

EPISODE 70: Dr. Kenny Kinsey on Messy Crime Scenes, Connecting with Juries and the Stephen Smith Case

Mandy Matney 00:04

Hello and Happy Tuesday. Today we have a really special episode for you. It is an interview we've been wanting to do for a long time and it was everything we hoped it would be. Liz and Eric sat down with crime scene expert Dr. Kenny Kinsey last week to talk about his role in helping to convict Alex Murdaugh for the murders of Maggie and Paul, and most importantly about Dr. Kinsey's findings in the Stephen Smith case. Dr. Kinsey is a delight. It is no mistake that so many people fell in love with him during his testimony in the murder trial. As you know, we have been able to turn our focus to Stephen's case on True Sunlight podcast, and what better way to do that than to talk to Dr. Kinsey, who was hired by Eric's law firm to retrace Stephen's steps on the night he was killed. To better understand why Stephen was on the road that night Dr. Kinsey looked at potential alternate routes, Dr. Kinsey looked at potential alternate routes Stephen might have been able to take from his car to the scene of his death nearly three miles away. Dr. Kinsey walked the route and found the exact spot where Stephen's body was located. That's when the pieces started to come together for him and when he was able to get definitive answers for a few important questions investigators have had since the summer of 2015. As we continue to look at Stephen's case, we want to remind those with information about his death that it is not too late to talk to SLED or to us anyone who spoke with Stephen in the weeks leading up to his death and anyone who saw him in the weeks days and hours leading up to his death should email tips@SLED.sec.gov or fill out the form at answersforstephen.com. Every little bit of information helps get Sandy Smith and the Smith family closer to finding out what happened on the night Stephen was taken from them. Let's get into it.

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Eric Bland 02:09

Cups up guys. Cups up. Hey there everybody, Cup of Justice listeners and True Sunlight listeners. This is a banner day for the production company. We are interviewing one of my favorite people. Dr. Kenny Kinsey. Liz and I are going to interview him and I'm always fascinated lives with, you know, people that connect with other people, especially in the litigation business that I'm in, you know, being a lawyer and going to court and seeing expert witnesses because expert witnesses always are very technical. And they're scientific and they pontificate and they talk down to people. And, you know, I always find that jurors have a tendency just to glance over when an expert gets on and to hear Dr. Kinsey talk to a jury, it's like he's in your living room at Thanksgiving, and he's talking to you. He just has this innate ability to talk, frankly, talk in a way that people understand what he's saying. I've often been applauded for that. You know, sometimes I don't talk like a lawyer most of the times I don't, but I'm not comparing myself to Dr. Kinsey, but he has the ability to talk with people and not talk at people. And I said last night that he's kind of a combination of Mark Twain Louis Grizzard, you know, your favorite best friend, and he's just a great guy. So with that said, welcome.

Liz Farrell 03:37

I hate to admit this, Eric, but I don't know who Louis Grizzard is.

Eric Bland 03:42

He is a southern humorist. You know, he, he wrote a lot of books in the 80s and 90s. And just, you know, really a neat, neat author. Did you ever read him Kenny? And good morning, by the way?



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Kenny Kinsey 03:58

Yes, sir. Did he refer to Clemson as Auburn with a lake?

Liz Farrell 04:03

Oh nice.

Eric Bland 04:06

So you know, we've been really anxious and excited to have this interview with you, you know, you become a household name ever since the murder trial. But for those of us in the industry, we've known of you and I assume right now you're busier than a one armed paper hanger.

Liz Farrell 04:24

Well, Dr. Kinsey first, I worked for the Beaufort County Sheriff's Office for a short period of time. So I have to admit when I saw that you were a chief deputy. I got a little nervous because of course, the chief deputy is I think, to some degree, I mean, that's that is the guy at the sheriff's office. The sheriff is an elected position. The chief deputy is the guy who's in charge of everything. So I got a little nervous, frankly, when I saw your name come up because I when we were talking about the Murdaugh case, because I was thinking of my own chief deputy and just like oh, void like a guy that people sort of fear because that's that's the person you sit in front of when, you know that might be the last day of your career. Right. The the internal affairs investigation has come in and and now you're you're in front of the chief deputy. So there's a little bit of fear there. And I think, a lot of relief when I first saw you on the stand actually, when I first read your affidavit, a lot of relief, you don't see many chief deputies with PhDs anywhere actually, in the country, and



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least of all, and in South Carolina, it's not something that you see a lot calling a chief deputy in orange Orangeburg? Yeah, so it just, I knew we're in for something. So I just want to say like you have you gave me and I think a lot of our listeners a lot of relief when you got on that stand, because not just how you related to the jury. But you brought a lot of sense to what I think had been a lot of chaos up into that point. When you agreed to testify in the trial. Did you understand what you were getting into at that point? Did you understand like the magnitude of it?

Kenny Kinsey 06:08

Liz I had no idea. I really had no idea until it was two or three days in, they didn't want me there the first couple of days, because for some reason, they thought that one of the defense attorneys was really irritated by the mention of my name. I don't know why we've never had a falling out. But I was still monitoring on the television, and emailing and doing research and that kind of thing. You can't not frame it in your mind until you see that carnival atmosphere. And when I turned and I've been there many, many times when I turned to off of the main exit and got up close to the courthouse. I said, Oh, my God, what is going on? Because you know, this, this was a terrible, terrible tragedy. But Eric's been doing this a long, long time. I mean, we've seen, you know, triple homicides, quadruple homicides, we've seen other high profile cases, and I'm sure you have also Leah's be, you know, in, in Beaufort, you know, dealing with their sheriff's office. And I was like, What did I get myself into? And I really did not quite understand the magnitude of it. Until I was on site. And I you can't describe it. I mean, when you bring in food trucks, because you don't have enough cafes, and restaurants close enough to feed everyone. And then seeing people lined up to the



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street. And they've been there since the early morning hours is just unbelievable.

Liz Farrell 07:49

At what point after you began testifying, did you understand that you had become sort of the sweetheart of the trial and in the community?

Kenny Kinsey 07:57

Well, I want to thank you both for the kind words earlier and I'm just, I'm just a normal, a normal guy and the PhD and to be perfectly honest, the Masters it had been over 20 years since my undergrad. And they were really a joke. I just wanted to see if I could get accepted at a university. And I'm bullheaded enough. I've got just enough Scotch Irish in me that I love to fight. And but I do it in a way you don't know you're fighting. And it all comes from my grandmother. I was the chief deputy that and you're correct on your assessment. The chief deputy is basically the sheriff. The sheriff still makes all the calls now don't get me wrong. I'm not disrespecting any sheriff. But the chief deputy does run the show, usually. And I have terminated employees, many employees and they apologized to me. And that's that's true. And if they get their life in order, or whatever they did wasn't a terminal violation. As far as you know, law enforcement is concerned many times I'd hire him back. And my door was always open. I was just a different kind of chief deputy, I believe.

Eric Bland 09:15

What makes you so humble and so gracious and so full of grace? I mean, you you use a lot of self deprecating humor to disarm people, and I think it's genuine but I also think you use it to your advantage



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because it lets people let their guard down and you have the ability to you know, slice people up and they don't even know it's happening. You know, like you just said people that you terminate apologize to you. How did you learn this? You know, in an expert witness standpoint, because I think it's genuine. I don't think it's an act. I think your whole life is like this.

Kenny Kinsey 09:53

The appreciation EB is genuine. I grew up by simple means. My mother and father were both first responders, my dad began as a full time firefighter my whole life. And I can remember when there were 24 hours on 24 hours off, so I only got to see my dad, you know, take school away less than half of the time. And then my mother ended up, you know, and we were, we had very little, but we had enough. And I've just always been incredibly thankful for anything. I don't know if it's because of our upbringing, we didn't know we didn't have a lot, we it seemed like we had plenty, but looking back on it. And I just like all parents, like all families, you want to do better for your family. And my appreciation is genuine. If anyone would ever give me something. Look, I appreciate my haters. And I read some of the social media and all three of us can agree that there's some folks out there that are just mean and cruel. I appreciate that. Because they take their time, I affect them so much, or something I have done affects them so much, that they take their time from their day to make a nasty comment. That means you're having an effect on people. And just like you, EB, Liz, I learned I learned from that. Yes, sir. Absolutely. Learn from that. Absolutely. So I believe as a civilization, we have many more similarities than we do differences. And I'm just, I'm conservative, but I am a live and let live kind of guy. And you can do your thing. And I think I told you in a tech story. And I may not



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agree with it. And I might even laugh internally, but I'm not going to try to embarrass you because your beliefs are different than mine. And I just think this rock we're on is big enough, we're only gonna be here a little while, it is big enough for us to have, you know, agree to disagree. Without all the negativity, and I just, I learned a long time ago, I'd rather use my efforts to be positive than negative. I wish I'd have known that my whole career. Because I was anti everything in the beginning. I would spar with attorneys. And they were always violent cases. And and I guess I was putting my performance or my activities ahead of the victim. And it was when at any cost. And when you get to a point where you realize, wait a minute, this thing is bigger than me. Things get better for you. And then when you realize if I am nice. He can cut me a couple times with a question, but he can't beat me up in front of that jury if I'm nice. And it worked. And it's evolved over 20 some odd years. And you know, I'm just fortunate I was in the right spot at the right time for Murdaugh. And I can relate to the jury. And I've always given credit I feel the same way. I don't disparage anyone EB if if I didn't disparage two of those attorneys on the defense side is hard to get me to say something publicly bad about anyone. And I just think we all could be a little bit better at that.

