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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

. . .

NOREEN RENIER,)
)
 Plaintiff,)
)
 vs.)
)
 JOHN DOUGLAS MERRELL,)
)
 Defendant.)

Case No. 85-3781-J-1

DEPOSITION OF ROBERT RESSLER

BE IT REMEMBERED that the deposition of ROBERT RESSLER was taken on behalf of the Plaintiff by means of a telephone recording on the 5th day of September, 1986.

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APPEARANCES

For the Plaintiff:

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For the Defendant:

Roxie Cuellar
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5940 Main Street
Springfield, OR 97470

. . .

At said time and place the following stipulation was entered into between the attorneys present in behalf of the respective parties:

IT IS HEREBY STIPULATED That all irregularities as to notice of time and place and manner of taking said deposition are hereby waived, each party reserving the right to object at the time of trial as to the competency, relevancy or materiality of any question or answer, but that objections as to the form of the questions are waived unless made at the time of taking said deposition.

IT IS FURTHER STIPULATED That the reading and signing of said deposition by the party and filing thereof, are hereby waived.

. . .

/
STIPULATION

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Q Are you in a supervisory position?

A Yes I'm a supervisory special agent.

Q Agent Ressler, do you know or are you acquainted with the Plaintiff in this case whose name is Noreen Renier?

A Yes, I am.

Q And I would ask you whether or not the F.B.I. received a letter, a copy of which I'm looking at, dated May 24, 1985.

A May 24th?

Q Yes, signed by John Merrell, Co-Founder Northwest Skeptics, the substance of the letter is that it makes inquiry about Noreen Renier?

A Yes, I am familiar with that. I have that copy of that letter in front of me.

Q Did the F.B.I. respond to the letter under the signature of Roger Depue on or about June 18, 1985?

A Yes, Roger Depue is my Supervisor, was my Supervisor at that particular time and that letter was answered by Mr. Depue.

Q Were you involved in any way with answering the letter that Mr. Merrell sent to the F.B.I.?

A Could you repeat that please...I....

Q Did you become involved in any way or participate in preparing the answer that was sent to Mr. Merrell?

A Yes.

Q Who requested that you participate or what were you asked to do?

A Mr. Depue had was in receipt of the letter and the

DIRECT-EXAMINATION

1
2 BY MR. WERDELL:

3 Q For the record this is Lee Werdell, I'm an attorney representing
4 Noreen Renier the Plaintiff in a lawsuit in which the defendant
5 is John Merrell. With me on the phone is Roxie Cuellar, Mr.
6 Merrell's attorney and Robert Ressler. Mr. Ressler would you
7 raise your right hand?

8 A Yes.

9 Q Do you solemnly swear or affirm that the testimony you are
10 about to give in the cause now pending shall be the truth and
11 nothing but the truth?

12 A Yes, I do.

13 Q For the record Mr. Ressler would you state your full name and
14 your present employment?

15 A Yes, Robert K. Ressler and I'm a special agent with the F.B.I.
16 in Quantico, Virginia, assigned to the Behavioral Science Unit
17 of the F.B.I. Academy.

18 Q How long have you been employed by the F.B.I.?

19 A Approximately 17 years.

20 Q And do you have any particular educational background?

21 A Yes, I've got a Bachelors and Masters Degrees in Criminology
22 from the Michigan State University and I have worked in the
23 area of Criminology for the past...probably some 20 years.

24 Q All right and I believe you indicated you had worked for the
25 F.B.I. for 17 years?

26 A Yes.

1 letter was addressed to Mr. James McKenzie, the Assistant
2 Director of the Training Division and was referred down to
3 Mr. Depue since it was referring to behavioral science
4 activity, namely our training program, and in that Noreen
5 Renier had lectured for a group at the F.B.I. Academy and
6 that was my class that he had referred the letter to me
7 and we dicussed it, referenceshis answer.

8 Q All right. Did you assist him in drafting the reply?

9 A Correct.

10 Q The letter from Mr. Merrell appears to inquire about es-
11 sentially three things....first, whether or not Noreen Renier
12 was a guest lecturer at the F.B.I. Whether or not she
13 appeared in...is named in a textbook used at the F.B.I.
14 Training Academy and whether or not there had been any
15 plane crash in which the F.B.I. people were supposed to
16 somehow be involved.

