

---

## Contents

### *Preface ix*

1. Macksville: The Escape from Lansing and the Shootout on Main Street 1
2. Genesis: Director Lou Richter and the KBI's First Team 8
3. Transition: The Thirties, War, and New Leadership 18
4. Clutter: "Cold Blood" in Western Kansas, Justice on Lansing Gallows 37
5. Sanford: KBI Growth, 1957–1969 52
6. Directors: KBI Directors, 1969–1994 64
7. Samaritan: The KBI Helps Overturn Two Criminal Convictions 73
8. Pyle: Homicide without a Body 81
9. Nemechek: Serial Murder in Rural Kansas 93
10. Stephanie: "Stephanie's Law" Born in Tragedy 109
11. Carrie: Second Coed's Slaying Leads to Death Row 123
12. Shannon: The KBI Goes to Costa Rica 135
13. Liz: The KBI Assists in a Very Cold Case 154
14. 9/11: Priorities Change 202
15. Meth: Biggest Crime Scourge, 1996–2005 216
16. Matt: Methamphetamine Costs the Life of a Kansas Sheriff 230
17. BTK: The KBI Helps Pursue the Infamous Killer 262
18. Expansion: Special Agents Repositioned and the Creation of a Cold Case Squad 314
19. Forensics: Murder in a Soccer Field, National Accreditation, and New Laboratories 329

viii Contents

20. Reflections: The Project; Mississippi Mud; Technology 352

*Notes* 375

*Index* 385

*Photographs follow page 181.*



University Press of Kansas

---

## Preface

The Kansas Bureau of Investigation (KBI) is a collection of fewer than 300 professional men and women positioned across the state of Kansas to serve the criminal justice systems of both the state and nation. They are assigned to nationally accredited forensic laboratories in Topeka, Kansas City, Pittsburg, and Great Bend; field offices in Overland Park, Great Bend, Wichita, and Pittsburg; or the headquarters in Topeka. They are ordinary men and women who do extraordinary things in pursuit of criminal justice, as others before them have done since 1939.

I have always believed that leadership is best defined as the privilege of directing the actions of others, with the emphasis on privilege. No better example of such privilege exists than the directorship of the KBI. From July 18, 1994, when I was appointed the tenth director of the KBI by Kansas Attorney General Robert Stephan, until June 1, 2007, when I retired as the second-longest-serving KBI director, four attorneys general and almost thirteen years later, that great privilege was mine.

Collectively, my nine predecessors and I served fourteen attorneys general. The KBI continues to be a unit of the office of the Kansas attorney general, as it was in 1939, and the director continues to serve at the pleasure of the attorney general, as he did in 1939. Attorney General John Anderson's only instruction to Logan Sanford, when in 1957 he asked the agent to step up to director and move to Topeka was, "You take over. You run it. If I have any objections, I'll let you know." That simple admonition has characterized the relationship between the attorney general of Kansas and the director of the KBI from 1939 to the present day. There has never been a signed contract between the two offices, and there has never been any guarantee of longevity for the director. There has always been a simple oath of office, a handshake, and subsequent confirmation by the Kansas senate.

Often understaffed, underfunded, undersized, and overassigned, the significant contributions of the KBI to the criminal justice system, state, and nation have always been disproportionate to the size of the agency. That was true in 1939 when the entire staff consisted of one director, nine special agents, and one secretary. It remains equally true today with the larger, but still insufficient, staff.

## x Preface

Despite a proud, scandal-free record of exceptional achievement in criminal justice and dedicated service to Kansas prosecutors, law enforcement, and crime victims and their families, no one has attempted to write a history of the KBI for public consumption. The closest effort was an internally prepared publication commemorating the agency's first fifty years, 1939–1989, printed in 1990 and distributed almost exclusively within the KBI family. *In Cold Blood*, Truman Capote's best seller, tells the story of one chapter in the KBI's history, an iconic chapter but nonetheless only one. The same can be said of KBI involvement in the infamous BTK case. Much has been written about the investigation to identify, apprehend, and prosecute Dennis Rader for the serial murders of ten citizens of Wichita from January 1974 to January 1991, and the KBI's proud participation in the Wichita Police Department's BTK Task Force, March 2004 to August 2005. Again, an essential chapter in KBI history, but merely one chapter in that story. Indeed, not a single KBI director preceding me wrote anything resembling a public memoir about his tenure. This book, then, is intended as an effort to reveal more of the history of a deserving agency.