Eric Bland 13:29

I see your trajectory similar to mine and Ronnie's and it was like a collision course that our careers were going to intersect you with me and us with Murtaugh. I think everything that we've done over our career, put all of us in a position Liz and Mandy and their journalistic background. Everybody it was the perfect storm of everybody coming together at that intersection like in you know, up north Cumberland, Maryland and Virginia and Pennsylvania and Kentucky all border each



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other. I think it was the perfect intersection for all these different personalities with everybody from the background, including Harper oohed Lee and and judge Newman and all you couldn't it's like the perfect it's like MASH, or cheers or Seinfeld that cast was perfect. I don't think there was one person that wasn't right for the cast of what happened. And you know, there were a lot of expert witnesses in the trial and you know, but for the guy that you know, checks the poll, and the the temperature under the armpit, everybody else has been forgotten except you. And the hallmark of an expert is objectivity and to be able to call it as you see it, not advocate for one side or the other no friends to reward enemies to punish and you seem to try to shoot it straight down the middle. You know, you took on the fact that that wasn't a five foot two shooter and you explained how the trajectory of both litsen So I'm interested in obviously, I don't want to monopolize this one here from Liz, but I'm interested when you became an expert witness how you attack a case a, you know, do you ever tell the side that hires you or consults like, look, I can't give you the opinion that you want EB.

Kenny Kinsey 15:15

That has happened. I had a young man who died a very violent death. And it was in Buffalo, New York. And this is when I learned my lesson. And you know, you and I've worked on some stuff. And I'm so appreciative of that. But I learned, you always work for an attorney. Because I got the sad sob story from the mother and my heart just reached, you know, it was ripped out and I told her, I said, Can you handle the truth? Because I'm gonna give it to you. Just like I see it. And if I'm wrong, I'm just wrong. It's not intentional. It's not because you're paying me. She said, Oh, yeah, well, we, you know, we uncovered some



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videos that actually caught the whole incident. And, oh, my God, I finally had to block her number. I mean, I was, she was pretty mean. And and she wasn't that way in the beginning. But I held my ground, I told her. And I've also had a couple of use of force cases, where I'd go to Columbia and I say, Look, you know, this other one, you were okay. But here, I don't believe you have a case. Now, if you want me to help mitigate it. I'm your guy. But I think you need to let this one go. And for the most part, my clients have been understanding and they've been good about it. So I have been treated as good or better by defense attorneys and civil attorneys than I have been by prosecutors. And I really didn't expect that I didn't think it would be that way. I started working civil cases, in 2019, I started dabbling, you know, dipping my toe in the water a little bit. And I was pretty, pretty good with the idea that I'd work two or three cases a year just to supplement my retirement. And it just didn't turn out that way. God has a way of just reaching out and I've said this, he hits you with something hard and says it's not going to be that way. And I truly, truly not that I'm a prophet or anything, but I truly believe God reached out and made this happen for me for a reason. And when it stops happening, I'm okay with it. I'm, I'm good. You know, I've made wise investments. I have a retirement coming in. I'm okay.

Eric Bland 17:41

Are you a religious man? Dr. Kinsey?

Kenny Kinsey 17:44

I am. I'm a Christian. I've accepted Jesus Christ a long time ago, and I'm not scared to tell someone I don't push it. You know, I'm not pushy. But that was some of my complaints at crime con. And if you see it in an



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auditorium with over 2500 people to listen to Kenny Kinsey. And because I said Jesus's name that turns you off, you are probably in the wrong order auditorium. And I don't know, I'm not going to apologize for that one. And, you know, that's just something I didn't expect it. And Lord knows, I almost passed out walking to the stand, and certainly walking back from the stand the first time. And it's nothing that Kenny Kinsey did, there are hundreds of experts out there that could have done the same thing. I was in the right place. And I'm stubborn enough that I'm not going to let somebody abused me. And the jurors related with me. And I give all credit to the jurors, because they're really the ones that have the hardest job.

Liz Farrell 18:52

So I think something you touched on there is something that we have to deal with in journalism too, which is just, you know, you sort of go into the story or maybe a situation wanting to help the person who maybe hasn't gotten answers up until this point, right. And you feel you take it on sort of as a personal even though you're supposed to, you know, kind of leave that distance between you and that which you're writing about for you. What I'm interested in hearing is just because you have experience as chief of staff as Chief, chief deputy, you understand the way a chain of command works, you understand the way investigations work, when you as an expert now or somebody that's called in to look at cases that have already been investigated by other agencies or other law enforcement or other investigators, maybe even in some of the agencies you've worked for, and other experts do you what are some of the problems that you see because I think we take on that personal that feeling of person wanting to help these people be because they haven't gotten answers from my perspective, for instance,



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I see a lot of customer service problems in policing. I know that's not something that you necessarily talk about when you think about policing, but customer service in the wake of you have these cold cases where families haven't heard from the investigator in a long time. They don't touch base, they don't take the phone calls. They don't treat the family.

Kenny Kinsey 20:23

Number one complaint letters. Yeah, that is the number one complaint, I fielded daily. My methodology is a little bit different than a lot of investigators. Number one, I've split it up in small steps. You know, if I've got a scene and involved in a location, and then a vehicle, and then a body dump, I cut them in, in thirds, and I work one piece at a time, I verify because look, law enforcement gets a lot of it, right.

Unfortunately, some of the things I do in just generally, here are the complaints I would have. And here are the complaints I would have with with my guys, because I was very hands on. You know, we were a medium sized law enforcement agency, but we were the second largest county for landmass in the state, it is over one hour from the Aiken county line to cross Utah Ville area. And so I would go to my guys, and I'm like, you cannot close a burglary, you know, all leads exhausted, if you have a talk to the neighbor, Hear, hear. And you know, the property that abuts the back of the home. And it's just little stuff. When I started in law enforcement in the early 90s. If I was on a scene with EB and with you, Liz, and we all did something different, everyone would do a supplemental, and then the lead officer would take all that information and put it together. Well, now, you know, and this is a problem nationwide, one officer will list everybody on the scene in their supplemental that way, details are lost. And sometimes it's the details. I

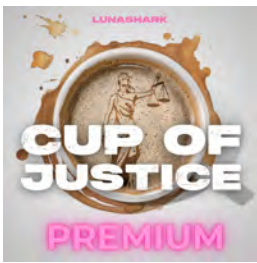


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do not like to look at the photos first. From the agency, I like to go to the location if possible. And I like to come from every different angle, I want to know if I can figure out what that victim went through. And then I tried to get into suspects mine and my methodologies just a little bit yanked up. But that's the way I like to do it. And then EB can attest to this. Later on. When I go through those photos. It clicks and I can get three or four photos. Sometimes I'm like, Look, this is what I said happen. Or I might say, Look, I have just disproved my theory. Then when it's all said and done there and no investigation is perfect, no investigators perfect, then you start looking at steps that were missed. And is this reasonable? Would a reasonable investigator do this? What a reasonable investigator missed that? Was it reasonable not to interview this person? You know, and you can use that and in the civil world that is gold? That is gold? And then the last thing I do I look at policies, especially in a civil case, I will look at policies, did they violate their own policies, and then it's putting it all together in a way like EB said that someone may be without the legal knowledge that an attorney would have or that even a seasoned law enforcement officer would have? Can they read that report and understand what you're saying? And, you know, it's worth it. But it didn't always start that way it had to evolve because I was defiant. As you know, you probably wouldn't have liked me 25 years ago.