17 A Yes that's correct.

18 Q Were you involved with any of those three things or knowledg-
19 able about those three areas of inquiry?

20 A Yes. I'm knowledgable and directly involved in one.

21 Q Which one were you directly involved in?

22 A The inquiry as to whether or not she lectured at the F.B.I.
23 Academy. She had lectured at the F.B.I. Academy on several
24 occasions. The first time was to my particular F.B.I.
25 Criminology course which was a group of approximately 50
26 police officers. And then two or three subsequent presentations

1 were made to larger groups of approximately 250 police
2 officers in our auditorium and based on the first lecture
3 we used her on several more occasions and that was my per-
4 sonal knowledge and personal involvement. The other two
5 things I knew of.

6 Q Did you have occasion to talk with John Merrell on the tele-
7 phone?

8 A Yes I did.

9 Q How did that call come about? Or that conversation?

10 A Well the letter from Northwest Skeptics of May 24th that
11 came in from Mr. McKenzie was referred to me and of course
12 I was told to check into it just from the standpoint of
13 drafting an answer. Mr. Merrell gave his telephone number
14 in Beaverton, Oregon and to more or less clarify some of
15 his inquiries and possibly even to satisfy the requirement
16 of his letter, I called him at his residence.

17 Q During that telephone conversation did he inquire of the
18 same specific things?

19 A Yes, I asked him just a little bit more specifically what
20 he was after...specifically on page 3 of that letter it
21 said, 'we must have statements from your agency and the F.B.I.
22 directly'. And I had indicated thatwell what I had
23 indicated is that some of the things she was answering were
24 really under the (inaudible) of confidentially because we
25 don't really provide that information on guest lecturers
26 however I would try to give him all the answers he needed

1 within the degree of whatever we were able to give him.

2 Q Did you advise him at that time regarding her lecturing at
3 the F.B.I.?

4 A Yes I said that I would verify that she did lecture at the
5 F.B.I. on a number of....basically what I just told you.

6 That her topic was Psychic Phenomenon and Criminal Investi-
7 gation, and I had indicated that she had done an admirable
8 job to the point where we did invite her back for several
9 other occasions and then he got very specific about her
10 salary and names of people in the audience and I told him
11 at that point that that was the things we could not provide.

12 Q Did you have any conversation with him about the book that
13 he inquired of?

14 A Yes I did. I said the book is....he had named the book,
15 he said that....there was some inquiry that whether or not
16 she appeared in a book....Practical Homicide Investigation,
17 which he titled in his letter....did we use this book at
18 the F.B.I. Academy and was she in it....he had listed the
19 author as Vernon Gederth and I told him that it was Vernon
20 Geberth who was a New York Homidide officer that wrote the
21 book, F.B.I. National Academy Graduate and that one chapter
22 was devoted to psychic phenomena, that she is in the book,
23 and written about in that chapter and that we do use the book
24 with our students here at the F.B.I. Academy.

25 Q Could you tell us about what conversation you had with Mr.
26 Merrell regarding this plane crash?

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1 A He had again, referring to the paragraph in the letter about
2 the plane crash, he had....I told him that the incident that
3 he referred to was something that came through our office and
4 it came through a F.B.I. agent assigned in Washington D.C.

5 who called the Behavioral Science Unit because of the fact
6 that he knew that we had a psychic lecturing at the academy
7 on occasions and he asked if they could be in contact with
8 that person because the agent who called was calling for
9 another agent....it wasn't the agent directly involved.
10 They both worked in the Serology Lab at our Academy. Ap-
11 parently the agent, the one agent not the calling agent,
12 the second agent, got a plane crash involving family members
13 and they had searched for the plane, I believe it was in
14 Maryland and Merrell indicated that it was in Massachuttes
15 but I thought it was Maryland. Basically what I said is
16 that I knew of the incident because we had referred Noreen
17 Renier to that agent. I had no personal knowledge although
18 I did have information from the agent that apparently she
19 was used and the plane was found.

20 Q Was Mark Babyak the agent whose family was involved?

21 A Yes. Mark Babyak. I did not know him at the time but since
22 that time I have spoken with him about the incident.

23 Q Did Mr. Merrell when you talked to him on the telephone make
24 any effort to find out how to contact the agent whose family
25 was involved?

26 A To the best of my recollection he didn't...I don't think

1 no....I don't think he made any specific inquiries....I
2 certainly....at that time I did not have Babyak's number
3 or anything but I could have referred him to Bob Spaulding
4 who was the agent that contacted me and he didn't seem too
5 interested in pursuing that.

6 Q Agent Ressler, during this telephone conversation you had
7 with John Merrell did he indicate to you what his goals were
8 or give you any indication of what he wanted to accomplish?