The KBI has never been more important to the Kansas law enforcement community or the Kansas criminal justice system than it is today. The Kansas Law Enforcement Training Center, repository for Kansas law enforcement training records, reported on January 19, 2011, that 72 percent of all municipal and county law enforcement agencies in the state had ten or fewer full-time officers and that 50 percent had five or fewer full-time officers. Reliance on KBI resources, meager though they often are, necessarily follows.

Today's KBI employees are not dissimilar to their 1939 predecessors. They share a common mission: "Dedication, Service, Integrity," the motto that has always adorned the beautiful KBI seal. The KBI has always striven to provide service to the law enforcement community and the criminal justice system with dedication and integrity. Excellence has remained the goal, and justice, not just prosecution, the objective.

As noted, the KBI began with just ten men and that would remain the number of agents for several years. Why ten? Probably for budgetary reasons, as well as a reflection of the reluctance of the legislature to create the agency in the first place. Perhaps, too, it was because another law enforcement agency with which the KBI was compared frequently at the time of its creation and in the years since, the Texas Rangers, also began with ten men. That, however, was in 1835, and the targets in that time and place were of the Apache and Comanche variety, not the gangsters, bootleggers, bank robbers, motorized cattle rustlers, and general lawlessness of the 1930s. Indeed, the creation of the KBI followed nearly a decade of lobbying efforts by the Kansas Bankers' Association, the Kansas State Peace Officers' Association,

and the Kansas Livestock Association. Prior to 1939, law enforcement jurisdiction ended at the city limits and the county lines, and all responsibilities ended at the state line. The agency's creation changed that culture.

Born in that narrow corridor of time between the Great Depression and World War II, the bureau's earliest assignments reflected the interests of its original sponsors and the needs of the time: bank robberies, homicides, gangster activities, livestock theft, especially cattle rustling, and narcotics. Yes, narcotics, even then.

Over sixty years later, when I retired, the KBI's priorities, investigative and forensic, included narcotics, especially methamphetamine; violent crime, especially homicide and rape; and cyber-crime, especially child pornography and identity theft.

What follows is all true. These are stories of generations of crime fighters and criminals, heroes and villains, told in chapters that highlight crimes, criminals, crime victims, skilled and relentless investigators, dedicated and determined forensic scientists and crime analysts, and all those who labor and have labored on behalf of the KBI for the state and nation. Everything represented herein was inspired by real people and actual events. With such history, there is no need for fiction or imagination.

I owe a debt of gratitude to many people for their willingness to share generously of their time, insight, counsel, experiences, memories, knowledge, and expertise in support of this effort.

First and foremost, I am especially grateful to Shirley, my high school sweetheart and wife of more than half a century, who, with love and patience, typed every word, and to Barbara Watkins, who read every word, edited every page, and was the first to encourage me to finish what I had started.

I will also be forever indebted to Bob Stephan, attorney general of Kansas for sixteen years, who twice presented the opportunity of KBI leadership to me, and who, with Bob Senecal, the retired dean of continuing education at the University of Kansas, and Dolph C. Simons Jr., editor of the *Lawrence Journal-World*, read much of this manuscript and offered early encouragement and endorsement.

Special thanks, too, to PJ Adair, my KBI executive secretary and administrative assistant, who, from 1995 to 2007, helped collect and organize KBI archives of personal, official, unclassified, and nonconfidential correspondences, reports, notes, memoranda, and relevant news items from wire services and newspapers. Those sources of information were invaluable in telling this KBI story and in describing the cases, events, and people selected from KBI history, from 1939 to 2007.