Eric Bland 23:55

What you do, Kenny, which is effective is you don't get in a battle with the attorney that's questioning you most experts like to out maneuver an attorney and show how smart they are and how wrong the attorney is. You just view the attorney as somebody that's in the room, you're connecting with the jury, I view what you do is teaching to the jury in a



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way that you do when you teach fellow officers and it's making that connection that first they have to trust you they have to say okay, this is a person I could trust. And if they're willing to trust you then they open up their their minds and their hearts. And they listened to you. I just saw, you know, when you were being questioned by the attorneys, it was incidental to you. You know, you answered their questions you didn't get into ad hominem attacks, even though you were maybe being denigrated in a way by the person that was questioning you. It's more of you're connecting with the jury and I found it fascinating to watch how you maneuver In the courtroom.

Liz Farrell 25:00

I want to hear more, though why we wouldn't like you know.

Kenny Kinsey 25:03

I mean, when I started, it was in a narcotics role. And, you know, a flower white kid in Orangeburg had had a hard time, you know, work, you had to work behind the scenes to work narcotics in the early 90s, in Orangeburg, and I wasn't gonna make a living, jumping through doors, I mean, I do have a technical background, and I enjoyed that part of the job. But when you get north of 50, you realize that, you know, rappelling and running that hard and knocking down doors, your body just takes longer to heal. So I was really fortunate that I realized that at an early age, and no, I was anti everything lives. I mean, I wasn't a bad person, I was just anti everything I would everything you told me, I would try to prove it wrong. And I wouldn't take it on face value. I'm still a little like that when it comes to the job, but not the personal aspect. And I didn't trust many people, I didn't make a lot of friends at first in law enforcement, I was completely concentrating on getting the job done.



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And it's a blend, you got to figure out that blend. And I never wanted rank, I absolutely never cared about rank, and probably still don't a lot. But the only good thing about rank is the paycheck is a little bit more. But I never wanted to make decisions for other people, although I had to do it. And that's one reason I feel so blessed. Now, I'm making decisions for me, and through my client, and it just works out perfectly.

Eric Bland 26:46

And we'll be right back.

Liz Farrell 26:52

Going back to the question as before, because I think from my perspective, as an outsider in law enforcement, I see these vacuums filling themselves, I see people coming up with their own theories about what happens, especially when it comes to the Murdaugh case, especially when it comes to Stephen Smith's case. You see a lot online in particular, because so much has been released about the case of people filling in the blanks, and there are a lot of blanks in the Stephen Smith case in particular, but as law enforcement agencies, where is that improvement factor? Like? Where does that come into play where maybe almost universally across the board, where policing can be better when it comes to bridging that gap between the victims and, you know, solving that crime and getting them justice?

Kenny Kinsey 27:40

Wow, this one's gonna be a heavy hit here. Now, I'm telling you, because a lot of people do not want to realize this and do not want to admit it. We've done some stupid things in law enforcement. Who ever thought we'd see a man shot in the back in South Carolina running away? Who



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ever thought we would see a man choked to death on worldwide television. We have done stupid, stupid things. But just a small portion of us. And unfortunately, the entire profession receives this black guy there. I know. The overwhelming majority of law enforcement are good, folks. I mean, there's 700,000 men and women in this country that put that badge and gun on every day, who have an average of 10 to 20 Citizen contacts every day that do not in that way. But because of a small group. And look, I understand the United States of America, you got a right to protest, I understand that I will join you. If we have the same goals. I will join your protest. But they really the professions really, really hurt with the defund the police movement. I don't know of an agency. That's not don't have a 20% deficit. Now, the young kids do not want to do this. They're not standing in line. They want a 401 K and a desk job. And if you do hire them, they want to be a captain in eight weeks. It's not gonna survive if somebody doesn't figure out the answer. But we had a part in messing that up. Now roll over into my in as an old timer. We have in the interest of making law enforcement better and more technical, and more accountable. We have the opposite of what I am. We didn't bring it down. We're trying to take it up. And you've only got a handful of experts. When you're talking about experts. You've got only a handful that are there in the mix for all of the big cases. And they come up with techniques and that kind of thing to try. Don't make it tougher, you got to make it simpler, you got to make it where a common person can understand it. You don't need some of these organizations in the interests of accountability, what are they doing? If every agency should be accountable, then why do you charge them 10s of 1000s of dollars, to get them up to speed to be accountable. I mean, I believe it's a money grab. And I think a lot of a lot of organizations and a lot of theories, it's always tied to a checkbook. And if we want law



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enforcement to be more accountable, we got to take some stuff off for them, too. You can't be marriage counselors. You can't be, you know, guidance counselors, you can't divorce people. Everything's been put on a mental health, the big mental health crisis in this country. You know, unfortunately, law enforcement is the first contact and many times they are required to do certain steps in the mental health process. But it shouldn't be that way. And so we need to take some things off of them. We need to hold them accountable for some things. But we don't need to make it more technical. We need to make it more countable. But we have to bring it down a little bit. If you notice some of these experts, they have the monopoly on their area. And if you get on any of the social platforms, you see where they want to make it tougher and tougher and tougher. Look, fingerprints, ridge detail has been the same for 1000s of years. footwear, you know, it's not that different than it was in the 70s bloodstain. No one has ever come up with, you know, the it pops in their head that bloodstains have changed the directionality, but what are they doing? They want to make it tougher and tougher and tougher, because that keeps their piece of the pie. I want to share it with everyone. If someone catches me on the street and says, Tell me a little bit about blood spatter. I'll take them to the side and I'll share with them what I have. And I believe that's the only way to do it, to do it with character and to try and make things better.

Eric Bland 32:12

You know, when you grabbed the jury in the murder case, when you said you were getting paid 100 hours an hour. I mean, everybody just their chins hit the floor because you know, you had all these \$500 An hour and six \$750 An hour experts and Harpoon Liam was whining to judge Newman, can we get to him today? I'm paying them \$750 an



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hour. And if you don't get to him today, I got to pay him all weekend. And you said I'm getting 100 hours an hour. And you you just made a statement which says so much about your personality, which is the first thing out of your mouth was law enforcement does so much good. Well, most people, most defense attorneys, harpoon lien included every chance he gets denigrates law enforcement. He did it at the hearing for a motion for a new trial where he said, I don't want SLED driving the jurors because you know, they're not they're going to influence the jurors or they're going to try to change the what they're going to say he immediately attacked law enforcement. And I found what you just said, your first statement out of your mouth was law enforcement does so much good. And it is so true. There's always a few bad eggs that paint that broad brush. And you know, I don't see you as a guy that's doing this solely for the money. I did probably do think that you're charging more than 100 hours an hour now as you should because you were woefully underpaid in the murder case. I mean, it totally disarmed the entire courtroom. Do you remember that list?

Liz Farrell 33:45

I do. I do. It's yeah, it there was a drastic difference to also in what you got for your money. So I think that that that was probably what stood out to me more.

Kenny Kinsey 33:57

Well, you know, the funny thing about it is when Creighton called me, I was going to do it for free. And, you know, just as a favor to the AGs office, I was just supposed to look at some evidence. And it just evolved. And when I said \$100 I meant \$100. I really didn't even mean \$100 an hour. And he said no, no, no, we got to pay you. I was like, Okay, I'll give



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you what I charge, you know, civil attorneys to work civil cases. \$100 an hour.

Eric Bland 34:31

Which is way too cheap. I'm telling you from somebody that pays experts and law enforcement officers, you are woefully under the market average, which tells me that you know, you're you're a guy that's not doing it for commerce, but you want to, you know, do it because you have a you're purpose driven and I love I love purpose driven people. I mean, you know, we're all purpose driven.

Kenny Kinsey 34:56

I have increased that considerably. It is increase considerably EB but a good attorney friend of mine told me that if no one ever balks at your fee, then you're still not high enough. I said, Well, I'm okay. Right now, you know, we just want to make a living and, you know, do a decent job. And I worry about that part later.

Eric Bland 35:18

How much is civil versus criminal work? How much is prosecution versus defense? Are you you know, do you do it evenly? Do you do more for one or the other? I'm sure. I'm interested in that.

Kenny Kinsey 35:30

I was cool with civil I said, I'll never work criminal again. Right now. I have 75% criminal right now. And almost 100% defense work. I've tried to get prosecutors on board. Let me let me help you with this. Even cases that I was familiar with and prosecutors that I consider friends. I



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don't know if this budgetary EB or if it's just pride, I don't know. But a very few, very few take you up on it.

