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**Stephanie Crowe,
in life and death**By:TERI
FIGUEROA -
North County
TimesFallout from
slaying of
Escondido girl
continues 10
years later*Stephen and Cheryl Crowe visit their daughter Stephanie's grave at Oak Hill Memorial Park in Escondido on Saturday. Stephanie Crowe was murdered 10 years ago Monday at the age of 12.***JAMIE SCOTT LYTL** Staff Photographer*Order a copy of this photo**Visit our Photo Gallery***ESCONDIDO -
Stephanie Crowe**

is forever a 12-year-old girl with a radiant smile. She is also forever the little girl found stabbed to death on her bedroom floor.

And the memory of the horrific morning when her family found her body - it will be 10 years ago Monday - won't go away.

"We keep waiting for it to be over, but it won't happen," Stephanie's mother, Cheryl Crowe, said last week as the anniversary of her daughter's slaying drew closer. "It is the same every day. It hurts. Ten years, but it is the same."

It took nine years before the criminal proceedings finally drew to a close; last March, the state's highest court refused to review the conviction of a mentally ill man, a stranger to Stephanie who prosecutors said slipped into the home.

But Stephanie's slaying grew into more than a criminal investigation that saw her brother and his buddies accused of killing her and cleared before another man was convicted.

It played a role in the 2002 campaign to elect the county's top prosecutor. And the interrogations of her teenage brother and his friends became famous in literature concerning false confessions.

A civil suit, which her family and others brought against Escondido police, remains on idle in a federal appeals court.

The whodunit slaying spawned at least two books, a made-for-TV movie about the investigation of her brother and his friends, and some national media attention.

It lingers in the public consciousness, this investigation that saw four accused killers, two coerced confessions, last-minute discoveries of DNA evidence and one long trial that threatened to end with a hung jury.

Perhaps lost in the mess was the little girl who had told her mom she wanted to be a schoolteacher.

Brother charged

The noise from the alarm clock radio beckoned Stephanie's grandmother to the girl's room early that Wednesday morning to see why the child hadn't shut it off.

It was then, about 6:30 a.m. on Jan. 21, 1998, that Judith Kennedy found her granddaughter wet with blood.

Stabbed nine times through her bed covers, the petite brunette was dead. The police investigation quickly turned inward toward the family.

Police also briefly detained Richard Raymond Tuite, who had been seen many times that evening on foot in the Crowes' rural Escondido neighborhood.

They took his clothes, gave him a sweat suit and released him.

One detective later testified that Tuite was too "bumbling" to have killed the child so stealthily as to not wake her family.

Within days, Stephanie's then-14-year-old brother, Michael Crowe, and two of his friends were arrested for the slaying, based on damning statements - including a detailed confession - some of them made to police after hours of interrogations.

But a year later, in early 1999, prosecutors dropped murder charges against the teenagers, after a judge ruled the teens' confessions were coerced. And after specks of Stephanie's blood were found on a piece of Tuite's clothing.

Mary Ellen Attridge, the defense attorney whose work representing one of the friends of Stephanie's brother played a significant role in the case, said the case took on a life of its own.

"Mistakes happen and you can't assume somebody is guilty because they are arrested," Attridge said. "The presumption of innocence exists for a reason. That is the lesson of this case."

A trial within a trial

The investigation stalled. In 2000, Escondido police transferred the case to the county sheriff's homicide division.

In 2002, the state attorney general's office charged Tuite.

The effort to convict Tuite, in early 2004, became a trial within a trial.

Jurors watched the videotaped interrogations of Stephanie's brother and his two buddies.

They heard about sibling rivalry, about fantasy stories Michael Crowe had penned in which a brother and sister battle, and about a plot the trio of high school freshmen supposedly dreamed up to kill the seventh-grader.

Jurors also learned that investigators found Stephanie's blood on two items of Tuite's clothing.

They were schooled on blood spatter versus blood transfer and learned details of Tuite's history and his long-ago diagnosis of schizophrenia.

After about eight days of deliberations - during which the jury reported that they had neared an impasse - the jury cleared Tuite of murder, but convicted him of voluntary manslaughter.

An appellate court upheld the conviction. Last March, the state's Supreme Court declined to review the case.