xii Preface

A few of the many others to whom I owe thanks for answering questions and/or sharing observations include Peggy Summerville, the niece of former KBI director Lou Richter and perhaps his only living relative, and her husband, Jack, who provided helpful insight through the years into Richter's life; Margaret Symns, Bonnie Jo Williamson, and Corine Christman, daughters of former KBI director Logan Sanford, for their contributions, including editing references to their father; Gene and Peggy Schmidt, parents of Stephanie, for their assistance; Jeanette Stauffer, mother of Shannon, for her gracious help; and Tammy Samuels, widow of Sheriff Matt Samuels, for her contributions. These individuals all graciously read the chapters that detail painful personal memories within their respective families. I also wish to thank Wichita Police Chief Norman Williams, Lt. Ken Landwehr, and their BTK Task Force, who invited the KBI to join them in pursuit of BTK, for the wonderful liaison they extended to me personally, from March 2004 to February 2005; and, lastly, Wichita Police Department alumni Bill Cornwell, Bobby Stout, Al Thimmesch, Clyde Bevis, Bob Bulla, and Bernie Drowatzky, among many others, for their willingness to share their memories of the original BTK investigation.

Lastly, my sincerest appreciation to Fred Woodward, director of the University Press of Kansas, for his decision, encouragement, and guidance in the publication of the book, and for the expertise, assistance, and patience of his staff, especially Kelly Chrisman Jacques and Susan Schott.

Clearly, with such stalwart sources and contributors, any errors herein are my responsibility alone.

*Larry Welch*  
Lawrence, Kansas



## CHAPTER ONE

# **Macksville: The Escape from Lansing and the Shootout on Main Street**

The land on which it was to be built was purchased by the Kansas legislature in 1861, the same year Kansas became a state and the first year of the Civil War. It was built to hold the very worst of Kansas. It was opened in 1868 and it continues to hold some of the worst of Kansas today. In the beginning it was officially called the Kansas State Penitentiary at Lansing. Today it's officially called the Lansing Correctional Facility. But, to Kansans, it was and is simply "Lansing."

In 1941, among the worst in Kansas, and in Lansing, were George Raymond Hight, Kansas State Prison (KSP) number 9847; Frank Wetherick, KSP 3499; Lloyd Swain, KSP 9146; George Swift, KSP 2096; and John Eldridge, KSP 2559. All white males. All career criminals.

Hight, age forty-one, was a Kansas oil field worker from Dodge City serving ten to fifty years for a bank robbery in Byers, Kansas, in Pratt County. Imprisoned in Lansing since 1927, he was also a car thief and burglar. Wetherick, thirty-one years old, from Pottawatomie County, Kansas, had been sent to Lansing from Shawnee County in 1933 to serve ten to twenty-one years for a Topeka bank robbery. He had been a barber, but his heart had not been in it. Swain, age forty, a tall, thin chain-smoker, raped and murdered a woman in Marshall County in 1925 and was serving a life sentence. He appeared considerably older than his age. Swift, age thirty-six, was a habitual criminal from Rice County, Kansas, serving a life sentence, primarily due to multiple theft and robbery convictions. Eldridge, thirty-one years of age, an Oklahoma laborer, was serving ten to fifty years for having robbed the bank in Peru, Kansas, in Chautauqua County, in 1931, which took place while he was on parole after having robbed an Oklahoma bank in 1928. He was denied parole in 1936, 1939, and again on February 4, 1941, but with a parole violation detainer in his Lansing file he would be transported to Oklahoma to serve the remainder of his Oklahoma sentence when he completed his Kansas term. Like the others, he wasn't going anywhere very soon. At least they were not scheduled to go anywhere very soon.

The five had more in common than their criminal professions, their long tenures in Lansing, and the lengthy sentences still ahead of them. They also

## 2 Chapter One

shared a common belief that they had served enough of their respective sentences and it was time to leave the ancient, gray, foreboding walls of Lansing, where they dug coal for the state of Kansas, as had Lansing inmates since a coal mine was opened beneath the prison in 1882. Accordingly, they had spent weeks, under Hight's leadership, tunneling out of the Lansing coal mine into a large drainpipe that ran under the prison yard wall to freedom.

During the early morning hours of May 27, 1941, Hight, Wetherick, Swain, Swift, and Eldridge crawled through the pipe and escaped into the countryside after stealing a guard's automobile in the prison parking lot. As they had planned, they soon separated. Swift and Eldridge headed to California together. Swain, a loner, perhaps not by his own choice, went south, and Hight, the escape ringleader, and Wetherick spent a few days in northeastern Kansas committing robberies and car thefts before heading west. Kansas Attorney General Jay Parker gave the assignment to capture and return the five escapees to Lansing to the Kansas Bureau of Investigation (KBI). The small, elite, fledgling bureau was not yet two years old.