Eric Bland 36:01

They're out of their minds. They saw what you did for the state of South Carolina. It's crazy.

Kenny Kinsey 36:06

I do have agencies, I have seven sheriff's who call me on occasion. And I have two coroner's offices that actually call me on occasion, and I'm very happy and humbled to be able to to help them or, you know, if I can help them, I'm not going to hurt him. But and I let them know that but very little on the prosecution side, which, you know, does hurt me a little bit. But like I said, I have been treated really, really good by my clients. And right now, next week, it may not be this way. But right now I can pick and choose kind of what cases I accept. And you know, some people don't have that luxury. Some people take every case that comes down the pike. But I have to feel real good about a case, this stage of the game.

Eric Bland 36:56

Have you gone. Have you gone western north with your testimony. Have you gone west?

Kenny Kinsey 37:00

Yes sir. I just signed my I've got a case in Michigan, it was a footwear case, it was one of my first I just signed Well, I haven't even signed yet. But I agreed to take the case day before yesterday in North Carolina. I've gotten a half dozen cases in Georgia. I've already testified three times in



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Georgia, I've got a case in Florida coming up that I've agreed to take and we're just you know, negotiating the terms is really tough to deal with the state of Florida, especially if you're dealing with a public defender situation. And I just, you know, like you say it, I'm not it's not about making the money, but I have to cover myself and I have to feed my family. So we're finally where we need to be. And I'm going to be in Florida real soon. And I don't want to go much further. You know, I own property in Virginia. So I'd like to get a little bit in Virginia, but South Carolina, North Carolina, Georgia, Florida. I'm great with that.

Eric Bland 37:59

When you open your mouth to start testifying my brother was you know, he's captivated by the trial and with his wife and friends up in Connecticut and they have not heard a southern drawl southern accent like yours. And immediately, you know, they were like, you know, is this guy back country? You know, as Can he really deliver and, you know, within a minute they know that you know your stuff. I mean, do you get that reaction when you testify up in different places up north? I know you said you had something in Buffalo or you talk up in Buffalo. When people hear that heart southern twang. What did you know? Do you see that they're taken aback?

Kenny Kinsey 38:39

Well, I haven't actually testified I just worked the case. I'm still waiting to hear about buffalo but I had no problem in Georgia. Imagine that. And I don't have much problem in South Carolina. I haven't testified in North Carolina yet. I'm accused of being from Louisiana a lot. And sometimes when I'm around people from Louisiana, I talk a little bit faster. And I guess they could get it confused. But uh, this is just me. I mean, I hate



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my voice. But I have people I've had I've had cancer patients, cancer patients and and I'm so humbled by this. They wanted to have a conversation with me. They auctioned off to 30 minute zooms at crime con. And I met two of the most incredible people I've ever, ever could have encountered. And one of them was suffering from cancer and I told her 30 minute zoom meetings I told her when we got on Zoom finally, I said do me a favor, take that stopwatch, put it in your desk drawer because we're going to talk until you're tired. met Mr. Robert Turner and Gatlinburg and he's from Florence, South Carolina and and he's got some ailments and ended up making a friend for life and you can't buy that EB you really can't. And I know We're not going to talk about it. But when you call me about cases or other attorneys called me about cases, I tell them if I can't help you, I'm gonna do my best not to hurt you. And I would turn down a case, if I knew that me being a part of it would jeopardize the case, I would just give it up. And I'm the same way with a criminal prosecution. Look, I know Bobo, Jones did this. I can't quite prove it. We're not going to mess it up. I would rather Bobo walk free, then put the wrong person or put him in a in a dirty way. It's got to be clean. It's got to be righteous. We call it righteousness. It has to be righteous.

Liz Farrell 40:41

That said, do you still hold the opinion that SLED got the right guy and Alex Murdaugh?

Kenny Kinsey 40:47

Absolutely. But you know, Liz, I've never publicly ever gave an opinion. If you look back, I never gave an opinion. In August at Crime Con, I was asked, What do you think? And I've always said, you know, that's the



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jury's decision. And ultimately, it is. But when I saw the jury getting hammered over something that they had no control over. I have several clients who were representing those jurors. And I know these people and I know their character. I got friends that were working the security of the jury, friends now I didn't know them at the time, I had to come out. I said, Look, that's the jury's decision. And I'm gonna respect whatever they say. But I think they got it right. And I know in my heart, there's certain pieces of evidence that you can't speak on and certain things that didn't come in. I know they got it right. But I've been shouted down in restaurants. You know, I'm sitting there with a hoodie on, hoping nobody recognizes me. And you know, I had a 16 year old screaming across the restaurant, I got it wrong. I've had it. I can't, this past weekend had one of the guests who friend friend of a friend. He didn't say it to me. But as soon as I walked off, he don't have a clue what happened. And I just asked these guys, I'm like, whatever that's did you look at other than the theory. Fathers don't do that. Well, I can give you a half dozen incidents where fathers do what mothers do it, you know, I've seen a child, a newborn killed, infant child, the Mother, the Father, you know, over postpartum depression, and then took her own life. I've seen it and people say it doesn't happen, or this can happen. Pick up a newspaper, it happens every single day.

Liz Farrell 42:36

That is wild. I'm really actually surprised to hear that that happens to you. Even though I you know, you can see sort of the criticism online about, you know, just what you just said that fathers don't do this. But you saw the evidence. And like you said, there's evidence that didn't even get presented in trial. And before you even testified, or rather, you know, before the trial really even started, Dick and Jim are trying to get



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you removed, or at least parts of your testimony removed. They didn't want you to talk about the blood spatter on the shirt. You know, and then you would briefly mentioned in the trial that the mark on Maggie's leg that looked like you know, belong to a golf cart tire, which I was very pleased when you brought that up, because it it sort of made it a better picture. And I think all of our minds of what happened and kind of made it more understandable I think.

Eric Bland 43:24

I want to I want to just say something in response to what Dr. Kinsey said and kind of educate the audience a little bit. We used to have a test called the fry test for expert witnesses, which the experts if they regularly practiced in that area, or had some experience in it, they could render an opinion and opinion on an ultimate fact under the rules of evidence. And Dr. Kinsey is right that certain experts have tried to restrict the ability of people like Dr. Kinsey commenting on blood spatter evidence or opining on a golf cart tie or mark on a leg. And so, the Supreme Court came up with a Kuhmo tire case and what the Kuhmo tire case now says is, an expert can only testify if what he's testifying to is subject to peer review. And it's subject to being testified to by this expert and it's been under rigorous strain by other experts and you're criticizing or supporting it. And what it has done is it's created a cottage industry for experts to be specific only on blood spatter be specific only on handwriting or being specific only on fingerprinting. But you have a guy like Dr. Kinsey, who is a generalist in a way because he has such broad based experience of being a law enforcement officer for over 25 years, that he does have fingerprint knowledge that he does have blood spatter knowledge that he does seen so many times. attracts, and he has seen the effect of, you know,



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precipitation on what it does to a footprint. And he is entirely correct that defense attorneys or attorneys try to restrict every chance they get when an expert like Dr. Kinsey gets on stand to say you can't testify to that, or you can testify to that. And that has been the effect of that Kuhmo tire case,

Kenny Kinsey 45:24

Great history. EB, I'm proud of you.

Liz Farrell 45:30

With the blood spatter, the interesting thing was just whether, you know, we were all wondering whether that would even get introduced, and obviously the prosecution decided not to bring it up at all. But I think it was always looming in the background, as you learned more about Alex outfit changes that night and what he was wearing, and where that high impact velocity spotter, you know, potential, I guess we could call it where it was located toward the I would say, the top third of his shirt, and maybe one could imagine, you know, if you had an over shirt on, maybe that's where that appeared.

Kenny Kinsey 46:03

Well, he was I've never seen I've never said it was hot last.

Liz Farrell 46:07

No, you said you agreed with the set peers.



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Kenny Kinsey 46:11

To be high velocity, but I cannot reach the same conclusion. Right. And I had reasoning behind that. And it was four or five different things. I said it appears.

Liz Farrell 46:21

But they do not want you to say that.

Kenny Kinsey 46:24

They did it? No. Well, you don't want my report, you don't want my report seen. So you attach it to a motion and send it out worldwide. You know, I'm not an attorney. But that, that that was kind of counterproductive to me, but I believe it would have worked to their favor, if they would have brought that report in. But it's how I got here. So I'm very appreciative of it.

Liz Farrell 46:47

That is very interesting. And we have so much more to talk to you about. But first, we're going to take a quick commercial break.

