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LAS VEGAS METROPOLITAN POLICE DEPARTMENT

**SURREPTITIOUS RECORDING**

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EVENT #: 970508-0583

STATEMENT OF: **ARTHUR SEWALL JR.**

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**SPECIFIC CRIME:** MURDER WDW

**DATE OCCURRED:**

**TIME OCCURRED:**

**LOCATION OF OCCURRENCE:**

**CITY OF LAS VEGAS**

**CLARK COUNTY**

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**NAME OF PERSON GIVING STATEMENT:** ARTHUR SEWALL JR.

**DOB:**

**SOCIAL SECURITY #:**

**RACE:**

**SEX:**

**HEIGHT:**

**WEIGHT:**

**HAIR:**

**EYES:**

**WORK SCHEDULE:**

**DAYS OFF:**

**HOME ADDRESS:**

**PHONE 1:**

**WORK ADDRESS:**

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The following is the transcription of a tape-recorded interview conducted by INVESTIGATOR D. O'KELLEY, P# 4209, LVMPD HOMICIDE SECTION, on January 11, 2018 at 1704 hours. Also present is INVESTIGATOR K. HEFNER, P# 3824, LVMPD HOMICIDE SECTION.

A: We're off rings (unintelligible) so we don't get barraged by (unintelligible) wives, girlfriends and children and other.

Q: All right. Yeah, man.

Q1: Uh, we w- we wanted to talk to you about your, um - you had a .357 that we - Metro actually took from you in '95 and then San Diego took from you.

A: San Diego took a .22 from me - not a .357.

Q1: Well we can get that - I got some paperwork that says it was a .357 but...

A: But it - it may have been, I - I may have had it at that time. (Unintelligible). I

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had a .22.

Q1: You had it in '95 so the San Diego's like '98 or something like that. Uh, did you buy the gun new?

A: No that .357 that I had was given to me by ex-father-in-law Bob Wood.

Q1: Okay and was there ever a time that it wasn't in your control or where you knew it was? You know, I mean it didn't disappear or anything on you?

A: Uh, I have a storage unit on (unintelligible) a long rifle that my father gave me.  
And...

Q1: Okay, yeah. Now you must've got it back then because (unintelligible)...

A: I couldn't get it back.

Q: Well San Diego took it from you.

A: They didn't take a .357 from me.

Q: Yeah. We're on a - we have like a - um, federal - we're - we retired.

A: Uh-huh

Q: We're retired so we're, like, on a federal grant where they are pending being able to track down some old stuff and so they brought some guys back to, you know, to interview you. So that's - we're - we're tryin' to track that down and get as much information as we need about that (unintelligible). I wanna say it was (unintelligible) Ruger SGR. Yeah.

A: I honestly do not recall...

Q: That you...



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A: ...what it was.

Q: ...that you ever had one?

A: No I had...

Q: Oh okay.

A: ...a .357. I don't recall what - who the manufacturer was. It's, you know, when I got into trouble with the police department, when I lost my badge and I went through my ordeal...

Q: Yeah.

A: ...I lost some of the stuff went into storage like my father's rifle that he gave me 'cause I couldn't have it.

Q: Right.

A: And I ended up losing the storage unit...

Q: Okay.

A: ...um, so...

Q: And that handgun was in it w- in with the rifle - that particular handgun?

A: As far as I know it woulda - it woulda have to had been because I couldn't have it with me.

Q1: Okay and - and you realize - we - we appreciate your cooperation 'cause...

A: Mm-hm.

Q1: ...it's easier to do here. I think it's better for you and you know the names and - this is all voluntary and you get tired of it or you wanna go, you know, you just let

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us know and we've got to accommodate it. But I think you should hear us out first 'cause it's...

A: I have no problem with hearing you out.

Q1: Okay (unintelligible).

A: I don't have anything to hide so...

Q1: Um, since your experience is exclusively in (unintelligible) but there's always a person or two at a police department. We had one in - in - in Metro. Her name was Florence Kitchen and she worked in records and - and other (unintelligible)...

A: Oh - oh - oh...

Q: ...she was the one - she was kind of (unintelligible). She had her - her neck like that but she had some kind of handicap. Yeah, but man, she could find a rat's ass anywhere that, you know, she (unintelligible) - even we people...

((Crosstalk))

Q1: ...but yeah, she'd find it. Every department seems to have that one and we were tryin' to track down that gun and like I said, uh, our records from San Diego show that they took a .357 from you in a - when you got arrested in, uh, '99. And, uh, so we tried to find the gun and they said, "Oh, uh, we destroyed it."

A: (Unintelligible) like I said I may have had it - I don't recall. I know they had it - there was .22 that was in a safe that my wife had at the time - my wife at the time had. Um, and when they did the search warrant on where were living at the time they took that at out.

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Q1: 'Cause, yeah, when (unintelligible) we - we (unintelligible) I mean, like I said there always somebody in every department and oh the gun was destroyed but it was test fired and that woman found it. And everybody else said, "Nah, the gun's destroyed. We're sorry - we have nothing else for you. Can't help you." (Unintelligible) 'cause now departments are doing that more traditionally before they destroy a weapon which I think they should do on all of them - every one. But, uh, let me a- let me ask you this -- do you know her?

A: Can't say that I do.

Q1: Okay a tiny girl - she's not very big. Her name is Nadia. No?

A: No, sir.

Q1: Maybe around the time when you were having your trouble...

A: Mm-mm.

Q: ...or after? (Unintelligible) that shot (unintelligible) profile? We may have her profile?

Q1: No 'cause it's just - it's just that one. Oh wait - wait - wait a minute. You're right - you're right - you're right. Yeah she's pretty distinctive. That might be better to look at (unintelligible).

A: No, sir.

Q: Okay you never seen her?

A: No. And I know no one named Nadia.

Q: Okay. What - what - without gettin' into all the drama that I know you went

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through, okay, so we obviously, but, um, around that time when that was all happening what, you know, what were you doing? Were you going out and get - tryin' to get a job? Were you - w- were you working somewhere (unintelligible) and all that?

A: Self-employed mowin' lawns at the time and going through another divorce, kicked out of the house that I was living in, stuff in storage, um, staying at my...

Q: That's right when you left the department - that's what you were doin'?

A: Yes, sir.

Q1: (Unintelligible) time, didn't it?

A: Well by self-infliction, yes.

Q1: Yeah.

A: By self-infliction, um, but yes, it did pile up all at once, um, stayin' at my mother's, staying in, you know, a hotel.

Q: (Unintelligible).

A: Weekly's, here and there throughout Vegas, stayin' at my mom's house and occasionally goin' back to where my cur- uh, wife at the time and my y- younger daughter lives - spendin' a night or two there before she kicked me back out.

Q: Were you seein' anybody else at the time?

A: No one.

Q: Like, nobody just to pass the time or to relieve stress or just to not think about anything other than the crap you were goin' through?

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A: Wallowing in self-pity.

Q: Right but I mean sometimes you do that with like a - like a female - female companionship or anything.

A: No.

Q: So, like, maybe you would know Nadia from that?

A: Not at all.

Q1: Were you doing any drinking back then?

A: No.

Q: No?

A: Not - I mean, social drinking - get a drink here or there - nothing just on a regular basis.

Q1: You weren't a heavy drinker - you didn't get...

((Crosstalk))

Q1: Okay, um, we - we have an issue and, uh, we'd like to get it resolved. Maybe you could put the best (unintelligible) on it possible but this girl was murdered a couple months after, uh, you left Metro. You left in March - she was murdered in May. Uh, she was a downtown prostitute. Um, shot with a .357 that - that it came from, we can tell when we examined (unintelligible) bullets we can often, um, tell you what type of firearms. It could be - rarely is it just one type of gun but usually it's like a (unintelligible) or this - it's maybe three or four...

A: Mm-hm.



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Q: ...that this gun - this bullet was fired from 'cause other revolvers - .357s - they were (unintelligible) the other way or there's too many (unintelligible) and grooves. So the firearms experts can say this, uh, bullet was fired from one of these types of weapons...

A: Okay.

Q1: ...the four weapons. And one of them was a Ruger which is what your .357 was. Um, and then on top of that, um, there's been a big push on doing re-doing sexual assault kits. If you had a backlog in the old days, we used to wait until we had a suspect and we compare the suspect to the - the DNA recovered in the sexual assault kit. And, uh, now with improvements in technology, uh, and we been - Metro's been behind ball on it as have other departments so they're running all those kits now. And it quantifies a suspect DNA - I don't know if it's - it's a bunch of numbers or however it gets put in the database and then that hit to your DNA.

A: Really?

Q1: Yeah - in several locations. Um, now I can only imagine what you were going through then. Um, I know you had - and - and I'm not tryin' to justify (unintelligible) - it says cop on my badge - doesn't say judge. You know, downtown whores got ya in trouble...

A: Well, I - I got myself in trouble...