9 A Well he had referred to the letter on Northwest Skeptics
10 stationary and I had to ask him some questions about the
11 organization just did he represent an academic group or
12 anything of that nature and he explained the mission or the
13 function of that organization and as outlined in the letter
14 he indicated that they were looking for correct information
15 on scientific fraud including alleged psychic detectors and
16 the way he had phrased the letter and what he said to me
17 indicated to me that he believed that Noreen Renier was a
18 ...fit into the category of a fraud or charlatan and that
19 they were doing a inquiry to determine her ...whether or not
20 she was actually in fact a true psychic or whether or not she
21 was a fraud.

22 Q With respect to these three areas of inquiry, the book the
23 teaching and the airplane were you're responses favorable
24 or negative or how?

25 A Basically our conversation ended by my stating that I would
26 not provide information beyond his stated letter and ...but

1 all three of the areas he stated or alluded to in my
2 to the best of my knowledge and accurately in the area of
3 the speaking and the book that there was nothing out of line
4 from what she had previously stated about these three cir-
5 cumstances.

6 Q Did you have any criticisms at all that you offered about
7 Ms. Renier to John Merrell?

8 A Only that...and this was stated in our response is that we
9 did not endorse Ms. Renier as being a real bonifide psychic,
10 thather employment, temporary employment at the academy was
11 was to put on a lecture on psychic phenomena and law enforce-
12 ment and Useful Reality was the topic. Psychic Phenomena
13 and Law Enforcement (inaudible) Reality and that we had...
14 you know, I pretty well indicated that we neither endorse
15 or disprove her, we merely say that she is a practicing psychic
16 and that her information reference applying the skill, art
17 or whatever you call psychic phenomena to the criminal in-
18 vestigators area was what she was what she was to lecture on
19 and then of course it was open to questions and answers from
20 police officers and the mission of that lecture would be
21 enlightenment rather than holding her up as a bonifide psychic.

22 Q Do you....does the F.B.I. endorse anybody as a bonifide
23 psychic?

24 A No, we do not. In fact to the best of my knowledge she is
25 probably the only psychic that has lectured down here and it
26 was as a result of otherwe met her at a conference on

1 Parapsychology where we were discussing our techniques of
2 psychological profiling and because of the student response
3 to her at that time we invited her...we thought it might be
4 interesting to invite her to talk to students and since that
5 time her 3 or 4 lectures...I can't remember how many exactly,
6 we have not had any other psychics.

7 Q All right.

8 A Oh...that was another thing Merrell wanted to know...whether
9 the F.B.I. used psychics in our investigative process and I
10 told him that was absolutelysomething I wouldn't discuss,
11 but in reality we don't.

12 Q Do you happen to know whether or not Mr. Depue, your Super-
13 visor, ever had any telephone conversations with John Merrell
14 about Noreen Renier, or whether Mr. Merrell made any tele-
15 phone inquiries of Roger Depue?

16 A Mr. Depue isn't here today but to the best of my knowledge I
17 don't think he spoke to Merrell. I may be wrong on that but
18 I don't think that Depue got involved in this at all.

19 Q One last subject I would like to ask you about. In this law-
20 suit there is some material about a predictiona report
21 of Ms. Renier making a prediction about President Reagan being
22 shot and some news articles about that. Were you familiar with
23 whether or not she made such prediction?

24 A Yes, I am.

25 Q Could you tell us about that briefly?

26 A Well that was the first time she lectured and it was the small

1 group. I don't have the exact date of the lecture and I'm
2 sure I could pick it up if I had to but it was, I believe,
3 it was certainly before Reagan's shooting which occurred in
4 March of '81 and it was I believe January of '81 was the
5 first lecture that she gave to the group of about 50 police
6 officers and shethere was an inquiry when she was doing
7 the questions and answers and she did also a psychic demon-
8 stration by what she called psychometry, feeling metal objects,
9 and getting whatever you call it from the owner of that object,
10 vibrations I guess...whatever. There were questions and
11 answers following the demonstrations and one student had
12 indicated as what she was in Reagan's future as...Reagan was
13 was newly elected at that timefrom the standpoint of his
14 leadership, etc., and she stated that, she was feeling her side
15 and she said she felt that he was having a heart attack in
16 the future and she said some sort of chest pains, heart at-
17 tack and then she clarified it by saying no it's a sharper
18 pain and it is a gun shot. He was shot and then she con-
19 tinued to say that he would be shot in the future during his
20 administration and I believe she said in the left chest be-
21 cause she was patting her left side and that he would not die
22 that he would become stronger in office because of the sym-
23 pathy and then she went on to say in November of that year or
24 later in fall, October, November that he would be killed in
25 a machine gun assault on a parade stand by many in foreign
26 uniforms wearing automatic weapons. There would be foreign

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1 uniforms, military...there would be a parade, there would
2 be people on the parade stand and a volley of machine gun
3 fire by several of these uniformed foreign people would re-
4 sult in his death.