"It was his sister"

Even though a decade has passed, those associated with the case and casual watchers alike still refer to Stephanie's older brother and his friends as "the boys."

In their videotaped interrogations, they are children. They cry as police hammer them with questions for hours and hours.

Joshua Treadway, then 15, sobbed as he sat alone before detailing a slaying plot.

Michael Crowe wailed as he said he didn't remember killing his sister, but if the police had evidence pointing to him, then he must have done it.

The boys quickly recanted. After much legal wrangling, most of their damning statements were tossed. Treadway later testified he made up the story, saying he would have "chewed off my own leg" to make the questioning stop.

The "boys" are no longer children.

Michael Crowe is married. He has a job and is one class shy of graduating from Palomar College. His mother said he is

doing OK, but there are days when all of it dredges up.

"We talk about it," Cheryl Crowe said. "It was his sister."

Tragedy for all

Found guilty of voluntary manslaughter, Tuite was sentenced to 13 years in prison for the killing.

He also received an additional four years for a brief escape he pulled off on the first day of jury selection.

Tuite's mother and sister attended every day of the trial, and many pretrial proceedings. His sister declined to be interviewed, but the family maintains his innocence.

So does Tuite's defense attorney, Brad Patton.

"The whole thing was a great tragedy. A tragedy to the family, and certainly what I believe is the wrongful conviction of Richard Tuite," Patton said.

Richard's sister, Kerri Tuite, is also the mother of a slain child. Her daughter, Brooke Tuite, was 15 when she was shot in a car in 1994 in an Oceanside residential neighborhood.

Police have said they believe she was not the intended target. No one has ever been charged with her slaying.

Constant reminder

Fallout from Stephanie's slaying case landed in other arenas.

In 2006, nine years after a judge deemed the Crowe and Treadway confessions coerced, the California Commission on the Fair Administration of Justice referred to the interrogations in a report on false confessions.

The board recommended that police questioning for serious crimes be recorded.

"It's such a stark example of what happens when a person of diminished mental capacity, like a child, is interrogated," said Chris Boscia of the commission offices. "The Crowe case is a major California case. That (videotaped) interrogation kept Michael Crowe from being convicted. They were able to see how coercive the methods were on a child."

The commission twice backed legislation to force law enforcement officials across the state to videotape interrogations. Both times, in 2006 and 2007, Gov. Arnold Schwarzenegger vetoed it.

The case also factored in the 2002 election for the San Diego County district attorney.

Stephanie's parents appeared in commercials supporting Bonnie Dumanis in her efforts to unseat incumbent Paul Pfingst when Stephanie's brother and friends were charged.

After becoming the county's top prosecutor, Dumanis vowed to keep a photo of Stephanie on her desk.

"I'm sitting here looking at it right now," Dumanis said in a phone interview Friday morning.

She said she keeps the little girl's picture as a reminder of all victims, and of her responsibilities as a check on police investigations.

Memories of Stephanie

The Crowe family filed a civil lawsuit in federal court, alleging that Escondido police and other authorities violated their constitutional rights against unreasonable search and seizure, self-incrimination, and due process of law during the investigation into Stephanie's death.

The suit was tossed in 2005. But the appeal remains.

Written arguments in the case have been filed with the 9th Circuit Court of Appeals, the most recent in October. Now comes the wait for the court to schedule hearing dates.

Cheryl Crowe said that, even if her family should prevail, any money they may be awarded would be eaten up by attorney fees.

At the criminal trial, the jury didn't really get a chance to hear that Stephanie was the president of chorus at school, or that

she had been a Girl Scout.

They did not hear about her eagerness to volunteer or her desire to lend a hand, or that she skipped recess to help tutor younger kids.

One oft-seen photo of Stephanie depicts the glowing child holding a philanthropy award, from the time the Escondido Library Endowment Foundation dubbed her Volunteer of the Year in 1997.

It is the same photo prosecutors often showed jurors in Tuite's trial, on the few occasions during the trial when attention was given to her life, not her death.

On Saturday, Stephanie's father, Stephen Crowe, shook his head as he left her grave site in Escondido.

"Anybody who ever said time heals didn't go through what we did," he said. "All time does it make it easier to deal with it."

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