

DIAGNOSTIC STUDY REPORT
STATE OF UTAH
DIVISION OF CORRECTIONS
2525 SOUTH MAIN, SUITE #15
SALT LAKE CITY, UTAH 84115

Date Referred: March 22, 1976

Date Due: June 22, 1976

JUDGE Stewart M. Hanson, Jr. Third District COURT

Salt Lake
(CITY)

Salt Lake UTAH
(COUNTY)

NAME: BUNDY, Theodore Robert

COURT CASE NUMBER: 28629

ADDRESS: 413 B Street
Salt Lake City, Utah

OFFENSE: Aggravated Kidnapping
First Degree Felony

BIRTHDATE: November 24, 1946

PROSECUTING ATTORNEY: David Yocom

BIRTHPLACE: Burlington, Vermont

DEFENSE ATTORNEY: John O'Connell

COMPLAINT:

That on or about the 8th day of November, 1974, in Salt Lake County, State of Utah, the said Theodore Robert Bundy, did intentionally or knowingly by force, threat, or deceit, detain or restrain Carol DaRonch against her will with the intent to: (a) Facilitate the commission or attempted commission of a felony, to-wit: criminal homicide or aggravated assault; or, (b) Inflict bodily injury on or to terrorize Carol DaRonch.

PRESENT OFFENSE:

The following information represents this investigator's personal interview with Sgt. Robert A. Hayward, Utah Highway Patrol. Sgt. Hayward in the early morning hours of August 16, 1975, (approximately 2:30 a.m.) was seated in his automobile in front of his own residence. Sgt. Hayward observed a gray appearing Volkswagen going by him at a relatively high rate of speed. At this point, the officer called for assistance on his radio and began pursuing the suspect vehicle. Sgt. Hayward recounts that he pursued the defendant's Volkswagen through the winding residential community, almost losing site of the suspect vehicle inasmuch as the Volkswagen was able to out-corner and out-maneuver the rather large, cumbersome police vehicle. Sgt. Hayward recalls that he ran stop signs at Brock Street and LeMay and again at the entrance of 35th South off of Brock Street.

Throughout the pursuit, Sgt. Hayward had his red spotlight on the fleeing vehicle during the chase. At the corner of 27th West and 35th South, the pursuit ended as Mr. Bundy pulled over to the side of the road. At that point in time, Sgt. Hayward asked the defendant for his driver license which was immediately produced and surrendered to the officer. The subject stated to the Highway Patrol Officer that he was lost in the subdivision and was trying to find his way out. Sgt. Hayward questioned Mr. Bundy as to his reasons for being in the community at 2:30 a.m., and the defendant replied that he had just returned from viewing a movie, the Towering Inferno, which had been playing at a local drive-in theatre. Apparently, a check revealed that the Towering Inferno had not been playing that particular evening; and when confronted with this fact, the subject then changed his story to say that he was lost in the subdivision and was simply trying to find his way out.

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PRESENT OFFENSE, continued:

Sgt. Hayward, after having stopped Mr. Bundy's vehicle, made a consensual search of the automobile and found a number of tools and items that subsequently led to a charge of Possession of Burglary Tools, that charge being formally brought on August 21, 1975. In the defendant's car were found a set of handcuffs, a pair of nylon pantyhose which had a mouthhole and eyes cut out, a ski mask, several lengths of sheet material torn into strips in addition to lengths of rope. Also found in the automobile was an ice pick and other tools scattered about the vehicle.

On August 16, 1975, the subject was arrested and charged with Attempting to Evade a Police Officer.

As a direct result of Mr. Bundy's arrest on August 16, 1975, came the defendant's arrest of October 2, 1975, when he was charged with the offense currently before the Court for sentencing, that being Aggravated Kidnapping, a Felony of the First Degree. This offense, for which the subject was convicted by trial on March 1, 1976, was the result of Mr. Bundy's abortive attempt to kidnap Ms. Carol DaRonch, on November 8, 1974. It should be noted that this agent makes reference to the defendant as the person being responsible for the abduction of Ms. DaRonch, this reference is made from the standpoint that the subject had previously been adjudicated guilty of the offense. At any rate, the circumstances surrounding the abduction of Ms. Carol DaRonch are presented by this investigator in a summarized version inasmuch as the initial report submitted by the Murray City Police Department is voluminous and consumes a considerable amount of space.

Officer Cummings, Murray City Police Department, on November 8, 1974, investigated the abduction of Ms. Carol DaRonch from the parking lot of the Fashion Place Mall in Murray, Utah. The victim, Carol DaRonch, stated that at approximately 7:00 p.m. on November 8, 1974, she parked her vehicle in the parking lot west of Sears at the Fashion Place Mall and proceeded inside the store. Ms. DaRonch proceeded into the Mall through Sears and walked towards Castleton's and down towards Auerbach's. While in the Mall, she encountered some cousins and stopped to talk for a few moments. Following her conversation with her cousins, she proceeded back toward the Sears store and was approached by an individual near Walden's Book Store. Carol suspects that she had been in the Mall approximately ten to fifteen minutes at this point in time.

The suspect was described as being a male, white, American, 25-30 years of age, brown hair, medium length, approximately six feet, thin to medium build, with a neatly trimmed mustache. The suspect was wearing green pants and a sport jacket, the color of which was unknown. In addition, Carol's abductor was wearing shiny, black patent leather shoes. The victim's would-be abductor gave his name as Officer Rosland.

The suspect asked Ms. DaRonch if she had a car in the parking lot to the west of the Sears store. The victim replied in the affirmative, and he then asked her for the license number. Carol relates that she gave him her plate number. It was at this point that her would-be abductor identified himself as a police officer and related that he had caught a suspect breaking into Ms. DaRonch's automobile with a pry wire, and he wanted her to accompany him back to the vehicle in order to ascertain whether or not anything was missing and also to see if she could identify the suspect.