Q1: Yeah with downtown whores, yeah. And, you know, she was one of those and,

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um, you know, the DNA's pretty tough. You don't - you don't know her so you can't account for the DNA - shot with a weapon that, uh, we know - we can justify that you have and we - we recently got a test fire. Um, I mean th- the - this is a touch situation. Sometimes and we've, uh, we've been homicide investigators for a lot of years investigating, like, hundreds and hundreds of murders. Sometimes murders happen when they're not intended. A - a criminal act occurs that is intended but during it around while trying to control somebody and hang onto your gun that you're using to control and then resisting, or counter-resisting resistance, stuff, you know, accidents can happen. And it, you know, people don't wanna say, "Ah, yeah an accident." We know, yeah, it really can happen, "I didn't mean to shoot her but while one, two and three were going on somethin' happened and I made a mistake and - and this happened." I say this 'cause, uh, it's kinda unique where her gunshot wound is and how it is. I think she was shot while she was on her knees, um, probably being during the sexual assault. And her head was down on the cement or pushed down on the cement and, uh, that's the position she was in when - when she was shot. 'Cause the bullet went from low to high, front to ba- uh, back to front and there was divot in the concrete right where she was laying really close -- accounted for her body roll over, whatever. So you won't have a divot in the concrete generally when you shoot right into the concrete. Ah, and this -- a .357 will go through somebody's head where a 9-millimeter and the .38 generally don't. And those are the other

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calibers - all three of those guns have the same diameter - .357, .38, 9-millimeter - all the same (unintelligible). But the other characteristic is the .357 is much more powerful than the other two. So, you know, I'm not tryin' to paint a defense for you, I'm just tryin' to tell you that we hear things and we believe 'em because it actually later on gets substantiated to be essentially true. Um, you know, I mean, with your previous interactions with those girls (unintelligible) - and they didn't get hurt. I mean, you know what I'm saying when they (unintelligible) - they weren't battered or hit or anything like that. But, you know, now we have this girl, uh, and your DNA's in her and on her clothing, shot with a weapon and, um, close in proximity to a gun that you had down in San Diego when you got picked up for, you know, engaging and trying to engage another prostitute well, you thought was a prostitute. Um, I mean, we wanna have - hear what your version is, um, you know, we wanna let you have your say 'cause you would be giving it to us now at a time that, honestly, is difficult. But it'll be sincere - it'll be direct. Juries or prosecutors will know that. 'Cause your defense attorney may get up and say, "Oh well this and this and this and that," and, you know, it's - it's like this, you know, 'cause it - it doesn't mean anything to him. He's just trying to do the best he can for you but, you know, to hear it, you know, in your own words - you put it in the light that you can remember - and we'll - and we'll deal with it. We go from there.

Q: I don't know - she was - she's - she's somebody's daughter (unintelligible).

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A: That was my (unintelligible).

Q: And, uh, there are people who still care about her. (Unintelligible) would like to have an answer one way or the other. You know, I know as a father if I had lost a child then, I mean...

A: I just lost a child - that is irrelevant in this conversation.

Q: You did?

A: (Unintelligible) was killed in Texas by her boyfriend.

Q: (Unintelligible).

Q1: (Unintelligible). I know that (unintelligible) has to be weighing on you, man. This has probably been weighing on you for (unintelligible). We've - we've encountered people that - relived it or encountered it or dealt with every day since the event happened. Some people don't. Some people can put it out of their minds. But - but DNA is - it's foolproof. I mean, there's not any mistake and, uh, and we've got yours. We got it when you (unintelligible). We also got more from you later on, ourselves the (unintelligible), and, um, (unintelligible) yeah. That's not a mistake. And if that's a woman you don't know and you (unintelligible) that could be true - you really don't know her.

Q: Or (unintelligible) never seen is never - never seen before.

A: (Unintelligible).

Q: Yeah, I don't know here and I've never seen her before.

A: Yeah.

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Q: And then if the gun was gone, stolen from, you know, a storage unit. When was it stolen (unintelligible)?

A: I - I honestly I couldn't tell you because when I lost the storage unit I was goin' through what I was goin' through in Vegas. I was in San Diego and I ended up losin' my storage unit and all the stuff that I had. And so I don't know if it was taken - well all my stuff was taken out of the storage unit obviously but where it went from there - I couldn't tell you.

Q: But then after that - the guns recovered by San Diego from you. And so even if it was separate from you for a time - there - there was at least, uh, the last hands on of it was - was you.

A: Okay.

Q: And then you know - you know that the gun might not be with you for a while - your DNA always is.

A: Sure.

Q: So that's - that's what we really need to - to get an answer to.

A: I couldn't give you an answer for that. I couldn't give you an answer for what you have. And I think at this point since how it looks like that I'm gonna be charged with something here...

Q: You came down here voluntarily.

A: I did.

Q: Yeah, I mean, nobody's - you weren't even - you weren't placed in handcuffs.



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A: No, uh, you are absolutely correct.

Q1: I mean that's true. You agreed to come down here with us, right?

A: Yes.

Q: And then, I mean - I mean my partner told you that if you feel uncomfortable, like, we're, you know, tryin' to twist your words or do whatever and you feel like you're done then...

Q1: Yeah but we don't do that, I mean this (unintelligible) we're not - we're not playing he- we don't play head games with people.

Q: (Unintelligible) real straightforward.

Q1: Yeah I mean I just laid it out for you.

A: But being straightforward with you - information that you had placed out here and, like, what you have sitting over there and what you have said, I mean, I'm not a rocket scientist but it's leading down the path of me being charged with something.

Q1: Yeah you're right. You're correct.

A: So I think at this point and time...

Q: Well I mean...

A: ...whether I'm here voluntary or not - I need a lawyer.

Q1: Okay well, uh, let me, uh, interject another thing. We have a search warrant here for you to take your - a - another DNA standard. And that's just done with a, like, a Q-tip inside your cheek - that's all that's done...

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A: Uh-huh.

Q1: ...uh, and some fingerprints because we don't have your palm prints - Metro doesn't have your palm prints. And back in the day we just did the ten prints so to...

Q: These are called Major Case Prints.

Q1: ...to re- reprint ya, um, and, uh, take a current era, uh, photograph. And we can get and they're equipped here to help us - we'll get that done quickly and you'll be on your way.

A: Well there's Copenhagen in mouth so does that need to be washed out for your swab or...

Q1: It probably - it probably wouldn't hurt, yeah - just spit it out...

((Crosstalk))

Q1: ...I appreciate it. I appreciate it - I noticed it so...

Q: Yeah.

Q1: Okay.

Q: Have you - did you ever spend any time over at Marble Manor? Do you know where I'm talkin' about?

A: Marble Manor.

Q: You know where I'm talkin' about - Marble Manor? I know you said you think you need a - you need - need an attorney.

A: I'm - I'm not - not sure where - where is Marble Manor?

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Q: Marble Manor is, um, it's like the Mar- Marble Manor Annex is, like, Martin Luther King, um, south of Lake Mead on the east side of the road. Is it south of Lake Mead or is closer - south - it's south of Lake Mead, yeah. And it's on the, um, the - the (unintelligible) the Annex right off of MLK.

A: I don't - I don't recall.

Q: Marble Manor Annex- they were refurbishing them at the time.

A: I know I spent some time at a...

Q: So you do - (unintelligible) have you ever done construction - you ever doin' construction for a while?

A: I wasn't doin' construction at that - when I l- right - when (unintelligible) - I didn't get in construction till I got into San Diego.

Q: Oh okay so you didn't do construction in Vegas?

A: No. Well not - not after I initially left Metro, no.

Q: Okay.

A: Uh, I, you know, I'm from Vegas so my whole - my local (unintelligible) seven so the last six years, seven years I have worked in Vegas. I also worked in California. I've worked in...

Q: But right proximal to the time that you were done with Metro, you weren't doing construction, refurbishing builds and workin' - workin' inside construction projects doin' - doin' flips or somethin' like that even - 'cause would have been a government proj - that would a HUD project.

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A: Right.

Q: That would have been a (unintelligible) for sure.

A: I did - I done construction, well not at that time prior to Metro while I'm with my uncle. Um, we were pourin' concrete slabs and stuff and that but...

Q: Yeah this is an existing thing - this is over on the west side so you ever - you spend time over on the west side?

A: No other than goin' to my mother's house, no.

Q: Near you mom - (unintelligible).

A: She lives (unintelligible) right off of, uh, Craig and...

Q: Are you gonna go see about (unintelligible) bathroom is.

Q1: Oh okay.

Q: Yeah they're in that, um, they got their (unintelligible) to do stuff (unintelligible).

A: (Unintelligible). Her address is 4852 High Creek Drive.

Q: Where's that?

A: Off of Craig and - well Craig and MLK would be...

Q: Oh okay.

A: ...(unintelligible) cross streets.

Q: Okay but not, like, the - the west side's not a place that you would hang out or anything like that or take any women?

Q1: (Unintelligible) right there.

((Crosstalk))

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Q: (Unintelligible) frequent, use the services or take advantage of the services of the prostitute (unintelligible) take her over there? I mean, it's - I don't know it's a tough situation Art, you know, I know it's not easy to hear especially, you know, given the fact that lost a daughter to a violent death and murder, right?

A: Mm-hm.

Q: You know that, um, that Nadia had - Nadia had a family too. You got answers to what happened to your daughter?

A: Yes her (unintelligible) would say six people involved.

Q: Six people?

A: Six people involved - her boyfriend, um, claimed to be MS-13, Mexican Mafia - yada - yada - yada.

Q: All right.

A: Um, sexually assaulted her, shot her - actually two individuals sexually assaulted her, shot her, broke her arms, wrapped her in a tarp, stuffed her in a box, paid a guy \$500 to dump her body.

Q: (Unintelligible). But they got 'em - they got the guys?

Q1: (Unintelligible) and get that cleaned out. You guys good?

Q: Yeah he just needed to get stuff out. So is that - is that a done thing. Did they, you know, prosecute 'em.

A: No the process just started.

