

I. INTRODUCTION

We, the members of the of the Thirty-Sixth Statewide Investigating Grand Jury, having received and reviewed evidence regarding allegations of violations of the Pennsylvania Crimes Code and related laws occurring in Clinton County, Pennsylvania, pursuant to Notice of Submission of Investigation No. 49, do hereby make the following findings of fact, conclusions, and recommendation of charges.

II. FINDINGS OF FACT

The instant investigation was opened on November 22, 2013, following contact by the Pennsylvania State Police (PSP) with the Pennsylvania Office of Attorney General after the matter was referred to the Office of Attorney General for investigation and possible prosecution by the District Attorney of Clinton County pursuant to 71 P.S. §732-205(a)(3). The investigation concerned the unexplained disappearance of Katherine Heckel from Lock Haven, Clinton County, in 1991. Troopers Curtis Confer and Michael Hutson of PSP and Special Agent Kyle Moore of the Federal Bureau of Investigation undertook a renewed investigation into Heckel's disappearance.

In February 2014, the matter was submitted to the Grand Jury under Notice Number 49. The Grand Jury heard from numerous fact witnesses, law enforcement officials, investigative and scientific experts, and family and friends of Heckel herself. The Grand Jury reviewed extensive documentary evidence including photographs, correspondence, investigative reports, the results of laboratory and scientific analysis, and exhibits that depict physical evidence.

It is our conclusion that probable cause exists to believe that Katherine Heckel was the victim of criminal homicide and that she was murdered in 1991 by a man named Loyd Groves. An explanation of the evidence supporting each element of the crime of criminal homicide, our

particular findings of fact, and our recommendation of the charges of Murder in the First and Third Degrees against Loyd Groves follows.

KATHERINE HECKEL

Katherine Heckel grew up and spent her life in Lock Haven, graduating from Lock Haven High School in 1969. Thereafter, Katherine, known as Kathy to friends and family, took a job working at International Paper, which at that time operated a large manufacturing facility in Lock Haven. In June 1972, Kathy met John Heckel, a non-commissioned officer in the United States Army who eventually rose to the rank of Command Sergeant Major.

John and Kathy fell in love and were married on June 16, 1973. They had two children, Alicia and John. Without exception, every witness who has testified before this Grand Jury who was in a position to know described Kathy as a devoted and loving mother.

At the International Paper plant, Kathy was a diligent and well-liked employee. She worked in the human resources division of the plant and supported the efforts of its many departments. The Grand Jury heard from many co-workers of Kathy's from that time who all described her as hard working and, importantly for present purposes, punctual.

Loyd Groves also worked at International Paper in Lock Haven in 1991. An industrial hygienist, Groves was responsible in part for the ongoing asbestos abatement efforts underway at the plant. His work brought him into contact with employees from various departments. The testimony of his co-workers gives a clear impression of Groves as quiet, diligent, and perhaps compulsive in managing and recording the minutiae of his day to day life.

In the summer of 1991, Kathy and Groves began a romantic relationship. The Heckel and Groves children were friends, and this association brought Kathy and Groves into contact. Their

children continued to socialize throughout the period of the romantic relationship and Groves often would drive the children to activities at the local YMCA in his large van.

As the summer of 1991 wore on, Kathy wanted to end her relationship with Groves. Groves did not take this well, and the Grand Jury has heard through other witnesses of the anxiety and fear that Kathy expressed about trying to get free of Groves. With the settled purpose and obsessive manner which he brought to his work, Mr. Groves resolved that Kathy should not leave him.

The matter came to a head on July 15, 1991, when Loyd Groves murdered Katherine Heckel because she was through with him romantically. After the killing, he disposed of her body in a manner that caused it never to be found. That Groves disposed of or concealed Kathy's body in such a way that law enforcement was never able to locate or identify it should not prevent Groves' prosecution for the murder that we find there is probable cause to believe he committed. A careful review of the direct and circumstantial evidence supporting this conclusion follows.

JULY 15, 1991

On July 15, 1991, Kathy went to work at International Paper as she always did. She could have had no way of knowing that, after mid-day, she would never be seen alive again. She made no preparations or plans to leave for any length of time. In fact, she had plans for that evening and was looking forward to other events in the near future. Most importantly, every witness who testified before the Grand Jury who knew Kathy at all agreed she would never leave her children. This fact, coupled with the abruptness and totality of her disappearance, must arouse more than suspicion of foul play in any thoughtful observer.

Kathy went about her duties as normal that morning, but had a fight with Groves mid-morning, loud and riotous enough that fellow employees remember details of it decades later.

Charles Saiers, a quality improvement program manager at International Paper testified that his office was just in front of Groves' office at the plant. The morning of Kathy's disappearance, Saiers was meeting in the conference room adjacent to his office with a tour group that was coming through the mill. Kathy would sometimes come in with coffee and donuts for such meetings and she did that on this particular morning. After Kathy came in, Groves pursued her, disrupting the meeting by opening the door on one side of the room and slamming it behind him. Then, after Kathy had left through the opposite door, Groves stormed out after her, slamming the second door as well. This was a large meeting of seventeen or so employees, and the sight of Groves pursuing Kathy through that meeting, followed by an audible argument between the two, was very unusual, and stuck in everyone's mind.¹

Carol Smith, another co-worker of Kathy, testified that she saw Kathy that morning. They shared office space and Smith became friends with Kathy. According to Smith, Kathy was a very outgoing, sociable person. Smith recalled hearing Kathy talking on the phone to Kathy's sister-in-law about whether she might be able to borrow a dress for an upcoming formal event she would be attending with her husband. The lunch hour arrived and, as was her custom, Kathy left to go to lunch. Smith recalled that Kathy had some errands to run and some things to take care of for her children. Witnesses observed a visibly angry Groves leaving the same time.