Carol and her would-be abductor proceeded through the Mall into the Sears store and out the doors to the parking lot; at this time, the victim checked her vehicle, looked inside and could not see anything out of place. At this point in time, the suspect asked her to open up the passenger side, that he wanted to check inside. The victim told him no, it would not be necessary as she could see that everything was in place.

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PRESENT OFFENSE, continued:

At this point in time, the suspect stated that he would like Ms. DaRonch to accompany him to the other side of the Mall where he indicated that the car prowler suspect would be located. Carol was led to believe that she would be instrumental in identifying the person and sign a complaint.

The suspect and the victim proceeded back through Sears and out into the east parking lot. The suspect looked around and stated that the car prowler suspect must have been taken to the Murray Police Substation. Her would-be abductor asked that Ms. DaRonch accompany him to the substation. They then doubled back through the parking lot, went back into the Mall, and exited on the north side by the entrance to Farrell's Ice Cream Parlor. They walked across the parking lot, crossed 6100 South and arrived at a laundromat. At this point, the suspect told the victim that this was the Murray Police Substation, and he believed the auto prowler suspect would be located within, and Carol could sign a complaint. The suspect tried the door which appeared to be the entrance to a maintenance room; the door was locked. Ms. DaRonch's would-be abductor indicated that they would have to go to the Main Murray Police Department and would she accompany him to his vehicle which was parked on the north side of 6100 South near the east of the Lockhart Company; the victim complied and entered her abductor's vehicle.

While enroute to the supposed police substation, Carol asked her abductor for some identification and was shown a "miniature size badge" which appeared to be gold in color. Once inside her abductor's Volkswagen, he made certain that she lock her door. He made a U-turn and proceeded up 6100 South to 300 East where he made a left turn and proceeded north on 300 East to the area of approximately 5800 South on 300 East, the McMillan School.

At this point, Ms. DaRonch's abductor pulled the vehicle over to the side of the road and the assault began. The victim recalled that she tried to get out of the car, and the suspect reached over and grabbed her, her abductor produced a pair of handcuffs, grabbed her by the right wrist and put the handcuffs on the right wrist. Carol began resisting vigorously. Her abductor was attempting to handcuff both hands, however, he only ended up putting both handcuffs on the right wrist. At this point in time, the suspect reached into his coat pocket and produced a pistol, pointed the pistol at Carol and told her if she did not quit struggling, he would shoot her. To Ms. DaRonch's credit, she began struggling all the harder. She managed to open the door and got outside, the abductor also exited the vehicle and approached her. At this point in time, the suspect had what Ms. DaRonch believed was a crowbar in his left hand and lifted it over his head as though to strike her. Carol grabbed the bar and started pushing and shoving her abductor. Finally, Ms. DaRonch broke free and began running out into the roadway where she flagged down Mr. and Mrs. Walch. They admitted her to their vehicle and took her to the Murray City Police Department where she recounted her harrowing experience, and the investigation was launched for her abductor. Some eleven months later, on October 2, 1975, the defendant was charged with the Aggravated Kidnapping of Ms. Carol DaRonch and was subsequently convicted by trial on March 1, 1976.

DEFENDANT'S STATEMENT:

This investigator requested and received a typewritten statement from Mr. Bundy on June 10, 1976, and the following information is presented verbatim:

"Activity and whereabouts on the evening of November 8, 1974, and the morning of August 16, 1975.

"A statement by Theodore Bundy:

"Incidents occurring on November 8, 1974 and August 16, 1975 have, it appears, shaped my destiny for all time. On November 8, 1974, a young woman was abducted from a shopping mall and shortly thereafter

DEFENDANT'S VERSION, continued:

"she escaped unharmed from her abductor. On August 16, 1975, I was stopped by a State Patrolman in the early morning hours ostensibly because I failed to heed his signal to stop. Two incidents, on two days separated significantly in both time and circumstance, have become strangely and intimately inter-dependent.

"I was arrested, charged, tried and found guilty of the kidnapping which occurred on November 8, 1974, following an investigation which grew out of the August 16, 1975, episode. During the kidnapping trial, I testified extensively concerning both my whereabouts on November 8 and my activities on August 15 and 16. My testimony was heard by Judge Stewart Hanson, Jr., who was also the trier of fact in the case because I chose to waive my rights to a jury trial. My testimony is a matter of record, and it is my understanding that the record has been reduced to writing in a transcript form. My testimony was made under oath, was a complete and accurate account of my recollection of events on November 8 and August 16, and remains to this day the most reliable statement pertaining to the occasions in question. Therefore, I recommend that those interested in my version first refer to the transcript of my testimony.

"Inevitably, even extensive examination and cross-examination leave questions unanswered which are in retrospect intriguing but which, because of the fallibility of counsel or the constraints of evidence law, are not asked. I would willingly respond to questions left unanswered by my testimony which are of interest to those with some legitimate involvement in my case. Since I am not possessed of an intuition which would permit me to comprehend each and every specific question referring to matters associated with November 8, and August 16, I would prefer responding to precise inquiries rather than launching myself on a broad explanation, much of which would be redundant in light of my testimony.

"From my point of view, the most critical questions were asked and answered during my testimony. A summary of my recollection of November 8, 1974 follows:

- "1. I was not at Fashion Place Mall on that evening.
- "2. I vaguely recall being home for a time, taking in a movie and going to a local tavern.
- "3. At approximately 11:50 p.m., (as established by phone records), I made a call to my fiance in Seattle, and she recalls a discussion of the movie.
- "4. My car had broken down late in the afternoon and was not in good working order.
- "5. I was not, nor have I ever worn a mustache, green slacks or patent leather shoes.
- "6. I did not own a gun or a police badge on that day or at any other time.
- "7. I did not own handcuffs on November 8.
- "8. I was not driving a light blue Volkswagen, nor did my beige Volkswagen have a noticeable tear in the back seat during the winter of 1974-75.
- "9. I was not the man who abducted Carol DaRonch.