Q: Oh it just started, oh. I know - I know things happen a little different in Texas but



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it's still a long process.

A: Mm-hm.

Q: We just had a - we just had a conviction on a, uh, May of two thou- 2008 double homicide. (Unintelligible) long time. And we had 'em (unintelligible) - delay - delay - delay (unintelligible). Well that's just kinda what we're tryin' to - tryin' to get answers for Nadia's family, you know, (unintelligible) we sat there and talked about it for quite a bit, you know, especially because - just a superficial examination of you as a person, you know, like he was talkin' about. And you just, and I don't mean to sound like superficial as in (unintelligible) - I don't know you.

A: Mm-hm.

Q: Yeah, but what we looked into and what people have say about you - (unintelligible) to say about you. The only plausible thing in our head was the - the same - the exact scenario that my partner talked about. You know, that at some point whatever she got - she got weird or did something weird or said something weird or accused or threatened or whatever and so, you know, (unintelligible) and that - then it was in knee-deep. You know, I mean that's 'cause it was like y- you know, you took care of you to what we know at the scene physical evidence-wise (unintelligible). It doesn't - it doesn't match up, you know? 'Cause then you're thinkin' now that's a - that's a freakin' cold-hearted bastard that's gonna sit there and, you know, (unintelligible) and then

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you (unintelligible) in middle of - in the middle of the throes of, you know, and - and handlin' your business and - and then, you know, like, some, you know, this just like snuff film, kinda thing, you know, and that's - and that's like - that's like an extra level of evil. And it didn't seem like it - you know what I mean? So that's why we're like - that's why - that's why my partner was really tryin' to, you know what I mean, to paint a picture of what we had discussions about. You know, again, you know, we're not tryin' to say, "Hey Art, here's how you can make that - what we have - fit into, you know, fit in to what the scene says." You know, we're not tryin' to do that, like you said, give you a defense. We're tryin' to, like, be just legitimately get an answer where we can say to Nadia, look, you know, she's was - she was handlin' her business the way that she did her business and she, you know, what - for whatever reason - this - this wasn't - this wasn't done on purpose, you know, that this is something that looks like a freak thing, you know, that we know happens. We know - I mean all the scenes we worked. I did seven years of gangs. I did nine years on homicide. You know, Ken's - Ken was a sergeant so he worked so many more homicides than I did, you know, 'cause he was called on every (unintelligible) murder instead of just every rotation that I did...

A: Mm-hm.

Q: ...you know what I mean? You know, we've been to plenty of 'em whereas like some - freakin' - you remember that? There was a sergeant that was way out in

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the middle of nowhere and he's up north in the desert.

A: Mm-hm.

Q: He's out in the middle of nowhere and this girl's shootin' - uh, how far away was that shot that sergeant was hit in the head?

Q1: Oh, um...

Q: It was 3-4 of a mile or something like that?

Q1: Yeah it's quite some distance.

Q: Three-quarters of a mile some weird, freaky - I'm tellin' you, like, they, you know, they were just out there plinkin'...

A: Mm-hm.

Q: ...and this girl pops (unintelligible) coincidentally or ironically whatever, you know what I'm saying, um, it was .357. And that bullet went 3-4 of a mile and whacked him right in the head. Metro sergeant was killed.

A: Mm-mm.

Q: I remember the autopsy photos it was the first time I saw it, um - um, a total bone (unintelligible) - when they took all of his bones (unintelligible). Yeah, so anyway back to my point, you know, us tryin' to marry up what we know versus what we've heard and learned and knew from people that went to the Academy with you, people that, you know, "Will you talk us?" Like, "Yeah I knew him. He knew me." And besides all the drama, that got ya, you know - you know, gone from the department, (unintelligible). This doesn't - this whole - this doesn't fit

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this.

A: Mm-hm.

Q: You know, the crime doesn't fit this - tryin' to hold onto (unintelligible) 98 pounds (unintelligible) - tryin' to hold onto her, contain her, restrain her, confine her while you're tryin' to hold your gun in place and - or even take it out, uh, who knows that's - that's, I mean...

Q1: Well the scenario would fit to - that was to the back of her head - to intimidate, control, or whatever but, um...

Q: But considerin' all the drama goin' on in your head at the time and the high level of stress that was goin' on in your - in your life and all the -- you probably weren't sleepin'. I mean I'm just - I'm just tryin' to imagine, like, you probably weren't gettin', like, you probably, like, gettin' negative...

Q1: Sleeping in odd vehicles.

Q: And, you know, you got whatever goin' on and you run across Nadia and Nadia's willing. She wants some - she wants some dope, man. I mean we talked to - we talked to the guy who she was stayin' at - can you, uh, and I - I know you said you think you need an attorney. And I appreciate you continuing to talk to me, but, you know, it's - it's just to me it's, like, it's almost like, you know, he and I personally wanna have an answer. You know what I mean?

A: Mm-hm.

Q: And, um, I know, you know, being the father of a - of a - of a girl who was

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murdered that you can appreciate the fact that Nadia - Nadia's family wants an answer.

A: Mm-hm.

Q: You know, whatever - whatever the answer is - but to me the answer isn't, you know, cold heartless, ruthless bastard that, you know, just decided that he was gonna pop this girl in the back of the head. You know, that doesn't - that don't match to me.

A: That doesn't match.

Q: But there is the gun. There is the, you know, the semen in multiple locations on her and in her. You know, and there's other items of physical evidence obviously that we have. There's - the scene was worked obviously over extensively to get all the - all the evidence that we can including, I mean, we're obviously looking to obtain prints that are not this.

A: Mm-hm.

Q: They're this or this, you know, that we have. So - and so we wanna kinda just give ya the chance to talk about it. You know, to say, "Look, I barely remember it because I was whatever, you know, and then this is - this is - this is."

Q1: Art, the gloves are for me...

A: Right.

Q1: ...uh, to keep my DNA off of the sticks. So you're just gonna take this, put it inside in the center of your cheek...



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A: Mm-mm.

Q1: ...and rub it kinda up and down. And as you go up and down if you'd rotate it a little bit and we wanna be able to see your cheek pop out just so we know that you're - you're gettin' it. And then we'll do the other one on the other cheek if you'd like. And close (unintelligible). Would you? (Unintelligible).

A: Okay.

Q: This went through that (unintelligible). Thank you. (Unintelligible) doin' the gloves - digitally challenged. They don't make them special for me. I've asked, but they won't do it. You got another (unintelligible) kit. Um, actually (unintelligible) kits.

Q1: Okay (unintelligible). And they're bringing over some of their lab people or we'll do the fingerprinting. And this shouldn't take long. Um, you know, you - you did ask for an attorney and whatever comes after that we can't use. And we - the only reason we've been talkin' to you is that...

Q: No, he said he thinks an attorney. (Unintelligible) that's true. An (unintelligible) do you - if you don't wanna talk to us then say, "I'm done talkin'."

A: I - I understand that. I - I - I totally understand.

Q: Then say, "I want an attorney." That's - so that's why I continued to talk you...

A: Right.

Q: ...just 'cause you said, "I think I need (unintelligible)." I know it's a just a little ticking point but it's valid...

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A: Right.

Q: ...and tested. And I - and I appreciate you're contemplating that you - that this might be a point, you know, and that's why I continued to talk to you. I just, um, (unintelligible) look, we've all - we've handled so many cases. I mean, 'cause you know cops are people, attorneys are people, juries are people, you know, judges are people - we're all human beings. We've all had moments in our life where we wish we could do anything in the world to that moment in time back, you know? And I sat across the table from people who give every single thing that they own now and everything in the future to take that split second a- back. And where they made a mistake or where they made an, you know, an error in judgment or where they, you know, but - I mean I - I just go back to my childhood. I mean I remember gettin' in trouble and - and realizing, you know, when I went to my mom and dad. I said, "Mom, dad I screwed up." You know, but they're like, "Okay well, you know, I appreciate the fact that you when given the opportunity you said something about it."

A: Mm-hm.

Q: You know, and that's just the way we're built, you know? And when - when, you know, juries sit there and they go, "Hey look, you know, when the guy - when - when they talked to him and, you know, yeah he was hesitant. I mean who wouldn't be but, you know, in the end he - he said this is what happened."

Q1: You - you know, you said something that's (unintelligible) yeah, there's - there's a

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significant amount of evidence here. And yeah we'll go back and file for a warrant, um, like to do it with your statement because there's a couple ways cases generally go to trial. And this could certainly be one where it's and you never hear about it. You may or may not even hear about the arrest. There's no trial 'cause things are dealt with - adjudicated. The DA isn't having to jump through a lot of hoops and go, you know, from 0 to 100, um, and they're willing to negotiate and you give them something - they'll give something. And the next think you know you've got a situation that's more favorable for you perhaps than going to trial. And that's why people all the time are making deals, you know, for - for whatever.

A: Mm-hm.

Q1: And they do it all the time for murders 'cause we'll get - we'll hear from the DA's office - I'll - that's been canceled. It's been dealt with. Well what, you know, 'cause they'll generally ask us if the deal's okay. Um, then he'll tell us afterwards and (unintelligible) okay - went from 1st degree murder to something else. Um, (unintelligible) they won't (unintelligible) away but they - there's discounts. I've seen negligent homicide or negligent manslaughter - second-degree murder.

A: Yeah.

Q1: Yeah I mean, the DA controls the gamut and I wanna, you know, no way in hell would we...

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A: I understand that.