Kathy never came back from lunch and no one would ever see her again. Smith testified that it was very unusual for Kathy to be even a little bit late returning from lunch, and Smith became concerned. According to Smith, "[Kathy] would not come back from lunch ten minutes late and not

¹ Saiers remembered it too because he had been uncomfortable around Mr. Groves ever since an incident when the two traveled to New Jersey together on business. Mr. Groves proposed that they go jogging after dark. When Mr. Saiers expressed misgivings about whether it was safe to run at that hour, Groves showed him a pistol he proposed to go jogging while carrying and told Saiers "We

call." After a little more time passed and Kathy still did not return, Smith became sufficiently worried that she went to her supervisor, Bob Hannegan, and told him that this was out of character for her not to call and that she was worried. Smith went to the parking lot to see if she could locate Kathy's car. She testified, "I looked to see if I could see her car or to see where she might be. Of course, we didn't have cell phones back then. I was concerned because I could not believe she would not come back and not call and tell us why." Smith also looked for Groves' van because her "instinct" was that "Loyd could have done something to Kathy." She continued to look for Kathy or her vehicle throughout the day. She did not see Groves' van or Groves himself that afternoon.

After she finished her shift, Smith went home and received a call from Kathy's children saying their mother had not yet come home. She recalled this was around 4 or 5 p.m. Smith changed clothes and went to the Heckel home to look after the kids and suggested to them they call their grandparents because it was so unusual that their mother had not yet come home. John Heckel, as other fact witnesses corroborated, was away on military duty the day Kathy disappeared. The children called their grandparents, who came to care for them and Smith left at that point.

Smith did see Groves the next day. She testified that "he appeared terrified. His demeanor was one of calm and cool and collected all the time. I mean, you never saw him emotional or raising his voice or out of sorts. He was just very calm and cool. As I was looking out from the human resources office, I saw him against the wall and he just had this terrified-I don't know how else to explain it, just this look on his face of a wild terrified look like he was very shaken." This look about Groves was not, to Smith's mind, consistent with being distraught over Kathy's disappearance. He was not upset in the way many people were the next day as word Kathy had not come home spread, but rather looked "terrified, and frantic."

aren't going to be bothered." Something about it made Saiers nervous and he declined to go at all.

The Grand Jury heard from other witnesses who were concerned as July 15 wore on that no one could find Kathy. Dennis Taylor had plans with Kathy that evening. Taylor and Kathy were childhood friends who reconnected at a 1991 wedding at which they were both guests. Kathy had offered to help Taylor explore employment opportunities and the two rekindled their friendship, which evolved into a brief romantic relationship in the summer of 1991. During the time leading up to July 15, Kathy had brought the subject of Loyd Groves up to Taylor "about the third or fourth time we had lunch or had conversations that she had had an affair with him. She now broke it off and it was causing her a lot of consternation because he wasn't willing to give up. He was treating it very badly, stalking her, saying things to her, very lewd—I, on one occasion, he wrote a card that he had given her. It was very graphic on what kind of sexual things that he would do with her and wanted to do with her. And on different occasions, she said that she was actually scared because he was following her on numerous occasions." Indeed, on at least one occasion, Kathy believed that Groves had followed her and Taylor to a local ballpark where they were meeting. Kathy "said it was him [Loyd Groves] and he actually followed Dennis up the highway [away from the ballpark]."

Taylor and Kathy had sexual relations on Friday, July 12. He called her on the following morning and they made plans to meet at the Twin Kiss near Sayers Dam the evening of the day she disappeared. Taylor received a message around 11:30 A.M. on July 15 from Kathy, who sounded disturbed. Taylor was in the middle of a work assignment and took the call from Kathy only long enough to explain that he would have to call her back in 10 or 15 minutes. He could tell she was upset. He testified "there was something wrong and I never had a phone call like that with her before." When Taylor tried to call her back, she had already left for lunch. He continued to try calling her throughout the day, expecting to find her having returned, and was told she had not come back. He left work and played golf with some friends at the Nittany County Club. Taylor had an

appointment later that day and came home from playing golf, showered, and kept the appointment.

Taylor continued to try and call Kathy at the plant to no avail. Ultimately, Taylor called her house and was told by her daughter she was not there either. Taylor went to his next work appointment, called two more times getting the same answer, and then waited at the Twin Kiss, where he had arranged to meet Kathy earlier in the week. He stayed there until 10:00 p.m. and Kathy never appeared. The next morning, Taylor called Kathy's residence and spoke with her mother, Margaret Dolan. He continued to call the house periodically in the hope of reaching Kathy. Taylor drove to Hannah Park, where he recalled Kathy had told him Groves wanted to meet the night before, and did not find her car there. Taylor again called Kathy's house and spoke with her mother and asked whether or not the police had been notified, to which Margaret replied that they had been. Finally, Taylor himself called PSP and drove to the Lamar barracks to offer whatever information he could. Taylor had never heard Kathy in such a fearful state of mind as she was when she called the day she disappeared. "That was a different Kathy Heckel."

Based on the evidence presented, and having had the opportunity to observe Dennis Taylor during his live testimony, this Grand Jury does not believe that he was involved in Kathy's disappearance.

Of course, Kathy's family also was worried on the evening of July 15 when Kathy could not be found. Margaret Dolan, Katherine's mother, testified that she spoke to her daughter every day and they had meals together, and Margaret helped her daughter with childcare. It was ~~it was~~ unusual for Kathy to be gone without letting someone know and "if she [Kathy] had to go anywhere anytime when John was away, she would call so I would know. She would tell me because of the children." Dolan added, "In fact, that day [July 15, 1991], the last day that I talked to her, they had plans. The children had plans to do something." She recalled Taylor calling the evening of Kathy's

disappearance but was too upset to speak with him.

