

# 2005-2006 INDIANA MOCK TRIAL

## CASE MATERIALS

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**TO: ALL MOCK TRIAL PARTICIPANTS**

**FROM: SUSAN K. ROBERTS**

**RE: 2005-06 INDIANA HIGH SCHOOL MOCK TRIAL COMPETITION**

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On behalf of the Indiana High School Mock Trial Association, we welcome your participation in the 2005-2006 Mock Trial competition. This year's criminal case involves a series of sniper shootings by the defendant who has been charged with murder along with various other charges. The defendant has plead not guilty by reason of insanity. This case is a work of fiction. Any similarity or resemblance of any character to an actual person or entity is strictly unintentional and coincidental.

***Students*** - Through participation you will experience what it is like to prepare for and present a case before a judge. Working with your team and coaches, you will learn to evaluate information and respond quickly. As you prepare, you will sharpen public speaking and presentation skills.

The greatest benefit is the opportunity to learn how the legal system works. By studying and understanding courtroom procedure, you should become more comfortable with federal and state laws as part of the legal system. Your interaction with some of Indiana's finest attorneys and judges will give you a glimpse of the different interpretations of trial procedure and different approaches of individual members in the legal arena.

***Teacher Coach, Attorney Coach, or Judge*** - We strongly encourage you to focus on the goal of participation by students rather than stressing competition while preparing for the 2005-2006 competition.

Your contributions of time and talent are making many experiential educational opportunities available annually to many Indiana students. Your participation is an essential key element to the success of this program. You can be proud of the impact you have made on the lives of these students.

**Good luck and have fun!**

## CASE BACKGROUND

The defendant, Lee Rellik, has been charged with murder for a series of sniper shootings that terrorized Indianapolis residents for several months. Rellik faces the death penalty if convicted of murder. Rellik's lawyers will not dispute involvement in the shootings. Instead, at issue will be the mental state of the defendant when the shootings occurred.

Rellik's lawyers have entered a plea of not guilty by reason of insanity. As such, jurors deciding Rellik's fate will not have to decide whether Rellik was the shooter, but rather whether Rellik knew the difference between right and wrong when randomly shooting the alleged victims. Rellik, a recipient of social security benefits, is a paranoid schizophrenic. Rellik was not taking prescribed medication when the incidents occurred.

Police, who arrested Rellik in a hotel room in Las Vegas, found a 9 mm Beretta with four pistol magazines, three of which were loaded with 10 rounds each, 50 9 mm Winchester bullets and a roll of duct tape. Police also found in the hotel room, a MegaGames console with two video games. One game, called "Contract Killer," according to the MegaGames website, is about a sniper hiding on rooftops and bridges to take down enemy targets to save innocent lives. "World Destruction," also found in the hotel room, is about the cloning of ordinary citizens, who are programmed to gain world domination, but no one believes they exist, except the rookie anti-terrorist agent (the player).

Rellik's sniper attacks were targeted at commuters and travelers on I-65 in or near Indianapolis. The first attacks were in the downtown area. The target zone gradually expanded north and south on I-65 to cover incidents within 30 miles.

A grand jury handed down an indictment related to 26 incidents between July, 20, 2004 and November 28, 2004, all linked by ballistics or casing matches to a 9 mm Beretta handgun

that the defendant's parents handed over to police in January, 2005. The indictment contains a murder count for 72-year-old, Barbara Johnson, the only person to die in the attacks, who was shot as her grandchild, Jordan Cline, drove her to a doctor's appointment on November 15, 2004. Rellik is also charged with the attempted murder of Cline.

The remaining counts of attempted murder, overpass mischief, and intentionally pointing a firearm refer to the similar modus operandi Rellik allegedly employed by randomly taking aim at cars from highway overpasses, becoming more brazen with each attack. The last two shootings were committed in broad daylight, which ultimately led eyewitnesses to identify Rellik and Rellik's car, a red Mini Cooper.

The witnesses for each side of the case are as follows:

Prosecution:

Dr. Sydney Spaulding – forensic psychiatrist

Officer Terry Quinn – investigating officer

Jordan Cline – victim

Defense:

Dr. Morgan Maxwell – forensic psychiatrist

Pat Rellik – parent of the defendant\

Lee Rellik - defendant

***This Case Background is not to be used as evidence in the case, but rather is provided for background purposes only.***

IN THE CRIMINAL COURT OF MARION COUNTY, INDIANA

STATE OF INDIANA	)	
	)	
	)	
v.	)	CASE NO. 05-CR-81677
	)	
LEE RELLIK	)	
	)	

**STIPULATIONS**

*Note: Counsel for the State should introduce the Stipulations into evidence before the first witness is called. These stipulations are not to be read to the jury as a part of the proof, but they may be referred to and quoted in opening statements and closing arguments. No witness may contradict or deny knowledge of the facts contained in the stipulations.*

The parties have stipulated to the following:

1. The Defendant is charged with Murder, Attempted Murder, Involuntary Manslaughter, Reckless Homicide, Overpass Mischief and Intentionally Pointing a Firearm relating to 26 incidents of sniper shootings or wood or bricks or other items being thrown from an overpass. Defendant admits to the 26 incidents of shooting or throwing something from an overpass. If defendant is found guilty on any of the charges, a sentencing hearing will be conducted at a later date.
2. The Defendant has properly filed its notice of insanity defense. The Defendant is, however, competent to stand trial.
3. The exhibits are true and accurate copies and their authenticity may not be challenged. Unless stated otherwise herein, the admissibility of the exhibits on other grounds may be challenged.