5 Q Did she date that second shooting?

6 A Pardon?

7 Q Did she date that second shooting?

8 A She said that would be in the fall of the year. It turned
9 out of course that Anwar Sadat was killed in that fashion.

10 Q Do you recall if she specifically said the second shooting
11 would be President Reagan?

12 A She thought it was President Reagan.

13 Q She was wrong on which President it was then?

14 A Yeah...circumstances were uncanny in their accuracy. It
15 turned out that that was not Reagan...it was Sadat, but of
16 course the first one came through pretty much later.

17 Q I believe that's all I have at this time. It's Roxie Cuellar's
18 turn to ask the questions.

19 CROSS-EXAMINATION

20 BY MS. CUELLAR:

21 Q Agent Ressler my first question is we..well I believe you
22 kind of answered it but I want to verify it some more. Ms.
23 Renier indicated in her promotion material that she had
24 worked as a psychic detective for the F.B.I. in criminal
25 investigations. To your knowledge is that true?

26 A A psychic detective for the F.B.I.?

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1 Q Yes. In criminal investigations?

2 A The only thing I can say about that is it is not true from
3 the standpoint of being a paid employee and it is not true
4 from the standpoint of her being on a retainer or being used
5 in any regular capacity. She does not work on F.B.I. cases,
6 however, she haswe have referred her to police depart-
7 ments who requested information about her address or phone
8 number or whatever, mailing address and she has been used
9 in numerous cases in that fashion. She was very well known
10 in Virginia and a ...because she F.B.I. lectures, many people
11 called in here asking to be in contact with her. She never
12 really worked for the F.B.I. on any cases officially.

13 Q She indicated in her deposition she gave me two specific
14 cases where she worked for the F.B.I. and she said that
15 one was the Atlanta murder cases and she says that an F.B.I.
16 Instructor by the name of Joe came to her house in Barbours-
17 ville with a belt, I believe of one of the children, and that
18 he later came back to her house at night and paid her \$300
19 cash from the F.B.I.

20 A Yeah well now....that's why I say....she never was used of-
21 ficiallybut apparently she did do some assessments on
22 that case. And a tape was made and it was forwarded to the
23 Atlanta Task Force butas far as the payment I don't know
24 about that at all. I do know that Joe DelCampo brought mat-
25 erial for her to analyze and that a tape was done, the tape
26 was transcribed and the transcription was sent to Atlanta,

1 but as far as a payment being met or aofficially working
2 for us on contract I would say to the best of my knowledge
3 I don't think so.

4 Q She also indicated that she was hired by a family in Calif-
5 ornia to find their kidnapped daughter...that the F.B.I. was
6 also working on the case and that because she discussed the
7 case with the F.B.I. that that constituted working for the
8 F.B.I. In yourwould you consider that.....under those
9 circumstances would you consider someone working for the F.B.I.
10 that had been hired by a private party?

11 A No, I do not because many times, for example in kidnapping
12 matters we will have a jurisdictional interest in the kid-
13 napping and the family will want to use a psychic. This
14 comes up frequently and we will not refer a psychic in a
15 case of that nature. The family will often time get their
16 own psychic and the family will pay out of their own purse
17 for that psychic. We would act on that information if it
18 proved to be valid and useful but that would not constitute
19 working for the F.B.I.

20 Q She indicated in a deposition that at one time she modified
21 her promotional material because you had reproached her for
22 exaggerating the association with the F.B.I. Do you recall
23 that?