As did every other witness, Kathy's mother emphasized that there was no possibility whatsoever Katherine had simply left on her own. Dolan had no reason to believe, and nothing had occurred since 1991 that would indicate, that Kathy was still alive. Kathy's mother testified, "There is no way in this world she would have left those kids."

Cynthia Dolan, Katherine's sister, also testified. She was ten years Kathy's junior, the two were very close. She saw her sister for the last time four to five days prior to her disappearance and said Kathy was "very happy" that day. Kathy gave no impression of someone preparing to leave and she was "so very close to the children. Little John was nine years old and he was attached to her hip and always with her. She would just never, never leave the children. She was not that kind of mother."

Kristina Akeley worked as an environmental consultant at International Paper in 1991. Akeley's mother, Carol Smith, whose testimony appears above, was Kathy's best friend. She testified that "[Kathy] was my mom's best friend, I knew her kids, I knew her husband, knew her from working there as well." Akeley worked for Groves at International Paper, serving as a liaison between International Paper and the asbestos abatement contractors who worked at the plant to ensure compliance with environmental and other regulations. She worked with Groves on a daily basis. The asbestos abatement project occurring at the International Paper mill was extensive and brought Akeley and Groves into frequent contact. Groves was a conscientious employee who had no problems with absenteeism or substance abuse, or any other issue that interfered with his performance. She described him as "quiet, very reserved, didn't say more than necessary." She thought he was good at his job. She played volleyball with Groves in a league on the paper mill's team. She recalls July 15 particularly. She was looking for Groves that day to discuss a work matter.

She went to his office and did not find him. She testified, "I could always find him [Groves]. And I had difficulty finding him that day. I had a log. I used to keep a log. I had to write down what I was doing all the time and keep it for my company. So once now or once say every half hour or once every two hours, I always wrote down what I was doing so I that I know on that day I couldn't find him and I know that I wrote down that I was having difficulty finding him." She finally saw Groves at the mill in the late afternoon.

Akeley^{testified at} she received an unusual phone call from Groves a few days after Kathy disappeared. "[Groves] called me at the mill and said, 'they think I did it.' And I didn't know what he was talking about at that point and I told my mother about it. And she said, I think we should let someone know that he called you and said that and I did." It was unusual for Groves to call her to discuss anything other than asbestos. Akeley recalled observing on the evening of the day Kathy disappeared that Groves' office door was open and his light was still on, which was uncharacteristic of him. She recalls finally seeing him late in the day in the basement near the flammable liquids cabinet to which he had access as an industrial hygienist. He did not at any time exhibit any cognitive or memory issues that would prevent him from recalling recent events or interfere with his short-term memory.

Julie Brennan, another coworker of Kathy and Groves, testified that her office was across the hall from Kathy's and that they were in contact on a daily basis. She described Kathy as conscientious, fun loving, always with a smile on her face, and easy to talk to. Employees "gravitated" to Kathy and felt comfortable talking with Kathy, which made her a good human resources representative. Kathy was always punctual and did not have any problem with absenteeism. Brennan also knew Groves as a coworker at the mill. She saw him on a daily basis as well. She described him as "very exact" in his work and intelligent, serious, and not sloppy or careless. Brennan remembered a particular encounter she had with Groves. On an occasion when

she and Groves were traveling to an area elementary school to give an educational presentation on making paper, while traveling together in Groves' vehicle, Groves said "I need to talk to you about something when we are done..." Brennan recalled responding that was all right. Groves then drove her "into a wooded area" and said "let's go for a walk." Groves led Brennan into a field and said to her, "You know I am happily with my wife, I love my family, but I need something more. And he said, I really like you, would you be interested in having an affair." Brennan testified, "I was kind of shocked" and said "thanks but no thanks." They returned to the car and Groves drove them back to town without further incident.

Brennan was at the mill on July 15, 1991. She found it unusual for Kathy to not return from lunch in a timely manner and she, as other employees were, was concerned. In the days after July 15, as police began their initial investigation into Kathy's disappearance and identified Groves as a suspect, she was asked by mill management to search Groves' desk at the mill. In it she found a pistol. Later that same week, she had a troubling interaction ^{at} she had with Groves. She returned to her office one day for a meeting and there was message waiting for her indicating that Groves had called for her. The message indicated, "It's urgent." It was dated July 18 at 8:50 a.m. She returned Groves' call and believes he was at home when he answered. Brennan spoke with Groves, who "asked [her] what the police were saying, what was happening at work with everything and were they talking about him. And finally I got to the question that was most on my mind and then said 'Loyd where were you on Monday at lunch?' There was no response initially, but finally he said, I don't remember." Brennan was so disturbed by this conversation that she made contemporaneous notes of it. "Toward the end of the conversation," she testified, "he again asked me to make sure I remembered talking to him Monday afternoon and that he was, in fact, here at the mill." Groves said that he was contacting other people he had spoken with that day to make sure, they too, remembered.

Brennan asked him again where he had been at lunch on Monday, and Groves repeated that he could not remember. Brennan took contemporaneous notes of their conversation because "I was shocked that he couldn't remember. It bothered me because quite frankly, I thought that was highly unusual that he couldn't remember something like that from just a couple of days earlier. It was not like him. He was a pretty matter of fact guy, pretty routine. So I was upset. And I have a communication background. So I just kind of tried to document the conversation." Brennan testified further with respect to her conversation with Groves that "Loyd's hesitation bothered me. His failure to respond immediately to my question about where he was at lunch time on Monday, in my mind, I felt he was trying not to lie and he didn't want to tell me where he was and that was the reason for his hesitation. In my mind, that was an indictment... when he did not answer me." Brennan felt that Groves had called her "looking for an alibi."