Q1: ...can make you any kind of promise. But the general principal holds that when cases are dealts, 'cause everybody's (unintelligible) spot. Uh, they go quicker. They go quieter and they often go softer.

Q: No joke. Yep, no joke - yesterday - yesterday I'm in the office and talkin' with a detective about a case in which a - a girl, um, shot her brother - shot her brother, you know, and he had - he was a mean drunk. And he'd been abusive in the past and things were goin' on and he started drinkin'. And he was drinkin' and drinkin' and drinkin' and she armed herself. And, uh, you know, they get into a tussle and then they went - it went south and he got popped in the head one round. (Unintelligible) dead right there on the spot, you know? So now we're talk- I was talkin' with the DA. I was talkin' with the detectives in charge of the case and talking to, you know, we're talkin' about it, you know - is this something that we're gonna pursue? You know, I mean is it something that we're gonna, you know, I mean what do you do with this person. You know, she hadn't been in trouble before and, uh, you know, and - and we - we put her on probation. There's no chance that - that she's gonna be put into another situation where she's gonna, you know, kill somebody like that. You know, you expect the odds are that it wouldn't happen. And so here's a, you know, a case that was charged but, you know, they're - they're makin' a decision not to pursue it. So I don't know that - that'll happen here again, you know, like my partner said. You

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know we - we - we're not DAs. We can't make promises. We get people that do that kinda crap, you know. It comes back to bite 'em, you know? We would never do that. We would never say, "Hey this is what the expect the outcome to be."

A: Mm-hm.

Q: But I can say from experience and - and so can Ken say from experience that when people confronted with what happened and say, "Look this is what happened." And it just is a fact that people all through the food chain here look more favorably on that. They just do. And that's just - just human nature - it's human nature.

Q1: Yeah common sense, human nature.

A: I'm hearin' you.

Q: Okay.

A: But as I told you before I don't recall ever being with that woman, knowing her, being around her. I - I don't know. I - I cannot recall. I do not recall. I couldn't give you the answers you're seeking.

Q: Well it'd definitely be a significant emotional event to have this happen. It would definitely be imprinted in your memory.

A: Right. And it's not.

Q: Yeah.

A: And I can't - and then you're sayin' that they took the .357 from me in San Diego.

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I honestly don't think I had the .357 in San Diego. I know they took the .22 that I had that was in a lock box.

Q: Yeah, um...

A: But my nightstick, my .22 that it was given to the wife because I couldn't have it. She put it in a lock box and had it in a closet. I know that was taken. I do not recall having a .357 - the one that I owned at that, you know, when I was going through what I was going through - ever havin' that in San Diego.

Q: Well they had it. They got it from you. We were, you know, hopin' to have the physical firearm but they destroyed it. You know, and so then it's like literally - then we find it is a manhole cover, I mean, that they even track, like, what (unintelligible) is produced - obviously not one (unintelligible)...

A: Right.

Q: ...you know, there's other guns in there that...Yeah (unintelligible) - but some jurisdictions keep track of, you know, the ballistics at least so...That's two - I mean that's kinda two major things, you know, when - when you were taken into custody they - they took the gun from you but you don't remember even havin' it.

A: I don't. I - I explicitly remember having that .22.

Q: Yeah.

A: Um, but I do not recall having...

Q: Do you remember gettin' booked down in San Diego?

A: For soliciting prostitution?

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Q: Yeah.

A: Yes.

Q: Yep 'cause you got (unintelligible), right?

A: Mm-hm.

Q: Yeah.

A: That was one of the reasons they revoked me. They also said I wasn't checkin' in with the PO down there which was...

Q: Okay.

A: ...was inaccurate.

Q: Yeah.

A: But neither here nor there, the fact happened.

Q1: (Unintelligible) issues with (unintelligible). Um, you know, uh, (unintelligible) people put up - this is a tough situation for somebody to be in where you're at...

A: Mm-hm.

Q1: ...on (unintelligible), you know, and people put up defenses. Um, sometimes they do it intentionally and they lie and deny and whatever and sometimes it's physiological, like, perhaps with you, "I don't remember. I don't," because even if you couldn't remember the details specifically like where it happened, whatever. You don't remember that gun goin' - protectively if it was intended and that's the biggest, "Oh shit," in anyone's life. You - I mean, for the most part I think, uh, a lot of people probably would be tortured by it. But you certainly

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remember it. Um, so you know what might real (unintelligible) - the realization you'd come to right now and that's the best you and your body and brain and mind can do at this time 'cause I - I - I can appreciate this is like gettin' hit with sledgehammer between the eyes.

A: Yeah.

Q1: Yeah big time. Um, and you know, because what you're tellin' use is not gonna help you at all. I mean it's - it's gonna make you look kinda...

Q The other...

Q1: Yeah.

Q: ...the other.

Q1: 'Cause it's...

Q: 'Cause we're gonna pop into people's mind than the other one - the other thing that you're having sex with and you like (unintelligible). 'Cause there is people that've done that kinda crap to deal with - feels like to know that someone's dying as you're havin' sex with them. That's some evil - over the top evil crap. You know what I mean?

A: (Unintelligible).

Q: Okay that's - that's - that's to me that would be the biggest, you know, accomplished in finding out from you what happened is - is (unintelligible) that theory in people's heads and what, you know, prosecutors (unintelligible) would paint that picture. I mean it'd be absent an explanation on your part what



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happened that's a pro- the prosecutor would - that'd be the number 1 strategy for me as a prosecutor to be like, "Look...

Q1: Yeah he has an open blank canvas (unintelligible). He can do whatever he wants.

Q: They do the opening arguments and then, like, your side would say, "I don't remember."

Q1: Um, you know, that - there's people that'd say, "Oh I didn't do it," but you know, can also tell by their demeanor or if they're ever on the stand. They said, "I didn't do it." And then it - it's not true (unintelligible) so...

A: Mm-hm.

Q1: ...even to the common judge (unintelligible). Um, how many jurors seen - seen sayin', "I don't remember," is gonna go, "Ah, come on." They might understand that it's tough and yet that might be your first response. I mean we walked through this a little bit and, uh, you know, w- we're lookin' - I mean for your sake and - and - and - and how this happened. I mean it could be like (unintelligible) said over-the-top evil. It could be perhaps like I suggested a spasmatic, accidental discharge. You know, uh, it doesn't make it any less criminal perhaps but motive, the intent, and a long-term outcome with how this case is presented and then - and then portrayed - that is (unintelligible). I mean for you to sit here right now and tell us (unintelligible), what happened is a big step. Some people do very - they're so overwrought with guilt or they're finally glad to even actually

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get it off their chest. We've had people who had - who had that happen. Um, but it's a big step. It comes, I means, but you're giving that statement at a heavy price 'cause you're confessing to a murder.

A: Mm-hm.

Q1: Um, but I'm also gonna tell you it would be nice - we've been straightforward with you (unintelligible) charge (unintelligible). But when you do it at a great cost, the (unintelligible) carries a great weight - your explanation, your story - carries a great weight 'cause you gave it at a great cost. You understand what I'm sayin'?

A: Mm-hm.

Q: Yep. And - and along the lines of a significant emotional event, and I'm sure you've had this 'cause I - I have 'em, you know, where you can remember where people were in the room. You - you remember smells. You remember what people were wearing. You remember what people said because it was maybe particularly hurtful or, you know, hilarious or whatever, you know, where it's just stamped in your memory or somebody complimented you in a way that maybe you weren't used to or gave you a hug when then don't gives or whatever. She was wearing, as a memory, kind of memory jogger for you, she was wearing like a bright purple jumpsuit - like a sweat suit. And it was a little oversized for her. Uh, you got, like, (unintelligible) of her boyfriend and her got his and hers, like, nylon purple jumpsuits (unintelligible) jogging suit, yeah - matching top and bottom, you know, kinda (unintelligible) thing.

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Q1: Purple - purple and green.

Q: Purple and green.

Q1: Well kind of a lime-green.

Q: But we have your DNA on that jumpsuit - straight up - on the interior. So I mean that's a - you know what I mean - 'cause I'm (unintelligible).

A: I hear you.

Q: I'm giving you the jumpsuits 'cause you might be, like, that would just, you know, jog your memory.

Q1: And - and let me mention one other thing too 'cause we been, like I said, it doesn't say judge on our badge. We've been in the situation with other people and - and they're givin' a story like you are and then we talk to 'em. And they decide what - whatever (unintelligible) do something different and then tell us the truth. And it's not like you - you know, they go, "Okay we're gonna tell you the truth." And they know all this stuff. They remember all the stuff. They don't have any issues. And we don't take offense to that, you know, the fact that you've been here for the amount you have tellin' us something different and now you're gonna change it and - and tell us the truth -- we don't take offense to that. We understand that. That - that's a defense mechanism. And - and now, you know, you - you see it. You think through it. You go, "Okay, ah, I wanna tell the truth. Um, you know, (unintelligible) I think it's the right thing to do." And we'll just take your statement and we'll kinda go from there.

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A: Processing - just know I'm hearin' you.

Q1: I could understand.

Q: I just wanna re- I just wanna re-emphasize as personally as a man to you that I don't - I don't see that in you - the - the other scenario. (Unintelligible).

Q1: The over the top evil.

Q: Yeah I just don't.

A: I'm not that.

Q: I know.

A: I'm not over the top evil.

Q: Right. But I just don't, I mean, I don't see it in your character. I don't see it in your demeanor. I don't see it in what, you know, people that I've talked to. You - you know, I mean I've to about you.