Lloyd Swain, following the escape from Lansing, raped a young mother in Arkansas City and several women in Wichita before crossing the state line into Oklahoma. He was captured on August 9, 1941, near Bartlesville, Oklahoma, by Kansas Bureau of Investigation Director Lou Richter and three KBI special agents, Joe Anderson, Clarence Bulla, and Harry Neal, assisted by Oklahoma authorities. The capture followed weeks of tracking Swain out of Kansas into the Cookson Hills of Oklahoma and from one hideout to another. He was returned to Lansing by the KBI. This was the first apprehension of a major fugitive by the young agency.

Swift and Eldridge were eventually trailed by the KBI to San Diego, California. With the assistance of local law enforcement, they were quietly taken into custody by Director Richter and Special Agent Anderson on October 23, 1941, and returned to Lansing.

Hight and Wetherick, however, were a different story. They initially evaded forty officers and bloodhounds across two Kansas counties before stealing a car in Onaga. On June 24, following a bitter running gun battle with law enforcement officers on Highway 75 north of Topeka, they fled the northeastern part of Kansas and disappeared, due in large part to Wetherick's skillful driving and knowledge of that area, but mostly due to a complete absence of radio communication in the pursuing law enforcement officers' patrol cars.

Because of the successful escape of Hight and Wetherick from the pursuing officers, the *Topeka Daily Capital*, in a July 13, 1941, editorial, pleaded



with the Kansas legislature to equip KBI and Kansas Highway Patrol cars with two-way radios.<sup>1</sup> Quoting Richter, the newspaper pointed out that the pursuing troopers, had their automobiles been properly equipped, could have summoned help and roadblocks could have been established, which surely would have resulted in the duo's capture. During the next legislative session, thanks to the notoriety of Hight and Wetherick, the purchase of two-way radios for state lawmen's cars commenced.

KBI interrogation of Swain and a series of car thefts and burglaries westward across Kansas indicated that Hight and Wetherick might be headed to Colorado.

In 1941, Director Lou Richter and the KBI had nine special agents, some of whom, like Richter, were former Kansas sheriffs. The KBI gave the capture of Hight and Wetherick its top priority, and most of the nine agents were assigned the task of finding and apprehending the two dangerous escapees. Rewards of \$250—not a small amount for that day—were posted for each. Every informant the KBI had was contacted. Inmates at Lansing were interviewed. Swain was reinterviewed. Law enforcement agencies across the state of Kansas and in adjacent states, especially Oklahoma, Colorado, and Texas, were alerted. Every bit of evidence and intelligence, every scrap of information, every contact seemed to indicate the two might end up in the Oklahoma panhandle or eastern Colorado.

As the KBI search intensified and before they disappeared into the vastness of eastern Colorado, Hight and Wetherick stole another car in Satanta, Kansas, and burglarized a general store, taking cash, cases of canned goods, a crate of oranges, several milk cans (which they filled with gasoline), and several new pairs of coveralls.

George Raymond Hight immediately liked the Oklahoma oil field worker he and Frank Wetherick met in a bar at Pueblo, Colorado, during one of their many jaunts into town. He, like them, seemed to be on the run from law enforcement, maybe Oklahoma, but more than likely Kansas. He seemed to know a lot about Kansas.

He said his name was Joe; Hight had never pressed him for a last name. They liked him so much that when he admitted on one of their trips to Pueblo that he had run out of money for a motel and was going to be sleeping in his car, they invited him to spend a few days with them on the deserted sheep ranch twenty miles from Lamar where they had been staying the past three months.

#### 4 Chapter One

Hight and Wetherick became so comfortable with Joe that they began to discuss openly in front of him their plans to rob a bank, maybe more than one. They told him that they were considering banks in Lamar, Colorado; Hugoton, Kansas; and Macksville, Kansas. Joe accompanied Hight and Wetherick on trips to Lamar and Hugoton to case those banks. He did not accompany them when they cased the Macksville bank. But he was still at the ranch when they returned from Kansas and announced it would be Macksville. Robbing the bank there, they told Joe, would be like taking candy from a baby.