With respect to alibis, the evidence presented establishes that then-Command Sergeant Major Heckel was participating in exercises at Fort Drum, New York, with his unit at the time of Kathy's disappearance.

Ronald Chubb testified before the Grand Jury. Colonel Chubb, United States Army Reserve, Retired, served with John Heckel. In 1991, Colonel Chubb was the executive officer of the 728th Maintenance Battalion and John Heckel was the Command Sergeant Major. Colonel Chubb was the second highest ranking officer in the battalion and John Heckel was the highest ranking non-commissioned officer. They shared a tent while on exercises and Colonel Chubb had the opportunity to get to know John Heckel well. Colonel Chubb confirmed that John Heckel was on field training at the time of Kathy's disappearance. Colonel Chubb testified John Heckel was "the best non-commissioned officer I have ever had served with me, either on active duty or in the PA Guard or United States Army Reserves." Colonel Chubb confirmed that attaining the rank of command

sergeant major is very difficult and itself a mark of considerable achievement. Colonel Chubb testified that PSP called him during their initial investigation to ask if it would have been possible for John Heckel to leave Fort Drum and get to Lock Haven and return without Colonel Chubb noticing. The Colonel stated, both at the time and again before the Grand Jury, that it was not. Indeed, Colonel Chubb testified that "by a privately owned vehicle, [trip from Lock Haven to Fort Drum] would have been seven and one half to an eight hour trip one way." Colonel Chubb specifically recalled that John Heckel was present at Fort Drum to receive the news that Kathy had disappeared. Colonel Chubb emphasized that it would not have been possible for the battalion commander, the executive officer, or the command sergeant major to be absent from such a field exercise for any period of time without attracting attention.

John Heckel also testified. The Grand Jury credits Sergeant Major Heckel's testimony, which conclusively excludes him as a suspect in his wife's disappearance.

John Heckel met Kathy while on leave from a combat tour in Vietnam in 1972. They married in 1973, and had two children. He described the marriage as happy. At the time of Kathy's disappearance, as Colonel Chubb confirmed, John Heckel was on a field exercise at Fort Drum. The battalion undertook two-week annual training, which was occurring at that time. As command sergeant major, John Heckel had responsibility to observe and to assist the entire battalion. He recalled that, on the day Kathy disappeared, someone informed him he had a telephone call. He went to "S1" office and his mother, Betty Orson Heckel, informed him that Kathy was missing. John spoke to the Dolans and told them that they should contact the police.

Throughout his testimony, John Heckel manifested sincere grief and emotion. He recalled that, when he was finished talking to his mother, he walked out of the headquarters building and the battalion commander followed him out. "I walked out in the middle of the parade field and just knelt

down and cried.” When he regained his composure, the battalion commander told him to “go back to [his] room and get [his clothes] and stuff packed and that he would be sent home on emergency leave.” John Heckel contacted the military police and gave them the license number and vehicle description of Kathy’s car thinking perhaps that Kathy might be on her way to Fort Drum.

John Heckel testified that it was very unusual for Kathy to leave without letting someone know where she was going and that she would “never leave the two kids alone at night.” Kathy was very involved with both children, helped with starting youth soccer in their community and that “she was just fantastic” and “a great mother.” He suspected that Kathy might be involved in an extramarital affair but was not able to confirm it and did not openly confront Kathy about it. There were no financial issues in the Heckel family at the time of Kathy’s disappearance. Kathy had a life insurance policy through her employer of which John was unaware until sometime later. Ultimately, seven years later, after Kathy was legally declared deceased, John received payment of \$40,000 as the proceeds from that policy.

1991 INVESTIGATION AND SEARCH FOR KATHERINE HECKEL

Numerous law enforcement officers involved with the 1991 investigation into Kathy’s disappearance testified before the Grand Jury. It is the evidence they collected taken together with the testimony of other fact witnesses that establishes probable cause to believe Loyd Groves killed Katherine Heckel.

Early attention focused on Groves as a suspect because of his romantic relationship with Kathy. Investigators identified many fact witnesses who could substantiate the existence of that relationship. Charles Harter was a neighbor of Kathy in 1991. He saw Groves more than once at Kathy’s house. He saw them together “[u]sually over the noon hour. It would be twelve o’clock.”

He was aware that John Heckel was not home at that time. Groves and Kathy would arrive in separate cars and Groves would enter Kathy's house. Groves typically stayed around forty-five minutes. He remembered on one occasion seeing Kathy and Groves in an upstairs bedroom window of Kathy's home. Harter reported his observations to police.

Investigators identified another fact witness who observed Kathy and Groves meeting in a parking lot behind an area Kmart. On more than one occasion, he saw Kathy entering the van owned and driven by Groves. It caught his attention because she did not enter the van through the front seat passenger door but rather in the back.

Other witnesses testified to similar observations that establish the relationship to the satisfaction of the Grand Jury.

Paul Mendofik, a former Marine, was employed by the Pennsylvania State Police in 1991 and stationed at Troop F in Lock Haven. He was a Corporal at the time and worked as a crime unit supervisor. Having identified Groves as a suspect as a result of his relationship with Kathy, then-Corporal Mendofik participated in a non-custodial interview with Groves two days after Kathy's disappearance, that is, on July 17, 1991. Corporal Mendofik recalled, "We asked [Groves] to come to the State Police barracks at Lock Haven... In doing so, his demeanor at first when we asked him was cooperative and saying, yes, he'll do this. His tone and his manner of voice and mannerisms were all kind of neutral, extremely, as you might describe, stoic, as if unemotional in some parts." "Zero affect, yes, would appropriately describe it." When police informed Groves that he was not under arrest, as is usual practice as part of a non-custodial interview, Groves' demeanor "dramatically changed." "Suddenly, [Groves] heard that [he was not under arrest], it was almost shocking to him in a way that I was just waiting for him to say something else but it didn't happen." When asked, Groves said that he could not remember where he had been for the lunch just two days

earlier. This "really surprised us in a large way because people he had already been speaking with told us about the proximities which they [Kathy and Groves] had both departed the location at International and also that Mr. Groves had a routine about himself, either he was generally eating lunch at his desk, or, because he had a compulsion as a runner, he, in fact, would spend that time going out for a run. And it really struck us as odd."

