

IDAHO V. CHAD DAYBELL
PROSECUTION CLOSING ARGUMENTS
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The state begins closing arguments by playing State's Exhibit 33, a recorded Telmate call on June 9th, 2020:

[Automated voice]: Call from, and paid for by:

LORI VALLOW: Lori

[Automated voice]: an inmate at Madison County Jail. This call is subject to recording and monitoring. If you don't wish to talk, hang up now. Thank you for using Telmate.

LORI VALLOW: Hi, babe.

CHAD DAYBELL: Hello.

LORI VALLOW: Are you okay?

CHAD DAYBELL: No, they're searching the property.

LORI VALLOW: The house right now?

CHAD DAYBELL: Yeah. Yeah. I'm at Emma's. Mark Means will be talking to you.

LORI VALLOW: Okay. Well, are they in the house?

CHAD DAYBELL: No, they're out on the property.

LINDSAY BLAKE:

Three dead bodies. On the defendant Chad Daybell's property. And/or in the residence. Two of them children. His mistress' kids. Joshua Jaxon Vallow and Tylee Ryan were found buried in the defendant's backyard. Tammy Daybell was found dead in their marital bed. And for what? Money, power, and sex. That's what the defendant cared about.

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JUDGE BOYCE: *Ms. Blake, I really apologize. Could you just hold the mic right up? We're barely getting your signal strong enough. Thank you.*

LINDSAY BLAKE:

On October 26th of 2018, Lori Vallow and Chad Daybell met for the first time at a Preparing a People conference in St. George, Utah. You heard from Zulema Pastenes and Melanie Gibb how the first time they met, Lori was flirty. She came on to Chad. But Chad was receptive. You heard from Investigator Edwards that a few days after the conference, Google searches were conducted by Chad: Lori Vallow, images of Lori Vallow, Charles Vallow.

At the time Chad and Lori met, their spouses were alive and well. Charles Vallow and Tammy Daybell were alive. Lori and Chad were both married. But Chad was Googling about Lori. You heard how sometime after the conference, Lori ended up sharing with Melanie Gibb and Zulema Pastenes how Chad at the conference had told her that they had been married in previous lives. And you heard through the trial, previous lives, multiple probations, multiple creations, it's all the same idea. Why does that matter? It was a way to justify the affair to the people around them. Maybe even to justify the affair to themselves. They were married to other people. But because they'd been married in prior lives, prior probations, prior creations, everything they were doing was okay.

You heard about three weeks later, after that first conference, that first meeting, Chad was down in Arizona. Around November 15th to 17th, Chad was down there for a conference. But he stayed at Lori's house. And you heard how other people stayed there as well. And one of them that was at the conference, Melanie Gibb, or at the conference and then at the gathering at Lori's house, Melanie Gibb and Zulema Pastenes. And remember, Zulema talked to you all about how Chad sat the women down – so Zulema, Melanie, some other women, and Lori – and he taught them. Chad was the one teaching. Chad was the one sharing these ideas and these concepts. He was sharing them with Lori too.

You also heard how shortly after meeting Lori, the defendant began drafting his version of their story. The James and Elena story. And throughout the trial, you heard how Chad and Lori would go by different names sometimes. Or they had code names or persons that they claimed to be in prior lives. James and Elena were two of those names. Raphael and Lili. All really Chad and Lori. The James and Elena story was written by Chad. Chad's

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own words. And what do we know from James and Elena? In James and Elena – and you heard about this from Agent Hart and you heard about it from Analyst Heideman – James and Elena. Chad writes: “at this time, their spirits could not be restrained any longer, and a long-awaited makeout session took place in that lobby. This was manifest in the mortal world to James and Elena through the scientific phenomenon known as loin fire.” He also, another excerpt: “he resisted an impulse to kiss her, but his entire body was on fire. He instinctively knew she was everything he had ever dreamed of.” Additionally: “her dimensions were exactly what he had always fantasized about, but that revelation would have to wait a month.”

These are written about his first meeting with Lori. She is everything he's fantasized about. What is this about for Chad? Sex. He wants to have sex with Lori Vallow. He wants to be in a relationship with her, and he decides that the first time he meets her. We also see in there, he has to wait about a month for the full revelation of her dimensions. What does that mean? He has to wait a month before he actually gets to see her body. They're absolutely engaged in an affair. They had two favorite positions that particularly bonded them together. “Nothing meant more to James than holding Elena in his arms and unifying their bodies in perfect synchronization.” *Nothing* meant more. This was about sex.

The James and Elena story is essentially an autobiography outlining the defendant's sexual affair with Lori Vallow under the facade of having a spiritual undertone or being spiritually sanctioned. But let's call it what it was: Chad's graphic description of his boundless lust for Lori Vallow, who he deemed to have perfect proportions and to be a goddess. Again, Chad is still married as he's writing this story for Lori.

And you heard excerpts from the James and Elena story from Agent Hart. “James had served in an important position in the lord’s church and Elena had been his beloved spouse and best friend. That relationship was now meant to continue in this lifetime.” Again. Married in a prior life, prior probation. It justifies having an affair in this life.

“He tried to delicately describe their connection to each other, and he was delighted that she believed him.” Another theme throughout the trial. Chad is the one with the information. Chad is the one with knowledge, and he shares it with others. Chad shared with Lori their connection to each other, and *he* was happy she believed him. “He knew they were meant to be married again and complete important missions together before the Second Coming.” Again, they're both married to other people. And part of this trial,

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there was testimony about what we never saw. Through all the communications, through all the discovery, through all the evidence, no indication ever that Chad Daybell intended to divorce Tammy. No indication ever that Chad Daybell intended to separate from Tammy. But he wants to be married to Lori.

“This mission included being with him, and they would progress together as translated beings. The full plan wasn't yet completely clear to him.” Again, Chad is the one that is a self-proclaimed visionary. He claims he gets revelation. He claims he has visions. The full plan wasn't clear to him. What full plan? How he's going to end up being with Lori Vallow. They are both married.

You heard how in early 2019, Chad told Zulema Pastenes he wanted to share some teachings with her. They ended up having a phone call, and Chad started to talk to her about this concept of multi-creations or multiple probations. And when Zulema testified, she had some journal entries. Zulema was open to this concept. She trusted Chad. She trusted Lori. And she was open to their teachings. So much so that she would make journal entries of these because she wanted to keep track of them. She wanted to understand. And the one with the page number one, that's her outline of this concept of multi-creations. And Chad explained that you could have come in multiple creations. You could come multiple times in the same creation. But one thing was, if you've been exalted in one, and you came again, you were exalted in this lifetime.

He shared with Zulema some of her past lives. He told Zulema that he had a book of life. And through that book of life, he could see people's past lives, and he could see into the future. He also told her he didn't actually need the book. He could do it without it. You heard Ms. Pawlowski, Melani Palowski that is, Melanie Gibb, and Zulema all reference a pendulum or a pendant that the defendant had at some times. That he would tell them he could get answers. But again, he didn't have to have that to give them the answers. Common theme: Chad has the answers. Chad has the knowledge. Chad has that special ability.