Eric Bland 47:06

This was a common sense verdict. Okay, yes, there was a lot of technical evidence about phone mapping and footprints and different things. But Alex, it was a common sense verdict. He lied about being at the kennel for two years. Why would he lie? Why would he lie to his son? Why would he lie to the police. This is a guy that had a law enforcement background. So he didn't really distrust the police. He started lying. The minute that the police got there, they didn't give them a reason to lie. And when you see your wife and son laying on the ground, the first



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thing you're going to do is squeeze them you're going to scream to the high heavens, you're gonna have blood all over you. If you're going to call your son to tell your only living son that their mother and son got killed. That would be your first phone call. It's not going to be 42 minutes later. So to me, yes, this was a lot of science involved. But it was common sense. Alex did it because of the bread crumbs that the guy left you know what I'm saying? Do you agree with me Doc?

Kenny Kinsey 48:08

100%. EB family guns. That's what got me though. That is what when the whole thing was over, and I could decompress. I'm a parent, you're a parent. Wait a minute, 42 minutes before I called my surviving son. But there is a hit team out here killing Kinsey's? No, no, immediately, immediately.

Eric Bland 48:35

I want to tell my son go to the police. The first thing I'm going to say is wherever you are, go to the police station, don't come home. Don't come home, Do not pack and wait a minute to hit men. When when do you have to hit men who are going to come and kill people and not come with guns and go on a southern property or rural property in the middle of the night? And go in your house and steal your own guns to shoot you?

Kenny Kinsey 48:59

And how about the precision rifle? You know, you've got one of the most precise accurate rifles in the world. But you have to shoot Miss Maggie six, maybe seven times to terminate her life. No, that's not a hit team. If it is you're wasting your money.



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Liz Farrell 49:16

Explain that more because that one of the things that we heard right after the murders was that the crime scene was a mess. And I think what people meant by that was that you would come in in a more clean manner. If you had been tasked with killing somebody obviously, you're gonna have a little bit of a plan a little bit of a strategy there.

Kenny Kinsey 49:35

Yeah number one is anybody who's a sportsman would rather have a shot gun than a rifle up close. I mean, it's just look I'm not the best at anything but if I'm shooting that you would have shot gun and we're within 25 yards you are in trouble. And but if you're safe and I've also you know, people look over this my firearms background. If you You're safe being an instructor, you're never gonna carry a rifle or a shot gun with with a cartridge in the chamber. But being on Hunter and hunting wings or winged animals, you're you're confined to three shots, usually by federal law, if not federal law, it's generally state law. So think about it. Good, bad or indifferent. Paul was a tough little dude, he loved the outdoors. He carried his weapon wherever he went. So to be safe, you only got two shells. You're not gonna put one in the chamber that only leaves to in the in the tube magazine. So a shotgun would be best up close. But the rifle would be so much cleaner. And a hit team any kind of hit team, tap, tap, it's over one does the job to just to be sure. You don't see that much overkill. And the running back and forth. No, you're just going to come up behind someone and you're going to do and I've seen it. I've seen it by mafioso. I've seen it by street gangs. You know, I've seen it by family members who wanted to make it look like one of the above. It's just not like that. It's not like that that was amateurish, that was emotion. That was I've got too far. Now to backup. I've got to finish



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this. And you know, people that say, oh, what so it's always also know you are thinking what emotions, you're not thinking with the science. And it's like the little gray man, five foot two, it can't be anyone out there that listen to that testimony that had to have me explain that to them that you can get the same angle at different highs just because of how close you are to the target. And I know a lot of people gave me credit for that. But that's common sense. That all that is common sense. And not disparaging any experts, one of those ESP experts should not have been testifying to the things they were testifying to. And when you are saying, I'm on this plane, and I'm this high and I'm holding it here, five, two could have been five, four, but you have got different directionality in, you're measuring a piece of cardboard in the weather, a piece of cardboard that has been in the weather for almost two years. But you have a bullet defect in a wooden doghouse. But you don't want to measure that angle, you measure the one in the cardboard. No, that's not scientific. And I'm not talking bad about anyone. But that was the easier part.

Eric Bland 52:42

Well, we know you're talking about and you know, one of the things that I think carpooling and Griffin did effectively is they denigrated the crime scene and I just want you to tell our listeners that every crime scene can be criticized every it's a it's not a science, it's an art. You can always do more, you probably could do less but you can walk on any crime scene even if Henry Lee and zero whacked and all the great pathologist and everybody went there first. You could find some basis to criticize. It's it's a great it's on a great, isn't it? I mean, the crime scene, you know, they made it sound like it was like nursery school kids that did the crime scene.



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Kenny Kinsey 53:27

Well, I'll tell you another problem. You'd be and you're so correct. And I've testified to this many times. I've never gotten a vehicle to leave a crime scene and said, Man, I did everything right. Never. To this day. I never. The crime scene was not as bad as what they played it but you've got Collinson County Sheriff's Office, a very capable agency. You've got Slade, two ladies happen to be lady crime scene investigators could have been two dudes could have been a lady in a dude. You know, it just depends on who's on call. You've got lieutenants from Slade, you got captains from Slade. I imagine at some point in time, you had a major or possibly even chief keel I don't know. You've got a solicitor's office there a solicitor. He's got his investigators there. You've got volunteer firefighters, you've got EMS. And then whoever else you got all Alex's family.

Eric Bland 54:25

You got Alex's family and local law partners.

Kenny Kinsey 54:28

And so Kenny's rule, and I could put this in writing and probably this would get me further to anything I've ever done. One person takes the photographs, one person and then you share it with everyone I share it with the coroner, I share it with the first responders or share it with the defense attorneys I shared with the prosecutors because essentially what they did, there was photographs of Miss Maggie's and I didn't I didn't identify this footwear but um it was identified thought by someone a footwear examiner. You've got sandals believed to be Miss Maggie's, and there's no impressions around them. But that's not the one that was used in court because that doesn't cause doubt. Then



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you've got the one after the first responders have walked all around it. Same with the blood spatter, the blood evidence not spatter on the floor with Paul, when Jason and those guys, you know, which did a great job when Collison County, in conjunction with Slade were moving and I guess they were getting Paul out of there. Of course, they stepped on that floor. But you can look at photographs at the beginning of the investigation. There are no impressions on that for except what were identified as being false. That's not the ones that defense is going to show? Of course not they're going to show the one after all the first responders have walked through it, right?

Eric Bland 55:54

Yeah, how are you gonna pick Paul up with a crane?

Kenny Kinsey 55:57

Exactly, exactly. And then you know, the fingerprint thing. Fingerprints aren't fingerprint, people think that you can fingerprint any surface. That's not true. They're, they're probably very few surfaces in that feed room that would actually hold a print. A print is dependent on a lot of things. Humidity, moisture, we don't just put fingerprints on everything, it stuff fluids, it's the it's actually lipids that comes out of our skin, and we wipe our arms or whatever that is what these impurities stick to, to cause an impression. So I mean, and that's an attorney and I said it from the start, their job is to create now I don't fault them for that. But we give them so many opportunities during this crime scene, because so many people were there. A perfect crime scene is keep everybody at the road. You can't do that when you've got sheriffs and chiefs and that can but what I would do, you know, most sheriffs, you know, they come up, they want to get in the scene, I'd say sure, Sheriff, I can't stop you.



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This is your county, but I need your shoes. And they say, Well, why do you want my shoes? Well, I gotta process your shoes, I'm gonna put down your height, your weight, your ethnicity, what kind of shoes you've got, and I got to take them back to the laboratory because I have to exclude them from all other impressions. Usually, that would keep them out of the crime scene because they don't want to go home wearing flip flops. So that they're different techniques. And that was one of the things that really made me angry, they were throwing that crime scene examiner under the bus, I don't know the lady. She didn't do a bad job. But She certainly did not have the rank. To throw out the people that were in this crime scene, she they blamed her. But someone should have stepped up with a lot higher rank than her. Probably someone connected to the county because SLED isn't assisting agencies. So it should have probably been somebody that lived there, that should have handled the security of that crime scene. And it was just though it was a gift to the defense. And anytime you have it that way, it's always a gift to the defense.

Eric Bland 58:12

Well, we've talked enough about Murtaugh he's he's gotten enough of the oxygen from last year. And all along the way the past two years, we want to turn to Stephen Smith. Whoo, it should be in the spotlight now should have the attention of SLED. We want to turn to Stephen in this discussion, because you have looked into his case. And Liz, take it from here.

Liz Farrell 58:38

Well, first, tell us what you were hired to do that I think that that would help people online to know that.