Both had agreed Lamar was too close to their ranch hideout, and Wetherick had preferred Hugoton. But Macksville was in Stafford County, Kansas, immediately north of Pratt County, where Hight had robbed a bank years earlier. Hight also pointed out that Stafford County, a large county with few people, only had three law enforcement officers to cover the county: a sheriff, an undersheriff, and one deputy. With any luck at all the three would be at St. John, the county seat, thirteen miles east of Macksville, when they robbed the bank and headed west.

Joe agreed with them that it all made sense, so much that he wished he could go with them. He had to return to Oklahoma, however, for a few days on a family matter. Hight told him to be sure and return to the ranch pretty quick to help them count money, because he and Frank were going to go back to Macksville within the week, and he told Joe not to worry; there would be more trips to Kansas in the future.

As Joe drove toward Lamar, Colorado, he was troubled. Although Hight and Wetherick had not mentioned it, Joe knew there were two banks in Macksville. Which bank did they intend to hit? He had decided not to press his luck with Hight and Wetherick by attempting to identify which of the two banks in the small southwestern Kansas town they intended to rob. It was probably no big deal anyway. As Joe recalled, both banks were on the west side of the street and on the same block.

From Lamar, Joe telephoned Director Richter at KBI headquarters in Topeka, Kansas. Richter listened to Joe's report and then congratulated him on a job well done. Joe, or Special Agent Joe Anderson, as he was known to Director Richter and his eight fellow special agents, had spent almost three months in an undercover role in the Oklahoma-Texas panhandle and eastern Colorado tracking Hight and Wetherick. Through a Colorado woman he had learned where the escapees were hiding. At first he, other KBI agents, and Colorado officers had attempted to surveil the remote, deserted sheep ranch. But it had been impossible to get close to the pair's hideout, given the broad

expanse of treeless prairie surrounding it. Hight and Wetherick could see miles in every direction. An assault on the ranch could take a deadly toll of law enforcement officers. No one doubted the joint vow of the two escapees to never return to prison.

Director Richter, however, thought that maybe a smooth talker like Joe Anderson could get close enough to the pair by himself to learn what they were planning. His confidence in Anderson had been well placed. Following his first visit to the ranch, Joe had confirmed Richter's worst fears. Hight and Wetherick had at least three shotguns, two rifles, two Colt .45 automatic pistols, a German Luger, and many boxes of ammunition. They had an arsenal at their disposal. He had also reported that Hight and Wetherick each kept a pistol at all times in their coveralls, of which they seemed to have an inexhaustible supply. Richter told Joe to meet him as soon as possible at the sheriff's office in St. John, Kansas.

Stafford County Sheriff Logan Sanford and the KBI staked out both Macksville banks for almost a week. It had been difficult maintaining concealment for seven officers in such a small town and especially difficult adequately covering both banks. Personnel at the banks had been informed. There was no other way to do it. The employees and their families had been sworn to secrecy by Director Richter and Sheriff Sanford. Others at certain businesses adjacent to the banks were also informed, reluctantly, by the lawmen. Director Richter and Sheriff Sanford were both beginning to suspect that, despite their best efforts, they had confided in too many people or had somehow tipped their hand to the would-be bank robbers.

For the first two days, officers were placed inside each bank behind newly erected false partitions. But Richter had become uncomfortable with that strategy. The officers would not be able to respond quickly from behind such obstructions. He and Sheriff Sanford each preferred to take Hight and Wetherick outside the bank, before entry, to minimize the risk to bank employees and customers. Therefore, they reduced the number of officers inside each bank to one and spread the others out within selected business establishments on both sides of the street. But with no communication available among the officers, other than the telephone in each business establishment, the arrangement was not ideal. Richter and Sanford were worried that the strategy relied on the individual alertness of each agent and the undersheriff, plus considerable luck. In any event, it was agreed that September 16 would be the last day. The stakeout would end at the close of business that day. They would then have to admit that Hight and Wetherick, for whatever reason, had changed their minds about Macksville.

## 6 Chapter One

Shortly after 9:00 A.M. on September 16, a new 1941 eight-cylinder Ford, occupied by two men, drove slowly up the main street of Macksville, Kansas, a town of approximately 800 people. Though the town itself was small, thanks to the area's agriculture and oil production economic base, the community supported two grocery stores, a movie theater, several churches and service stations, two drug stores, another combination drug store and pool hall, its own high school, two cafes, a Chevrolet automobile agency, a two-block business district, and two banks, the Macksville State Bank and the Farmers and Merchants State Bank.