Shortly after this meeting in early 2019, Charles Vallow is deemed dark. Chad Daybell deemed Charles Vallow dark. He actually said he was possessed by an entity named Ned Schneider. In January of 2019, Chad Daybell was doing Google searches for Ned Schneider. Then the idea of castings comes into play. And page five from Zulema's journal talks about her understanding of castings and what would happen. And you heard Ms. Pawlowski, Ms. Gibb, and Ms. Pastenes all talk about how they were involved

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in castings at different times. There was testimony that sometimes Chad was there. Testimony that sometimes he wasn't. But they would do a casting, a prayer circle, there were some other descriptions. But at the end of the day, the person wasn't there. They weren't physically touching the person. How would they know if a casting was successful? Lori would call Chad. Chad had the information. Chad had the knowledge.

When it came to Charles, castings on Ned were said to be successful. Ned was gone. But the problem was that eventually, Chad and Lori taught that if a person was possessed, it meant the body had to die. The individual, the actual spirit of that body, was gone. An evil entity was in that body, and in order to set the person free, the body had to die. So when a casting was successful and the body didn't die, well, now there's a new entity. That's what Chad would tell them. So Charles became Garrett. Castings are done on Garrett. They call Chad. It was successful. Well, Charles was still alive. The body didn't die. So now Charles is Hiplos. And Hiplos is an even more demonic entity. Hiplos is so dark that we get a new term introduced of zombie.

The other thing that was going on around this same time, as Charles became Hiplos is that Charles actually confronted Lori about her affair with Chad. Around June 29th of 2019, Charles Vallow confronts Lori. And he tells her, I am going to email Tammy Daybell. She deserves to know what's going on. Charles, in fact, sends an email to Tammy Daybell on June 29th of 2019, informing her of the affair. Charles also sends an email to Chad Daybell on June 29th of 2019, confronting him about the affair, telling him it's improper. It needs to stop. Then on July 1st of 2019, Charles tells Lori, "I'm going to go meet with Tammy in person. I'm going to tell her what's going on." Lori tells him, 'she won't talk to you. She's my friend.' Lori and Chad are in constant communication. You heard that throughout the trial. They're having an affair. They're talking. They're getting burner phones. And you heard testimony about the burner phones. They all had multiple different phones that they would use. And when I say they all: Chad and Lori and Alex.

Only 10 days later, 10 days after Charles threatens to go and tell Chad's wife about the affair, Charles is shot and killed. He's shot and killed by Alex Cox in Arizona. We heard from the Arizona detectives that on that fateful day, Charles had shown up to take his seven-year-old son, little JJ, to school. Instead of getting to take his son to school, he wound up dead. Why? Charles was dark. Charles was a zombie. And if someone's a zombie, if someone's dark, the body has to die. We know that Melanie Gibb said, she asked Alex, do you believe in these zombie teachings? Do you believe in zombies?

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Alex's response? "100%." Zulema asked Alex – or when we asked Zulema, did Alex believe Chad? Zulema's response: "100%."

Shortly after Charles' death, Melanie Gibb talks to Lori. And you heard from her, what was missing? No signs of grief, no signs of remorse. Her husband had just been shot and killed in her home by her brother. No signs of grief, no signs of remorse. On July 11th of 2019, the other thing we know, Chad and Lori were in contact throughout that day. You heard that through Detective Werther's testimony. You heard from Detective Duncan and Detective Werther that there were several text messages exchanged in the morning hours of July 11th of 2019, with the last one being right around the time Charles Vallow would have arrived at Lori's house.

Zulema said she saw Alex shortly after the shooting, and she asked him, "are you okay? What's going on?" Because also, no signs of remorse, no signs of grief. Alex's response to her, "he was a zombie." Alex 100% believed in zombies. Alex 100% believed Chad. Chad said Charles was dark. Charles was a zombie. Chad said if someone's a zombie, the body has to die. Alex shot and killed Charles Vallow. Alex 100% believed Chad.

You also heard how, at some point, Chad had deemed Alex to be Lori's protector. He talked to Alex about how Alex had been her protector in multiple lives, multiple creations, multiple probations. Alex was here to protect Lori. And you heard that Alex relished that role. He relished having a purpose. He relished being part of this.

One thing, though, Lori was upset about. Zulema had asked Lori at one point, "if Charles is a zombie, why are you back with him?" Lori's response? "I need to get my finances in order." After Charles' death, Lori reaches out to Chad to tell him, "I'm not getting the million dollar life insurance policy. He must have switched the beneficiary." As they proceed through this conversation, Chad's response: "hmm, interesting if it was him after he had two bullets in his chest." No remorse, no grief. Lori did message Chad, though, to let him know that "it was probably Ned that changed the insurance before **we** got rid of him." She's messaging Chad that. She also lets Chad know, "don't worry, I'll still get \$4,000 a month in Social Security." Tylee Ryan's father had died, and Tylee Ryan had been receiving Social Security benefits. So Lori knew JJ would get Social Security benefits if Charles was dead. Lori was also going to get benefits since she was JJ's custodian.

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Seven days after Charles' death, Chad is texting Lori: “ I was told extreme changes are coming for me. I welcome them both.” What were the extreme changes? Charles has been dead for seven days. What extreme changes do we know happened in Chad's life? Well, his mistress' two kids end up dead on his property, and his wife Tammy ends up dead in their marital bed. “Extreme changes are coming, and I welcome them.” Chad and Lori engage in further text conversation throughout that month of July. Chad... at this point, they've started to talk about labeling people as dark, and again, Chad is the one that can do that. They start talking about death percentages. Chad again is the **only** one that can determine someone's death percentage. How close someone is to dying is determined by Chad Daybell.

He tells Lori in this message – and keep in mind, he is talking about toddler children, young children – he “decreased the pain tolerance to 1% and greatly increased his pain.” He then asked Lori, “do you want me to cause pain to those two threes?” Who are the threes? Again, remember, when someone's light or dark, there's also generally a numeric value or a numeric number assigned to that, in this case, threes, so they were three dark. He ends up saying, “yes, if they are going to act up, we'll at least give them a reason to scream.” These are young children, and specifically, these are the children of Melani Pawlowski that are being referenced. Right after saying he's going to give these children a reason to scream? “I love, cherish, treasure, and adore you.” He wants to be with Lori Vallow.

Chad messages her later in July: “every few weeks, I get to escape and have amazing adventures with my goddess lover, but then I have to return to my place under the stairs, feeling trapped, but I sense permanent freedom is coming.” What did Chad need permanent freedom from? He'd just returned from seeing Lori Vallow. His wife is still alive. He feels trapped when he's at home with his family. Who does Chad want freedom from? Tammy, and he senses it's coming.

We talked in this trial about how Chad and Lori would manipulate each other. In this text thread, Lori Vallow is upset with Chad, and Chad tells her – referring to Grandpa Keith, who's someone that's deceased – that he is supposed to warn her that she's unprotected, the angels are angry, that Lori's ignoring him, and if she wants that protection back, she better talk to him. Lori's response? “I love you.” Chad: “thank you, my love, I will get things restored.”

