

The State of New Hampshire

MERRIMACK COUNTY

JUDICIAL BRANCH

SUPERIOR COURT

NO. 217-2020-CV-491

JOSEPH ANDERSON

V.

DEPARTMENT OF SAFETY

ERINN LARKIN'S AFFIDAVIT

I, ERINN LARKIN, on knowledge, do hereby state and depose as follows:

1. I make this Affidavit in support of *The Plaintiff, Joseph Anderson's, Motion for Reconsideration of his Petition for Injunctive Relief.*
2. I have over a decade of professional experience in the realm of public disclosure, as both an analyst for an independent federal regulatory agency, and as a private consultant on matters of compliance at both the state and federal levels. In my spare time, I run a website and host a podcast (<https://mauramurraypod.com/>) where I discuss Maura Murray's case, which I have been researching since 2015. My involvement is strictly voluntary; I do not receive any monetary compensation for the content on either the website or podcast.
3. As part of my research into Maura Murray's case, I received an accident reconstruction report pertaining to Maura Murray's car (the "Car"), authored by Parkka Collision Consultants (a private firm) in 2010 (the "Blackbox Report"). Attached hereto as Exh. A is a collection of true and accurate screen shots taken from the Blackbox Report.
4. Furthermore, in researching the case, I was forwarded a copy of the email described in West Aff. ¶ 9(H)(ii) (the "Email"). Attached hereto as Exh. B is a true and accurate copy of the Email.
5. Additionally, as part of my research into Maura Murray's case, I spoke with a source (the "Source") that has asked to remain anonymous, and that has seen the seven photographs taken by Cecil Smith on the night of February 9, 2004 (the "Photos").
6. The Source described the Photos as set forth in the following seven paragraphs.
7. One of the Photos showed tire tracks in the snow that were consistent with Cecil Smith's diagram in the second page of his report (the "Report"). A copy of the Report is Exh. A to *The Plaintiff, Joseph Anderson's, Affidavit in Support of his Petition for Injunctive Relief.*
8. One of the Photos showed the back of the Car with a rag in the tailpipe of the Car (mostly

hanging out).

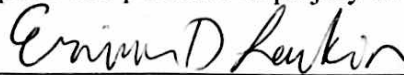
9. One of the Photos showed red liquid splattered on the headliner of the Car; appearing more concentrated above the front driver's side and dissipating to appear less concentrated toward the front passenger's side.
10. One of the Photos showed the interior driver's side door of the Car and a pool of red liquid on the armrest. This Photo appeared to have been taken from inside the Car.
11. One of the Photos showed the interior driver's door of the Car without any red liquid. Also appearing in this photo was a man wearing a wedding ring and reflective jacket and standing between the driver's door and window of the Car. This Photo also appeared to have been taken from inside the Car.
12. One of the Photos depicted a view of the Car from the back and displayed visibly illuminated headlights.
13. One of the Photos depicted a box of Franzia wine in the back of the Car and on the passenger's side.
14. On May 2, 2018, I filed a Right-to-Know (91-A) request for the Photos. The state denied disclosure of all 7 photos on May 4, 2018.
15. I discussed the disclosure (or non-disclosure) of the Photos with Charles West ("West") during a meeting that took place at the Lincoln, New Hampshire, police department on April 4, 2019 (the "Meeting").
16. West is the affiant of Exh.1 of *New Hampshire Department of Safety's Objection to Petitioner Joseph Anderson's Complaint for Relief Under RSA 91-A* ("West Affidavit").
17. During the Meeting, I took extensive and detailed contemporaneous notes.
18. The following is West's verbatim response, during the Meeting, to my question of why the Photos would not be released: "the more we give the more they are going to want and the more they pick apart. Absolutely pick apart. And this is why we're not releasing any of the photographs of the accident scene, because of perception, because of how it will be perceived."
19. At no point, during the Meeting or at any other time, did West suggest that interference with the investigation was a concern when considering whether to release the Photos.

20. Furthermore, during my five years of research into Maura Murray's case, I have received a number of tips in varying degrees of plausibility and novelty. Throughout that time, there was only one (first received in September of 2017) I felt was both plausible and novel enough to pass on to the Cold Case Unit.
21. In May of 2018, I spoke with the tipster who said they had not been contacted by police. At that time, I called West and reminded him about the tip.
22. I discussed this tip again with West during the Meeting in April of 2019 and discovered it had not yet been followed up on.
23. On October 22, 2019, I met with a New Hampshire State Senator to discuss West's lack of follow-up and other issues concerning what I believed to be repeated violations of NH's Right-to-Know (91-A) law, and specifically pertaining to Maura Murry's case.
24. Following the October 22, 2019 meeting, the State Senator contacted the Commissioner's Office at the NH Department of Safety. It was only after this intervention that the tip was followed up on in March of 2020 -- a full two and a half years after it was initially reported to West.
25. Furthermore, during my research into the Maura Murray case, I have filed approximately nineteen Right-to-Know (91-A) requests with the Cold Case Unit and approximately six others with different agencies.
26. One of these requests resulted in the disclosure of a speeding ticket received by Maura Murray in July of 2003, which was issued by an officer from the Hooksett Police Department.
27. After combining this record with personal documents retained by the Murray family, we were able to eliminate a specific lead, which was acknowledged by West in an email to me dated September 7, 2019.
28. Attached hereto as Exh. C is a true and accurate copy of select pages of the New Hampshire Cold Case Unit Status Report (Dec. 1, 2010).
29. Attached hereto as Exh. D is a true and accurate copy of the New Hampshire Department of Justice, Cold Case Unit Victim List (Dec. 20, 2020), <https://www.doj.nh.gov/criminal/cold-case/victim-list/index.htm>.
30. Attached hereto as Exh. E is a true and accurate copy of NHPR, Families of Murder Victims Ask Lawmakers to Strengthen Col Case Unit (Jan. 29, 2019), <https://www.nhpr.org/post/families-murder-victims-ask-lawmakers-strengthen-cold-case->

unit#stream/0.

31. Attached hereto as Exh. F is a true and accurate copy of select pages of a transcript of a April 13, 2007, hearing on the merits, as further described and identified therein.
32. Attached hereto as Exh. G is a true and accurate copy of the Affidavit of Susan L. Champy.

These statements are made under the pains and penalties of perjury on December 21, 2020.



Erinn Larkin