24 A Yes I do.

25 Q Could you describe the circumstances that caused you to
26 reproach her?

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1 A Well the problem with the brochure, she had a professional
2 brochure that she had prepared for stimulating business and
3 at that time she had some affiliation with the University of
4 Virginia...from the School of Continuing Education. The

5 F.B.I. is also affiliated with the School of Continuing Ed-
6 ucation. We are aone of the off campus connections to
7 the University through the School of Continuing Education.
8 She had made some statements in theI really can't
9 recall the statements...specifically, but they were stronger
10 than they should have been reference or affiliation with the
11 F.B.I. I told her that she could state that she lectured
12 here on several occasions but she could not....I think it
13 was something along the line that she was an instructor for
14 the F.B.I. something along that line, and I told her she
15 could not say that. On a contract basis she could only say
16 she had lectured....you have to be on a permanent retainer
17 and you know, on a contract basis and that is provided to
18 very very few people here at the F.B.I. Academy.

19 Q You indicated in your conversation to Mr. Merrell that you
20 discussed the plane crash that occurred in Massachuttes?

21 A Yes.

22 Q And you indicated that Mr. Merrell did not press you for the
23 names of those involved.

24 A To the best of my recollection I don't think the issue came
25 up. The specific names of the parties. And at that parti-
26 cular time I might....I did not personally know this Agent

1 Babyak. My dealings were through a Robert Spaulding who
2 worked with Babyak in our laboratory.

3 Q Do you know for sure that he did not ask you for the names
4 of the people involved?

5 A To the best of my recollection he didn't. Now we're talking
6 about 1984 here I believe...85. I really don't recall him
7 pursuing the parties in this case.

8 Q Who wrote the letter that was actually signed by Mr. Depue?
9 You or Mr. Depue?

10 A We drafted it together.

11 Q Do you recall the part of a letter where perhaps you could,
12 could you please read for the tape the part of the letter
13 where you and Mr. Depue indicated your lack of knowledge about
14 the fact that the plane crash was a private affair?

15 A Let's see...'I also understand that Ms. Renier did assist
16 in a location of a downed plane but I have no personal
17 knowledge of the incident in that it was a private matter
18 in which I did not...I was not directly involved'.

19 Q But you did have some information that you did not give to
20 Mr. Merrell even though he evidently requested this informa-
21 tion about the plane crash?

22 A Really what he was indicating was that he thought that this
23 was an F.B.I. case. That where Ms. Renier had assisted in a
24 F.B.I. case of a downed aircraft which was a F.B.I. investi-
25 gative matter. And what Depue said and basically what I
26 said at that time ...is that this was a private affair it had

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1 down and asked me for information, I gave him information
2 and I didn't hear...I don't think I heard about it until
3 this letter came through. So at that time I didn't know
4 Babyak's name or number but I certainly could have referred
5 his to Spaulding.

6 MS. CUELLAR: Are you through Mr. Werdell?

7 MR. WERDELL: Yes.

8 MS. CUELLAR: I wanted to follow that up with one thing here. Mr.
9 Ressler, was there anything in your conversation that would
10 let Mr. Merrell know that you were in fact the person that
11 recommended Noreen Renier?

12 A Oh, yes. That's why I said....why I was calling because I was
13 the one who sponsored her first appearance.

14 Q I'm still talking about the plane crash...

15 A Oh, the plane crash.

16 Q Was he aware of the fact during your conversation that you
17 were the one that recommended Noreen Renier?

18 A Oh yeah...I told him that the call came down through head-
19 quarters asking about the psychic that had lectured and that
20 I was the one that provided her name and mailing address to
21 the agent's headquarters.

22 Q To the best of your knowledge he didn't make any request to
23 know who it was?

24 A I really don't recall that coming up at all.

25 Q But it may have?

26 A Yes.

1 Q I don't have any further questions.

2 MR. WERDELL: Did you say it may have or you don't think so?

3 A To the best of my recollection and this whole thing was
4 kind of insignificant when it was going on....it's just...

5 I just recall talking to Merrell and just saying that I'd
6 like to answer your questions to your letter in writing as
7 you requested but I need a little more information about
8 your organization, who you are, who you represent and then
9 from there we went to the three points of the letter and
10 I really don't recall any details, questioning concerning
11 a pursuing information along these lines. I told him he
12 could buy the book Practical Homicide Investigation, pro-
13 bably in the book store if he really wanted to see it for
14 himself. I said I could verify the training connection
15 here at the Academy and the thing on the plane crash. I
16 had no personal knowledge that it was second hand through
17 this Bob Spaulding who asked for the number and then later
18 told me that apparently they found the plane as a result of
19 her input.

20 Q Let me ask you this question. I take it you gave him Bob
21 Spaulding's name in fact?

22 A I could not really tell you. I certainly would have had
23 no problem giving him Bob's name and number.

24 MR WERDELL: Thank you very much for talking to us Mr. Ressler.