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Kenny Kinsey 58:45

I was retained to look at Stephens case and look at every aspect. But mostly the physical evidence from the scene. What's there, what it in there, try to confirm anything I could confirm. And like I mentioned earlier, I had all my client gave me all the evidence that he had. I didn't open the photos. And I can remember I went down and worked a couple of days down in that area. And I just walked I mean I walked to this old fat man was tired. And I excluded some areas. I included some areas I actually talked with some people that had never been interviewed. And I come back and my family was traveling. I think it was Easter Sunday, my family was traveling. And I was here alone. And I said I'm gonna look at these photographs. And when I opened the photographs within five photos, I knew I knew the answer. It was beyond beyond a doubt. I knew the answer and and I actually I think I called you up or might have text you waited a couple of days. And I said look some people got this wrong. They got this wrong. And I want you to know what really happened. And then later on some other experts that were on the case, they got all of our results, and I understand they're pretty similar and in results, so I feel real good that we got that one right.

Eric Bland 1:00:20

For you give your opinion you use the word you excluded some things. Are you referring to? That there were, you know, I remember you told me about high fencing or creeks or, you know, 50 yards worth of picker bushes. Tell me about exclusion. And what do you mean? Is that the path that Stephen could not have taken from the car to where sir, if you Okay, explain if you go into the woods wooded area



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Kenny Kinsey 1:00:44

And I don't know if anyone did this, it wasn't apparent if they did. All 50 or 60 yards in that wooded area was an eight foot stainless steel fence, hog fence. The hogs are really, really bad in that area. And it completely encompasses a hunting lodge. Stephen didn't go over that fence. But if he would have got to it, he would have been cut up extremely bad. Then I got cut up and I had on long trousers and boots, I did not have my snake boots I wish I would have. But they are just vicious. It was vicious getting in these woods. So that points me in one direction. It was only two options. That direction being the road, yes, or the highway. But it was only two options. There's a dirt road. And I'm sorry, I can't remember the name of the road. Now you'd be I didn't have the report in front of me. But once you pass that hog fence, there's a dirt road that Stephen could have went right. Or he could have remained on the paved road where the dirt road was a half mile farther, longer trip. And completely dark, I stayed down there at night, there's no ambient light, there's no porch lights that you can see in a distance. So that helped me exclude that plus, if he would have popped out at the location, he would have been much farther down the road, then, you know, where they look where they found Stephen. So I was able to eliminate that most of his path was on the paved road. And I'm not saying he didn't cut corners, you know, but most of his path was on the paved road. And I feel pretty confident to that. And then certainly with the way Stephen perished. And then he was moved, you know, he was he was killed somewhere else and then moved here, I was able to eliminate that to a degree of scientific certainty, pretty easily.



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Liz Farrell 1:02:42

Can we explain to people why you looked in the woods and why you look to see what paths he could take from the car?

Kenny Kinsey 1:02:52

Yes ma'am. Because, you know, some people were saying family members, were saying Stephen wouldn't have walked the highway, he would have went through the woods, he would have he had, you know, for many perpetrators. And then we had the antelope there was everyone for nine years or eight years because this case wasn't given the attention that it should have been given. I've said it from the start this family deserve answers. And you had everyone adding some of the tips. You know, some of the tips were I was driving through on my way to California. And I saw so and so and so eight years ago, really, you remember those details from eight years ago, but you can't discount those, you have to follow up on every lead. And this case was thrown off from the beginning, probably by the coroner, believing that it was a gunshot wound involved, how it patrol packs up their stuff. And they go because they don't work that kind of incident. Then when the path ologists says you got XY and Z. Somebody's having a bad day. You remember some negative comments What should have happened? And look, I've done over 250 autopsies, it's not pretty but it's important. What should happen and I've disagreed with a path ologists before even though they're responsible for determining, you know what happened. Wait a minute, let me call myself let me go back in here and talk to this path ecologist and see if we can come to an understanding that didn't happen here. Well, whatever tempers on one side or the other, that threw it off. So now you've got the corner and Highway Patrol leaving. Then you've got an agency that doesn't have a lot of



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resources. They just didn't follow up on it. Then you've got an assisting agency that comes in and they don't generally work this kind of case. They come in and we're yours and Years and years down the road, and a family still doesn't have answers. And coupled with, as I mentioned earlier, you can't close a case if you got a house here and you didn't check with this neighbor, and you didn't check with that neighbor. There are leads that were just not followed from the beginning.

Eric Bland 1:05:18

Well, I think that I think that had hurt. You know, I want to hear your opinion. I know Liz does on the highway department, releasing the file in 2021. Like that, when SLED came in and took it over. It did extreme damage, I think to the investigation because it had a tendency, I think, to chill people who may have come forward. Obviously, the you know, the Merton's name, made people more reluctant to talk, you know, if they had knowledge, or they heard rumors, and then there were certain news agencies that published a lot of what was in those files in a way that I think it hurt the investigation. I'm interested to hear from Liz on that. And I'm interested to hear from you on that.

Kenny Kinsey 1:06:05

Certainly EB you want to keep the public informed. But like I said, some were great witnesses, some of this information is great, as with any investigation, but then you've got some people that just make up stuff, or they don't remember it correctly, when you put that information out there. It's like a false confession. You know, we say well, I would never falsely confessed to so and so but it happens a lot. So these people take a little bit of facts, and then they take their opinions and their perceptions, and they roll it up in one and then it sends you damn



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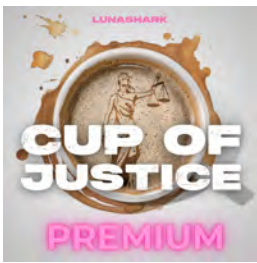
sends the investigators down another rabbit hole. It creates another 100 conspiracy theories, rumors, innuendo. And these men and women have to get through all that they've got to rake through that and peel it back. People add onion back, find a little piece. And it just makes it incredibly difficult. Probably as difficult as tempers, making you put something down and a report like I asked the path ologists why this was a hit and run. And she said because he was found in the road that should have that should have never, that shouldn't have been a conversation. Period. Calm down. Everybody get back together. You know, Doc, can you explain to me what led you to that conclusion? Well, Trooper, can you tell me what makes you believe X, Y and Z? I mean, you got to remember the victim and I believe some tempers here messed up the memory of the victim. It left a family hurting for a long time still hurting. And then you have people, you know, feeding into these conspiracy theories. And it's just the biggest, it's the biggest evil when it comes to investigating someone's cause and manner of death.

Eric Bland 1:07:57

Do you think it really hurt? The release of that file? It hurt where we are?

Liz Farrell 1:08:01

Yes. Yeah. I mean, I'm still very confused as to why it was released in the first place. Because it's an open investigation. You know, that didn't make any sense to me. As somebody who has worked in the 14th circuit for more than 20 years, or about 20 years, I guess it was, you know, it goes back to I'm not a conspiracy theorist. I just, uh, you know, I think that too many people talk I don't, I think it's very difficult to keep a secret. But it is hard to understand some of the decisions that get made, especially in the course of Stephens case. So why did that? Why



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did that get released? I think you said it, Eric. I think it it quiets witnesses, it quiets people who might have information, because suddenly you have people who through no fault of their own, their their statements to police are now right there for everyone to see, they can see that so and so talk to the police. And this is what they said, So and so tucked in, this is what they said, and now look at what's happening to them behind the scenes with their, you know, within that social framework of, you know, Hampton county specifically. So that bothered me, I think going back to the tempers flaring thing, I mean, it could either just be hot heads, right, people that are doubling down on their opinion, or it could be investigators who are frustrated because they feel like they're being hampered at different turns. And it could be something that they're used to. And I say that with experience, I say that, in knowing so many people in law enforcement in the 14th circuit, who have had the wall put down in front of them or have had something made more difficult for them by you know, the nature of the case or who might be involved who might not be involved, that kind of thing. So that's why, you know, you have these vacuums and the information you sort of fill it with what you know, and what I know from working in the 14th as a journalist for so long, is that there? There is that notion that there's you know, I don't want to use the term obstruction of justice in the law. Go away, but where there is obstruction of justice in maybe the more social way more than the more cultural way. So that's something that's well known. It's was well known the entire time I worked at the newspaper. And that's why I, you know, I can't say for sure is this, did the trooper get mad at Dr. Press now because he's just being a jerk? Or was this, you know, a frustration that he had because of other elements of the investigation that just your foreign officer more I'm talking about officer more? Yeah. Is that something that, you know, he



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he was frustrated? He was just frustrated? Because it was he was seeing certain elements at play? You know, it's hard to it's hard to say so I just don't know.

