Mr. Castillo was physically abusive to William. He cited examples such as making William eat red hot chili peppers until he vomited and hitting him on his hands if caught stealing with an inch-

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3 In the Supreme Court of the State of Nevada

4 WILLIAM P. CASTILLO,

5 Petitioner,

6 vs.

7 E.K. McDANIEL, Warden, Ely State
8 Prison, CATHERINE CORTEZ MASTO,
9 Attorney General for Nevada,

10 Respondents.

No. 56176

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Tracie K. Lindeman

11 APPELLANT'S APPENDIX

12 Appeal from Order Denying Petition for
13 Writ of Habeas Corpus (Post-Conviction)

14 Eighth Judicial District Court, Clark County

15 VOLUME 4 of 21

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