A: Mm-hm.

Q: It - it takes for- fortitude and courage to say...

Q1: Let me tell ya, um, like I said, it's gonna carry the most weight for you because it's coming (unintelligible) cost for you. When we explained it I think you - well you can understand how it (unintelligible) 'cause you get to paint that scenario in - in your own words. And we'll know you're (unintelligible) because you - you're ownin' up to it. But it takes - it takes chutzpah to own up to it. And it'll (unintelligible).

A: (Unintelligible).

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Q: The truth always does that. I mean 100% obviously 'cause you have different points of view, you know, you a- ask three people at a car accident and you're gonna get someone sayin' it's a green Mustang when it's dark blue or whatever, you know, the dif- differences. Actually when you get 100% that's when you start questioning whether people got stories straight. That you don't remember (unintelligible) what happened and it's gonna match this. It's just gonna explain it. It's not gonna be outside the realm of (unintelligible) 'cause we already talked about it before we ever sat down with you.

A: Well I'm quite sure you did.

Q: Yeah. And it - it comes down to two different scenarios. And in - in our mind, I mean, unless - unless we're way off...

Q1: We - we can't be 'cause of the...

Q: Right 'cause of physical evidence (unintelligible).

Q1: We (unintelligible) place the body in what position and a gunshot travelin' where it's (unintelligible).

A: And we don't have microphones to hear - we don't have (unintelligible) it was a - a gutted building and you don't have...

Q1: (Unintelligible) the seat - the inside seat portion of her short or pants have come from being pulled down and out while she's being sexually assaulted.

(Unintelligible) or doin' her business.

Q: 'Cause she - we know that she cleaned herself up before - before she engaged

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in her business 'cause that's what she does. We knew that - that's her business. That's how she made money and that's how she got dope. We know that. We talked to her boyfriend. Who, I mean, legit - the guy's cryin' over her even, uh, after all this time he gets still teared up over it talkin' - even talkin' about her. He wasn't her family but he was still...

A: Close enough, I mean, they were together, you know.

Q: Yeah that's yeah that somethin' 'cause they - she kinda got up and went out and goes out there and...

Q1: You know, what I - I say is so we can get this wrapped up properly the right way now. Otherwise you're just postponing the inevitable. We can, you know, we can get a warrant in a matter of days (unintelligible) done and then - then you're stuck with the, "I - I don't know. I don't remember. I - I don't know," stuff and you're stuck with that. I mean, and - and we mentioned before that's basically almost defenseless. Y- you can't do anything with it. And juries don't wanna even, you know, they don't wanna hear it. You - you told us you weren't a drunk so it's not like you're walkin' around ripped out of your gourd so drunk you don't remember any, uh, anything. Um, there's no indication or history of drug use in your ba- in your past and usually (unintelligible) drugs and wipe somebody off that dramatically anyway - still within function, drive a car. Somebody had to drive it over and then drive it back. So i- it's the right thing to do and now is the right time to do it.

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Q: And my call is to the family.

A: Well I think I need to call my family, right?

Q: But you know what I mean? I mean, the first - those are - those are moments in our line of work that are tearful (unintelligible) and - and yet, um, gratifying in the sense that, "Hey, you know, we have the answer for you. You know, we talked to this gentleman. He said he's led an exemplary life since then. He's stayed out of trouble. He's - he's done some amazing things with, you know, with, uh, with his life and - and," you know, I mean not like stellar moments of greatness kind of thing, I'm just saying that, you know, he's - he's a decent human being - livin' a decent life and that, you know, that may even be, in my opinion or it may even be that moment in time was a crossroads or - or like you're like, 'I'm goin' as far away from that person as I can possibly get and be a good person,'" 'Cause that's how I'm seeing you - legit, okay? I mean, I don't think it's gonna come across as soundin' manipulative. I'm talkin' to you legit 'cause at one point in time you were brothers in blue.

A: Yeah and I screwed that up.

Q: Yeah but we still were.

A: Mm-hm.

Q: Right? I came out in '91 and you were on before me, right? But we worked at the same time. I was in gangs and (unintelligible) out - out there, you know, runnin' (unintelligible) and goin' after 'em doin' good. You were doin' good.



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(Unintelligible) and you blew it.

A: That's right.

Q: Okay but you got - you know what? Here's the thing y- y- you got off the track and this certainly, you know, is not - this is one of those (unintelligible) things at the end of the track, really - you gotta switch tracks. But that's, um, and you've switched tracks, you know what I mean? That you've gotten off that track 'cause that - that train wrecked right there.

A: Oh yeah.

Q: You paid your debt and you recovered and this ended that train. And you switched tracks. You went to a different - you went to a different life - a different - different way, in my opinion.

A: I did.

Q: And then that's what - that what's these people are - that's what the - that's what the prosecutors - that's what the DA's office (unintelligible) because we - we end up speakin' to the DA. That's what the DA's office gets is that there is this Art Sewall and now there's this Art Sewall. No joke. But this Art Sewall left his DNA there. This Art Sewell has a different and - and can say this is what happened with the old Art Sewall. See me?

A: I see you.

Q: And I know that's not an easy decision to make - it's not.

A: No 'cause (unintelligible).

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Q: It's not but...

A: 'Cause from my perspective (unintelligible) layin' up in a jail cell tonight.

Q: Mm-hm. No, I mean, well we still - like we said we gotta - things gotta get typed up and approved and all that. So...

Q1: If - if - if you, I mean, didn't say another word to us, we'll go back to - back to Las Vegas and we'll submit this case. And I have every confidence that an i- a warrant will be issued.

A: Oh I'm quite sure it will be.

Q1: Now what Reno might do on their own with this is, you know, y- you didn't register as an ex-felon and that's a crime. It's a misdemeanor but it's a crime. Now if - if they decide wanna do that - that's up to them. We don't have any control over that, um, you know, jurisdiction. But it - I - I can sh- I can - I can't tell you how much I appreciate the spot and the decision you're at right now, uh, and, uh, um, I hope I never have to be in a situation like that. But, um, you're not gonna offend us if all of the sudden you have total recall and gave us a (unintelligible) statement. Um, we're gonna chalk it up to your self-defense - you defense mechanisms. It's a human - human function - human reaction. And you're human, uh, and - and we're not gonna take it like you lied to our faces. We're not like that and that's part of the job. Um, and - and, you know, we've portrayed it I think in every way that we can and - and being fair and honest. I don't think, you know, we're not tryin' to trick you.

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A: No I think you've been fair about it, (unintelligible).

Q1: I'm giving you the benefit of - of being around more homicide cases than the average person, but, um, if you walk in with, "I don't know. I don't remember," and then the DA's - he's gonna have to do the most he can 'cause he's gonna owe that. He has nothing - he has nothing to mitigate that down from if he's half ass convinced that it was an accidental discharge, it's still murder, yeah. But it's not, you know, he can deal with that. And there's all types of murders and - and we arrest people for murder and they don't convicted of first-degree murder. It's second-degree murder or invol- m- involuntary manslaughter (unintelligible) whatever - whatever the circumstances are. And I'm not like, you know, you can't even - we're only telling you what could - not what will happen.

A: Right. You can't tell me (unintelligible) happen.

Q1: Right and the - the DA may said, "I'm not negotiating that charge." All right. But then your defense has somethin' to work with. Um, but that's - that's the theory if our theories (unintelligible).

A: Yeah.

Q: Um, wisdom guided by experience says that this is the direction things have gone in the past and where - where they would go in this instance that, you know, you just - you don't know. I mean you got - you can have, like I said - you know, like he was sayin' if you, you know, if you've got like, "I don't know. Or no I've never seen her before. I don't remember." Then you got family who's like

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well, you know, "Burn him at the stake," kinda thing. You know, you got people...

A: Of course.

Q: ...who are like, "Hey if he's not," you know, you got people that just have that attitude, like, well if given the opportunity (unintelligible) tell - he didn't wanna give us that piece or whatever, you know, people become...I was again on that same case, you know, we're talkin' about the one detective said he gave the family member, um, his - his cellphone and he says, "I've probably gotten, like, at least 200 text messages a month," you know, from the family. And - and that's one thing (unintelligible) family is it's gonna br- bring great peace to the family to know that an arrest has been made in the case no matter what (unintelligible) happens. Um, I think they also appreciate more someone that admits to what they did and apologizes for it - shows that they are sorry about it. Um, we - you've probably seen in the media and stuff where the families say, uh, "We understand, uh - we forgive you." Um, just (unintelligible) because they have an understanding of what the ser- the situation is.

A: Mm-hm.

Q1: And they're not saying we forgive you and, um, (unintelligible) or and they'll want justice carried out. But then that they understand, you know what - they drop it at that point. They drop the hurt. They drop the anger. And, you know, you're - you're (unintelligible) now and I don't even know, you know, I hope I'm never in

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that kind of situation. Well and you are though - you are in that situation.

A: Yes (unintelligible).

Q1: (Unintelligible).

Q: You know? Yeah you are currently there. And so knowing that you can then put yourself - you cannot sympathize but empathize with what Nadia's family has gone through but for a lot longer.

Q1: It's a little different, you know, with your daughter. It was more personal contact - more trust. Uh, you know, and, uh, more hatred. There could be more hatred beyond killing somebody. Uh, (unintelligible) if the scenario we're posing is true - it's kinda like a - a random situation. There was no hate directed towards her. That was just what happened that day whoever you came in contact with. So that's - that's different. (Unintelligible).