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Chad manipulated Lori with power. Chad held himself out to be a visionary, he held himself out to have spiritual gifts, and he would manipulate Lori with that. Lori, on the other hand, she was frustrated. Her husband's gone, Chad's wife is still alive. Chad and Tammy have five children, they have a grandchild. Chad's life is undisturbed, and it causes contention between Lori and Chad, because Lori wants Chad to be freed up now. So Lori's frustrated. "I really do want you to, I just can't be in the way anymore. If things change, then we can talk, but we have nothing until things change." What needs to change? Tammy's in the way. Charles is gone, Lori can't be with Chad, because Tammy. Chad's response: "I want you, *nothing* else matters." Lori manipulates Chad with sex. From the minute he met her, he wanted to be with her, and she knew it.

About a month after Charles' passing, Lori's asking Chad: "do you think there is a perfectly orchestrated plan to take the children?" Chad's response, "there is a plan being orchestrated for the children. I was shown last night how it fit together." Again, Lori asked Chad, Chad has the answers. "Is there a plan to take the children?" And what children are they referencing? JJ and Tylee.

The state plays State's Exhibit 392, a recorded Telmate call on June 8th, 2020:

LORI VALLOW: And I don't know why it had to go down this road to where we are now in the project.

CHAD DAYBELL: Mm-hmm. I know. I don't fully understand. I think he'd text you back, or write you back.

LORI VALLOW: Ultimately, what I need from you is that the project is gonna be finished, and everything is going to be fine, and it's going to work out.

CHAD DAYBELL: That's what he said.

LORI VALLOW: Well, I need you to tell me that every day, several times. [laughs]

CHAD DAYBELL: Okay. [laughs] My sweet, lovely Lolo.

LORI VALLOW: [laughs]

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CHAD DAYBELL: Things are going to work out, not just because he said so, but 'cause I know so. It's a marvelous plan. [unintelligible]

LORI VALLOW: How do you know so?

CHAD DAYBELL: How do I know? [laughs] It's been shown to me, honey. And I've seen those beautiful eyes filled with tears, and she sings to amazing works of people, and I've seen that wonderful body dance to heavenly songs.
[laughs]

LORI VALLOW: [laughs]

CHAD DAYBELL: Your purpose is only beginning, it's hardly begun, and it will be the pair, it won't be solo. [laughs] It's going to be incredible.

LORI VALLOW: It will be cholo and not a solo? [laughs]

CHAD DAYBELL: That's right. [laughs] Yeah. It will be the Eurythmics –

LORI VALLOW: [unintelligible]

CHAD DAYBELL: – not solo careers. I'm just, absolutely sure. I was saying it will be the Eurythmics, it won't be two solo careers. [laughs]

LORI VALLOW: I know, but I'm saying you said that you have absolute what, confidence?

CHAD DAYBELL: Absolute, assurity, confidence, confirmation. It's going to be as seen. There's some things that aren't going to be altered.

LINDSAY BLAKE:

Again, Lori reaches out to Chad. She needs affirmation from him. She needs to talk to him about what he knows with the plan. Lori asks Chad if she should be doing anything in relation to the plan. Chad's response? He tells Lori the Lord told him “they just need to keep resolving the telestial issues so they are unencumbered and fully free.” What are

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telestial issues? Remember, telestial means earth. They need to resolve the earthly issues, earthly obstacles, so they can be unencumbered and fully free.

Chad tells Lori on August 10th, "we're so close to the finish line." On September 3rd, Lori is letting Chad know, or Alex know, excuse me, that Chad and she are trying to get to the bottom of what they need to do to completely eliminate zombies. And she lets Alex know, "I'm sure you will be told also." Alex couldn't rate people. Alex didn't discern if people were light and dark. Alex got the information from Lori and Chad. Lori got the information from Chad. Chad tells Lori, "we are surrounded by telestial relatives that are simply obstacles." Earthly relatives that are simply obstacles are surrounding Chad and Lori. And again, he tells Lori, "I want to be with you. That is my greatest hope and dream." To be together, they've got to get rid of the earthly relatives that are simply obstacles. Because remember, they need to remove the obstacles so they can be fully free and unencumbered.

Shortly after Charles' death, in early August of 2019... Shortly after Charles' death, Chad Daybell travels down to Arizona. And he stays in the residence where Charles Vallow has recently been shot and killed. Zulema talks about seeing them there. She talks about the fact that she thought they were maybe acting inappropriate, given the fact that Tammy was still alive. Chad assured Zulema that Tammy was going to die, and that Tammy would be okay with he and Lori being together, because Tammy was going to move on to her mission. His mission, again, it's with Lori. He says that time and time again. We have a mission together. It's he and Lori. He decides Tammy has her own mission. Why? To justify the affair.

Zulema talks about how in August, she notices a change in Alex and Chad's relationship. Again, Alex has just shot and killed Charles Vallow, and now he and Chad seem to be closer. She talks about Chad giving Alex a blessing, and in the blessing, he tells Alex that Alex needs to move to Rexburg. Alex had no known ties to Rexburg outside of Chad Daybell. Alex trusted Chad so much that he flew back with Chad to check out Rexburg. Eventually, Alex was told that he was exalted, and remember, we talked a little bit about that, and you heard about it in the trial. If someone was exalted in a prior life or a prior creation, they were exalted in this one, and you heard Zulema talk about how Lori would address that. If Lori did something and she was asked about it, she'd tap her hand, "doesn't count for me." It didn't count for her because she was exalted. They taught Alex that same thing. What Alex did in this life didn't count for him because he had been exalted.

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Around September 1st of 2019, Lori ends up relocating to Rexburg as well. JJ and Tylee come with her as well as Alex Cox, and they moved to 565 Pioneer Road in Rexburg, Idaho. Lori ended up telling the principal of JJ's school, Josh Wilson, that she moved to Rexburg because her husband had died of a heart attack and she wanted to move close to family. Lori had no family in Rexburg. Her connection to Rexburg was Chad Daybell.

Shortly before moving to Rexburg, you heard from Detective Considas and Forensic Accountant Mike Douglas that Lori switched Tylee's Social Security money that she got from her father to go into an account associated only with Lori Vallow. That change was made on August 16th of 2019. They then moved to Idaho around September 1st of 2019. Before Lori moved to Rexburg, Chad had already shared with her that Tylee was dark and JJ was dark. And we know what has to happen if someone's dark. If someone's dark and they're an earthly obstacle, the body has to die. Knowing that, Lori still brought her children to Idaho, closer to Chad Daybell. Alex came with her. Remember, Alex believed Chad 100%.

In July, seven days after Charles' death, Chad Daybell texts Lori, "I've been instructed to focus my efforts on Hillary." Who is Hillary? It's Tylee. Lori asked him, "find out her percentage for me and JJ's." What's the percentage? It's the death percentage. Chad's response: "she is a 0.13. I turned up the pain to 10." Tylee is a 16-year-old girl. He's turning the pain up to 10 and he's saying her death percentage is 0.13. He then tells her that Raphael, another name for Chad, visited him talking about J.J. and told him to follow Amy into the light. We all know what it means if someone says, "follow someone into the light."