4. All witness statements have been signed by the witness. The signatures on the witness statements are omitted due to the electronic delivery of the case. The witness statements are deemed signed under oath.
5. Barbara Johnson died from a gun shot wound to the chest at approximately 10:15 a.m. on November 15, 2005.
6. The ballistic reports conducted on January 12, 2005 show that the 20 reported shootings between July 20, 2004 and November 28, 2004 came from the same gun.
7. The autopsy of Barbara Johnson and the bullet trajectory from Jordan Cline's vehicle showed that the bullet traveled through the driver's side door at an upward angle, passing at an angle through the car and lodging itself into Johnson's chest. The analysis shows that the gunman was driving in the opposite direction when the shot was fired at Cline's car.
8. Exhibit 3 and 4 (Excerpts of Lee Rellik's medical records from Doctors' Hospital and Wellness Mental Health Clinic) were made at or about the time of the events by a person with knowledge of the events, and is kept in the course of regularly conducted business activity, and it is the regular practice to make such a report.
9. Exhibit 5 (The Las Vegas Police Department Arrest Report) does not need to be introduced through a custodian of the records. The Arrest Report shall be deemed part of the Officer Terry Quinn's Investigation File and was made at or about the time of the arrest of Lee Rellik in Las Vegas by a person with knowledge of the events, and is kept in the course of regularly conducted business activity of Quinn's investigation file, and it is the regular practice to make such a report.

10. Exhibit 7 is an accurate transcription of the taped interview between Officer Quinn and Lee Rellik, the defendant.
11. Exhibit 8 (transcribed 911 call) and Exhibit 9 (MegaGames Website excerpts) are deemed admitted, without objection, and may be introduced at anytime during the trial, whether or not through the testimony of a witness.

### **Statement of Dr. Sydney Spaulding**

My name is Sydney Spaulding. I am board certified in psychiatry and forensic psychiatry. Exhibit 1 is a true and accurate copy of my curriculum vitae. I am frequently called to testify in high-profile cases. I do not testify strictly for the prosecution.

I was hired by the Prosecutors in this case to perform a psychiatric evaluation of Lee Rellik and to offer an opinion about whether Rellik met the criteria in Indiana for legal insanity at the time of the criminal acts for which he/she is charged. The fee for my professional services is \$500 per hour for my evaluation and \$1000 per hour for my trial testimony.

To perform my evaluation, I conducted a nine-hour interview with Rellik on October 31, 2005. I spoke to Rellik nine months after his/her arrest at a time when he/she was heavily medicated. I also conducted a 40 minute telephone interview a week later with Pat Rellik, the surviving parent of Lee Rellik. In addition to interviewing the Relliks, I reviewed Lee Rellik's past medical records and the police report from Las Vegas regarding the capture and transportation of Lee Rellik back to Indiana. Exhibit 2 is a true and accurate copy of my Case Evaluation of Lee Rellik.

During my interview of Lee Rellik, the defendant admitted to throwing wooden planks and bricks from highway overpasses starting in July, 2004. When Rellik ran out of those materials, he/she switched to a handgun, opening fire at least 200 times between July and November, 2004.

It is my medical opinion that Lee Rellik would not qualify for an insanity defense because Rellik's behavior and actions point to a guilty conscience. Rellik was in his/her right mind when he/she went on a four-month shooting spree, killing one person. Although Rellik was diagnosed with paranoid schizophrenia in 2003, Rellik did understand the wrongfulness of

his/her conduct. When Rellik fired the weapon on each occasion, he/she knew firing the weapon was wrong.

One can look at Rellik's behavior to know whether he/she knew right or wrong when he/she committed the acts. For example, Rellik took steps to avoid detection, from hiding the murder weapon to concealing his/her involvement in the shootings. Rellik had something to hide because he/she knew what he/she was doing was wrong rather than being proud of it. If he/she thought what he/she was doing was right, I would expect him/her to share it with his/her treating medical professionals or the investigating officers upon being captured. Rellik left the crime scenes immediately to avoid detection and expanded his/her target area after police installed cameras on highways the shooter was known to frequent. Also evidence of a guilty conscience was Rellik's choice to flee Indianapolis after he/she found out police wanted to run ballistics testing on his/her 9 mm Beretta handgun. Rellik cuts and dyes his/her hair, withdraws \$600 to \$700, which empties his/her bank account, gets \$4,000 in cash advances from credit cards, then drives straight to Las Vegas. The whole sudden series of things tells you this is a criminal fleeing rather than someone taking a vacation.

I have reviewed the psychiatric report of defense psychiatric expert Dr. Morgan Maxwell. I do not dispute Dr. Maxwell's diagnosis that the defendant suffers from severe paranoid schizophrenia marked by delusions of a conspiracy to persecute Rellik. Rellik also has hallucinations of voices broadcasting through the television. Rellik described to me one particular hallucination in which Rellik believed Oprah suggested through the television that Rellik tear down walls in his/her home in search of hidden cameras. I also agree with Dr. Maxwell that Rellik never expressly intended to harm anyone but rather fired the shots to let his/her harassers that he/she could strike back. The shootings also abated the voices of his/her

imagined persecutors. This demonstrates that Rellik's criminal conduct was out of anger, frustration, striking back in an effort to reduce harassment to him/her. Rellik told me he/she knew what he/she was doing was against the law and, had a policeman been present, he/she would not have done it because he/she realized he/she would be in trouble and go to jail.

I also believe that the claim that the video games controlled the defendant's behavior is a recent fabrication. Lee Rellik could not recall which video games were in the hotel room when captured, and specifically said that he/she did not really enjoy playing "Contract Killer" or "World Destruction." Moreover, in all of Rellik's prior psychiatric treatment, Rellik never mentioned clones taking over the world and never claimed to be chosen to "save the world." Rellik also did not relate any hallucinations of cloning or world domination by "others" when captured by the police in Las Vegas. Finally, Lee Rellik never mentioned these types of hallucinations to the person with whom he/she shared the closest relationship, his/her parent, Pat Rellik. I suppose it's probable, although unlikely, that someone with paranoid schizophrenia, could intentionally choose not to disclose these hallucinations to the police, a parent, or other treating psychiatrists, if the patient was severely delusional in believing that everyone was part of the conspiracy.