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DEFENDANT'S VERSION, continued:

"If I cannot remember precisely what occurred on a date which is now eighteen and one-half months old and which occurred eleven months prior to my arrest for Kidnapping, it is because my memory does not improve with time. It is safe to say what I was not doing, however. I was not having heart surgery, nor was I taking ballet lessons, nor was I in Mexico, nor was I abducting a complete stranger at gunpoint. There are just some things a person does not forget and just some things a person is not inclined to do under any circumstances.

"The point is that my version of my whereabouts and activities on November 8, although understandably vague, have not been refuted by any testimony or physical evidence other than the testimony of Carol DaRonch. The fact is that evidence tending to exculpate me was not successfully challenged or refuted. The reality is that the entirety of the defense's case was disbelieved.

"Turning now to the night of August 15, 1975, and the early morning hours of August 16, 1975.

"No fact seems to have had more incriminating significance to the prosecution in the kidnapping case and, at the same time, no fact was more patently immaterial to the issue of guilt or innocence in that case than an incident which took place over nine months after the crime. The fact that I was stopped on August 16, 1975, and that handcuffs were found in my car was a dominating factor in the kidnapping trial. Undeniably, handcuffs, a crowbar, ski mask, pantyhose, strips of cloth, an ice pick were collected from various locations in my car. The fact is that I had never contemplated using these items for any unlawful purpose, nor can any such purpose be shown. The fact is that these items were a part of a vast array of tools and miscellanea carried in my car, some as 'strange' as the allegedly nefarious items seized. Not seized by the police was an Army shovel, plastic boat oars, flares, tire chains, VW repair manuals, hack saws, coveralls, a rubber hose, cans of oil, a length of heavy chain, and a complete tool box containing among other things, a rubber mallet.

"Admittedly, the circumstances were unusual. If my explanation involving the use of marijuana and my late working hours is not to be believed, then, I suppose some will turn to a plethora of clandestine hypotheses which lack only one thing: evidence to substantiate them. So while I stand guilty of being strange on one occasion at the age of twenty-nine, I am perplexed by the imaginative insinuations which attempt to link the 'strangeness' with a ten-month old kidnapping.

"If Carol DaRonch had been abducted at 2:00 in the morning by a man dressed in dark clothing, wearing a ski mask, threatening her with an ice pick, and having the passenger seat removed from his car, there would be genuine cause to associate the two incidents. However, she was not.

"If during the search of my car on August 16, or any subsequent search, a police badge and a handgun had been found, there would be a relationship between the two incidents. However, they were not.

"If the handcuffs found in my car on August 16, were the same ones used on the kidnapped victim or bore some distinguishing similarity to those placed on the victim, there would be reason to associate the two events. However, they were not the same nor did they bear any unique similarity.

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DEFENDANT'S VERSION, continued:

"If Ms. DaRonch had testified that a weapon brandished by her attacker had definitely been a crowbar, there could be some remote association, although such tools are common and not commonly purchased as weapons. However, she testified that she did not see the weapon but only felt a many-sided metal object which she assumed was a crowbar. (Interestingly enough, at an earlier hearing, she estimated the length of the weapon and later when she testified at trial, she stated she had not seen it.) Two blind men touching an elephant, one feeling the leg and the other the tail, described the beast respectively as a tree trunk and a snake. The metal object Ms. DaRonch felt became a crowbar but not just any crowbar. It became precisely the one found in my car ten months later. I find the logic quite implausible.

"Finally, I wish to discuss my statements made to officers at the scene on August 16, and other considerations which allegedly diminished my credibility.

"My statements to the police that I had been somewhere that evening where I had in fact not been was a regrettable subterfuge. I should not have told the police an untruth. I had the right to remain silent, and even though I was never advised of that right, I should have exercised it. Caught in a compromising situation, between telling the officers I had been smoking marijuana or proposing some less intimidating explanation, I chose the wrong compromise. There was really no need to compromise at all.

"The prosecution inferred that my lie to the police on that evening and my failure to reveal my actual activity to my attorney made me a pathological liar and a discredited witness. The argument is totally unpersuasive. To begin with, I voluntarily took the stand and admitted my errors. I submit that making an erroneous statement to a group of belligerent police officers while standing alone on a deserted street corner at 2:00 in the morning does not suggest that I would lie while under oath in court of law about my non-involvement in a kidnapping. Nor is there any validity to the assumption that a person who lies, whether out of habit or necessity is the kind of a person who would abduct a teenage girl from a shopping mall. The prosecutory argument which asserts I was not a credible witness has not basis in logic or fact because it cannot be shown that I lied on the witness stand.

"My failure to inform my attorney of my true activities on August 16 reflects a difference in priorities as much as it does my own shortcomings. Mr. O'Connell was concerned about the prejudicial repercussions that testimony regarding August 16 would have on the kidnap trial. On the other hand, I felt strongly then, as I do now, that August 16 was just a ploy advanced by a desperate prosecution and, with the exception of the seizure of the handcuffs, was a completely immaterial occurrence. I saw no reason to advertise my use of marijuana which I also felt was immaterial and itself potentially prejudicial. Given the embarrassment my admission concerning marijuana caused me, it was to my credit that I revealed my use of it in public. I doubt that all members of the legal profession, who have smoked the substance, would be as candid.