July 23rd, again, Lori to Chad: "check Tylee." Why does she want Tylee checked? She's being super sweet and helpful. Her daughter was being sweet and helpful and Lori wants to know, is she dark? What's her death percentage? And who is she asking for that information? Chad Daybell.

On September 8th of 2019, Tylee, Alex, JJ, and Lori take a trip to West Yellowstone, a seemingly normal family outing. However, we know that was the last time Tylee Ryan is ever seen alive. And what is Chad Daybell doing on September 8th of 2019? He's looking up south southwest wind. Why does this matter? Remember how Tylee was found. Remember what happened to her. That young lady was burned. Her remains discovered on Chad Daybell's property.

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On September 9th, we heard from Agent Ballance and Agent Wright, that there was something unusual about a device associated with Alex Cox and where it was located. You heard that when Alex first arrived in Rexburg, his device was an Apartment 175 from September 1st to September 5th, pretty much all the time or at normal hours of the day appeared to be residing there. After that, that device is mainly associated with apartment 107. The device will travel to 175, but generally returns to 107 no later than midnight.

The day after... The early morning hours after the last day Tylee is seen alive, that device is at Lori's apartment – apartment 175, the apartment where Tylee Ryan was known to reside – at 2:42 in the morning. The only time in the month of September – with the exception of the first five days and the exception of September 30th – when that device was left with Lori Vallow, the only time that device is there in those early morning hours.

What do we know happens later that morning? The device returns to Alex's apartment and Chad calls Alex. Where does Alex go after Chad calls him? He heads to Chad's property. And again, you heard from Agent Wright, you heard from Agent Ballance that that device is up on the Daybell property, those morning hours, and there's some data points there showing 9:21, 10:39, 1057. And what do we also know happened on the morning of September 9th? Chad Daybell sends a message to his wife around the same time that device is there. "Well, I've had an interesting morning. I felt I should burn all of the limb debris by the fire pit before it got too soaked by the coming storms." Limb debris, not tree, limb debris. "While I did so, I spotted a big raccoon along the fence. I hurried and got my gun, and he was still walking along. I got close enough that one shot did the trick. He is now in our pet cemetery, fun times." Where was Tylee Ryan's body found? Where those red data points are. In Chad Daybell's pet cemetery, some of her remains in the fire pit.

Where does Chad go after that? Or excuse me, where does Alex's device go? Back to Lori's. Chad calls Alex, he heads right up there. Alex goes Lori's apartment, Alex's apartment, Chad's property, back to Lori's. And we know where that young lady was found. She was found on Chad Daybell's property. Chad labels someone dark. Chad says if someone's so dark or a zombie, the body has to die. Alex believes Chad 100%. You heard that the burned and charred remains of Tylee Ryan were found on Chad Daybell's property. You heard from Dr. Garth Warren that Tylee's manner of death was homicide, with the cause undetermined. Why was the cause undetermined? Well, you heard from Dr. Angi Christensen, and you also heard from Dr. Bartelink, how Tylee's body was burned. Dr. Bartelink even indicated, depending on what accelerant was maybe used,

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Tylee could have been burned within two hours. You heard from Dr. Angi Christensen that there were multiple areas of blunt force trauma to the skull, sternum, and ribs. You then, Dr. Bartelink, confirm that. In addition, there were 18 sharp force impacts.

Additionally, you heard from Katie Dace how Tylee's DNA was found on a pickaxe and a shovel that were in the defendant's garage. We also heard from Alice and Todd Gilbert, and Alice Gilbert talked about how when Tylee was still missing, before she was found, Alice asked Chad about her. She wanted to know, doesn't Tylee want a life? Doesn't she want things that most young girls get? Chad's response? "Well, Tylee didn't like people, and she didn't like me." What stood out to Alice? Tylee hadn't been found yet, and the comment was in the past tense.

Tylee was now gone, but JJ was still alive. We heard from Zulema Pastenes how she visited in September. She stayed at Alex's apartment, but she would visit with Lori. You heard from her, and she asked Lori, "where's Tylee?" Because she didn't see her. Lori's response? "Don't ask." Zulema talked about how she did see JJ, though. JJ was alive and well at that time. On September 18th of 2019, Lori began receiving the Social Security payments for JJ and herself from Charles' death.

Back in July, again, shortly after Charles' death, Lori's asking Chad, "I need you to check JJ." Why? He was calm and wanted to watch movies. Her kid's calm and wants to watch movies, and her first thought? "Have Chad check him." Chad's response? "JJ is at a two." On August 10th of 2019, Chad messaged Lori that JJ was getting close. He says, "when I was sitting across from him eating bacon, I sensed he was barely attached to his body." On August 10th, again, Lori had asked, "please check JJ." Then Lori further pushes, "is he at zero yet?" Chad's response? "Yes, he's at zero." If Chad labels someone dark or a zombie, the body has to die. Chad determines the death percentage. When the death percentage hits zero, that person's been marked for death.

On September 23rd of 2019, you heard how there was location data associated with Alex Cox looked at. And before that, you'd heard from Melanie Gibb and David Warwick about how they were visiting Lori. They'd come up for an event, and they were staying at Lori's house. You heard from them, from Melanie Gibb in particular, that there was an incident where Chad took JJ upstairs. And when Chad came down, he had scratches on his neck. (That being Chad had scratches.) And when asked what happened, he basically said JJ had freaked out. On September 22nd of 2019, you heard from Melanie Gibb and David Warwick how they saw Alex come in carrying JJ. JJ's head was on Alex's shoulder. They

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assumed he was asleep. David Warwick thought it was a sweet moment. In the early morning hours of September 23rd, you heard from Melanie Gibb how something had startled David. He had a panic attack, a bad dream, something. She called Chad. No answer. She tried to get a hold of Lori. No answer. She tried Lori's door, and it was locked.

The next morning, you heard from David Warwick, he asked where JJ was. On the morning of September 23rd, he said, "I wanted to say goodbye to JJ before I left." They described Lori as appearing somewhat nervous, starting to talk fast, and she explained how JJ was dark, JJ was now a zombie, JJ had gotten on the cabinets, he was knocking over pictures of Christ, and so he wasn't there, and she wasn't going to go get him. Melanie and David never saw JJ again.

On September 23rd, later that morning, Alex, or Chad, places a call to Alex. And what does Alex do when Chad calls him? He heads up to Chad's property. And what do we then know? Alex's device is at Chad's property, with some data points there showing at 9:56 AM and 10:02 AM. We know where JJ was found. JJ was found on Chad Daybell's property, close to where those red data marks are.

On June 9th of 2019, investigators searched Chad's property, and they ended up locating JJ. As they dug JJ up, they noticed a round object covered in black. One of the investigators there cut the black plastic to reveal white plastic. They cut the white plastic, and brown human hair came through. They'd finally found JJ.

JJ had been buried with his arms duct taped together, the duct tape running around from elbow to elbow. He had duct tape over his mouth, he had a plastic bag over his head, tape over that plastic bag, and then he was placed in black garbage bags and discarded. That's how JJ was found. Chad labeled him dark, Chad said his death percentage was at zero, Chad said the plan was for he and Lori to be together **unencumbered** by earthly relatives, earthly obstacles. Chad said those things, and Alex believed Chad 100%.