## **Statement of Officer Terry Quinn**

My name is Terry Quinn. I am a detective with the Marion County Sheriff's Department. I have been an investigating officer in homicides for the past 5 years, and have been an officer with the Marion County Sheriff's Department for 10 years. My role is to head up investigations where homicides or attempted homicides have been committed. All information for ongoing investigations comes through me. I became involved in the sniper shootings that occurred in the Indianapolis area after a pattern emerged with repeated methodologies and locations and it appeared to be more than a childish, albeit dangerous, prank of something being thrown from an overpass. The shootings later became more random and did not repeat the same pattern in location. I suspect that as the police investigation and media scrutiny intensified, Rellik purposely traveled farther north or south, and did not stay centralized on the I-65 overpasses. Exhibit 6 is a true and accurate copy of excerpts of my investigation notes related to the I-65 sniper shootings that occurred between July 20, 2004 and November 28, 2004. The excerpts were made from documents that were made in the ordinary course of my investigation or were reviewed by me as part of my investigation and were made at or about the time of the incidents described in each excerpt, and such records are maintained in my investigation files.

On Friday, January 7, 2005 at approximately 19:00 hours, I received a tip from an anonymous caller that guns involved in the sniper shootings might be located at the home of Pat Rellik. At the time I had been chasing several different leads, and so I was not able to follow-up on this lead until January 12<sup>th</sup>. Upon arriving at the residence of Pat Rellik, I requested that the guns be turned over to me for an investigation. I did not explain further the reason for requesting the guns.

On January 15, 2005 I interviewed Pat Rellik. I learned that the same day I retrieved the gun that Lee Rellik had said he/she was going to play video games and had not returned. Pat Rellik stated that Lee knew that the guns were picked up and was “okay” with it. Pat stated that Lee had never disappeared like that in the past. Pat had filed a missing persons report on January 12<sup>th</sup>. When I reviewed the missing person report, I recall noting that Pat Rellik indicated that Lee was diagnosed with paranoid schizophrenia, had not taken his/her prescribed medications when he/she left, and was paranoid of police. I don’t know why I didn’t mention those things in my excerpt of the missing person report. I am aware that the actual missing person report is now missing. Those reports and files are maintained by a different part of the department and I do not know the circumstances under which the report was lost. It is possible that the missing report may have merely stated “had not taken prescriptions,” which I suppose could be interpreted to the subject’s prior history of checking his/her medication, but I feel pretty certain that the missing report said that the subject had not taken his/her prescribed medication when he/she left the house.

On January 16<sup>th</sup>, I obtained a search warrant and through my investigation learned that on 1/12/05, Lee Rellik emptied out his/her bank account of \$600 and made multiple cash advances from credit cards totaling \$4000. Also on 1/12/05 Lee Rellik purchased another Beretta as well as an additional Winchester 9 mm and ammunition. No credit card purchases had been made other than the cash advances. Also, during the search of the Relliks’ residence, it was noted that Lee Rellik’s prescription medication was not located. I issued an immediate news release soliciting information about the whereabouts of the fugitive.

The next day, I spoke with Zach Hunter, the owner of Hunter's Shooting Supplies outside Indianapolis. Hunter told me that he sold Rellik a 9 mm Beretta on January 12 at about 2:30

p.m. Rellik filled out the standard ATF form for purchasing a gun and passed a background check for felony records or outstanding warrants. Hunter described an exchange with Rellik that stuck in his memory. "Rellik knew right away what he/she wanted to purchase and indicated he/she had had two of them prior to that." "The last one, Rellik said, he/she had shown to his/her mother/father and they liked it so much they took it." Rellik said, "That's what parents are allowed to do."

Rellik was arrested at about 2:45 a.m. on January 18, 2005, in his/her hotel room at MGM Grand, after local authorities, acting on a phone tip, learned that Rellik was staying there. On January 18, 2005, I received a telephone call at 8:30 am (EST) from the Las Vegas Police Department informing me that they had Rellik in custody and that he/she would not talk to anyone except the Indiana investigating officer. Rellik was given three cups of coffee and cigarettes, at his/her request, and chose to sleep on the carpeted floor of the interview room where Rellik awaited the arrival of Indiana authorities. The Officers at the LVPD did not realize that Rellik was previously diagnosed as a paranoid schizophrenic. The LVPD stated that they had no indication from Rellik to make them believe that Rellik didn't understand what was going on around them.

I got the earliest flight to Las Vegas, arriving at the LVPD at 16:30 hours. I reviewed the Arrest Report. Exhibit 5 is a true and accurate copy of the Arrest Report. I then interviewed the subject after making sure that his/her Miranda rights had been read to him/her. Rellik was responsive and alert, and did not appear to be psychotic at the time. I did not inquire whether Rellik was on his/her medication at the time. I assume that Rellik was not on the medication because there was no documentation that it was with his/her belongings or in the hotel room when captured. Also, I had recalled that the missing person report stated that Rellik had not

taken his/her medication when he/she left the Relliks' residence. No drug tests were performed by the LVPD at the time of the arrest because Rellik was wanted for crimes in Indiana and was going to be transported to Indiana. Exhibit 7 is a true and accurate transcription of the taped interview with Lee Rellik on January 18, 2005.

Lee Rellik spent his/her last days as a free person gambling and dealing with car troubles while on the lam in Las Vegas. I was informed that at the time of the arrest, Rellik was cooperative and did not offer much reaction to the arrest. Following the arrest, Rellik talked about his/her time on the lam after leaving Indiana on January 12. We had a general conversation about things Rellik had been doing while in Las Vegas. Rellik said he/she had gambled in a few establishments, and prior to the arrest, he/she had been playing 3-card poker in the MGM casino. Rellik was able to explain the rules of the game to me. Rellik also told me of car troubles he/she had experienced.

Rellik told me that after he/she learned that the police were going to test his/her guns he/she took off to Las Vegas because "it looked bad for him/her." Rellik told me that he/she rented the room for a week and paid cash.

Rellik admitted to the shootings. Rellik described the first time he/she shot at a driver on I-65 and that the first location was closest to his/her house. Rellik said that he/she constantly heard voices that harassed him/her. Rellik said that he/she believed there was a conspiracy. Rellik indicated that by throwing things off the overpasses or shooting at people that he/she was letting "them" know that he/she had the ability to strike back. When I asked how Rellik first got the idea of dropping something or shooting from an overpass, Rellik responded that he/she had no idea and could not think of any TV show or video game which gave him/her the idea.