A: I need to talk to my wife. Is that possible? Because once again and the way that I see this scenario playing out - I'm gonna end up in a jail cell tonight.

Q: What - n- now you're sayin'...

A: Even though I'm here voluntarily...

Q: Right. But to say to talk to your wife before you talk to us or I'll give - I'll give you my cellphone and you can talk (unintelligible) - or use or you got your own (unintelligible) - that is an absolute promise that you'll get to talk to her.

Nobody's gonna be hooking and booking you without lettin' you be, you know, treated decently. I'm - I'm tellin' you, there are (unintelligible) two totally different

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Art Sewalls, man.

A: There are two totally different Art Sewalls.

Q: Okay and I agree with you. I can see that. I know that. So nobody h- nobody here is gonna be a dick to you.

A: And, uh, and you haven't been.

Q: Right and I'm not gonna.

A: I understand that you aren't going to be.

Q: Right. But when you - when you lay out for us and do like - like - and we'll with the recorder -- this is who's present, date and time, dah - dah - dah and you tell us. The guarantee with you is that you get that opportunity to talk with your wife about it regardless. I promise. As a man, I promise.

Q1: Are you sayin' that you'd like to talk to you wife before you go on - before you make any decision? I mean the only issue, I mean, Dean's right, we'll let you talk to your wife. Uh, we'll let you w- talk to your wife quite a bit after we're done. Um...

Q: We're not gonna put a time limit.

Q1: I - the only reason I mention - I'm saying anything right now about that and your wife is that (unintelligible) that's hit her - w- what's...

A: Well it's gonna hit her like it's hitting me.

Q1: Yeah - yeah and I don't think she's gonna be able to - to give you much help. I think she's just gonna add to your - your stress and your burden right now. You

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follow what I'm saying?

A: I understand what you're saying.

Q: Yeah so let - let's get it over and done with and there's no, I mean, literally not a time limit on how much time you (unintelligible) talk with her. We'll let you do that. And that's simple. I mean, again the date, time, location, who's present and (unintelligible) we'll just let you explain it. And we won't even interrupt you unless we think we need to interrupt you. We're gonna let you lay it out.

A: I'm not sure how much of it I can explain to you.

Q: Well I mean what you...

A: Like - like I told you before...

Q: ...as much as...

A: Right.

Q: ...well this is a long time ago - as much as you remember.

A: Not much of a choice here from my perspective - there are choices...

Q: There are choices...

A: ...don't get me wrong.

Q: ...with drastically different outcomes I think.

A: All right.

Q: I just do. I mean I see, again, wisdom guided by experience in what directions that we've seen things go. And I have to tell you even though people think, you know, "The best thing for me to do is just shut up right now," insist on but not

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think of havin' an attorney but ask for one - I have seen it so many times where - where people are just like, dude, you laid it out. You didn't try and keep that from us. You know things can happen and there's still consequences but they're not the consequences that - they're not the consequences of someone executing someone while they're having sex with them. Right?

A: True.

Q: Those consequences are like the upper end of things. And that's, I mean, that's pushin' for the top not - not even the second one. You know what I mean, in so far as what the outcome could be when people think that's the explanation. But when it's, you know, when it's anywhere close to the things that we've run through our head, you know, the videotapes that we have in our heads of just based on the scene and what could've happened. You know, there's definitely to total different ends of the spectrum - completely different, Art.

A: Mm-hm.

Q: And people wanna hear it. I wanna hear it. Ken wants to hear it. Nadia's family wants to hear it and you wanna say it. I believe that, I do. And we'll (unintelligible) and I promise you you're gonna talk to your wife as long as you want. We'll give you privacy. I don't need to hear you talk to your wife about this. I'm already burdened for you.

A: Mm-hm.

Q: I promise. And I can guarantee this - if I thought you were an over the top, evil



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bastard that did this to her like that, we wouldn't be giving you this chance. We wouldn't even talk about it (unintelligible), grab a search warrant (unintelligible).

'Cause I'd want it to go the other way.

A: Right.

Q: I would want it. I would sit with the DAs and I would say, "Hey look, you know, this is what I believed happened and this guy's gotta go." I mean it's still doesn't - it's still in their call...

A: Right - right.

Q: ...but they listen to our...

A: Correct.

Q: ...input. We gather the truth. They seek justice.

A: Mm-hm.

Q: We just gather the truth no matter where it goes - good or bad, positive or negative for our case - evidentiary or exculpatory - we just run the truth in. And that's what we wanna get from you - the truth. That's this stuff.

A: That's all from your investigation?

Q: Yeah. And the detectives that had it back then.

A: Mmm.

Q: Yeah. (Unintelligible) 'cause we are, like, no joke - (unintelligible) retired (unintelligible).

A: Okay.

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Q: So we've - with our expertise and experience in homicide we were able to grab cases and work on 'em. And then when we get - see the paperwork that comes across our desk that's when it says, boom, we got this hit. And I remember the day when we got it. I remember the day when we got that 'cause I knew your name already. I knew your name already. I knew the detectives that worked on the case. (Unintelligible) had to know. Let me get this out then, Art. Well yes, you want to w- w- are you ready to get this out and done and gone? Go from there.

A: Well I'm not certainly I- looking forward to (unintelligible) a jail cell.

Q1: That's - I've never been to the jail here. That's understandable.

A: (Unintelligible) but I see that happening in my very near future. I'm sure that...

Q1: (Unintelligible) concentrate so much on the very near future as in, uh, the long-term outcome. 'Cause, you know, (unintelligible) this all adjudicated and justice is meted out, uh, and go with what happens with that (unintelligible). And it definitely impact big - big time.

Q: And, you know, we don't - I - again - we just met these detectives that we're working with here...

A: Mm-hm.

Q: ...and, uh, you know, we don't know, like I said, I've never been in the Reno jail - I don't know what any - anything about it. But, you know, we'll have discussions with them about you - whatever you accommodations are, like, by yourself or

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whatever - I don't know what they do. I know, like, if I'm at CCDC...

A: Mm-hm.

Q: ...I can go to the intel guys and go, "Hey, you know, this guy's straight up, decent guy - did the right thing. He needs to get his own place, like, he needs to be from whatever booking - the processing and then get him up to - get him up to his own place as soon as you can so he can have some peace. 'Cause he's drained and he's - he's emotionally depleted and the adrenaline dump and all the stuff that you're feelin'." I'll have that discussion with them, again, like, you have my word.

A: So I am going to jail today.

Q1: Well it - not so much, like I said, not with us. Uh, i- if you give us a statement - confession tonight, yeah you'll go to jail, um, tonight. Um, you'll be here for a few days until we're start the process to bring back down to Las Vegas. Um, like I said they could arrest you right now - they even mentioned that but (unintelligible) - that's (unintelligible) stuff. That's what you do to people that cause you aggravation and grief, you know, and, uh...

Q: That's why we wanted to come get you voluntarily.

Q: Yeah - yeah. And you were, like, super solid about it, "Yeah I'll come down with you." Again the - that's the - that's the different track. That's the different train track Art Sewall - that's not the old Art Sewall. I think if that would've happened back then you'd said (unintelligible) "I want my lawyer (unintelligible)." You

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know, your - you've got a different life. It shows. Your license plate alone shows that, man. (Unintelligible) - nice truck too.

A: Thank you.

Q: I just go the recorder - I'm gonna lay it out. And then we'll whatever we gotta do afterwards. But we'll deal with it together. (Unintelligible).

A: I hear you. I hear you.

Q: Well you should be feelin' me too 'cause I'm here with you. You know what I mean?

A: (Unintelligible) you have a job to do...

Q: I know but you know what?

A: ...you can't...

Q: It's still (unintelligible) getting back to this. I'm still - I'm not - I'm not gonna forget that Art too. That's a - that's a different connection to people they'll never understand.

A: True but I violated that.

Q: You did - I agree with you - totally agree with you. But you owned up to it. You paid the price.

A: Yeah.

Q: And you reset and you recovered. And you've said multiple times even today that you took ownership of that. I mean you said, "It was my fault - I blew it," so that's the Art Sewall that we're talkin' about here in laying out what happened.

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That's the Art Sewall. And givin' us the details that are gonna match all these things back here and then you'll match this section right here that has all of the forensics in it - that's gonna match - your story is. And that matches the Art Sewall that would own up to what he did. (Unintelligible) totally different, you know what I mean?

A: Mm-hm.

Q: Are you ready to do that?

A: (Unintelligible).

Q: Nobody's ever ready to.

A: Yeah.

Q: But are you willing to do that? You're willing to do that. Are you willing to show that Art Sewall to whoever down the - the rest of the line that - that this goes? I think you are and I'm tryin' to help you say yes obviously. I think you are ready. It's just, we gotta start.

A: Mm-hm.

Q: You start and finish and you talk to you wife. We get the major case prints and you're talkin' to her. Yes?

A: (Unintelligible). It's gonna be a long night.

Q: We'll be here with you.

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A: Start your recorder.

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**THIS SURREPTITIOUS RECORDING WAS COMPLETED AT 455 E. 2<sup>ND</sup> ST RENO, NV  
ON THE 11TH DAY OF JANUARY, 2018 AT 1821 HOURS.**

DO:NETTRANSCRIPTS

DO005

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**VOLUNTARY STATEMENT**  
PAGE 1

EVENT #: 970508-0583  
STATEMENT OF: ARTHUR LEE SEWALL, JR.