Chad knew Lori was receiving Social Security money. She told him, we saw that message: "I'm still going to receive the 4,000." She was actually receiving more because she'd switched Tylee's money to go to her as well. Chad labeled her children dark. Their bodies were buried on his property, hidden from those looking for them. With them gone, he could be with Lori, her time was completely free for him. And knowing if the bodies weren't discovered, Lori would continue to receive that money. You heard from Mark

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Saari with the Social Security Administration, should have been reported. Lori continued to receive those benefits. Had the children been discovered, she wouldn't have.

Melani Pawlowski talked about how she visited Lori towards the end of September, and when she visited, neither Tylee or JJ were present. She said she asked Lori about Tylee, and she was told that Tylee was at school or with friends. Well, you heard from Wynn Hill, Tylee was never registered, never applied, never associated with BYU-Idaho, but that was Lori's story for Melani Pawlowski. When Melanie asked where JJ was, Lori told her, "he has a nanny, she's really helpful." Melani described that she couldn't really get a clear answer from Lori, but what you also heard from both Melanie Pawlowski and Ian Pawlowski is Melani trusted Chad and Lori. She looked to them as parental figures. She turned to them for advice and guidance, and particularly with Chad, she talked about that. She turned to Chad to find out if people were light or dark.

We know that around October 2nd of 2019, Tylee Ryan's Jeep travels to Arizona, and you heard from Brandon Boudreaux about what happened. Brandon Boudreaux saw the Jeep, saw a gun, and someone took a shot at him. That someone was Alex Cox. Brandon Boudreaux had been determined to be dark by Chad Daybell. That bullet hit the top of Brandon's car. Brandon lived to report it. He lived to tell what happened. Brandon said that Jeep was missing the tire off the back. He noticed that. And you heard from Analyst Heidemann how on October 2nd, Chad and Lori were seen in Rexburg, Idaho, storing a tire. During that trip, we talked about a device being at Lori's apartment, one of Alex's devices, on September 30th. It was during that trip. He'd left the device with Lori.

And you heard Zulema talk about how Chad and Lori would try to encourage her to move to Rexburg, and particularly Chad. He gave her several blessings where that was part of the blessing. Zulema expressed she didn't know how she was going to make that work. She didn't have ties here. Her job wasn't here. Her kids weren't here. And she expressed to Lori, I don't know how I'd financially do it. Lori said, don't worry. Melani, referring to Melani Pawlowski, will take care of us. Melani was still legally married to Brandon when that shot was fired. Melani had kids with Brandon. Lori knew if dad dies, kids get Social Security. The custodian, the mother, gets Social Security benefits.

Just days later, on October 4th of 2019, Tammy Daybell travels down to Utah. Now you heard testimony, that was rare for Tammy to go on a long trip alone. She didn't like to drive alone. But you also heard Chad was supposed to go with her, and he backed out. Why did he back out? Well, we saw the messages between Lori and Alex about how she

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and Chad were going to get to go on a real date. Tammy was gone to Utah. He and Lori were going to get to go on a date.

You heard from her sister, Samantha Gwilliam, how because Tammy had been diagnosed with depression at some point, she made it a habit that when she would see her, she would give her a once-over. She would check on her, make sure she looked healthy, make sure she didn't appear to be suffering with the depression. Samantha did that on this trip. And what did she notice? Tammy appeared fine. She noticed no physical problems. Tammy reported no physical problems. She reported no medical issues to Samantha. Samantha saw none. In fact, what did we hear? Tammy put on a clogging routine. She had a nice visit with her family.

Both Samantha and Jason Gwilliam talked to you about some changes they'd noticed before that October 4th visit. And particularly with Chad. Chad and Jason had been very good friends. Conversation flowed easily. But that summer of 2019, they talked about Chad and Tammy coming to visit and Chad was awkward. He didn't really engage with them. They took note of it, but they didn't know what was going on. Then you heard from Samantha how Tammy was down there around her birthday. Samantha didn't even know Tammy was going to be in Utah. Tammy runs up to the door to give her her birthday present. Gets to stay just long enough to watch her open it. Chad never left the car. Chad and Jason were friends. And you heard Samantha say they had no falling out. Nothing that she could think to explain why Chad wouldn't come into the house.

Again, back in July, when Chad and Lori are talking about death percentages, Chad tells Lori he "got the inspiration to go back to" – **his, to my**, he uses **my** – "my original death percentages, that helped us track Charles, Ned." Chad had no idea what he was talking about. Chad had the death percentages to track Charles. "Tammy is very close. Her percentage has fallen steadily since Hiplos left. It is encouraging." Charles Vallow was killed on July 11th of 2019. Since he left, Tammy's levels were dropping. Chad then tells Lori, Tammy is at a three. Chad tells Lori on July 30th of 2019, "this afternoon, Tammy said she felt lightheaded as if her body and spirit weren't connected". Interestingly enough, coroner Dye made a similar note in a report that Chad told her something along the lines of Tammy not feeling connected to her body. Chad said that back in July.

On October 5th, Chad messages Lori, "big news about Tammy. The short version is she has been switched. Tammy is in limbo and a level three demonic entity named Viola is in her body." Tammy's now a zombie essentially, or she has a dark entity in her. Again,

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someone's dark, someone's a zombie. The body has to die and Chad can tell and controls the death percentages. Chad goes on to tell Lori, "I have now checked three times since I got home, get more affirmative answers each time." Chad then tells her, "not fully sure of the timing for removal, but once her actions verify the differences, *I don't want to wait.*" Someone's dark, the body has to die. Chad doesn't want to wait.

On October 9th of 2019, you all heard about an attempted muting of Tammy Daybell. Earlier in the day, a device associated with Alex Cox traveled down to Sportsman's Warehouse and you heard how Alex purchased several items. They were all dark in color, a face mask, a knit beanie, Frog Togg pants, and mittens. And you heard the gloves were a flip mitt. You could pull them back to do things that you needed your fingers for, such as shooting a gun. You heard how later on the 9th after going to Sportsman's, that device drove up by the Daybell residence, didn't stop, but was in the vicinity, and then left back to Rexburg.

What you also heard was that Alex Cox had purchased a burner phone on October 8th of 2019, just the day before. That device was activated on October 9th of 2019. Chad Daybell also had a new burner phone that he'd activated on October 8th of 2019. And you heard talk of the 401 number. That particular phone was only in contact with Lori Vallow and Alex Cox. You heard how around October 9th and in the days after, there were multiple searches conducted on the Homer J. Maximus account. Homer J. Maximus was Alex's account. He had searched "drop from 100 yards to 300 yards", "6.5 Grendel", "how to prep your AR for the cold", "how to help load your AR in the cold", "how to shoot through a Dodge Dakota", "how to shoot through a windshield." You heard that the Daybells owned a Dodge Dakota, and you heard mixed testimony on who drove the car the most. But what was unrefuted is that at a minimum, Tammy did drive that car at times, at a minimum.