I asked Rellik why he/she stopped throwing items from the overpass and started shooting. Rellik replied that he/she had run out of materials to throw off the overpass. Rellik purchased his/her first gun on May 3, 2004 and his/her second gun on September 30, 2004. Rellik reported that he/she felt bad about throwing things from the overpass because “it could hurt someone.”

Rellik did not appear to be remorseful. On the return flight to Indiana, Rellik joked and talked about gambling in Las Vegas. After a passenger went to the plane’s bathroom, Rellik joked that “no one was allowed to poop on the plane because we wouldn’t want to hit any cars, would we?”

## **Statement of Jordan Cline**

My name is Jordan Cline. My friends call me Jo-Jo. I am the grandchild of Barbara Johnson, who was killed by one of the sniper shootings from an overpass on I-65. I was at the time 16 and had not had my license more than a few months at the time of grandma's tragic death. I don't drive anymore because I blame myself for grandma's death. I am an "A" student at Central High School in Indianapolis and plan to study law.

On November 15, 2005, I did not have school because there was a teachers' conference scheduled for that day. So, I volunteered to drive grandma to a 10:30 a.m. doctor's appointment. I liked being with my grandma and helping out. Grandma was 72 and didn't drive. I also liked getting the opportunity to drive whenever I got the chance.

I had heard about the sniper shootings off of I-65 but I took it anyway. In retrospect, I realize that when you're young you think you're invincible, and it never occurred to me that grandma or I could be victims. I took I-65 because I was familiar with that route to the doctor's office. As we chatted in the car, I missed the exit and had just turned around when we heard a "pop" that sounded like "a balloon popping." It almost sounded like a "backfire." Grandma said "Oh, what was that?" and then her head dropped to the side. I made the wrong turn. If I hadn't made the wrong turn, this wouldn't have happened.

I thought the bullet came from the overpass near our exit but then I glanced into the rearview mirror and noticed someone getting into a dark car. I saw a gun in the individual's hand. The shooter's face showed no emotion, almost zombie-like.

I was trying to keep calm and, at the same time, make sure no one was hurt. I called 911. Exhibit 8 is a true and accurate transcription of the 911 call. I felt helpless. Grandma died

before the ambulance got to us. I held her hand until the paramedics pulled me away and sent me to the hospital to be treated for shock.

Although I will never forgive Lee Rellik for killing my grandma, I don't think he/she was aiming at us directly. The bullet should have just gone over our knees, but it hit a mechanism which made it ricochet and strike grandma in the chest.

I have had many nightmares since that day. It will be something I will never forget.

### **Statement of Dr. Morgan Maxwell**

My name is Dr. Morgan Maxwell. Counsel for Defendant Lee Rellik engaged me for the purposes of evaluating Lee Rellik and determining the existence of a medical basis for a plea of not guilty by reason of insanity. I have offered my professional services gratis as I am aware that the defendant has limited financial resources. I have not been involved in many high profile cases, and admit that the exposure in this case would be beneficial professionally. I have had some discussions with Lee and Pat Rellik regarding a book deal, but nothing has been put into writing, and it is not my primary purpose for getting involved in this case.

I am a physician, specializing in psychiatry, and hold board certifications in psychiatry and forensic psychiatry. I have performed scores of competency evaluations at the request of judges, prosecutors, United States Attorneys, and defense attorneys throughout the country. In addition to my medical education, training and experience, I hold a law degree from Harvard Law School. I have held positions of President of the American Psychiatric Association and the American Academy of Psychiatry and the Law. I have received numerous honors and awards, including the Isaac Ray Award for outstanding contributions to forensic psychiatry and psychiatric aspects of jurisprudence, from the American Psychiatric Association, "Pearl of the Year" award from Current Psychiatry, the Golden Apple Award for significant contributions to forensic psychiatry, American Academy of Psychiatry and the Law, and the Distinguished Life Fellow, American Psychiatric Association (APA), in recognition of significant contributions to psychiatry. I maintain a private practice in Washington D.C. with the Forensic Psychiatry Group.

I have acquired sufficient information to provide an opinion on the issue of Lee Rellik's mental state at the time of the alleged offenses. For purposes of this evaluation, I have reviewed Indiana law regarding the test for not guilty by reason of insanity. I have also conducted testing

and clinical interviews of Lee Rellik over three days, and have reviewed Rellik's medical and psychiatric records prior to his/her arrest, Social Security Administration records, medical records since his/her incarceration, and Rellik's neuropsychological evaluation as performed by Dr. Seth Young, M.D. In addition, I have consulted with Dr. Young by telephone and in person a great number of occasions.

Based upon my education, training, and experience, clinical testing and interviews and review of the pertinent records, it is my opinion that at the time of committing the alleged offenses, Lee Rellik, by reason of severe mental disease, did not appreciate the wrongfulness of his/her conduct and therefore did not know right from wrong.

Lee Rellik is twenty years old and appears to be well nourished for the stated age. Rellik's affect is significantly constricted, although he/she is readily oriented to time, place, and circumstance. Rellik understands that he/she has been charged with numerous crimes including murder. Specifically, Rellik understands that he/she is charged with having discharged a weapon on interstate 65, and further that he/she is eligible for the death penalty as charged. Rellik understands that he/she is incarcerated pending trial, and further that his/her jailers are presently in charge of his/her medical care. This is important because it relates to his/her understanding that he/she needs to cooperate with the mental health liaison as provided by the Sheriff's Department. Lee correctly identifies his/her counsel by name, and appears to understand their functions and goals. He/she is aware of both the identities and roles of the Court and the Prosecuting Attorney.

As is my custom, I did not complete a formal physical examination of Lee Rellik, however he/she appeared without injury. Rellik reports no acute trauma or discomfort. Rellik's mental records of treatment during incarceration indicate no trauma or injury. According to

accounts from Pat Rellik, Lee is appropriately affectionate toward Pat. Rellik reports successfully graduating from Beech Grove High School, and thereafter attending a community college. Lee also described having held a clerk level position but reported no regular work since at least 2003. In 2004, Rellik was determined totally and permanently disabled as a result of mental illness by the Social Security Administration.