"There was also the inference that a law student, who has completed a course in criminal law, has the knowledge to perceive the legal ramifications of any act he engages in or admission he makes. The rudimentary nature of introductory criminal law courses qualifies a person as an interpreter of appellate court decisions in such areas

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DEFENDANT'S VERSION, continued:

"as cruel and unusual punishment and hybrid due process violations. I was not prepared to cope with the challenges to fundamental rights faced by a criminal suspect and defendant. It has been an education. I knew I did not want to be harrassed as a suspected possessor and user of a controlled substance but I did not know the precise wording of applicable Utah statutes. Nor did I know that absent a Miranda Warning, statements made by a suspect in custody and undergoing interrogation could be admitted against him. Nor was I aware that without probable cause, and a request for a consent search, a thorough search of an automobile could be conducted. Now I feel like I have finished a course in criminal law.

"Judge Hanson, when administering 'jury instructions' to himself, openly assured those present that only testimony and evidence probative to November 8, 1974, would guide his determination in the kidnapping trial. The conclusion, I believe, was that he would ignore the bad man inferences offered by the prosecution based on August 16, 1975. In the final analysis, the only remotely probative force arising out of August 16, was my possession of handcuffs nine months after a kidnapping in which a different pair of handcuffs was used. The prosecutor's preoccupation with a motor vehicle violation unrelated in time and circumstance to the offense in question belied their desperation and the weakness of their case. Hopefully, the judge was able to dismiss the immaterial allegations associated with August 16, 1975.

"Such are my opinions and observations regarding November 8, 1974 and August 16, 1975. My testimony stands as my definitive statement about these occasions. Additional questions are welcome." Prepared June 8, 1976. /s/ Theodore Bundy.

JUVENILE AND ADULT CRIMINAL RECORD:

As near as can be ascertained by the records received by the Adult Probation and Parole Section, Theodore has never been arrested as a juvenile. According to the Utah Bureau of Criminal Identification, the United States Federal Bureau of Investigation and the Salt Lake County Sheriff's Office, the subject has the following adult arrests and dispositions:

<u>Department</u>	<u>Date</u>	<u>Charge</u>	<u>Disposition</u>
SO Salt Lake City, Utah	8-16-75	Failure to Stop at the Command of a Police Officer	The defendant was convicted by jury trial. Sentencing set for 6-22-76 before the Honorable Gordon Hall.
SO Salt Lake City, Utah	8-21-75	Warrant of Arrest Possession of Burglary Tools	Pending
SO Salt Lake City, Utah	10- 2-75	Aggravated Kidnapping and Attempted Criminal Homicide	Defendant convicted of Aggravated Kidnapping by trial on 3-1-76. Subject committed to the custody of the Division of Corrections pursuant to U.C.A. 76-3-404, on 3-22-76, for the purpose of a 90-day Diagnostic Evaluation and Report. Disposition Pending.

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JUVENILE AND ADULT CRIMINAL RECORD, continued:

It should be noted that there is a pending offense which is not represented on the defendant's arrest record, that being the offense of Fraudulent Application for a Duplicate Automobile Title, a Felony of the Third Degree. According to the County Attorney, Mr. David Yocom, this offense had not yet gone to preliminary hearing.

SOCIAL HISTORY:

General Background Information:

Theodore Robert Bundy was born in Burlington, Vermont, on November 24, 1946. Theodore relates that he was born illegitimately and never knew his natural father. Mr. Donald Hull, the Presentence Investigator, reported that his contacts with Mrs. Louise Bundy, the subject's mother, confirmed that the defendant was born illegitimately as the result of a relationship between Mrs. Bundy and a young sailor who was stationed in the Burlington, Vermont area in 1946. According to Mr. Hull, records in the State of Vermont indicate that Mrs. Bundy spent approximately sixty-three days in the Elizabeth Lund Home For Unwed Mothers prior to her son's birth. The defendant was actually born Theodore Robert Cowell (the subject's mother's maiden name); it was not until the Spring of 1951 that Theodore's mother married her present husband, Mr. John C. Bundy, and the defendant was henceforth known as Theodore Robert Bundy.

Following the subject's birth, he and his mother resided in Burlington, Vermont, for "several months" when they moved to Philadelphia, Pennsylvania to the home of Mrs. Bundy's parents, Samuel and Elinore Cowell. Theodore relates that his grandparents resided in the rural community of Roxborough, a suburb of Philadelphia and regarded this portion of his life as being very pleasant. The defendant and his mother actually lived in his grandparents' residence for a four-year period of time. For some reason, not clearly understood by this investigator, Mrs. Bundy and the subject moved to Tacoma, Washington, where they resided in the residence of Mr. John R. Cowell, Theodore's maternal uncle, and they remained there less than one year while Mrs. Louise Bundy maintained employment in the secretarial field. The defendant recalls that he and his uncle were very close, and even though they have been unable to maintain a close physical proximity, through the years, the emotional closeness has remained. Mr. John R. Cowell is an accomplished composer and pianist and as a result of his talents had lived in areas outside of the United States, necessarily limiting his contact with the subject.

As previously indicated, the defendant's mother married Mr. John C. Bundy in the Spring of 1951; Theodore was five years of age when his mother married his step-father. According to the subject, his step-father is currently employed as a dietitian at the Madigan Army Hospital located on the military reservation at Fort Lewis, Washington. Mr. John C. Bundy has been so employed for as long as the defendant can recall. Theodore confides that he and his step-father have had a close relationship, as a matter of fact, the subject found it difficult to refer to Mr. John C. Bundy as his step-father as he has always regarded him as his "real father". It is this agent's understanding that the defendant's name was formally changed to Bundy when Theodore's step-father adopted him after the marriage in 1951.