Investigators asked Groves if he would consent to a search of his van and he initially declined. They informed Groves they would likely speak to his wife about his whereabouts during the time in question and Groves replied, "she won't remember anything either." Groves provided no account at all for his inability to remember where he had been just that short time ago.

Corporal Mendofik interviewed Alicia Heckel, Kathy's daughter, on July 17 as well. Alicia told them that she had spoken to her mother earlier in the day and needed some money for a sporting event. Alicia told the Corporal her mother said, "I'll take care of some things when I get home." In fact, Kathy had told the family she was going to make pork chops that night for dinner. Corporal Mendofik testified "Nothing that I had ever read in a report or any interviews I personally conducted relating to her being as a missing person gave us any indication that she was not going to be home that night." When investigators asked Groves if he had a romantic or sexual relationship with Kathy, he denied it. Corporal Mendofik and another investigator received consent from John Heckel to collect items from the Ford Bronco that John Heckel owned and Kathy drove. The inventory of items taken will be given later in this presentment but, for present purposes, it suffices to say that officers collected blankets, tissues, and other materials from the car Kathy drove that indicated sexual activity.

Having knowledge of Groves' relationship with Kathy, investigators asked Groves if he would consent to supply a saliva sample or other biological sample for comparison with other

physical evidence obtained. He refused. Investigators then applied for, and obtained, a warrant to secure those samples. Samples were also voluntarily given by Dennis Taylor and John Heckel.

Dennis Johnson was a career state police officer serving in Lock Haven. Johnson was present at the barracks when Groves was brought in to be interviewed on July 17. Johnson witnessed Groves waive his Miranda rights and made the following observations of Groves: "To be honest with you it's like something you would see in a movie, this man is the coldest individual that I had ever seen in my life. I was not part of the questioning, but I heard the questions which almost everything [sic] was a no, he wasn't going to answer anyway. To be honest with you, I just flew off the bat for a second because I happen to know Kathy Heckel's family, her mother and dad. I used vulgarity, and I just said basically, what the f did you do to this girl's body? And it became like a staring contest. I wasn't from here to that computer [indicating] to him. It was I stared at him and he stared at me. This was probably a two minute period of time and, sorry to say, he won. I finally gave up and turned my head. He has no emotions whatsoever, nothing." Johnson also participated in the July 17, 1991, search of Kathy's residence and the Ford Bronco. Johnson and Corporal Mendofik collected a quilt or bedspread and some soiled tissues from the Bronco. From Kathy's house, investigators took sheets and a bedspread as well as a curling iron. These items were placed in property bags and appropriately preserved. Investigators observed nothing at the house suggesting that Kathy was prepared to leave for any length of time.

Johnson also participated in examining Kathy's 1990 Ford Festiva, her primary vehicle, which was found on July 18, 1991, in the parking lot of the Lock Haven Hospital. The car was found in the parking lot but no keys were found. The car, which had a five speed transmission, was left in third gear with the emergency brake applied.

Johnson was present for a search of the hospital parking lot by a team of volunteers with a scent-tracking dog. The dog was used in two locations: first, where Groves' van and Kathy's Festiva were being housed at the PSP barracks; second, at the now vacant parking lot of the Lock Haven Hospital where Kathy's car was found. When the dog was given Kathy's scent and introduced to Groves' van, it alerted both in the front passenger seat and in the rear passenger compartment. When given Kathy's scent, the dog did not alert to the interior of Kathy's car. When given Groves' scent, from items found during the search of the van, the dog alerted to Kathy's car. Investigators took the dog to the hospital parking lot and used the same items to provide the dog with the scent of Groves and Kathy. When given Groves' scent, the dog walked directly to the parking spot where Kathy's car had been found. That is, in a completely empty commercial parking lot, the dog alerted to the precise spot where Kathy's car had been found.

From the area where the rear of the car would have been, the dog continued to follow the scent onto an adjacent street, where it continued left and then down "two driveways. There are two houses go in where it says location up there [indicating diagram] and stopped at the middle of the road up there." The dog was not led to that parking spot and an investigator did not tell the handlers in which spot the car had been found. Johnson remarked, "This was like unbelievable to me. I hadn't seen that before."

Johnson participated in the seizure and processing of Groves' van and oversaw its transfer to PSP in Harrisburg for further examination.

There were exhaustive efforts made to find Kathy or her body. Johnson served as liaison officer to "coordinate everybody" because of his familiarity with the Lock Haven area. Numerous dog teams searched an area of what Johnson described as at least ten miles. He participated in the

search of Groves' property. While officers searched the property, including a barn and some out buildings, other officers searched the residence. Johnson described the scene inside Groves' home during the search: "I just observed Loyd Groves sitting in that prone position and just staring. He had four children who were sitting there and I believe I made mention that I had never seen anything like it. If a bunch of policemen came into my house, my kids would be looking around and what's going on? Those children were so afraid of him that they just sat—I probably was in there a half an hour—and they never looked up or anything and they just kept their head down like this [indicating]. There was never any talking, not a word, nothing, between the kids and nothing between the father and the kids. It was just like he has total control."