Based upon materials reviewed, including medical records from Doctors Hospital that describe his/her October, 2003 hospitalization and outpatient records from Wellness Mental Health Clinic, it is my understanding that Lee Rellik has functioned with a diagnosis of paranoid schizophrenia for several years. Schizophrenia is the most serious of the chronic mental illnesses where the sufferer typically develops delusions of persecution and/or personal grandeur. The paranoid subtype of this disorder exhibits preoccupation with one or more systemized delusions or with frequent auditory hallucinations, often related to a single theme. While paranoid schizophrenia's cause or causes are not fully understood at this time, the illness is known to have a genetic component to its etiology.

Lee Rellik Jr. suffered from paranoid delusions that could only be quelled by shooting at cars and throwing wood planks or bricks onto freeways. Rellik said that demeaning voices tormented him/her. Rellik was desperate to control the voices. Rellik had the sudden distorted perception that if he/she dropped things from the overpass or shot at cars, it would attenuate the voices. As a result, the defendant could not distinguish between right and wrong when he/she opened fire on 20 targets, killing one person.

The disease's onset is ordinarily observed between ages 18 and 25, but earlier or later emergence often occurs. During the course of Rellik's clinical evaluation, Lee related symptoms consistent with the sufferance of paranoid schizophrenia dating back to age ten. Rellik told me

that the first signs of his/her psychosis began surfacing when he/she suspected the bathroom spout was actually a camera. As is common among paranoid schizophrenics, Rellik never told anyone of this growing paranoia, which peaked in 2003 when Rellik began tearing apart the walls in search of hidden cameras. Rellik's delusions became so severe he/she began passing notes to Pat Rellik in their home to avoid speaking aloud.

Lee Rellik understands that he/she is ill and does not dispute the existence of the disease nor its effects on him/her. Lee also concedes failure to take prescribed medications at various times throughout his/her illness. It is my understanding that Dr. Schap, Rellik's treating psychiatrist, had prescribed various antipsychotic medicines in an effort to control the illness, and most recently, that is prior to Rellik's incarceration, had utilized 2 daily milligrams of Risperdal. Rellik currently takes 8 daily milligrams of Risperdal. Rellik and I have agreed that he/she will accept 10 milligrams, the maximum for this medication, if the jail psychiatrist prescribes it for him/her, as well as trazadone to facilitate the regulation of his/her sleep cycle and, perhaps more importantly, to help control depressive symptoms. Rellik reports feeling dramatically better under this current regimen.

As observed during each day of the evaluation, Rellik is cooperative with adequate social skills. Rellik is polite and responsive during the evaluation process. Rellik is also motivated to assist the defense counsel. As to help determine Rellik's competence, I employed the Minnesota Multiphasic Psychological Inventory, Second Edition (MMPI-2) as well as a number of interviewing techniques. Rellik successfully completed the test. Interpretation of the examination, together with other information, confirms a severe paranoid schizophrenia diagnosis. Additional factors confirming the primary diagnosis of severe paranoid schizophrenia include the opinions and diagnosis of previous treating physicians, the opinions, diagnosis and

case provided by the mental health liaison since the incarceration, the results of Rellik's neuropsychological evaluation, and positive responsiveness to antipsychotic medication.

It appears from the evaluations performed by Dr. Seth Young and me that Rellik has average estimated premorbid capacities for intelligence and memory. However, Rellik's present-day situation indicates significantly below average levels of both intelligence and memory. Further, Rellik's memory respective to the circumstances of the offenses is not optimal. Rellik's depressed intelligence and memory are consistent with the cognitive and executive functioning deficiencies typically observed in those with paranoid schizophrenia. Rellik's decreased ability to remember the specific circumstances of his/her conduct at the time of the offenses is further consistent with being significantly psychotic and delusional at the time of these offenses. The disease rendered Rellik unable to accurately recall details from the shootings. Most people don't like to think of themselves as nuts. It's common to shut off the part of memory that describes illness.

Using a variety of interviewing techniques, Rellik admits that he/she has engaged in a wide variety of conduct that he/she now understands to have created risk and/or illegal. Rellik explains that his/her conduct included dropping wooden 4 x 4 stakes from various overpasses of I-65, dropping bricks from various overpasses of I-65, and ultimately, firing a gun, near, around or at the I-65 freeway.

Rellik's illness caused him/her to experience auditory hallucinations and ideas of reference for a great number of years. Over the last year, Rellik's hallucinations became more prevalent. Rellik's auditory delusions were of a consistent theme wherein people had been able to read his/her mind, and used the information read to harass Rellik. Rellik's invented abusers incessantly used Rellik's innermost insecurities, depressions, and thoughts to harass and torture

Rellik. Generally speaking, the source of the harassment was the television. Rellik reports having experienced a great many ideas of reference when he/she was threatened or demeaned by characters on television. When Rellik's residence changed on two occasions, the illness changed sharply and became more acute. Rellik's auditory hallucinations magnified and not only included the television but also through video games. Rellik was consumed with playing video games and the distinction between reality and games blurred for him/her. Rellik became obsessed with mastering the different levels of the video games and under his/her delusion defeating "the harassers," those who were out to harm him or other innocent people. The two video games that were located in the hotel room when Rellik was captured were "Contract Killer and "World Destruction." The video games suggested that clones were taking over the world or that a contract killer was needed to save innocent people. Exhibit 9 is a true and accurate copy of excerpts from the MegaGames website describing the Contract Killer and World Destruction games. Rellik's delusional thoughts led him/her to believe that the clones were reading his/her mind to gain world domination and to his/her need to save the world.

During this time, Rellik also suspended taking the prescribed medications based on the paranoid delusional thought that the medications were part of the cloning process. Suspension of the medication resulted in totally uncontrolled delusions and ideas of reference. The intensity of Rellik's affliction, coupled with his/her well-documented proclivity toward "cheeking," or pretending to take medication, made the psychosis particularly severe. Rellik admitted to cheeking the medication because, according to Rellik "it interfered with the ability to read minds to determine if people were real or clones, like in the videogames." During this time period, Rellik's delusions were not constant, but certainly were frequent. At times between psychotic

episodes or delusions, Rellik contemplated suicide. Rellik eventually procured a handgun for the purpose of suicide.