The subject indicates that his step-father, while administering discipline, was more apt to rely upon physical force, and his mother used means other than corporal punishment. The defendant advises that his mother had a tendency to intercede during his step-father's attempts to

SOCIAL HISTORY:

General Background Information, continued:

discipline, however, Theodore states that his mother's interference was the exception rather than the rule. The subject confides that to the best of his knowledge, his mother and father have never been separated; and further, he has never heard them involved in a bitter argument. The defendant describes his parents as having a "stable relationship" and showing affection toward each other as well as their children. Theodore relates that his mother and step-father showed "deep affection" toward him and his brothers and sisters.

In 1952, the subject's mother gave birth to Linda Bundy; Glenn Bundy followed in 1953; Sandra Bundy arrived in 1956 and Richard in 1961. The constellation of the Bundy family then is as follows: John C. Bundy, adoptive father, age fifty-five; Louise Bundy, natural mother, age fifty-one; Theodore Bundy, age twenty-nine; Linda Bundy, sister, age twenty-three; Glenn Bundy, brother, age twenty-two; Sandra Johnson, a married sister, age nineteen; and Richard Bundy, a brother, thirteen years of age.

The subject advises that his mother, following her marriage, remained in the home providing care for the children. Presently, Mrs. Louise Bundy is employed at the University of Puget Sound in the Department of Speech and Drama. Mrs. Bundy has been working in this capacity of a secretary for the past three or four years. The defendant stated that although her title was that of secretary, she was "more often than not" regarded as the "Administrative Assistant".

In a letter dated March 10, 1976, Mrs. Louise Bundy describes Theodore's life as essentially normal lacking any excessively traumatic influences. With regard to the subject's dating habits, Mrs. Bundy states, "I mentioned Ted's many friends, but did not mention girlfriends in particular. I feel that, in this case in particular, his attitude toward women, especially his peers, is important. Ted liked (likes) girls, very naturally. He had an assortment of girlfriends during late junior high and through high school. They surely liked him, because they were always calling him. He didn't solo date a lot, but was invited to many parties, which he enjoyed. Until he got his driver license, we performed a lot of taxi service for those events." According to the defendant, he first began dating, group dating, when he was in junior high school. Theodore advises that he discontinued dating throughout high school and when queried about this, the subject was unable to offer an explanation. The fact that the subject didn't date in high school is not necessarily all that unusual; however, what is unusual is his mother's statement that he dated throughout high school, and she was particularly aware of girlfriends who "surely liked him, because they were always calling him". During the period of late adolescence, Ted seemed to prefer a more solitary existence; it is important to note that from information available, there is no indication of abnormal, stressful events which occurred that might offer an explanation for the defendant's involvement in the present offense.

This investigator has spent a considerable amount of time personally interviewing Theodore, asking questions which have been asked and answered many times before. The subject, regardless of the questions asked, always seems to provide the appropriate answer. The defendant is obviously very bright, with his Bachelor's Degree in Psychology, it is suspected that he has a fairly good comprehension of what the various interviewers are attempting to determine, that being any indication of pathology or lack thereof. Frequently, this agent left the interview with a preponderance

SOCIAL HISTORY:

General Background Information, continued:

of notes and "answers" to some very critical questions, however, the feeling tone which was pervasive upon leaving an interview with Theodore was that of not really knowing the subject at all. This feeling has been shared by a number of other individuals involved in the assessment of the defendant both during the 90-day evaluation and the presentence investigation. Theodore's lack of candor relative to various questions asked was best summarized by Dr. Al Carlisle when he stated, "Mr. Bundy is a 'private' person who does not allow himself to become known very intimately by others. When one tries to understand him, he becomes evasive."

The subject remained in his mother and step-father's home until he was approximately nineteen years old. Following the defendant's graduation from high school, he enrolled at the University of Puget Sound and attended during the academic year of 1965 to 1966; Theodore was living at home while attending the University of Puget Sound. In the autumn of 1966, the subject moved to Seattle, Washington, and began attending the University of Washington at Seattle where he actually completed four quarters. The defendant was pursuing a Chinese language curriculum and desired, at that time, to gain a position of authority to improve relationships between the United States and China. Theodore received a grant which allowed him to attend Stanford University for one quarter during the summer. It was during his attendance at Stanford University that he felt he was not measuring up and found that his interest in Chinese became a "bit too alien" so he terminated this area of study. The subject returned to the University of Washington and attended his fourth quarter there and discontinued his schooling in January of 1968. The defendant left Seattle, Washington, and began traveling for approximately a one year period of time. It is this investigator's impression, an impression which is shared by Dr. Carlisle, that it was during this period of time that Theodore was perhaps experiencing some emotional problems and left his schooling and home in an effort to "regroup". The subject traveled to San Francisco, then to Denver and when he tired of skiing in Colorado, he then went to Philadelphia, Pennsylvania. The defendant left Philadelphia and traveled to see his uncle, Jack Cowell in Arkansas. In September of 1968, the defendant returned to Seattle, Washington, and obtained employment in a shoe store. Theodore indicates that he was desirous of returning to college, however, he did not want to continue at the University of Washington as he had some bad memories. In January of 1969, the subject traveled to Philadelphia, Pennsylvania and enrolled for one semester at Temple University in Philadelphia majoring in art, science and political science. The defendant left Temple University as he found the environment "crowded, dirty, with no forest". In May of 1969, following Theodore's experience at Temple University, he traveled to San Francisco, California, stayed there for approximately two to three weeks with friends, then he moved to Tacoma, Washington, where he obtained employment in a lumber mill. In September of 1969, the subject "split" and moved to Seattle, Washington, obtained an apartment where he lived for the next five years and re-enrolled in the University of Washington in June of 1970. The defendant subsequently graduated in June of 1972 with a Bachelor of Science Degree in Psychology from the University of Washington.

