

IN THE COURT OF COMMON PLEAS
OF PORTAGE COUNTY, OHIO

STATE OF OHIO,

Plaintiff-Respondent,

v.

CASE NO. 95-CR-220

TYRONE LEE NOLING,

DEATH PENALTY CASE

Defendant-Petitioner.

JUDGE JOHN A. ENLOW

AFFIDAVIT OF HAROLD WOLCOTT SR.

STATE OF OHIO)
) ss:
COUNTY OF SUMMIT)

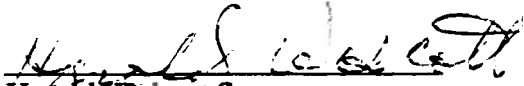
I Harold (Butch) Wolcott, Sr., being first duly cautioned and sworn, state the following:

1. When my son Butch Wolcott Jr. was fourteen years old he was a habitual runaway.
2. In late March 1990 Butch eventually ended up in Alliance, Ohio. He went to Alliance with his friend, Gary St.Clair.
3. Butch, Gary, Tyrone Noling and Joey Dalesandro all stayed at 421 Bonnieview in Alliance with Gary's 13-year-old half brother, John Trandafir. They were alone in the house together because Gary St. Clair's stepfather was involved in a serious accident that landed him in the hospital.
4. While at the Bonnieview residence, some of the boys were involved in some robberies in Alliance.

5. On April 9th, 1990, Butch, Joey, Gary, and Tyrone were arrested for the robberies of the Hugheses and the Murphys in Alliance. At that time Butch was questioned, but after a few weeks he was let out of jail and was not charged in the robberies.
6. A year or two later, I got a telephone call from Ronald Craig, from the prosecutor's office. He wanted to question Butch about some murders.
7. At that time I took Butch to Portage County to the office of the Prosecutor. There, Robert Durst and Ron Craig met us.
8. Robert Durst and Ron Craig said they wanted to take Butch upstairs and question him. I requested to be present during the questioning. I was told to wait downstairs and they would call me up shortly.
9. I waited downstairs and despite repeatedly asking, I was never allowed to be present in the room while the questioning was taking place.
10. Ron Craig told Butch he had an eyewitness who could put him at the scene on the day of the murders. He also told Butch that his DNA matched that of the cigarette butt that was found at the murder scene.
11. Ron Craig told Butch that he was repressing the memories of what happened.
12. Ron Craig told Butch that he could get life in prison if he did not cooperate.
13. Ron Craig and Robert Durst told Butch that if he cooperated with them, he would be given full immunity from anything that occurred during that period of time including the murders.
14. Ron Craig took Butch and myself to Richfield for Butch to take a polygraph. This was one of the conditions of the immunity.
15. Ron Craig said I could not remain during the polygraph examination.
16. Robert Durst told Butch that he did not pass the polygraph examination, I asked if I could see the results from it, but I was never shown the results.
17. After the polygraph, Ron Craig got Butch an attorney, William Carrell, from the Public Defender's office.
18. Within a short period of time after William Carrell was assigned to Butch, he was told he would get immunity.

19. In August 1992 and again in December 1995 Ron Craig sent Butch to a Psychologist, Dr. Alfred Gzegorek. Butch was told that he had post-traumatic-stress disorder and was too traumatized to remember the murders.
20. I was finally allowed to be present when Butch signed the immunity papers. Present along with Butch, and me was a family friend and attorney, Bruce Brubaker. Bruce was there to assure that everything was in order with the immunity papers.
21. Butch has always had a very vivid memory, he has never repressed anything despite being through some very traumatic times.
22. Butch repeatedly told me that he was not involved in the Hartig murders.
23. Butch vividly remembered all the events surrounding that time period, but he could never remember anything about the murders.
24. Butch was very confused at that time, always wondering why he could not remember anything about the murders. He said he never remembered leaving Alliance, but he must have, because that's what Ron Craig and the Doctor told him he did. He felt they represented authority, so they must be correct.
25. I had been through so much with Butch at that time in his life because he was always running away from home. I was constantly worried that something would happen to him. I told Butch to take the immunity and to do anything they wanted to get him out of this thing.
26. Butch was constantly worried at that time because the threat of having his immunity papers torn up was always thrown up at him by Ron Craig.
27. The fact that Butch could not remember being involved in these murders when he was told that there was clear evidence that he was, has always haunted him. He has tried for years to recall anything from the murders, but has always been unsuccessful in doing so.
28. All of the foregoing is true to the best of my knowledge, information, and belief.

FURTHER AFFIANT SAYETH NAUGHT.


Harold Wolcott Sr.
Affiant

SWORN to before me and in my presence this 22nd day of July, 1997.

VICTORIA M. BUCKWALTER, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires July 28, 1997

Victoria M. Buckwalter
NOTARY PUBLIC