At or near the same time period of procuring the handgun, Rellik developed the idea of dropping wooden 4 x 4's would cause the voices to stop. Rellik began dropping the wood from overpasses and would experience immediate relief from the auditory hallucinations. Rellik then conceived the idea of dropping bricks from the overpasses to procure the desired result. Doing so, again while quite psychotic, made the voices stop. Rellik believed that his/her actions scared the clones away. Over time the effect of the bricks and wood lessened. Then Rellik developed the idea that shooting the gun would scare the clones because they would know that he/she "meant business."

Rellik initially fired the gun out of the driver's window while operating his/her car. Due to the lessening of desired relief from the clones, Rellik changed methods and went from shooting from a moving vehicle, to parking beneath overpasses and shooting, to exiting the vehicle to shoot and ultimately to shooting from overpasses. Rellik reports not paying any attention to the direction of the shots. In fact, the point of Rellik's psychotic delusions were not to hit anything, but rather to merely fire the gun to scare away the clones. Rellik never intended to harm anyone

Rellik's testing shows low cognitive function that is consistent with what one expects to find in someone suffering from paranoid schizophrenia, with prominent symptoms of suicidal thoughts, thoughts of delusions, feelings of suspicion and acute psychotic turmoil. Clearly, Rellik is psychologically impaired. Although the testing was done more recently than at the time of the incidents, I believe that these appear to be long-standing results. Moreover, I tested Rellik under optimal circumstances because of the "significant" amount of medication Rellik was

receiving when evaluated. Rellik was probably experiencing greater cognitive deficits at the time of the shootings.

In relationship to legal insanity, during the times of the offenses, Rellik was doubtlessly aware of a great many conditions existing around him/her. Rellik was able to function in the world. Rellik was able to operate a vehicle for instance. It's very common in paranoid schizophrenics to have areas of significant impairment and islands where cognitive skills are preserved. There's a lot of truth to the adage, "I may be crazy, but I'm not stupid." Therefore it is not surprising that Rellik performed well on general knowledge tests, including one in which he/she successfully identified Dr. Martin Luther King Jr. and Shakespeare. It is also important to note that when these tests were given to Rellik, the defendant was on four different types of medication, including the antidepressant Risperdal, and was given a dosage that was 400 times higher than the initial amount.

Despite Rellik's cognitive ability, in relationship to the actual conduct charged, it is my opinion that Rellik did not appreciate the wrongfulness of his/her conduct. My opinion is based upon two reasons. First, during these times, Rellik was acutely psychotic, delusional, and was experiencing a separation from reality. Second, and closely related to the first issue, at the time of committing the offenses, the offenses themselves were their own predetermined realities. Rellik explains this in the following context: because of the clones around him/her, and due to the harassment and demands of the voices, shooting the gun was the "right" conduct, and further, Rellik believed that everyone knew what he/she was doing while he/she was doing it. There was never any effort to conceal himself/herself or his/her actions.

I cannot say that the defendant was in the thrall of the psychosis during the time frame of the shootings. During this period, I consider Lee Rellik chronically and severely psychotic. But it would be disingenuous for me to say that at any given particular moment he/she was psychotic. I disagree with Dr. Spaulding that Rellik took a number of steps that indicate he/she appreciated the implications of his/her conduct by fleeing Indianapolis for Las Vegas when he/she became a suspect. Rellik may have been “escaping” but it was not an escape because of knowledge of the wrongfulness of the conduct, rather Rellik was looking for a new adventure to find inner peace. Rellik saw going to Las Vegas as a vacation. Rellik did not hide in Las Vegas but rather was very public in his/her appearance at various gaming tables. Rellik changed his/her hair as part of this new adventure/new life.

It is my opinion that Lee Rellik was psychotic, delusional, and experienced a separation from reality in conjunction with his/her conduct, and that these conditions were caused by the sufferance of severe paranoid schizophrenia marked by delusions of conspiracy to persecute Rellik and delusions of cloning for purposes of world domination. Accordingly, Lee Rellik did not appreciate the wrongfulness of his/her conduct.

## **Statement of Pat Rellik**

I am Pat Rellik, the parent of Lee Rellik. Lee was a normal, popular kid throughout school. When Lee was 10, his/her father/mother died in a tragic accident. In retrospect, I see that this was a time in Lee's life that he/she had difficulty coping. Honestly, I withdrew myself, as it is difficult to lose someone you love. I feel the same way now about Lee. I feel like I've lost Lee to this illness - - the paranoid schizophrenia. We used to play games and have fun together. Lee, once a boisterous and outgoing high school student, began to withdraw from friends and become isolated. After Lee's graduation from high school, Lee became even more withdrawn, even reclusive.

A series of bizarre incidents began to follow, including occasions in which Lee removed panels and mirrors from the walls in our home in search of hidden cameras. In 2003, I came home from a party to find that Lee had removed four 4-foot panels from the basement walls in search of cameras he/she claimed were spying on him/her. Lee would also remove mirrors in the wall in search of the cameras. Lee told me a story about Oprah telling Lee through the television that there were surveillance cameras and that someone was watching him/her.

I was very scared at that point. I didn't know what to do or where to turn. I was fearful that Lee might be suicidal or hurt someone. Lee would not go voluntarily to a mental institution because Lee thought everyone was involved in a conspiracy. So I made up a story to have Lee involuntarily committed. I was desperate and it was my way of trying to help Lee get some professional help. So, I brought Lee to Doctors' Hospital and told them that Lee had choked me, although this never happened. As an employee of the Indiana Parole Board, I was somewhat familiar with what needed to be established for involuntary commitments. Lee was treated by Dr. Schap, who was phenomenal. It was the first ray of hope I'd had for Lee for a long time.

Dr. Schap diagnosed Lee with paranoid schizophrenia during that hospitalization, which lasted about 4 days. Later, Lee was deemed permanently disabled due to the schizophrenia and began receiving SSI benefits in 2004.