On September 31, 1969, Theodore, while in a Seattle tavern, met Ms. Elizabeth Kloepper. This began a very close relationship interspersed with several affairs with other women. Ms. Kloepper, according to the subject, was raised in the Ogden, Utah, area and moved up to Seattle, Washington, following her divorce in order to remove herself from the

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SOCIAL HISTORY:

General Background Information, continued:

In the Fall of 1974, the defendant had developed an interest in the Latter Day Saints Church and was subsequently baptized a member of that organization. Theodore, at that time, was experiencing some disappointment in the way his life had been progressing to that point in time, and indicated that he desired a more disciplined approach, hence his involvement in the LDS Religion. Apparently, those habits which had caused the subject a considerable amount of consternation were continued following his baptism. Dr. Carlisle, in the body of his psychological evaluation, addresses what he feels to be pertinent questions concerning the defendant's character at that point in time.

Employment records of the University of Utah indicate that in June of 1975, Theodore was given a job through the University as a "night manager" in charge of Ballif Hall earning \$2.00 per hour. The subject terminated this employment at the conclusion of the school year. In July of 1975 to August of 1975, the defendant was employed as a security guard for the University of Utah earning \$2.50 an hour. According to the personnel records, Theodore was terminated from this position due to a "budget cut". In September of 1975 to October 4, 1975, the subject was employed by the University of Utah as a part of the custodial staff in plant operations. The defendant was actually hired on September 15, 1975, and the records indicate that his last day of work was October 1, 1975. Theodore was terminated from this position while being housed in the Salt Lake County Jail on the present offense.

Comments made by various supervisors describe the subject, while working for the University of Utah, as having a "super attitude", "a willingness to do excellent work in any area". Essentially, the defendant received excellent work ratings from his various superiors.

Essentially, Theodore maintains that he enjoyed a satisfactory childhood and adolescence. The fact that the subject was illegitimate has not caused him any unnecessary strain according to the defendant. The Adult Probation and Parole Section has received letters from Theodore's immediate family all indicating a tremendous amount of support for him. According to the subject, his girlfriend, Elizabeth Kloepper, continues to correspond with him and apparently believes in his innocence.

Intellectual Development and School Adjustment:

According to information received by the Adult Probation and Parole Section, the defendant attended the elementary school system in Tacoma, Washington. Theodore then matriculated to Hunt Junior High School in Tacoma and subsequently entered Wilson High School, again located in Tacoma, Washington. The subject apparently has a history of good attendance with fluctuations in the level of performance within the school curriculum. According to Mr. Donald Hull, the defendant was viewed as intelligent and did, on occasion, work at a high caliber level. The consistency of his work was, however, somewhat lacking. Theodore apparently received above average grades, while attending Wilson High School and subsequently graduated in 1965. While enrolled at Wilson High School, he participated in athletic activities, particularly track and did relatively well in that sport. The subject also tried out for basketball, however, he was found to be too small and as a result did not make the team.

As previously indicated, following the defendant's graduation from Wilson High School, he attended the University of Puget Sound during the academic year of 1965 to 1966. Theodore has attended several universities off and on and subsequently graduated from the University of Washington in June of 1972 with a Bachelor of Science in Psychology.

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SOCIAL HISTORY:

General Background Information, continued:

effects of a bad marriage and to ostensibly start her own life. Ms. Kloepper is the daughter of an Ogden physician, Dr. Russell Hirst. The defendant indicated that Elizabeth's parents had withdrawn their support from Ms. Kloepper and Theodore upon his involvement in the present offense. The subject states, "Dr. and Mrs. Hirst have been a source of some disappointment in that they have given so little support to Liz since this thing happened to me." At one point, the defendant and Ms. Kloepper were to be married, and the date was set for Christmas of 1975.

Presently, Elizabeth Kloepper is employed as a secretary for the University of Washington and is specifically employed by the Medical Instruments Facility where she has maintained this position for approximately seven years. Ms. Kloepper possesses a degree in Home Economics from Utah State University.

While working on his undergraduate degree, Theodore obtained employment with the Attorneys Messenger and Process Service located in Seattle, Washington. The subject filled the position of file clerk and courier. The defendant maintained this employment until May of 1970 when he states that he was fired as he was absent from work taking care of Ms. Kloepper's child, Molly Kloepper. Upon Theodore's return to work the following day, his supervisor advised him that he had a week to find a new job. The subject obtained a part-time position working at the Pedline Supply Company and this position, supplemented with a loan which he received, carried him through the remainder of his schooling. The defendant relates that he was well thought of at the Pedline Supply Company and only lost his job when they moved to another part of Seattle, and the distance was too great for Theodore to travel as he did not have adequate transportation.

The subject, after having completed his undergraduate degree, desired to pursue law school and made a number of applications prior to his graduation, however, he was not accepted. The defendant was finally accepted at the University of Puget Sound and began attending Law School at night, however, Theodore, relates that he did not enjoy it. The subject subsequently made application to the University of Utah Law School, was accepted and began attending in September of 1974. According to information received from the University of Utah, College of Law, the defendant, for his first academic year, received B's and C's and was viewed as a student with a slightly above standard grade point average. Theodore's first quarter's attendance was quite sparse, however, it is somewhat difficult to objectively confirm the attendance inasmuch as formal attendance records are not kept on the law students. During his second and third quarter, the subject's attendance appeared to improve and his grade point average was high enough to allow his return for the second year.