Kenny Kinsey 1:10:40

But can I add something? Please do. It is a battle. And I'm so familiar with this, we have 26 and 95, that comes through our county. So you have several fatalities, you know, on undetermined fatalities, whether it be someone running across the highway, or someone gets out of a vehicle has an argument with their partner gets out of the vehicle struck by the vehicle, whatever. This is a constant battle, because HP has one policy, and then you're got your local law enforcement. And they're like, it's yours. No, it's yours. No, what's yours? No, it's yours. This is daily in our state. Any agency that says this doesn't happen, I would, I would venture to say they're being dishonest. And I'm not even saying it's wrong, because everyone has their lane. No pun intended their lane to be in. Here's what I tell my folks. And we had a very capable, we have a very capable crime scene unit here in Orangeburg, I tell them, we are going to work it, someone has to work it, we are going to work it until we determine someone determines at an hours, but we're going to work it we're not going to lose that evidence. We're going to document it as best we can. In a perfect world, the two agencies would have worked it together. But unfortunately, that's not the way it happens. And you're also hindered by the autopsy. You when I first started crime scenes, you may have a bad call this morning, and you may have autopsy this afternoon. It's not like that anymore of COVID. And you know, it's not the numbers because believe it or not, the numbers have not increased that much. It may be the help. But COVID says COVID. Now it might be 234. I have seen five days after a critical incident where



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you can even get an autopsy. Think of all the evidence that's lost on that road. When you probably have it's a rural road, but let's just say for argument purposes, 10,000 vehicles a day, ride down that road, and you two or three days late, you're talking about 30,000 vehicles have now traverse that road. You got love cards Exchange Principle, they're bringing something into the scene and they're taking something out of the scene. So you're just by default, you're behind the eight ball at that point in time. And in a perfect world, the two agencies would work together. But in my county, when I carried a badge, someone was going to work it someone's going to document it because that family depends on it.

Eric Bland 1:13:28

Well, we've, we've deferred to SLED, we've given them your report, we've given them the second autopsy and we've let them do their job. Now admittedly, on our side and on Luna shark side, we're frustrated. Sandy is frustrated. It's almost a year since SLED announced that it was a homicide. I got involved because I just wanted to get answers for Sandy the woman deserves answers as a mother of what happened to her son. You know, she's not a rabid victim where she says this person is gonna get prosecuted and I want this or that. She just wants peace and answers D Do you think and I'm gonna put you on the spot. Do you think that answers will be given by SLED? And do you think there is a possibility that they ultimately will find out who did it?

Kenny Kinsey 1:14:20

In my heart of hearts? I believe they will EB. I don't know if the time and distance since the incident will ever lead to a prosecution. I'm hoping and I'm praying because I've seen a lot colder cases and this you know,

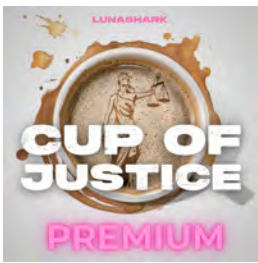


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go through the courts. But I have to put and I'm gonna say this and I hope you don't hit me in the head with a brick next time you see me? This is not the kind of case slated works. I mean, the investigatory part yes. We didn't work. vehicle crashes we didn't work vehicle versus pedestrian on unless it was intentional, we don't know that still a part of this equation, we don't know. And they were brought in on the tail end of it right. So I'm not pointing the finger it slid. Right. And I definitely would tell you if I think it was something they dropped the ball on. I'm not pointing the finger at anyone. But I'm pointing the finger at everyone. This was a missed opportunity for Sandy. This was definitely missed to let Stephen rest. And I just think it was the perfect storm in a negative way that caused this to you know, go to the wayside, but I do believe SLED will ultimately come up with the answer I'm praying they do, they will come up with the answer. I do know that. They are awful, awful, secretive, we don't know what has happened, or EBS probably got better ways of knowing that I do through the attorney world, but you just don't ever know. And the team at the AGs office, I've met them now I've worked with them. I know that if there's a possibility Miss Sandy and her family are going to get answers. And I'm here to do whatever part I can do to help.

Eric Bland 1:16:15

I think it's reckless to name suspects. I think it's reckless to name anybody because of the chilling effect that Liz talked about. But I think that there are six people five to seven, six people that know what happened or know of something that happened. Not that they are the suspect that did it. They either heard something or they were there. There's enough people that know it, you know, two people can never keep a secret, you know, one person it's even hard enough not to give



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themselves away. And, you know, there's not enough questions being asked, Who knows what everybody's looking for the suspect. But I think they need to refocus on who knows what I mean, your thoughts on that list?

Liz Farrell 1:16:58

I think we need to remember that the reason SLED has this case is allegedly because of information that they gleaned in the murder case, the murders case. So it's not necessarily you know, that that they were they haven't interjected themselves for for no good reason. I don't think it's optics. I don't think it's you know, I think that we lose sight of that, that there, there was an ignition point somewhere in the summer of 2021. That made them decide, we're going to look at this too. Now. Has that panned out? I you know, we'd like you said their secret we do not know. But like you said, I mean, the farther we get away from the incident itself, we go out, we hang on to every piece like every fact or every statement made, hoping to be able to parse that and figure out okay, so for instance, the family says that he wouldn't have walked in the middle of the road. I think that still stands, I think that there's a difference between walking through the woods and walking on the side of the road where you know, you're going to be safe versus walking in the dead center of the road. Right. So even though we know that okay, he there wasn't an alternate path for Stephen to have taken. He took the one that made the most sense that night is that right? Like he took the path that made the most sense, if the car it's you know, if we're gonna if the story is the car ran out of gas, we don't even know that fact, we don't know that it ran out of gas, because we no one looked to see that it had no gas in it. Right. It was just the fact that the gas cap was off, and the car wouldn't start, which the you know, the check the



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battery, they saw that that was connected. So at any rate, I think what happens is we just start to hold on to every fact hoping that's going to be the one that sort of swings us in the right direction to getting those answers. But I think ultimately it comes down to people talking and that got quieted because the Highway Patrol released the investigation. So you know, it's it really did a disservice to the investigation itself. And I again, I don't have a good reason why they would have and as a journalist who wants to see more information put out there than last. You know, I I know how important it is to keep open investigations a secret until you have quiet until you have all the facts and you're pretty certain that you have enough reason to arrest somebody and have reason to charge somebody and they just didn't do that. And I don't have an explanation. I don't know that. I mean, do you have an explanation for that? Dr. Kinsey, have you heard why they released it?

Kenny Kinsey 1:19:34

I have not. I do believe like Eric said, I do believe they've had names from the beginning. They have people with information and it goes back to the course this wasn't closed. But it goes back to what I started with today. You cannot close or discount a case. If you have a talk to the neighbors And here when I say neighbors, I'm talking about those names that Eric mentioned that have existed since very early on in this investigation. You got to exhaust that. And those folks, if they don't have answers, they have information. And you know, whether they've been interviewed whether they've been interrogated whether they've been put on polygraphs? I don't know. But that's where that's where I would take it at this point, I am to all certainty with Kenny Kenzie. But to a reasonable degree of scientific certainty. I know what happened to Stephen. And I believe my opinion has been verified by medical



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professionals. Maybe not verbatim word for word, but pretty much, you know, generalized what happened to Stephen. Now, if someone who's conducting the criminal part of this investigation thinks I'm wrong, the other professionals are wrong, then go out and do it your way. And let's come up with it and show me but don't discount the information that was neglected in the first of this investigation don't continue to discount that information. Because I believe the answer has been here since day one, it just got passed around and it just got discounted. And as time you know, increases time and distance. As time increases distance from you know, a result is also going to increase.

Liz Farrell 1:21:31

You said in a podcast that there were little pink squares that media had painted on the ground near where they thought Stephens body had been found. What was that? I didn't, I'd never heard that.

Kenny Kinsey 1:21:42

Yes, for, you know, filming purposes, they went out to where they believed Stephen had been located. And they use mark and paint and painted the squares. To me, that was terribly offensive to me, and not even talk about Miss Sandy and her family to go that route and see those big pink squares out in the road every day. So when I went down, I use some software of GPS software. And I said, this is where and I was within a couple inches of where Stephen came to rest in the highway. I didn't do it that way. I wasn't going to paint a square for Sandy and her family to have to come through there. But some people didn't care. You know, what the what the effect of that was going to be. It was not from the original investigation. It wasn't from the Highway Patrol, that paint has long been wore off. And actually the road has worn quite a bit since



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then. But I guess for the shock value, you know, you had some some media, people go out there and paint those squares, and I found that terribly offense.