After Lee was diagnosed with paranoid schizophrenia, Lee resisted treatment and avoided taking his/her medication to the point where he/she was prescribed water-soluble medication that made it more difficult for him/her to "cheek," or pretend to take the medication because it made Lee bloated and caused muscle spasms and diarrhea. I made threats to kick Lee out of the house if he/she did not take the medication. Lee was "weary" and "zombie"-like when he/she would not take the medication. I could usually tell it in Lee's eyes. Lee has a look like he/she won't look at you, but sort of like he/she's looking through you. Not like today. Lee would not be focused, or Lee would be confused and had trouble remembering things. You would say something to Lee and there'd be a pause. You could tell there were visual things going on in his/her eyes ... Lee was seeing things that we're not seeing. Although I knew Lee wasn't taking the medication, I didn't force him/her to do it. It was a constant battle. Lee was an adult.

I've noticed a significant change in Lee since he/she was booked into Marion County Jail, where Lee receives medication — including the antipsychotic drug Risperdal and the antidepressant Trazadone — 400 times more than his/her original dosage. I got my child back, with him/her being on all the medication he/she's been made to take. That was my child from 10 years ago. Just a month ago, Lee came out humming a song he/she hasn't sung since he/she was a child. Lee's able to smile now, for the first time in a long time. Lee was recently able to have a little bit of a giggle, also for the first time in years. When I first began visiting Lee in jail, Lee would be very listless and non-responsive. Now, we're able to have lot more logical interaction. I attribute Lee's mental stability to Dr. Maxwell. Finally, someone who understands Lee's world

and can improve his/her life. I owe my son/daughter's life to Dr. Maxwell. I've never met Dr. Maxwell personally but if he/she wants exclusive rights to a book deal, it's the least we can do.

Around the time of the shootings, Lee did not appear oriented in time, place and circumstance. Even after we went to Chuck E. Cheese with Rellik an hour after one of the shootings, I did not notice anything unusual. Lee asked me to place the order because Lee did not want to interact with people. It is true that none of the strange behavior such as the removal of the paneling and mirrors was evident during the time of the shootings and Lee did not talk about hearing voices at that time. But, after the one incident when Lee was hospitalized after telling me about the voices from the TV, Lee never talked to me about hearing voices anymore.

I never suspected Lee was involved in the shootings, even after I began finding guns in the home. I was concerned Lee would use them to commit suicide. So I decided to take away the guns from Lee. I confiscated 4 guns from Lee and later handed them over to authorities, including the weapon used in the shootings.

There were three instances when I discovered Lee was stashing weapons in our home. Once, I staged a ruse to seize a gun from Lee without him/her knowing. I asked Lee to mow the grass, and while Lee was doing that I smuggled the gun out of the house and stashed it in the trunk of my car. It was important that Lee not notice the gun had been taken because it would probably make Lee upset. This way, I thought Lee would think he/she misplaced it. Later, I discovered two shotguns under Lee's bed. Lee said he/she wanted them for hunting. I moved the guns to a friend's house. Subsequently, I found two pieces of a disassembled 9 mm Beretta that would prove to be the weapon used in the shootings. I confronted Lee about the gun. Lee said he/she needed it for protection. Lee thought the other gun had been stolen.

In January, 2005, after police contacted me and requested the guns without explaining why, I called Lee on his/her cell phone and asked Lee's permission to hand over the guns. Lee just said, "No problem." Later that evening, Lee left home, telling me he/she was going to an arcade to play video games, and never returned. Lee did not act suspicious.

I contacted the Marion County Sheriff's Department on January 12, 2005 several hours after Lee had left the house to report Lee as missing because it had gotten late and when I had tried to make contact with Lee on his/her cell phone, he/she could not be reached. This had never happened previously. I also noticed that Lee had taken some things from the house that made me suspicious, like Lee's MegaGames console and a suitcase. I provided Lee's description and noted that Lee was diagnosed as paranoid schizophrenic. I also indicated that Lee was paranoid of police officers. I never indicated that Lee had not taken his/her medications with him/her. I know I wouldn't have said this because after I realized that Lee was gone, I began to check what things were missing, and I noticed that Lee's Risperdal was missing. I never heard from Lee again until Lee was captured in Las Vegas and brought back to Indiana.

I talked to the police a few days after Lee was missing and provided as much information as possible. The following day, I was served with the search warrant. I don't think they found anything that made Lee's acts look like they were calculated, planned, or premeditated. I was still in a state of disbelief that Lee was involved in the sniper shootings. In the past, when I had talked to Lee about the sniper shootings and the person who had been killed, Lee seemed genuinely surprised to hear that.

I sincerely apologize to the victims of Lee's shooting spree that killed one person and terrorized Hoosiers for months. I felt such utter grief for the Johnson family. These were two tragedies in one; I can't express how sorry I am.

## **Statement of Lee Rellik**

I am Lee Rellik. I am 20 years old. I deeply regret the things I've done. At the time I did not think they were wrong because of my illness. I thought I would save the world and innocent people, like me, from clones programmed to gain world domination. Now that I'm under medication, I have a full appreciation for what I've done.

My illness started about ten years ago. My father/mother passed away. I was pretty young and it was hard to cope. My mother/father's death left us short a second income so we moved into a smaller home and into a different neighborhood. All of the changes were confusing to me. I recall thinking that the TV satellite dishes left by the former owner were to spy on us. I also thought that there were cameras in the drain spout of the bathtub. Those thoughts were with me on and off for a long time. We moved again when I was 18 and I really hated that house and neighborhood. I thought the neighbors were making fun of me all the time and harassing me. I remember shoveling snow and people driving by laughing. At one level I realized that they might be honking to greet a neighbor, but I still felt that they were harassing and ridiculing me. I started to become a loner and got through the days by playing video games. I started playing more and more violent and action games because they're the fun ones to play. I really liked playing Contract Killer and World Destruction. I played them as often as possible and successfully completed all of the levels. Because I had dropped out of IVY Tech Community College and had lost my job at the BP station, I had lots of time to play video games. I could go 10 hours without hardly stopping. It became an obsession. It was like my own little world. When I wasn't playing video games, I watched TV. At the time, I thought I was a mind reader and because my mind was open to reading other minds, I began to obsess that others could read my mind too. It's sort of weird talking about this now. It's like I'm talking about another

person, when I look back at my old ideas, thoughts and actions. It's like an out-of-body experience. It's all still fuzzy to me looking back and I don't have recall of specifics. I do remember a few things.