This agent's contact with Mr. Bruce Zimmer, Dean of the University of Utah, College of Law, revealed that Mr. Bundy, on his law school admission form, had failed to note that he had attended the University of Puget Sound Law School. Dean Zimmer instructed his Director of Admissions to check with the University of Puget Sound College of Law and attempt to ascertain whether or not the defendant had in fact attended. The Director of Admissions reported back to Dean Zimmer that the University of Puget Sound had no record of Theodore attending their College of Law. Dean Zimmer points out that he cannot assure the accuracy of the statement made by the records clerk at the University of Puget Sound. Further, Dean Zimmer indicated that should Mr. Bundy be placed on probation, his readmission to the University of Utah Law School would not necessarily be ruled out. Where an individual has been convicted of a felony, a review by the faculty for reacceptance would be necessary.

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SOCIAL HISTORY:

Intellectual Development and School Adjustment, continued:

The subject applied for and was accepted to the University of Utah College of Law during the Summer of 1974. The defendant moved to the Salt Lake City area in late August of 1974 and began attending Law School. Theodore completed one full academic year and was prepared to continue with his second year of training when he was arrested on the present offense.

On June 2, 1976, the results of a thorough psychological evaluation were compiled and submitted by Dr. Al Carlisle, Ph.D., Clinical Psychologist. The results of Dr. Carlisle's psychological evaluation is attached to the Diagnostic Study for the Court's review. Additionally, it should be noted that Dr. Van O. Austin, M.D., Prison Psychiatrist, also conducted a thorough and complete psychiatric evaluation in which skull x-rays, electroencephalograms, a computerized thermographic brain scan and multiple interviews were utilized. The results of Dr. Austin's psychiatric examination are also attached to the body of this report.

RESPONSE TO PRESENT DIAGNOSTIC AND EVALUATION EFFORT:

The subject, since his commitment to the custody of the Division of Corrections on March 22, 1976, has spent the entire study period housed at the Utah State Prison. The Diagnostic Staffing Committee on June 15, 1976, reviewed all pertinent information regarding the defendant, and it was respectfully recommended on that date that Theodore be committed to the Utah State Prison for the indeterminate term as proscribed by law.

The subject's adjustment while housed at the Diagnostic Unit in Medium Security has been satisfactory. To the best of this agent's knowledge, the defendant has not violated any rules or regulations of the institution. Theodore related on one occasion that certain inmates have made derogatory remarks toward him, however, the subject has been able to maintain a positive attitude and outlook. It should be noted that Mr. Bundy was recommended to be moved to the Minimum Security Facility, however, the Prison Administration blocked his transfer. This situation has caused the defendant to somewhat strongly suggest that he has not been evaluated fairly. Apparently, Theodore has filed a "petition" with the Court and this matter will be heard on the subject's date of sentencing.

It could be safely stated that the various members of the Diagnostic Staffing Committee feel that Mr. Bundy has been less than candid in revealing certain pertinent items about his personality. This has somewhat frustrated the professionals involved in making an accurate assessment. For example, Dr. Carlisle states, "I feel Mr. Bundy has not allowed me to get to know him, and I believe there are many significant things about him that remain hidden." Dr. Van Austin relates, "I feel that Mr. Bundy is either a man who has no problems or is smart enough and clever enough to appear close to the edge of 'normal'. I do not feel that he is a candidate for treatment at this time. Since it has been determined by the Court that he is not telling the truth regarding his present crime, I seriously question if he can be expected to tell the truth regarding participation in any program or probation agreement. It is my feeling that there is much more to his personality structure than either the psychologist or I have been able to determine. However, as long as he compartmentalizes, rationalizes, and debates every facet of his life, I do not feel that I adequately know him, and until I do, I cannot predict his future behavior."

SUMMARY OF POSITIVE AND NEGATIVE INDICATORS GAINED FROM THE SOCIAL STUDY:

Positives

1. The defendant has a high intelligence.
2. It would appear from the social history that the defendant was not subject to severely traumatizing influences in his childhood or adolescence.
3. Few or no distortions existed in the subject's relationship with his mother and step-father.
4. From the information available, the developmental history shows no serious defects in physical development, habits, school adjustment, emotional maturation or sexual development.
5. From the available information, the defendant has adequate interests, hobbies and recreational pursuits.
6. From the available information, the defendant's habitual environmental pressures and responsibilities are average.
7. From the available information, it would appear that the defendant has had no previous attacks of emotional illness.
8. From the available information, the defendant has never received psychotherapy or counseling in the past.

Negatives

1. The defendant has been convicted of a very serious charge where violence played a major role in the commission of the offense.
2. According to the psychological and psychiatric evaluations, when one attempts to understand Mr. Bundy, he becomes evasive.
3. Outwardly, the defendant appears confident and reveals himself as a secure person; underneath this veneer are fairly strong feelings of insecurity.
4. The defendant is somewhat threatened by people unless he feels he can structure the outcome of the relationship.
5. A fairly strong conflict was evidenced in the testing profile, that being the subject's fairly strong dependency on women, yet his need to be independent. Mr. Bundy would like a close relationship with females but is fearful of being hurt by them.
6. There were indications of general anger and more particularly, well-masked anger toward women according to the psychological evaluation.
7. The defendant tends to remain emotionally distant from others probably as a defense against being hurt by them.
8. According to the psychological profile, the defendant has difficulty handling stress and has a strong tendency to run from his problems. His use of marijuana and the fact that he has been a heavy drinker at one time are indicators of difficulty in dealing with stress.
9. Passive/aggressive features were also evident. There was hostility observed on the subject's part which is directed toward the Diagnostic personnel even though Mr. Bundy would carefully point out that it was not aimed directly at those responsible for his evaluation.

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SUMMARY OF POSITIVE AND NEGATIVE INDICATORS GAINED FROM THE SOCIAL STUDY, continued:

Positives

Negatives

10. The defendant has refused to acknowledge his guilt in the present offense. He maintains his innocence, therefore, making it impossible to consider a treatment program as Mr. Bundy indicates that he has no problems to treat. In the psychiatric evaluation, Dr. Van Austin states, "The second fact is that he adamantly denies his guilt and in fact, denies that he has any personal problems of a magnitude that could lead to such a crime. I do not feel that he is a candidate for treatment at this time."