Johnson was present for discovery of the note left by Groves for his wife, which provided instructions for her in the event he was arrested. Johnson substantiated Mark Newman's account of a call he received from Groves. Newman was a co-worker of Groves' and told investigators Groves called to implore him to find a way to for Groves to get back on the mill grounds. Additionally, Johnson's testimony substantiated Newman's account that Groves offered to, and in fact did, change his appearance in hopes of persuading Newman to help him get back on the grounds of the mill and to avoid being recognized by other employees once there. Johnson testified that Newman was made sufficiently uncomfortable by Groves, who appeared at Newman's residence to make this request in person, that he pretended to take a work-related phone call to be rid of Groves.

Another investigator who had gone to speak to Mrs. Groves in the period after Kathy's disappearance found her in the front yard "shaking that bad he thought she was going to fall down because they saw Loyd walking through the field coming to the house." Another investigator also described Mrs. Groves as apparently on the verge of passing out from fear.

Richard Rogers testified before this Grand Jury. Rogers was a PSP trooper in Lock Haven

who participated in the seizure of Groves' van. Rogers was directed by his Corporal to travel to International Paper's parking lot to secure and process Groves' van. He personally observed Groves consent in writing to a search of the van and acted as a witness on that document.² Rogers observed that Groves' demeanor during the search of the van was "[v]ery cool, calm [a calm person] I don't think you could personally rile him." Seized during the consensual search of Groves' van were two duffle bags found between the two front seats. One was red and black bag and contained a partial roll of silver duct tape and a partial box of .25 caliber automatic ammunition, with fifteen loaded rounds of .50 grain metal case bullets. The second duffle bag was blue and white with "International Paper" printed on the outside. It contained a lunch bag, a pair of red, white and blue sneakers marked on the tongue 'MB625,' and a leather case containing a nine-inch blade hunting knife with bone handle and a silver butt. Also seized were trash bags from Kmart that contained soda cans and branches and was located in the middle of the floor between the front seats. In addition, there was a yellow air-cushion seat at the rear of the van that had a reddish stain near one of the corners that was smeared into the material. Tire impressions also were taken.

Investigators observed that several sections of carpeting had been crudely cut out and removed from the floor and passenger cabin wall of the van. A square piece of carpet sample had been placed over the area on the floor of the van from which the upholstery had been removed. Any pad or other material that may have been under the carpeting also was removed. As a result, the underlying plywood was exposed. Similarly, a smaller section of the upholstery was removed from the wall of the van and near an interior light. This area had also been cut away clear to the plywood.

² The Grand Jury notes that other witnesses testified that Groves initially refused to consent to a search of his van, and when told that officers would seek a warrant to search the van, asked if he would get the van back if he consented to the search. When officers replied that it was likely the van would be released to him following the search, only then did Groves consent.

A substance that appeared to be blood was found around the areas of the carpet that were removed.

As the days after the July 15 passed, and the possibility that Kathy had simply gone away somewhere receded, an effort to locate her began. Investigators testified to the massive efforts made to comb the area around Lock Haven for Kathy's body. Troops of men, teams of dogs, and aircraft searched the area in vain. Every practicable effort was made to find Kathy. For years following her disappearance, investigators monitored Kathy's credit cards, social security number, and other sources for any activity that might indicate she was alive. None was ever found, and seven years later Kathy was declared legally dead.

Groves gave different accounts of why it was necessary to cut away and discard sections of his van's carpet immediately after Kathy went missing to different people at different times.

Corey Motter was an adolescent in Lock Haven at the time that Kathy disappeared. He was good friends with Groves' oldest son, Matthew. They socialized outside of school and frequently traveled to the area YMCA together. Motter testified that they went there perhaps three times a week. They would travel to the YMCA in Groves' van. Motter traveled in the van often enough to be familiar with its interior. Motter told investigators that he had ridden in Groves' van on July 12, 1991, and observed nothing unusual about the upholstery or carpeting at that time. He again rode in the van after Kathy's disappearance, but before its seizure by police, and noticed a brownish-reddish stain on the carpet that appeared to be consistent with blood. Groves' children told Motter that Groves had explained the stain by saying he had killed a deer and put it in the passenger compartment of his van, and the stain they saw was deer blood.

On another occasion, when investigators attempted to interview Groves' wife, whose name is also Katherine, Mrs. Groves told investigators that Loyd had explained the stain and the subsequent removal of those areas of carpet saying that the kids had spilled tar or oil there.

FORENSIC EVIDENCE AND CONTINUATION OF INVESTIGATION

No charges were filed in the period immediately following the initial investigation. Throughout the 1990's, investigators gathered evidence while new technologies developed that would aid the investigation. During this period, additional investigators joined the effort.

Trooper Richard Davey testified before this Grand Jury. Tpr. Davey is a career PSP Trooper who served as a criminal investigator at the Lamar barracks and eventually came to be the principal investigating officer in the early 2000's. Once assigned the case, Davey collected and reviewed all of the available physical and documentary evidence assembled by PSP and other law enforcement agencies in this matter. He reviewed the daily log that Groves kept diligently during his time at International Paper. It was kept meticulously until July 1, 1991, on which date it abruptly stopped. Davey described notes found by investigators from Groves to his wife. The first undated note said, "Hi, I love all of you, especially you, Kathy. I will do whatever necessary to make your lives happier. If I need counseling, I will go. We have been together a long time and we will be together a lot longer. You won't have to deal with my depression all the time." A second note also from Groves to his wife and undated read, "Kathy, I have to get away for a while. Don't worry. I'll be back tomorrow, probably Wednesday at the latest. I love you. Tell the kids I love them and I had to go to work and won't be back until late. Love Loyd."