On October 9th of 2019, there were multiple messages exchanged between Alex, Chad, Zulema, and Lori. The attempted shooting occurred at around 9:15 PM and then four text messages were exchanged between Alex and Chad during 10:28 and 10:29. Remember, Alex's normal phone, or his usual device, was left at his apartment, but he had just activated a burner phone. You heard from Zulema that on this same day and around the same time, Lori invited her over to Melani Pawlowski's house in Arizona to conduct a casting on Tammy. And Zulema had told her, "we finally have it figured out, we really know how to do this." And you heard from the ladies that what they were taught is if a casting was successful, the body would die or it would naturally expire. They weren't

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taught that anyone was going to take any action on the body. They were just taught that it would naturally happen. Zulema talked about how that night, Lori got a phone call. And she said she had never seen Lori so mad. And when Lori got off the phone, she made a comment along the lines of, "that idiot can't do anything right" or "can't do anything by himself."

And when we talk about the timeline on October 9th, you can see there were multiple communications between Chad and Lori and Alex and Chad. The other thing that you notice on here is this incident is reported at 9:41, originally by Joe Murray. And you heard from Joe Murray. He's Tammy's son-in-law. You see that the Fremont County Sheriff's Office was dispatched at 9:45 PM. And then at 9:49, Tammy made a call into the non-emergency line in Fremont County. 9:52 is when the Fremont County deputy arrives on scene. And why does that matter? Tammy had done a search – or someone using Tammy's account – had done a search for first, an airsoft gun and second, a paintball gun. But when you look at the time of the search, 3:29, if you do the calculations for UTC, it ends up at either close to 8:30 PM or close to 9:30 PM. Attempted shooting happens around 9:15. So around 9:30, Tammy is conducting those searches. But why does that matter? Deputy Cannon's not on scene. Deputy Cannon doesn't get to the scene until 9:52. He can't be there when Tammy's looking at anything. He can't be there to know who did the Google searches. And Deputy Cannon talked to you about the fact that he was looking for casings. Why was he looking for casings? Because he didn't know. He thought it could be a rifle. Nobody knew if this was a paintball gun or a rifle.

What else we know from Deputy Cannon's report is towards the bottom, when he talked to Joe Murray, Joe Murray told him he was cutting wood on his property when he heard Tamara scream. Joe Murray heard his mother-in-law scream. He called 911. Later, Tammy called dispatch. We know Tammy sent an email to her son, Mark, and we reviewed that email several times. We know Tammy called into dispatch and we reviewed that call several times. Tammy at times refers to it as a paintball gun. But remember how she describes it. "He was holding it like it was a rifle." "He was pointing it at me." "He was pulling the trigger." "He was shooting at me." This wasn't someone just pointing a gun. This wasn't a prank. The person was pulling the trigger. She says it was dark. She describes the person dressed all in black. And she describes the person wearing a face mask. Remember, Alex Cox had purchased a face mask earlier that day at Sportsman's Warehouse. Alex Cox had purchased black or dark clothing earlier that day at Sportsman's Warehouse. Alex Cox had a 6.5 Grendel. Alex Cox was searching about shooting a 6.5 Grendel in the dark or in the cold. Why? You heard from Detective

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Kaaiakamanu that it was 26 degrees on October 9th of 2019. You heard in Tammy's own words, he stood there pulling the trigger, shooting. The gun didn't go off or the gun misfired. Or the gun misfired. Alex is searching about how to shoot an AR in the cold. You heard from both Investigator Edwards and Detective Kaaiakamanu about their training with paintball guns and their training with ARs. You heard from them how the scope on an AR could be mistaken for a hopper on a paintball gun. You further heard when it's dark, it's even harder to tell. You further heard that if the gun is pointed at you, it's going to be that much harder to tell. You also heard that Tammy wasn't familiar with guns. Her own kids, Emma and Garth, told you. They've never seen Tammy with a paintball gun. They've never seen Tammy with an assault rifle. But what do you know? Tammy was scared. Tammy sent a Facebook message warning people. In her email to Mark, Tammy said, "The scared part came later when I realized what could have happened. I didn't want to go out the next night alone after dark." Tammy had no idea someone wanted her dead. But she was still scared by that incident.

And we talked about how Alex had done some additional searches – or that account had – about how to shoot with the AR. And you heard how Alex was going to the shooting range in Fremont County from Detective Kaaiakamanu. And that was before and after this attempted shooting of Tammy. And you heard from Agent Wright how he was going to the shooting range in Rexburg. And he was practicing to shoot long distances. And you heard from Investigator Edwards. He talks to you about how he looked at that gun. He looked at that Grendel 6.5 and it had a pin that was loose. And he explained to you about how if that pin had come loose, that could cause the gun to misfire. Alex didn't know why the gun misfired. That's why he was looking at shooting an AR in the cold.

We do not know of any other attempted shootings of Tammy Daybell. Instead, what we know is that on October 19th of 2019, just before 6 AM., Chad Daybell and Garth Daybell made a call to 911 to report Tammy's death. Remember how Garth described her. "She's stiff and cold." Remember what Chad said. "She's clearly dead."

The state plays a small portion of the 911 call reporting Tammy Daybell's death:

CHAD DAYBELL: Yeah, she's not even - She's frozen.

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LINDSAY BLAKE:

A little over 24 hours from reporting his wife's death, Chad messages Lori. "I know exactly how you feel. I'm feeling sad, but it isn't for the reason everyone thinks." His wife had been reported dead a little over 24 hours before he sent that to Lori. You heard the description of Tammy. Stiff and cold, clearly dead. And yet, Garth and Chad say they put her back on the bed. Garth says he hears a thud and his dad calls for him. However, Garth and Chad were consistent. Tammy didn't fall out of bed. Where's the thud? They both describe the top part of Tammy falling out of the bed and her legs being tangled in the sheets. And you heard from the corner that when she arrived on scene there was this rag in the bedroom and she took the rag and she wiped the foam or the sputum that was coming out of Tammy's mouth. But what you also heard from her was it was a rag Chad had already been using. Tammy's clearly dead, the body's been moved, the foam's been wiped.

And if we back up to October 18th of 2019, we know Lori was in Hawaii. She was in Hawaii with Melani Pawlowski. You heard how Alex took her down to Las Vegas to drop Lori off at the airport shortly before that. But what's more telling than who was in Hawaii is who wasn't. Melani Pawlowski told you Alex Cox was supposed to go with them on that trip. Alex didn't go because Chad needed help with something. Tammy was possessed, her death percentage was low. Alex believed Chad 100%. And you heard from several witnesses, Detective Kaaiakamanu, Investigator Edwards, and Agent Ballance that a device associated with Alex Cox was at a church just 2.6 miles from the Daybell residence from 10:07 PM to 10:45 PM on October 18th of 2019. Chad needed Alex's help with something. You heard testimony, Alex didn't know anyone else in the area, he knew Chad. Alex didn't know Tammy, but he knew Chad. At 11:53 PM, about a 7, the phone again, there was a data point, about a 7-minute drive from the church.

