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"Affidavit of John Anderson"

Posted by jameson on May-22-01 at 07:36 PM (EST)

I, John Wesley Anderson, sheriff of El Paso County, Colorado, upon being duly sworn, depose and say:

I have known Andrew Lou Smit for 27 years, both personally and professionally, and of the literally thousands of law enforcement officers and hundreds of detectives that I have met, in my professional opinion, he has no equal when it comes to violent crimes investigation.

Lou Smit began his career with the Colorado Springs Police Department in 1966 and retired in 1990. I first met him in 1972 when I was hired by the Colorado Springs Police Department. During my career with the Colorado Springs Police department, I was assigned to the Detective Bureau for six years and was involved in over 100 homicides (along with other violent crimes, including kidnapping). During that six year period, I was the lead detective on 26 murder cases with a clearance rate of 97% and a conviction rate of 100%. Many of the homicides and major cases I was involved in were worked directly with Lou Smit, and I know firsthand that his expertise in violent crime investigation is unparalleled.

I am a court-qualified expert in the forensic science areas of crime scene reconstruction and bloodstain pattern interpretation, and I am published in the field. In addition, I lecture at the state and national level on violent crime investigation. I KNOW violent crime investigation, and Lou Smit is the best homicide detective I have ever encountered.

I currently head the 2nd largest Sheriff's Office in the State of Colorado. I was elected Sheriff of El Paso County Sheriff's Office in November 1994 and had two significant challenges, as the new Sheriff, in the investigative arena. The first challenge was the kidnap/murder of a 13-year-old girl by the name of Heather Dawn Church that occurred in 1991 and had remained unsolved. This was undoubtedly one of the most high profile crimes in our community in the last decade. Although I never made this statement publicly simply to avoid the political overtones, at the top of my wish list, if I were to be successful in my candidacy for Sheriff, was to solve the kidnap/murder of this little girl. I knew fully well the magnitude of this challenge in front of me and knew that to be successful, the second challenge I faced was to completely rebuild the Sheriff's Office Investigations Division. Although that division did have some raw talent, I felt they lacked the leadership, expertise, support and training to achieve a successful investigation and conviction of such a complex crime. In order for this rebuilding process to be accomplished, I knew that we would need someone of tremendous expertise and experience, and that person was, undoubtedly Lou Smit.

At the time, Lou was working for John Suthers, the District Attorney for the 4th Judicial District (El Paso and Teller Counties). After Lou retired from the Colorado Springs police department,

John Suthers hired him as DA's investigator. I had to ask the District Attorney to let him go; he reluctantly agreed. After the Republican primary, Lou and I discussed the challenges ahead of us, and I explained to Lou that if he accepted the job, he would be tasked with these two assignments. He began putting his investigative plan together, which included the investigative personnel, and obtaining copies of the homicide file and various investigative notes. Lou later approached me with a strategy. After I was elected Sheriff in November 1994, we more fully developed the plan prior to my taking office on January 10, 1995.

I appointed Lou as he Captain of Detectives in my first day of office. he officially activated the plan that he had developed, which did lead to the successful identification, arrest, and conviction of the suspect. Within 3 1/2 months, the suspect was in custody, and within 5 months, the killer of this little girl took a plea to first-degree murder, accepting a life sentence without the possibility of parole in exchange for the death penalty. During the last five years, I have been given much credit for solving this kidnap/murder case. The truth of the matter is, Lou Smit is the one who deserves the recognition for solving one of the most high profile and complex crimes ever committed in El Paso County. All I did was to recognize Lou's ability, encourage him to come to work for the Sheriff's Office, take this assignment, and to give him unbridled support.

Lou Smit left the Sheriff's Office in 1996 to spend more time with his wife, because of her continuing illness. When he left, his mission was accomplished. He had solved the Heather Dawn Church kidnap/murder case and rebuilt the Investigations Division into a more professional and experienced unit. Of the 19 murders that happened in El Paso County since I became Sheriff, all of them have been solved, including a double murder that took place in 1991 before I took office. Lou took the initiative to take this particular case off the shelf and work with it until it, too, was solved. It should be noted that of all 19 murders, we have neverlost a case in court.

Lou Smit was hired in March 1997 by District Attorney Alex Hunter of the 20th Judicial District, specifically to work the JonBenét Ramsey case. The primary difference, I believe, between the Heather Dawn Church case and the JonBenét Ramsey case was that Lou Smit was the Commander of the Investigative Unit for the El Paso County Sheriff's Office in the Heather Dawn Church murder case and had unquestioned and complete investigative control, as well as my unconditional support of any decision that he made regarding that murder investigation.

In closing, it should be noted that my opinion of Lou Smit is not unique just to myself, but is shared by almost every law enforcement professional who worked with and knew Lou, at all levels of law enforcement, to include the District Attorney's Office here in the 4th Judicial District. Lou Smit is a man of great integrity and a very committed family man. He is also a notable member of his church and a respected member of our community.

Signed
John Wesley Anderson
El Paso County Sheriff
Notarized March 4th, 1999