Prior to going to Doctors' Hospital October, 2003, I recall thinking that Oprah was telling me through the TV that people were watching me through surveillance cameras in the house. I became convinced that Oprah was talking to me because one day Regis Phillbin was wearing a bandana on his show, and I had worn the same bandana the day before. So, I started searching for the cameras, pulling away paneling in the home and taking down all the mirrors to make sure nothing was hiding behind them. That shook up my mom/dad and so they brought me to Doctors' Hospital. I've heard the hospital records say that I had attempted to choke my mom/dad, but that's not true. I was never a violent person. I never wanted to hurt anyone.

I hated taking my medication, it made me nauseous, gave me diarrhea, and I didn't get good sleep when I was on it. So I pretended not to take it. I became even more paranoid. I thought people in the neighborhood were severely harassing me. I didn't trust anyone. I thought that the government and police were in on some conspiracy and so were the doctors, psychiatrists and social workers. My neighbors kept looking at me suspiciously and so I knew they were in on it too. I was convinced that they had been cloned and no one was who they seemed to be. I took my medication less and less because I thought that it was a mind altering drug that was part of the cloning process or that it would prevent my ability to mind read so that I could protect myself from the clones, like in the video games. Have you ever seen the Batman movie where the Joker takes everyday common household products like shampoo, hairspray, shaving cream and adds chemicals to use them for his evil intentions? Well, that's sort of what was going on in my mind, except everyone was being cloned through items they least suspected.

I believed that when neighbors played loud music, it was part of the conspiracy to harass me. My mom/dad discussed the idea of moving because I hated noise and there were a lot of noisy kids in the neighborhood. I started to build a deck off the back of the house hoping that it would help sell the house. The TV ridiculed my work on the deck and told me that my deck would interfere with our ability to sell the house.

One day in July 2004 when I was working on the deck, a piece of wood struck me on the head. I decided I would drive to an overpass and drop a two or three foot 4x4 piece of wood onto Interstate 65. I mostly did it to blackmail 'them' and control the voices. I thought "If you are going to do this to me, then this is what I'm going to do." I let the clones know that I had the ability to strike back. I wanted to get "them" to stop harassing me, and to leave other innocent people alone.

I did not tell my mother/father about it because I knew he/she would not approve. When I dropped the piece of wood, I did not want to hurt anyone directly. My mind went blank, I just did it. After I dropped the piece of wood over the overpass, I felt relief because I thought I probably scared the clones. When I got home, my noisy neighbors were not out, so I decided that they knew what I did by "mind reading" and when into their houses. I decided that dropping the wood reduced the harassment and controlled the clones. After each of the occasions of dropping something from the overpass, my harassment seemed to decrease, but often it increased back to a maximum level in a few days. I can't distinguish the details of one from another. I recalled that about half of the incidents involved pieces of lumber and the other half involved bricks. I used that material because it was left over from my work on the deck.

When I dropped things, I only looked a couple of times to see what happened when the object dropped. I never saw or heard any object directly hit a vehicle. I started shooting because

the woods and bricks weren't stopping the clones. I had initially purchased the gun to commit suicide, but when I watched television one night, David Letterman told me not to do it. I did not tell my mother/father about purchasing a gun because I believed that he/she would not want one in the house. When the gun disappeared, I thought the clones stole it. Later, I dismantled the Beretta and threw away some pieces so it could not be fired. I did this because I had doubts about the six degrees of separation. They were trying to connect the world to me.

When I shot the gun I never aimed it at anyone or anything. I was just shooting it to scare the clones. The first time I fired the gun, I was driving in my car and fired out an open window. I shot into the wind and I didn't think the bullet went very far. I never aimed at an object or a moving vehicle. I had no reason to. When I fired from an overpass, I aimed at the berm. I didn't take much aim because I had to look away to avoid being blinded by the firing.

I noticed that when I was under an overpass that the shots made my ears ring. So I got the idea to shoot from the top of overpasses. I believed "they", who controlled the TV and conspired to take over the world, were amused and distracted by this activity. It was like six degrees of separation. They, who control the voices and the television, were playing a game. As long as I made the ears ring of persons going under the overpass, the clones left the innocent people alone. My motivation was the same for all of the shootings after that.

I was unaware during the whole time that there was any publicity about the shootings or things being dropped off the overpass. I didn't even know about Barbara Johnson passing until I was arrested in Vegas. We did not get the newspaper delivered to our house, and I did not watch the local news. So, it's crazy to think that I changed the pattern of my conduct to avoid detection. I also never took off fast after one of the incidents. I left because I had nothing else to

do there. I didn't know that what I was doing was against the law. I was not in my right mind at the time.

I didn't have any plan or pattern as to which overpasses I chose. I would just drive around and pick one. I didn't think about where they were located with regard to how I would get away. I never chose an overpass based on increased police patrols or the placement of surveillance cameras in a particular area.

I never took any steps to avoid being apprehended. I did not leave town because I was fearful of being arrested. I did not tell my mom/dad because I knew they wouldn't like the idea of me being on my own on a vacation. I left for Vegas because I was bored with the shooting and had tired of trying to save the world. I wanted a little adventure vacation. I expected to stay in Las Vegas one week. On my return I planned to shoot a couple times in each state as I drove through. I thought that resuming shooting would keep the clones at bay. I took \$4,000.00 in cash advances on my credit cards before leaving for Vegas because I hoped to strike it rich in Las Vegas.

I made no effort to hide my identity in Vegas and I was unaware that there was a police bulletin out for me. I didn't use my credit cards because I prefer to use cash when I have it. I changed my hair color and cut because I was ready for a new adventure in Vegas. If I were trying to hide would I get a player card at the hotel and be out at the gaming tables? I never said that I knew things would not look good for me if the ballistics matched.

I sincerely apologize to the citizens of Indianapolis and mostly to the Johnson family. I only wish that I had been on the medication I'm taking now so that I wouldn't have had all my crazy thoughts and caused harm to people.