Garth would have gotten home between 1 and 1:30 from his employment. You heard Garth tell you that when he got home, he saw two lumps in his parents' bed, assumed it was them, he didn't go check on them, he didn't verify anything to see if they were okay. However, you heard from Mackay Abeggelen that what Garth told him, it was when Garth got home from work, he found his mom dead in her bed and his dad was nowhere to be found. And you heard from Deputy Greenhalgh, and you heard from Deputy Coroner Wilmore, and Coroner Brenda Dye, and you heard them talk about what Chad told them when they were on scene, and the statements changed over time. The statements changed as new people came in. Coroner Dye mentioned something about seizures, all

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of a sudden, oh yeah, Tammy was having seizure-like activity. Nothing in Tammy's medical records support low blood pressure, nothing in her medical records support seizures, nothing in her medical records supports any kind of a negative drug interaction between homeopathic medications or any other medications Tammy was on. Those were statements provided by Chad Daybell.

Initially, based on the information provided solely by Chad, no autopsy was ordered. However, just weeks later, the Fremont County Sheriff's Office was contacted by the Gilbert Police Department about that attempted shooting of Brandon Boudreaux. They'd linked the Jeep that was used in that to the Fremont County area, and more specifically, they wanted them to check if it was at Chad Daybell's property. Shortly after that, an investigation was launched by Fremont County into Tammy Daybell's death. This included exhuming her body. Her body was exhumed so the Utah Medical Examiner's Office could perform a full autopsy and conduct an investigation into the cause and manner of death, and they in fact did that, and we'll come back to that in a little bit.

After Tammy's death, you heard how Chad told multiple people that he couldn't stay at the house anymore. He was gonna move in with a friend. This was right after Tammy's passing. You also heard how Tammy died on October 19th of 2019, or that's when she was pronounced dead. That was a Saturday. Funeral was held in Springville, Utah on Tuesday, one working day to get everything ready. You heard Todd Gilbert say how it felt like Chad just wanted to get it over with. And you also heard from Samantha Gwilliam that she had concerns because Chad indicated he didn't want his name on the headstone. Tammy was gonna be buried alone in Springville, Utah. You also heard Patti Later talk about she went to the funeral and Chad's talk was disturbing to her. It was disturbing to her because he talked about Tammy's depression and how she was hard to live with. Patti thought that was a little off-putting. Alice Gilbert also thought it was odd, but she thought it was odd that Chad spoke. In her experience, usually it's too difficult for a spouse to give a talk at the funeral. Steve Schultz, who was a mortician from Utah, indicated he thought the timing of the funeral and the fact that there was no autopsy and that Chad didn't want an autopsy was a red flag. So much so that he said, he asked Jason Gwilliam, Chad's brother-in-law, "do you think he killed Tammy?"

When we talk about the timeline of October 18th to the 19th, you can see the communication. Texts between Chad and Lori, Lori and Alex, Chad and Alex, Alex and Lori, and it goes on. They're in constant communication that day between the 18th and the 19th over that time span. Tammy Daybell had an autopsy conducted by the Office of

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the Utah Medical Examiners. They determined the manner of death to be homicide and the cause to be asphyxiation. Tammy had life insurance and we talked about a couple different policies. One was Primerica. It was a policy that had been in existence since 2002. Both Chad and Tammy were insured and they were both each other's beneficiaries. However, Tammy also had insurance through her employment, through the Ballard Insurance, or we also called it Life Map. She had a base of \$50,000 and on September 8th, just a little over a month before her passing, she raised her individual amount to the maximum of \$80,000. So that policy was now a total of \$130,000. Chad submitted claim forms to Primerica and to Life Map. On both claim forms, he indicated the cause of death was that she died in her sleep. Chad then received and deposited \$300,000 from Primerica on October 31st of 2019 and then deposited \$130,000 from Life Map on November 8th of 2019. Again, on both claimant statements, he put the cause of death was she died in her sleep and maybe more telling on Life Map because Chad told people that Tammy was having medical issues. She was having trouble breathing. She was having shaking fits, dizzy spells. He provided information to try to explain her death. However, on the Life Map claim form, under the question, when did the health of the deceased first become impaired? He wrote October 18th of 2019. When Tammy upped that Life Map insurance, Chad signed off on it too. Chad knew she had increased that life insurance.

You heard how just days after Tammy's death, Chad went and visited with Alice and Todd Gilbert and he told them about Lori. And shortly after, he brought Lori to meet with them. And Lori and Chad talked about their plans for a future, their plans to be together. What else was telling about that visit? They asked about kids. Chad's response to Alice? "Lori had a daughter that died." Tylee hadn't been found yet. They went to dinner with Chad's parents and you heard from Sheila Daybell, Lori told her, "I have a daughter that died."

We know on May 6th and 7th, Chad and Lori Googled searches for malachite rings. This was during a time that Tammy and Charles were still alive. On August 14th, Lori attempted to purchase a malachite ring. Again on August 25th of 2019, she again attempted to purchase a ring. Charles was dead. Tammy was alive. On October 2nd, Lori purchased two malachite rings. Then she also purchased one more. The other ring was a men's size 11 and a half. And what's telling is that ring was returned on October 4th for a size 11. Then on October 25th, it was returned for a size 10 and that ring wasn't returned. That ring, however, resembled the ring Chad Daybell was wearing in their wedding photos when he and Lori got married on November 5th of 2019, just 17 days after Tammy's death.

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Chad filled out a rental application for Hawaii. What did he put in there? Clean couple with no pets or children. No pets, no children. Chad and Lori had been messaging in July about a movie. Lori ended up telling him, “looks like Kauai a lot”. Chad: “hopefully we will be there someday soon.” Chad's response again, “that is the plan.” That is the plan. What is the plan? To be to Hawaii, to be in Hawaii together, to be in Hawaii unencumbered by earthly obstacles, unencumbered by earthly relatives. Chad and Lori got married on the beach in Kauai on November 5th of 2019. Charles was dead. Tammy was dead. Tylee and JJ hadn't been found. No children. No earthly obstacles. Married together on the beach.

Chad and Lori's bliss didn't last long because Kay Woodcock reported her grandson JJ is missing. And you heard from Detective Hermosillo how in November of 2019 he along with some other officers responded to 765 Pioneer Road. You heard how immediately upon arrival untruths were told. Alex said JJ was with Kay. He said he didn't have a phone number for Lori. Chad said he barely knew Lori and didn't have her phone number. Lori said JJ was with Melanie Gibb and that Chad was her brother's friend. Chad and Lori were married.

The state plays a portion of the body cam footage from

LIEUTENANT BALL: Hi Lori, sorry to bother you again. We're having a little bit of a get hold of your friend down there.

LORI VALLOW: Oh, Mel?

Officer: Melanie.

LORI VALLOW: Well they were going to Frozen 2 today.

Another snippet from body cam footage is played:

LIEUTENANT BALL: This is Detective Stubbs.

DETECTIVE STUBBS: Hello.

LORI VALLOW: Nice to meet you.

LIEUTENANT BALL: So, we're here –

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LORI VALLOW: [laughs] This is a big mess. I just talked to the guy.

LIEUTENANT BALL: And what did he ask you?

LORI VALLOW: He was just saying that you wanted to do a well check on JJ.

LIEUTENANT BALL: So JJ would be where?

LORI VALLOW: He's in Arizona.

LIEUTENANT BALL: Who's he with in Arizona?