The 1941 Ford, recently stolen from a dealer's showroom in Satanta, Kansas, was bearing a stolen Pottawatomie County, Kansas, license plate. The original license plate number, 39, had been painted over to read 89, and the car itself had obviously been painted by hand, from the original black to blue. The car headed north up the main street, made a U-turn at the end of the block, and cruised back south before turning slowly toward the curb in front of the Macksville State Bank.

There were seven Kansas lawmen on the scene—four KBI special agents (Joe Anderson, Clarence Bulla, Roy Dyer, and Harry Neal), Director Richter, Sheriff Sanford, and Undersheriff Wesley Wise. Some of them who saw George Raymond Hight's startled expression as he stepped from the passenger side of the Ford, later agreed that Hight had recognized Joe, or rather KBI Special Agent Joe Anderson, as one of the well-dressed men confronting him with guns drawn and demanding the pair's surrender. That might explain why Hight fired wildly when he fired the first shot. He was given no second opportunity to improve his marksmanship, however. Five of the seven officers returned his fire, killing him instantly and riddling the Ford as Wetherick attempted to drive south to Highway 50. Wetherick died within the next several seconds. The car, moving slowly, and with seven holes in the windshield in front of the lifeless Wetherick, continued down the street. Richter ran alongside the car, jumped onto the running board, and brought the driverless car to a stop.

In addition to the Colt .45 automatic pistol in Hight's hand, the KBI recovered two 12-gauge sawed-off shotguns, two Winchester rifles, a German Luger, two more Colt automatic pistols, and more than 200 rounds of ammunition from the car. The two most wanted criminals in Kansas were no longer threats to anyone.

Among the first of the Macksville citizens to gather in the street when the gunfire had subsided was Oscar Barnes, head mechanic at Elmore Chevrolet, half a block from the Macksville State Bank. As he and others stood by watching the KBI agents pull Wetherick from the bullet-riddled car and lay him alongside Hight's body in the street, Barnes suddenly saw his five-

year-old daughter, Shirley, standing in the crowd near the bodies. He shoed her back home to her mother. Shirley Barnes later married her high school sweetheart, a St. John boy. He became an FBI special agent, thanks in part to his mentor, Logan Sanford, following graduation from the University of Kansas School of Law. Eventually, her husband became the tenth director of the KBI and author of this book.

The days following the Macksville shootout were heady times for the KBI. Praise poured into KBI headquarters from around the state and the nation. The KBI was the darling of the Kansas press and the citizens of the state. The politicians were thrilled and Kansas bankers in general and the Kansas Bankers' Association in particular were euphoric.

The *Stafford Courier*, in a story entitled "Good Work by KBI," reported that

a lot of Kansas citizens had more or less overlooked the fact that Kansas has a Bureau of Investigation, modeled after the federal bureau, until Tuesday morning of last week, when the crime career of two escaped convicts came to an end at Macksville. Aably assisted by Sheriff Sanford and Deputy Wise, the KBI men did a good job. . . . The KBI had proved itself before last Tuesday morning to be a valuable arm of law enforcement, but this fact was not well known to citizens generally. Now people are aware that the state has an effective law enforcement group.<sup>2</sup>

A headline in the *Kansas City Star* later proclaimed "Bad Men of the Southwest Meet Their Masters in the K.B.I.," and the story lavished praise on the bureau and its director for a job well done in Macksville.<sup>3</sup>

An editorial in the *Wichita Beacon* on September 17, 1941, declared,

Congratulations are due the Kansas Bureau of identification [*sic*] for its prompt and efficient manner in handling the attempted bank robbery at Macksville, Kas., on Tuesday. Two bandits, who recently escaped from the Kansas penitentiary, will no longer be a menace to their fellow men or an expense to the state. . . . The KBI . . . acquitted themselves with honor to themselves and glory to their organization. The entire state owes these brave men a vote of thanks, if not more material reward.<sup>4</sup>

The KBI was still in its infancy. If any case in the early years of the KBI left its mark and ensured the long life of the agency, it was the attempted robbery of the Macksville bank. From September 16, 1941, the KBI was forever ascendant.