Davey testified to another pair of notes found by investigators. One appeared to be instructions from Groves to his wife as to how to maintain their vehicles and care and dispose of other property as though he was going to be away for some time. A second note listed credit and MAC (money access card) information and other bank account information. Investigators concluded that all of this was prepared for Groves' wife in anticipation of his being arrested. Davey applied for

and received a search warrant on June 5, 2002, for Groves' blood to be tested against materials taken from Kathy's car. According to Davey, during the execution of the warrant, "Groves wouldn't look me in the eye at all. When he heard the station I was assigned to, I could literally see the blood drain out of his face. He turned white. One of the things I did do when I serve a search warrant is I read to the person the search warrant and what it's for and what I intend to do. I reviewed the search warrant with Mr. Groves and asked him if he had questions, and his only response was no. Mr. Groves made no comment at all to me during the process. He never asked me a question, why was I after his blood. Mr. Groves drove himself to the medical center. When he left his residence we followed him, he was not chewing a piece of gum. However, when we got to the medical center, Mr. Groves was chewing a piece of gum in an exaggerated manner. Like when someone says you chew a piece of gum like a cow, as though he was trying to relieve the stress of the whole thing. I tried to make small talk with Mr. Groves by asking him how long it takes to drive to work and that kind of stuff. He responded, yeah, it takes about an hour and a half. But he would not enter into any type of just general conversation. Mr. Groves was very quiet and subdued at the medical center. Again, he would not look at me, but he was cooperative in providing a blood sample. Upon drawing the blood sample, we again reviewed the search warrant with him and provided him with a copy of everything, and asked him again if had any questions and he didn't ask me why did you take my blood or anything. As he was preparing to leave, Mr. Groves turned around and asked me why I was drawing his blood. I told him that I was going to draw blood and compare it to either eliminate him as a suspect in this case to see if it was his blood in the van. Whatever the case may be, to try to further the evidence or continue the investigation. At that point, he never said another word. He turned around and literally ran down the hall to get away from me."

Davey received items of physical evidence in addition to the DNA sample collected from

Groves to be tested by the PSP crime laboratory in Harrisburg. Those items were as follows: one used tissue found in the Ford Bronco; three used tissues also found in the Bronco; a curling iron containing samples of human hair; a quilted bedspread; a set of sheets and pillow cases; a blood sample or what could have been a blood sample from Groves' vehicle; carpet sample with what might have been blood; a carpet sample from the area from which carpet was removed from Groves' van; and Groves' blood.

With respect to the hair samples found on the curling iron, the heat of the iron destroyed the useful DNA and no information could be recovered from those samples. Davey described the following testing process performed on the materials recovered from Heckel's vehicle.

With respect to the carpet blood sample from Groves' van, laboratory analysis excluded John Heckel, Dennis Taylor, and Loyd Groves as the source of that sample.

With respect to what proved to be seminal stains on items recovered from Heckel's vehicle, laboratory analysis confirmed Taylor as the probable source of what analysts describe as the "major component" of those samples to a statistical probability of 1 ^{in 320} ~~and~~ 320 trillion of the Caucasian population. Davey explained the results as follows: "Mr. Taylor said he had sex with Kathy Heckel. He had sex with her and the blood sample showed that he had sex with her, then we know that's her blood sample and her DNA and the DNA matched the DNA from the carpet [taken from Groves' van]." Laboratory testing showed, as a result of comparison with samples taken from Kathy's parents, a 99.9999% probability that the blood found in the van belonged to one of their offspring. Additional testing excluded any of the Dolans' other children as the source of the blood in the van. In other words, *the blood found in the area around where Loyd Groves cut and discarded sections of carpet from his van belonged to Kathy to a mathematical certainty.*

Davey had a conversation with Mark Newman regarding the latter's observations of Groves

^{D.D.} ~~one~~ ^{d.L.} the day of Kathy's disappearance and during the period shortly thereafter. Newman was an acquaintance and co-worker of Groves. He recalled encountering Groves near a chemical locker in the plant on the afternoon of Kathy's disappearance. He described Groves' demeanor as unusual as "Mr. Groves seemed to be in big hurry and did not stop to talk to [Newman or another colleague]." Newman was aware that Groves had been suspended from work as a result of the criminal investigation and that the suspension had something to do with the gun being discovered in Groves' desk. Three or four days after Groves' suspension, Groves called Newman at his home. Newman recounted that Groves asked Newman to hire him so that Groves could return to the plant grounds. Groves would not say why he wanted to come back and Mr. Newman did not ask.

Davey interviewed and was present for the subsequent testimony of Groves' wife Katherine Groves in May 2004 before a Grand Jury sitting in Pittsburgh. Mrs. Groves testified that she and Groves were married in July 1973. Mrs. Groves worked part-time at the Jersey Shore library. Mrs. Groves told Davey she never drove Groves' van and was only in the van a handful of times during the whole time that they owned it. She never suspected Groves of having an extra-marital affair. She recalled that, on July 15, 1991, Groves went to work in the morning as usual and returned home about 5:30 in the afternoon. It was their wedding anniversary, and they went out to dinner at a seafood restaurant in Williamsport. She had heard that Katherine Heckel was missing but did not remember if Groves had told her or she read it in the newspaper. On July 18, 1991, PSP came to her home and seized Loyd's van. They told her the reason they were taking the van was because blood had been found inside of it and sections of the carpeting had been removed. They also informed Mrs. Groves that they believed that Groves had been having an affair with Kathy and that he was a suspect in her disappearance. After the police departed, Groves told Mrs. Groves that he had taken the carpet sections out because "the kids had spilled tar or oil or something on it." He also denied

that he had an affair with Kathy and they did not discuss the matter any further.

Mrs. Groves was unaware that any sections of carpeting had been removed from the van. It was very unusual that that had happened. To her knowledge, Kathy had never been in Groves' van. When informed of the results of the DNA analysis which positively identified the blood in the van as belonging to Kathy, she said she knew nothing about it and only knew what Groves had told her regarding the tar or oil.