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**SPECIFIC CRIME:** MURDER WITH DEADLY WEAPON

**DATE OCCURRED:**

**TIME OCCURRED:**

**LOCATION OF OCCURRENCE:**

**CITY OF LAS VEGAS**

**CLARK COUNTY**

---

**NAME OF PERSON GIVING STATEMENT:** ARTHUR LEE SEWALL, JR.

**DOB:** 07/05/1966

**SOCIAL SECURITY #:** 450-55-4326

**RACE:**

**SEX:** M

**HEIGHT:**

**WEIGHT:**

**HAIR:**

**EYES:**

**WORK SCHEDULE:**

**DAYS OFF:**

**HOME ADDRESS:**

**PHONE 1:**

**WORK ADDRESS:**

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The following is the transcription of a tape-recorded interview conducted by INVESTIGATOR D. O'KELLEY, P# 4209, LVMPD HOMICIDE SECTION, on January 11, 2018 at 1820 hours.

Also present Investigator K. Hefner, P# 2185, LVMPD Homicide Section.

Q1: Operator, this is Investigator D. O'Kelley, P# 4209, along with Investigator K. Hefner, P# 2185. We are conducting a Suspect Voluntary Statement under event number 970508-0583. The subject's last name is Sewall, that's S-E-W-A-L-L, first name of Arthur, A-R-T-H-U-R, middle name of Lee, and he is a Junior. His date of birth is 07/05 of 66. Soc of 450-55-4326. This interview is being conducted, um, at the Reno Police Station which is 445--

Q2: 455.

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Q1: 455 2<sup>nd</sup> Avenue.

Q2: East 2<sup>nd</sup> Street.

Q1: East 2<sup>nd</sup> Street, correction. The day of this interview is 1/11 of 2018 and the time is now, um, 1820 hours. Art, you understand this interview's being recorded?

A: Yes.

Q1: Okay, and we've spoken for some time, uh, prior to this, probably an hour I'd say, at least, and we've talked about the case, uh, that—under the event number I just talked about back in 1997 shortly after you left, uh, Metro as, as an officer. And um, we've talked to you about, um, a firearm that used to be in your possession and we talked about the DNA that was recovered from, that belonged to you that was at the scene and we've kinda talked about the location that we were dealing with and the, and the victim that we're talking about here. Um, can you, just in your own words, and again, I'm not—it's no intention for us to interrupt you. Just in your own words, tell us what you remember about what happened to Nadia.

A: I never knew her name, um, that's why I didn't recall a name.

Q1: Alright.

A: Um, I do recall being out, had been drinking, not excessively drunk, but had been drinking, wallowing in self-pity from my incident or my self-inflicted wounds with having to leave the Department and everything that was going on, being kicked out of my house. You know, basically having to live as a bum.

Q1: Divorce. Uh--



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A: Getting, going through a divorce. The whole nine yards. Um honestly, I was not—I was coherent, but not coherent. I was in that fog. Um, I do recall picking up a young woman off of Fremont Street.

Q1: Do you remember Fremont and what?

A: Um—

Q1: Just approximately, what do you remember? You worked Fremont Street—

A: Right.

Q1: --so you know where we're talking about.

A: Well, actually we—no, excuse me, not Fremont Street, it was Las Vegas Boulevard and south of the Stratosphere, south of Sahara. Um, couldn't give you a cross street, but on Las Vegas Boulevard, um, for the purpose of sexual encounter. \_\_\_\_

Q1: Take your mind off things?

A: Take my mind off things, which actually led to all my problems, but still in that fog, still in that rut. Ended up on west side of Las Vegas, um, I would venture to say Section 8 Housing location. Got out of my vehicle, went into an area that was under construction at that time. I don't recall having sex with her, but obviously, I did. Um, at this point in time, I really don't recall having my weapon on me or the .357 that's in question, but obviously, I did. Um, not that I wasn't—I don't recall—I wasn't really cognizant of, that I had it on me. Let me state it that way.

Q1: Well, you're an officer for several years and, like, you would never find me without a gun.

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A: Mm.

Q1: So I d—I'm not—you know?

A: Right.

Q1: I'm in the same boat--

A: I understand.

Q1: --where I'm at--

A: Right.

Q1: --it's not something I think about, I just—it's part of me.

A: Right.

Q1: So, I get that.

A: Um, you know, like I stated, obviously I picked her up for sexual enjoyment. Um, I don't recall having sex with her because I had been drinking. I do recall when done, getting done, don't know how, but goes off. Fr--

Q1: What goes off?

A: The gun. Freaks me out. I panic, I bolt. Um, as I leave, going to my vehicle, there's Metro Police Officer driving down the street.

Q1: Ya, that would stand out.

A: Um, but I don't know if that officer—I know—I would assume that they saw my vehicle. I don't know if they saw me, but I was never stopped, I was never pulled over. And like I said, gun went off, scared the sh—scared me shitless, for not to cuss, but freaked me out and I panicked and I bolted. It was—I never went out

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with the intention of shooting anyone. I went out for the in—with the intention of sexual gratification and when the .357 went off, it freaked me out and I bolted and I panicked.

Q1: And we, just in the people that we have talked to about Nadia, you know, her, her boyfriend, quote, unquote, right? Um, he knew of her habit, you know, to, to um, either for money or for drugs, so if she didn't have—if she didn't have one or the other, it didn't matter which one that she got. And so, in, in that particular morning, um, er, that e—particular, uh day, um, her intention we believe was to go get drugs and so one of the things we thought may have been a problem is that she was rendering services or being asked to and that there weren't actual drugs involved because we know you, we know you don't have drugs—

A: No.

Q1: in your, in your—

A: No.

Q1: --so that maybe she got upset and she was refusing. Was it—do you remember any dialogue on that, that there would cause you to have your gun out?

A: Uh—

Q1: That she was str—that she, that she's not wanting to handle her job, to handle her, her end of the deal?

A: I don't recall. I can't—I don't want to speculate, but I know there were no drugs involved on my expect—on my part 'cause I didn't do drugs and I don't do drugs

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other than alcohol which is technically a drug, but other than that, no. Um, I don't know. I can't, I can't put a thumbnail on that for you.

Q1: On why the gun would have come out?

A: Yes.

Q1: When you got there and you went in, uh, can you describe the, the Section 8 Housing units for me? I mean, you said they were under construction. Can you—

A: Um, I want to say—

Q1: One story, two story?

A: Single story.

Q1: Okay.

A: As far as I know. In the area of—

Q1: Stucco, brick, whatever? You remember?

A: Um, all I remember is wood framing and—

Q1: Inside?

A: Inside. I don't remember—I would—I'm assuming, well, I, I, I can't—I would say stucco, but I remember wood framing, it was under construction.

Q1: Ya.

Q2: So you mean the interior walls were studs?

A: Yes.

Q2: Okay.

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Q1: No carpet, no flooring?

A: Not that I recall.

Q1: Okay, do you—when, when you got in there with Nadia, do you, do you remember her doing anything that stands out before you got to, to the business? 'Cause we know something else that happened inside there. I mean, some—an occurrence, not like, I'm not talking about a negative thing with you, I'm just—there, there's something that we know she did when she went, when she went in there. Do you remember?

A: No.

Q1: You remember her going over to the, to find a spot to use the bathroom? Or maybe she needed to go to the bathroom before you guys got to—

A: Well, I don't recall. I don't—I, I do not.

Q1: Alright.

A: It may have happened. I, I can't tell you definitively that, yes, I remember that 'cause I do not.

Q1: Okay, how about just dialogue between you guys. I mean, when you're, when you picked her up, what was the agreement? What, what did she say?

A: 40 dollars for sex.

Q1: 40 dollars is what you remember?

A: Mm-hm.

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Q1: You guys—I mean, it's—from where you're describing and from where, you know, the, those Section 8 Houses were, it's a pretty good distance.

A: It's a distance.

Q1: You guys remember what you talked about?

A: I—

Q1: Do you remember?

A: No. We didn't—it wasn't—

Q1: Like where she's from or—

A: No, did not entertain any of that.

Q1: Was she helping, you know, was she already making physical contact with you—

A: No.

Q1: --on the way?

A: She was sitting in the passenger side giving me directions.

Q1: Oh, she told, she told you where to go?

A: Mm-hm.

Q1: She directed you to where those houses were?

A: Yes.

Q1: What did she say about 'em?

A: She had a place to go.

Q1: Okay.

A: And that's—okay.



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Q1: Alright, so like she, she brought you to the place where this happened?

A: Yes.

Q1: Okay. W—alright. 'Cause she knew it was empty and she knew nobody was around. What else do you remember about anything verbally between the two of you?

A: Other than the agreement for money and, and sex, um, like I said, from her giving directions from point A to point B, there was—

Q1: No chit chat?

A: No, she attempted chit chat, but I didn't give in. I didn't have chit chat. I didn't respond.

Q1: Okay.

A: It was just direction, which way am I going? Where am I going?

Q1: Okay. Um, was she insisting on money up front or after?

A: Up front.

Q1: Up front. So you paid her? You gave her the 40 bucks?

A: Mm-hm.

Q1: Okay. Do you remember, do you remember what k—like, I'll just put it like bluntly, like what position you, you engaged in sex? I mean, was it missionary? Was it from behind, from—I mean, do you remember that part?