SUMMARY:

This case involves a 29-year-old, white, male American who has previously been convicted by trial of the offense of Aggravated Kidnapping, a First Degree Felony, on March 1, 1976. On March 22, 1976, Theodore was committed to the custody of the Division of Corrections pursuant to Utah Code 76-3-404, for the purpose of a Diagnostic Evaluation and Report. On June 15, 1976, the Diagnostic Staffing Committee reviewed all pertinent material regarding the subject's case, and it was the recommendation at that time that he be committed to the Utah State Prison for the indeterminate term as proscribed by law. The defendant, since his commitment to the Division of Corrections has remained at the Utah State Prison, housed in the Diagnostic Unit.

The offense for which Mr. Bundy was found guilty involved the abduction of Ms. Carol DaRonch on November 8, 1974, from the Sears parking lot west of the Fashion Place Mall. The subject approached Ms. DaRonch and purported to be a Murray City Police Officer and showed her a badge. Ms. DaRonch entered her abductor's automobile when she was told that her personal appearance was required at the Murray City Police Department in order to sign a complaint against a man who was supposedly trying to break into her automobile. The defendant allegedly transported Ms. DaRonch several blocks from the Mall to an area near McMillan School and suddenly stopped his automobile and lunged at the victim. During the course of the struggle, handcuffs were produced and placed on Ms. DaRonch's wrists; she was able to exit the vehicle on the passenger side and her abductor followed after her across the seat. At this point, a revolver was produced and her abductor also had a blunt instrument which was identified by the victim as having been or feeling like a crowbar. Ms. DaRonch's abductor made a gesture as to strike her on the head with that instrument. The victim was able to break away from her abductor and ran down the street a short distance, stopped an automobile belonging to Wilbur and Mary Walch and entered their automobile. Mr. and Mrs. Walch took Ms. DaRonch to the Murray City Police Department where she gave a detailed statement.

With regard to prior arrests, Mr. Bundy does not have a record previous to August 16, 1975. The defendant was charged with the present offense on October 2, 1975. It should be noted that the subject was also charged with Failure to Stop at the Command of a Police Officer, and he was convicted by a jury trial and sentencing has been set for June 22, 1976, before the Honorable Gordon Hall. On August 21, 1975, Mr. Bundy was charged with Possession of Burglary Tools, and it is this investigator's understanding that this charge has not had a preliminary hearing, therefore, it is still pending.

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SUMMARY, continued:

The defendant was born on November 24, 1946, in Burlington, Vermont. He was the product of an out-of-wedlock relationship between his mother, Mrs. Louise Bundy and a young man she had met in the Burlington area. The subject and his mother resided for a short period of time in Burlington, Vermont, and then moved to Philadelphia, Pennsylvania, where they lived with Mrs. Bundy's parents. They remained there until Theodore was approximately four and one-half years of age and then moved to Browns Point, a suburb of Tacoma, Washington. In 1951, shortly after having moved to Tacoma, Washington, Mrs. Bundy met her first husband, John Bundy, and they were married. The defendant was formally adopted and his name was changed from Cowell to Bundy at that time. It is of interest to note that the subject was born Theodore Robert Cowell. According to Mr. Don Hull, Theodore's mother had his name legally changed in a Philadelphia Court from Cowell to Nelson on October 6, 1950. This agent discussed the defendant's name change from Cowell to Nelson with Mrs. Bundy. She indicated that at the time they were going to move to Tacoma, Washington, to live with Mr. John Cowell, and "on the advice of her friends" (Mrs. Bundy's) she decided to change the subject's name from Cowell to Nelson as she did not feel it was right to have Theodore going by the name of Cowell while living in his uncle's residence. Mrs. Bundy assured this investigator that she had not married anyone by the last name of Nelson and simply selected the name for the above stated reason.

From all reports, the defendant appears to have done well in elementary school, Hunt Junior High School and Tacoma, Washington, and also Wilson High School in Tacoma, Washington. The subject relates that he began dating some time during junior high school, however, did not date during high school. Theodore's mother somewhat contradicts this statement when she indicates that the defendant frequently dated during high school.

The subject has the following family constellation: John C. Bundy, an adoptive father, currently age fifty-eight, who resides in Tacoma, Washington with Theodore's mother. He is currently employed as a dietitian for the Madigan Hospital on the grounds of Fort Lewis, Washington. The defendant's mother is Mrs. Louise Bundy who is age fifty-one. She is employed full-time as a secretary at the University of Puget Sound. The subject has four younger half-brothers and sisters who are as follows: Linda Bundy, a sister, age twenty-three; Glenn Bundy, a brother, age twenty-two who is in the Navy; Sandra Johnson, a married sister, age nineteen; and Richard Bundy, a brother, age fourteen. From all reports, the family is quite close knit.

Theodore has never married, however, he was engaged to be married to Ms. Elizabeth Kloepper in December of 1975. Ms. Kloepper appears to be "sticking by" the defendant and offers a considerable amount of support to him.

The subject does not have a drug abuse history, however, admits to the use of marijuana. With regard to alcohol abuse, Theodore relates that he has discontinued his drinking as it "made me sick". The defendant was raised as a Methodist but was baptized a Latter Day Saint in August of 1975. The subject did go on outings with the LDS members and attended some meetings but reported had a Word of Wisdom difficulty in that he did continue to smoke and drink alcoholic beverages.

Respectfully submitted,

Donald G. Morgan
DONALD G. MORGAN, M.S.W.
Supervisor, State Program Director
Diagnostic Unit