Liz Farrell 1:22:48

So basically, the squares were to represent the body. Yes, ma'am.

Kenny Kinsey 1:22:52

The approximate location and I will I will say this, none of the media that I accompanied out there did that. So I don't know what network did it. But that kind of hurt, hurt me hurt my heart a little bit. And I didn't know Stephen and I haven't met Sandy. But I just know as a parent that would have that would have tore me up.

Liz Farrell 1:23:11

The second question I had was something that Mandy and I had been told early on by an investigator who looked over the evidence that we had been given in 2019, which was basically it was the unredacted case file. And one of the things that he had mentioned to us was that, you know, the idea of Stephen being moved from, you know, being harmed in one location and moved to this location like his body being dumped there. One of the pieces of of the indications that that was not the case is that there was not a trail of blood, like, I'm going to use the word spotter, even though I know people are going to want to correct me but I'm talking about the gravity, the force of gravity bringing the blood down from Stephen's body onto the concrete. There isn't something that shows like maybe him being taken from a car, what have you, but does it still in your mind? Do you still see? Or could you see where the pool of blood covered that were maybe the injury? Or is it do you think



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it was just so much blood that it wouldn't have been able to like what what made your determination there?

Kenny Kinsey 1:24:11

No, you vote leaves you've only got and you know, I also have training as a medical legal death investigator. So I've know a lot about the coroner and the death investigation part. You've only got so many liters of blood in your body but that quantity, I looked at quantity, which would be consistent with what's in your body what's in you know, a kid Stephen sighs. But the main thing I looked at what's the directionality in the blood flow? If you fail your glass up to the lid, and you try to move it, what happens? You're going to spill it but it's all going to go the same direction because it follows gravity, as you said, when is physically impossible, even with a gurney to move A body that is free flowing, pour, you know, the hearts already stopped. So it's not gushing blood, it's not pumping anymore, but it's still gonna drain from the injuries. That was a devastating injury to Stephen. There's no way to move, Stephen without changing that direction. And even if you write it again, and the blood changes and goes back down to gravity, it's still gonna leave a mark, even on black black interior, something black color, you can still see those proteins from that bud. And when I opened up those photos, number one, you got the quantity, you've got all the blood going in one direction, and you've got exported blood on Stephens chin, that tells me he wasn't moved, that tells me it did happen. And then you have the inconsistencies, you know, no road rash? Well, EB can attest to this. He had Road Rash, the enemy has row rationale, you know, defensive wounds on his fist, he didn't have anything in any Dutton now. So I mean, you've got things that have evolved over time. And, you know, I believe it's divinity. Stephen was in incredible shape,



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his remains were in incredible shape. When you know, it's not usually like that I've done a couple it's generally not like that. So I mean, I think it's divine intervention, God was shouting down on us trying to give us the evidence we needed and, and I'm sure in my heart, we're not talking about Evil Knievel, like we see, you know, going down the highway cart, we that's not what happened here. That's not what happened. You're talking about a hard, hard impact. Immediate, just like a lot more push pushes down a large piece of grass. It doesn't cut it at first, it just pushes it down, but really, really hard. And that's what that's what that was my opinion. And then certainly, I believe that was verified by other medical professionals.

Eric Bland 1:27:06

Right, because people have people have said, well, you know, he was killed, you know, with some kind of instrument at the car. He was put in a vehicle. And then when he was dumped out, you know, when his head hit, that's when the wound opened up. And the bleeding happened that, you know, I've heard that story.

Liz Farrell 1:27:26

I've never heard that one. I've heard that he was killed at a party and transport and transport from there, but never at the car. That's interesting.

Eric Bland 1:27:34

But the thing what I was saying was, you know, the blood didn't come out until he was not perfectly on the ground. And that's not the case. Right? Dr. Kinsey?



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Kenny Kinsey 1:27:43

No, sir, not at all. Think about it. Just dropping someone's head on the pavement would not do this damage. This is I don't even want to come up with a comparison because it's just respectful. But this is major, major damage, real fast, real hard. And just a couple inches of actually sliding on the pavement. I mean, it's it's down and just slight movement on the pavement. And I don't believe you could replicate it without there being some evidence of either the person being moved, or some evidence of an implement, you'd have to come off of a 20 foot building to do this kind of damage to your head, you know, on the pavement. But a vehicle traveling really, really fast really, really hard would do it immediately.

Eric Bland 1:28:37

With something protruding from the vehicle.

Kenny Kinsey 1:28:41

Yes sir. unimplemented, or something attached to not the vehicle itself, because if a vehicle hits you, you got two impacts you got where the vehicle hits you. And then you got where you impact the vehicle. Here, we don't have that. We've got one impact here. And then the massive, massive, I believe both of them would have been would have terminated life eventually. But the massive damage is in the back of the head when it hit the pavement and slid. And I didn't find look, trust me, Lee, as I looked for reasons to exclude this, I saw not one shred of evidence that he was transported there, that it happened somewhere else that Stephen did not leave for a little while afterwards. He definitely did not expire immediately. You know that I'm sure of now. Hopefully some of those other things any investigation that we spoke about?



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Hopefully they can peel that skin back and find answers, but I have no doubt in my mind whatsoever. What happened to Stephen?

Eric Bland 1:29:47

Well, I think we could sit here and talk to you all day, just like you said to the person who bought the conversation with Dr. Kenny Kenzie, we could spend all day just tremendously honored that you would Give us your time like this and your insight. And, you know, it was just captivating from start to finish.

Liz Farrell 1:30:06

Well, thank you so much, Dr. Kinsey, it's a pleasure to talk to you. And I would like to close this out just because I think it's so unusual for an expert witness to come off the stand and have so many fans. Could you just give us a little story about one of your fan interactions, or maybe a gift you've been given by a fan that's just really touched you?

Kenny Kinsey 1:30:25

Well, Liz, I don't like to call them fans because I didn't start this for that purpose. I like to call them supporters. And I've gotten 99.9% Man, people have been wonderful. I wanted growing up, I always wanted to be an action figure. I ended up being a baby doll. But I love Miss Stephanie and her family, they have been phenomenal. I can't even name names because it's too many. It's actually too many. But I will say this, I told one little small white lie since I started and it was intentional. And I believe it was worth it. I received a pair of women's underwear, and I received them at work and this gracious. And I'm not even sure that it wasn't a friend of mine playing a trick on me. But if it is, I've never owned up to it. So when I did the first interview, when I brought it up, I



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said they were mailed at home. And my wife's like, we're not mailed at home, I'm like, I know that just just work with me. I had the sweetest admin assistant, Miss Karen Glover at the sheriff's office. And I knew she opened all my mail. So I knew that me meeting to receive in this package. And it wasn't, you know, it wasn't I don't think they were used. I think they were brand new, I'm hoping but it wasn't. I didn't want her to receive my mail the next day, and there'll be 100 pair of underwear in it. So I knew that it would be harder to find my address at home. So I told the reporter that they mailed them to my home, but it actually came to the office. And I just didn't want her digging through and having that kind of packages, and then my friends probably would do it then when they found out about it, then they would probably go buy three pack and each one of them would mail me three packages just for the shock value. But it's just been wonderful arms. I'm so appreciative for the opportunity to come on, you know, I think the world of of both of you and it's just too too hard to name all the names, but everyone has been absolutely wonderful to me. And like I said, I read you know, a little bit of social media now we've all got haters. It's okay, because I don't have to say anything. And I will never say anything. But my supporters will get on there and they come with knives out. So it's fun to sit back and watch it. It's just amazing that I can affect someone like that and that they take the time out of their day to sit at a keyboard and talk trash about me or someone else. So I wear it as a badge of honor and it's not going to change the way I do things one way or the other. And I've got so many wonderful clients. God has been good and life is good and I'm gonna ride it as long as I can ride it when the roller coaster is over then we'll do something else



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Eric Bland 1:33:16

That will change Dr. Kinsey we love you just the way you are as Billy Joel says.

Liz Farrell 1:33:21

With that cups down.

Eric Bland 1:33:22

Cups down.

Mandy Matney 1:33:31

Cup of Justice is a Luna Shark production created by me Mandy Matney and co-hosted by journalist Liz Farrell and attorney Eric Bland. Learn more about our mission and membership at lunasharkmedia.com. Interruptions provided by Luna and Joe Pesky.