When confronted with the facts which established the extramarital affair between Groves and Kathy, Mrs. Groves simply related that she was unaware of that information. Davey asked her if she would discuss what transpired in the Grand Jury with Groves when she returned home. She replied that she would likely have a brief discussion, prepare supper, and read a book. Mrs. Groves told Davey she and Groves had only two or three conversations about Kathy's disappearance during the whole course of their marriage. She said that "there are a few topics they don't discuss" in their marriage and July 15, 1991, was one of those topics. She claimed not to know why the ammunition was in Groves' van and storing it there was not a habit of his of which she was aware. She also did not know why a .25 caliber handgun was found in Groves' desk or why there was ammunition in its magazine if he intended to sell it as he told investigators.

With respect to the two notes discovered by Davey that were apparently written to Mrs. Groves, she did not remember receiving the first one regarding the proposed improvement in their marriage. The second, which explained he needed to go away for a while, preceded his disappearance from the home for three or four days following Heckel's disappearance. She never asked him where he went or who if anyone he went with, and he has never told her where he went during that time period. She could not recall the exact dates he was gone, but she thought ^{he OK} she left on a Friday and returned on a Monday. Mrs. Groves told Davey that the reason she had received the list

of directions regarding caring for property and equipment was that "he expected to go to jail." There were two or three times in their marriage when she had been afraid of Groves. When he got angry, he started throwing things and she wondered what he was capable of doing.

Davey asked Mrs. Groves when she had first learned of the affair between her husband and Kathy. She replied it was when the police disclosed it to her. Davey asked her what she would have done if she found out about it on her own. She replied that she wouldn't have done anything and that she was not "big on confrontation."

On May 24, 2004, Davey attempted to interview Loyd Groves. His son answered the door and Loyd came to the front door but would not exit the home. He placed his hand on the door handle of the screen door. Davey testified that "it appeared to me that he was holding the door shut so I couldn't open the screen door. If you remember Star Trek and put the shields up, that was the impression I got, that he was holding the screen door shut as a shield to keep me out and away from him." Davey told Groves who he was and what he was investigating, and asked whether Groves would accompany him to the Beaver Borough Police Department for an interview. Groves replied, "I think not."

Davey testified that, in his experience as a law enforcement officer, the existence of a note directing Mrs. Groves to care for their property and his remark to her that that note was prepared in anticipation of his going to prison, is strong circumstantial evidence of the existence of a crime. In fact, he was sufficiently persuaded that he pushed for the DNA analysis that revealed and confirmed the blood in the van to be Kathy's. Additionally, Davey exposed at least one lie told by Groves in as much as the material found in the van could not have been tar or oil as he described it to Mrs. Groves or animal blood as he described it to his children.

Trooper Curtis Confer of PSP is assigned as a criminal investigator at the Lamar barracks in

Clinton County. Trooper Confer was assigned this investigation as a "cold case" in June 2013. He reviewed the materials provided to him and noticed that some contact with the FBI had taken place in 2003. He learned that Trooper Michael Hutson was the liaison between PSP and the FBI from that region and contacted Hutson.

Trooper Confer described to the Grand Jury background and biographical information leading up to the disappearance of Katherine Heckel on July 15, 1991. Trooper Confer testified that all the individuals he interviewed who were acquainted with Groves described Groves uniformly as intelligent and attentive to detail. Groves' wife was 41 at the time of Kathy's disappearance. She and Groves are still married and reside in Western Pennsylvania. They have four children.

Trooper Confer identified and interviewed those witnesses whose testimony establishes the relationship between Kathy and Groves.

Trooper Confer identified Carol Nihart, who testified that she owned an area pool supply business in Lock Haven in 1991. According to Nihart, Groves contacted her shortly before Kathy disappeared, asking to purchase a 15'x15' section of pool liner. Groves did not have a pool on his property, and other witnesses testified the only area that could be described as a water feature or that might require the installation of a pool liner did not contain one. In fact, investigators were able to directly ascertain that no pool liner had been replaced or installed on Groves' property during the period he lived in Lock Haven. The subsequent property owner also testified to that fact.

Special Agent Moore testified that investigators learned that Groves contacted a friend named Michael Lutz in the period following Kathy's disappearance and asked Lutz if he would take care of Mrs. Groves and the Groves children if Groves "got arrested." The conversation so jarred Lutz, that he identified himself to law enforcement to let them know he had received that call.

III. CONCLUSION

The instant investigation is the culmination of previous investigative efforts spanning almost twenty-five years. It has taken that long for the necessary confluence of resources and investigative and forensic techniques to form and flow into the year^{long} presentation made to the Grand Jury. No single piece of evidence is dispositive in this matter. But, just as the necessary components finally assembled to gather the evidence in this case, so too the evidence itself resolves into a clear picture. The totality of direct and circumstantial evidence and expert and lay testimony submitted leads us to conclude that a *prima facie* case exists against Loyd Groves for the murder of Katherine Heckel.

The Grand Jury considered and rejected any argument that Groves' success in disposing of Kathy's body should be an impediment to his prosecution or allow him to escape justice any longer. The Grand Jury concludes that Loyd Groves murdered Kathy on or about July 15, 1991. We conclude that he disposed of her body and clumsily attempted to conceal and destroy other evidence of his crime. In short, Kathy was alive and well until she left to meet Groves for lunch, an appointment from which she never returned. Within days, her blood was found in Groves' van around the area where he inexplicably and hastily removed and destroyed the upholstery in his van. Groves never expressed dismay or concern that his girlfriend was missing, but rather immediately set about recruiting friends and co-workers to help him manufacture an alibi. He could not account for his whereabouts during the period when Kathy disappeared or explain his sudden and total memory loss. His behavior in the period leading to and following Kathy's disappearance shows a consciousness of guilt. Indeed, we conclude that he believed in 1991 that he had been caught and would be arrested, and we recommend that an arrest take place in the near future.