A: I don't recall. I don't remember that part. I know we, I mean, clearly we had sex 'cause you have DNA. Uh--

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Q1: Ya, multiple locations. So you didn't use, you know, obviously, you didn't use a condom or she didn't offer up to use, use of a condom, so um, do you remember—let's just bring it right down to that point where the, where the gun went off. There's nothing in your mind that you can think of that the gun came out, with an argument or a threat or a—anything that she would have said or done or, that would have caused you to take the gun out of your waistband or out of your pocket or out of its holster or whatever? Would you have carried it in a holster or just in your waistband or your pocket?

A: It would have—at that point I didn't have any holsters 'cause all that disappeared with my incident with Metro, so it—I would have had—it would have been either, like in a light jacket in a pocket—

Q1: Ya.

A: --or in my waistband.

Q1: Did you have—'cause I, I, I own a Ru, a Ruger SP101.

A: Mm.

Q1: I own the two inch barrel, five shot revolver. Did you have like a, a different type of grip or anything on it? You just got it, you bought it?

A: Um—

Q1: Was it normal?

A: Hold on one sec.

Q1: What'd it look like?



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A: Let me, um, I got that from my father-in-law and he had it, um, had work done onto it prior to me, him giving it to me. Um, chrome, hammerless. I do not recall if there was a special—I don't think there was anything special as far as the handle.

Q1: Ya?

A: Uh, but I do know it was hammerless and chrome.

Q1: Any trigger job or anything done on it?

A: Well he had, you know, it was hammerless. He had it—

Q1: He had the hammer spur--

A: The spur.

Q1: --taken off?

A: Ya, ya.

Q1: Just the, where you would normally cock it?

A: Right, that was--

Q1: So you had to—

A: --not there.

Q1: -- you had to fire it double action then? You couldn't do single action with that?  
If the hammer's gone, you can't, can't cock it, so—

A: Right, you couldn't cock it.

Q1: --that's single action.

A: Right.

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Q1: It'd have to be a full pull of the trigger. Well, is there anything that's standing out to you as to why you, why you would have taken the gun out? Why you would have the—I mean, it's the, the barrel's at the back of her head. Can you think of it—was there any struggle or an argument or a threat or anything that would have caused you to, to take the gun out like that? I mean, these, again kinda—

A: I, I'm thinking. I—I—

Q1: I know and I, I appreciate that, I'm just saying, you know, the—something that significant's gotta play, play in your head over and over.

A: No.

Q1: No?

A: I mean, I could say when it went off, it, it freaked me out, I panicked, and I bolted. Um, I, I don't recall. I couldn't tell you that there was, that there was not any verbal altercation while we were at that location or whether or not there was a, a, a—I don't know. I can't tell you that and it looks hella bad for me.

Q1: No, I mean, it is what it is though Art and you're telling your side of it and that's important. You are. You're, you're, you're, you're filling in details here, you know, with things that we already know and that's important. It's important for the family. It's important, you know, for us like we said and even the detectives that worked on it back then and, you know, it's important for you. What else do you remember? Where did you go afterwards?

A: Well, after seeing the police car come down the street, I hightailed it outta there

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and where did I go? I think at that point in time I was staying at the Weekly over on the west side of town off of—what the fuck is that? Cheyenne, I believe.

Q1: Like a Budget Suites or something?

A: Budget Suites, ya.

Q1: 'Kay.

A: And that's where I would have gone. I wouldn't have gone to, you know, I definitely wouldn't have gone to my mother's or where my youngest daughter was 'cause I'd been kicked out of that house anyway, but that's where I would've gone.

Q1: Remember what you did with the gun at that point?

A: No.

Q1: I mean, you obviously—

A: \_\_\_\_\_

Q1: --kept it 'cause then later on San Diego has it.

A: I d—it would have gone into the roo—the room that I had rented. It wouldn't have stayed in my vehicle. That's something that I don't, didn't do.

Q1: Why would you have kept it? What was your thought process there?

A: Of keeping the gun?

Q1: Mm-hm.

A: Eh--

Q1: You don't know why you would have kept it?

A: It was my gun. I mean, I—why would I toss it or destroy it or—

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Q1: Well, when the gun went off, you knew that she had been hit.

A: True and—

Q1: Right? I mean, there's no question that she was hit, right, in your mind? Would you agree with that?

A: Yes.

Q1: So that was, that was just always kind of a th—you know, I mean, like, why wasn't it in the bottom of Lake Mead or something like that? You know, for us--

A: Right.

Q1: --we were thinking that instead of being recovered from San Diego later. That we were surprised about. You know, 'cause I would have thought, you know, you knew, you had to have known she was dead. Agreed?

A: Agreed.

Q1: I mean, you're not gonna survive a gunshot like that to the head. How long did you stay after the gun went off?

A: Oh, I bolted immediately. It was a matter of, I mean—

Q1: Did you do any—I mean, did you, like, evaluate what was going on with her?

A: Uh--

Q1: Like med—like—

A: To stand there and evaluate?

Q1: --for medical or—

A: No, it's just—

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Q1: --for any like—

A: No, I, I \_\_\_\_\_

Q1: --like there was a chance at that? That she could have gotten medical assistance or something?

A: No, I freaked out. I panicked and I bolted. There was no standing looking at her. There was no standing over her. It was fuck, go.

Q1: Okay.

A: And—

Q1: Do you remember—

A: --fight or flight kicked in and flight won.

Q1: Do you remember after it went off that you had to get your drawers on or had to do anything else? Did you have to get your pants up? I mean, was it, it was at that point?

A: I don't think my pants ever came off.

Q1: Okay, just maybe fly open or whatever?

A: Mm-hm.

Q1: I mean, do you have to get your s-stuff put away and the zipper gone up before you ran out the—

A: Uh well, ya.

Q1: --door or that, was that--that was—

A: That was—ya.

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Q1: --something you had to do?

A: Yes.

Q1: Okay. So the gun went off at the—at, at a point in time where you had to do that.

Um, well, Ken?

Q2: Ya, I got a couple questions. Both Dean and you have referred to the, the place where this happened, the Section 8 Housing, but is it more accurate to call it Public Housing?

A: Public Housing, ya. Low Income Housing.

Q2: Okay. Uh, when I showed you the photo of our victim, uh, first thing, did you recognize her?

A: No. I still don't recognize her.

Q2: 'Kay. Um, when we, uh, came across you this afternoon after you came home from work, we had a discussion with you and we, uh, asked if you would be willing to accompany us down here so that we could do an interview and, uh, told you that was, um, voluntary on your--

A: Voluntary.

Q2: Right, so you agreed to come down on your own volition?

A: That is correct.

Q2: Okay, and then when we've been talking to you here, uh, there came a point in time, uh, where you were talking about maybe you need an attorney, maybe not. Dean, uh, heard it as you were saying, maybe you needed an attorney and I'm,

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I'm inclined to believe that's what you said. Is that—

A: That's what I said.

Q2: --how you remember it?

A: I, I specifically—

Q1: Ya, I think—

A: --stated that with what you had presented that I think I need an attorney. I did not explicitly ask for an attorney.

Q2: Okay.

A: I stated that I think I need an attorney--

?: \_\_\_\_\_ (Both talking)

A: based off of what you're presenting.

Q2: Okay.

Q1: And I, ya, I absolutely agree with you—

A: Mm-hmm.

Q1: --that that's how it came across to me. You know, 'cause you were, you didn't skip a beat in continuing to talk to me. You know what I mean? It's like, hey, I— you know, it would have been like, hey, you know, that's it, I don't want to talk anymore. So—and, and I, you know, for the purposes of getting to the bottom of what happened here, obviously, did we give you that opportunity.

Q2: I—uh, we didn't find any money on her. Um, is it possible you agreed on a price and you didn't have the money and so you, you used the weapon to still get what



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you wanted to accomplish?

A: No.

Q2: 'Kay.

A: That would not be the scenario.

?: Uh-huh.

?: Okay.

Q1: Somebody found her and then left and then came back, like later, you know, I mean, she—

Q2: Construction workers weren't sure what they were looking at.

Q1: She sat there, ya, for longer than she should have just because a guy came in like, oh, maybe somebody's in here sleeping kinda thing is what he thought.

A: Mm-hm.

Q1: Like maybe s-somebody's in here.

Q2: I also wanted to clarify Art, uh, would it be fair to say that we'd been decent with you? We haven't pressured you, we haven't intimidated you, yelled at you, been mean to you, threatened you in any way?

A: That is correct.

Q2: 'Kay, and uh, we explained our life's experience with how the judisal sys--(sic), judicial system works, but uh, much of this you were already aware of or you knew by common sense and life experience and but, we didn't make any promises to you about w—how this case could go for you in the future?



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A: No, you made no promises.

Q2: 'Kay.

Q1: Is there any—as we were talking, you've been very contemplative is a good way to put it and reflective on what you remember, what situation you're in right now and as you were thinking through things and as we've been talking, is there anything that either myself or Ken didn't ask you that you th-- that you think we need to know about what happened?

A: I don't think so. Anything like contemplative would fall back to the, I think I need a lawyer statement, whether I continue to sit here and talk or whether or not I I—get a lawyer--

?: Ya.

A: --and go that route. That's the contemplative and, and wanting to talk to my wife which you said you would allow me to do.

Q1: Absolutely.

A: Um, that's where the contemplative part is.

Q1: Okay. Is there anything that pops into your mind about any, anything that we might have missed that you wanna talk about? How do you feel about what happened?

A: That's hard to put in words. How do you really put that in words? Am I remorseful? Most definitely, on many levels. Um, that's hard to explain. I mean, 97 was the year?