LORI VALLOW: He's with one of my friends in Arizona.

LIEUTENANT BALL: Oh, oh, you got a notepad?

OFFICER: No, you want me to get one?

LIEUTENANT BALL: Ah, no, no, come here. Do you mind if he comes in?

LORI VALLOW: No, come on in.

OFFICER: Thank you.

LIEUTENANT BALL: So, who's the friend he's with?

LORI VALLOW: My friend Melanie. Her son has autism. Her name is Melanie Gibb. I gave him all this information on the phone.

LIEUTENANT BALL: Okay so he can call her?

LORI VALLOW: Yeah. What is all this?

DETECTIVE STUBBS: Well, that's why we're concerned because it just was kind of weird.

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LORI VALLOW: It is very weird. I've had to move around a lot. One of my brothers is trying to kill me. Not the brother that lives here, obviously. He's kind of my protector. [laughs] Everyone is causing me trouble right now. So.

LIEUTENANT BALL: No, we don't want to cause you a lot of trouble. How long have you been here?

LORI VALLOW: We've only been here since September. We moved up here in September. My daughter is going to go to BYU-I.

LIEUTENANT BALL: We had two detectives over here trying to –

DETECTIVE STUBBS: – looking for you a little while ago.

LORI VALLOW: Oh, because I was at the store.

LIEUTENANT BALL: And they ran into, well probably one of your brothers.

LORI VALLOW: My brother and his friend probably.

LIEUTENANT BALL: Who's that?

LORI VALLOW: Chad.

LIEUTENANT BALL: Chad from around here?

LORI VALLOW: Mmhm.

LIEUTENANT BALL: What's his last name? Daybell? Okay.

LINDSAY BLAKE:

On that same day, Chad called Melanie Gibb and he told her, the police are going to call. Don't answer. Melanie talked about how Chad sounded scared. She asked Chad, "JJ's not with Kay?" Chad's response: "no." Chad knew JJ wasn't with Kay. Later, Lori did reach out to Melanie and she asked Melanie to lie to the police and say JJ was with her, that

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she'd taken him to the movie Frozen. She even went so far as to ask Melanie to snap a photo of some kids to try to pass it off as JJ. You heard from Melanie Gibb. She trusted Chad. She trusted Lori. They had told her law enforcement was dark. She initially told police JJ had been with her. Pretty quickly after, she corrected her statement with law enforcement and told them she never had JJ. He'd never been with her. She didn't know where he was.

On December 8th of 2019, Melanie Gibb decided to place a phone call to Chad and Lori.

The state plays a portion of the call Melanie Gibb recorded:

MELANIE GIBB: I did have a question that I asked Al at one point, your brother, if I wanted to know, you know, like where he was. And he said I did not want to know and that he could not be found. So what does that mean?

LORI VALLOW: I don't know why he would say that, but it's the same story. Like, I didn't even want Al to know. I don't want anybody to know so that nobody has to be worried about it. I mean, nobody has to be questioned about it so he can be safe.

LINDSAY BLAKE:

Chad knew JJ wasn't with Kay. Alex said Melanie didn't want to know where he was.

The state plays another portion of the call Melanie Gibb recorded:

MELANIE GIBB: Is JJ safe?

LORI VALLOW: He is safe and happy.

MELANIE GIBB: Okay.

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LINDSAY BLAKE:

Remember how JJ was found? He was found discarded in Chad Daybell's backyard. Lori said "he's safe and he's happy." Chad Daybell is standing there with Lori when she makes those statements. No chime in from Chad, but Chad knew Kay didn't have him.

The state plays a portion of the call Jason Gwilliam recorded in December 2019:

JASON GWILLIAM: So, is there kids that are not involved? Or? What are they talking about? So I have a clue if they show up at my house.

LORI VALLOW: If they show up, you can just give them the attorney's name and say, "we're not talking to you without an attorney."

JASON GWILLIAM: Okay.

LORI VALLOW: It's my sister-in-law. It's just a bunch of people that are starting trouble for no reason.

LINDSAY BLAKE:

You just heard an excerpt of Chad talking to Jason Gwilliams, but before that, on that December 8th call with Melanie Gibb, Chad ends up chiming in and he's trying to explain the Tammy situation. People are out to get us. People are making stuff up. Tammy died naturally. Tammy died in her sleep. Tammy was having health issues. Her heart was about to give out. My kids will testify to that. S

The state plays another portion of the call Jason Gwilliam recorded in December 2019:

JASON GWILLIAM: So, is there kids that are not involved? Or? What are they talking about? So I have a clue if they show up at my house.

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LORI VALLOW: If they show up, you can just give them the attorney's name and say, "we're not talking to you without an attorney."

JASON GWILLIAM: Okay.

LORI VALLOW: It's my sister-in-law. It's just a bunch of people that are starting trouble for no reason.

CHAD DAYBELL: It's separate from the Tammyl situation. [laughs]

LINDSAY BLAKE:

Again, Chad trying to distance and explain the Tammy situation, separate from the kids. But it wasn't separate. Chad determines that people are dark or possessed. Chad rates their death percentage. And we all know what Chad said. Dark people possess people. The body has to die. JJ, Tylee, Tammy, all labeled as dark by Chad Daybell.

The state plays another portion of the call Jason Gwilliam recorded in December 2019:

CHAD DAYBELL: It's a simple situation, but we just can't tell you because then you'd have to be involved. [laughs]

LORI VALLOW: Yeah, exactly.

JASON GWILLIAM: I get it. That's fine. So, at that point, they're talking about bringing down, like, a host of like, FBI people involved and stuff and I'm like, um" –

CHAD DAYBELL: It's just a threat.

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JASON GWILLIAM: – “I don’t want, you know, I don’t need that.” [laughs] It’s Christmas. So, you know, that’s where I’m just going alright. Uh, that’s interesting. So, okay.

LORI VALLOW: Well, you don’t know anything –

CHAD DAYBELL: Yeah [laughs].

LORI VALLOW: – which is great. [laughs]

CHAD DAYBELL: [laughs]

LORI VALLOW: That you don’t know anything.

JASON GWILLIAM: No, I don’t know anything. And so that’s good news at that point in time.

CHAD DAYBELL: I don’t know how they would have done that other than... Heather.

LINDSAY BLAKE:

You heard from both Melanie Gibb and Jason Gwilliam. They recorded these calls. They were both hoping to help locate JJ and Tylee. They still hadn’t been located. You also heard some recorded calls that were recorded by Ian Pawlowski. In those calls, you hear Chad and Lori repeatedly refer to law enforcement as dark. Some of them are even disciples of Cain, they’re so dark. Melani Pawlowski at one point asked what she’s supposed to do about Detective Hermosillo, because he’s not gonna stop. He’s not gonna stop until he finds those kids, and she wants advice from Chad. What does she do? Chad’s response? “Get out of his way.” He doesn’t say, and Lori doesn’t say, “we’ll produce the children. We’ll come and help you.” Chad actually tells her, “well, they are

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going to continue to bug you because you're the only one they can locate right now." She's the only one they knew where she was.

Back in October, Lori had messaged Alex or had messaged Chad *about* Alex. She had some concerns. She ends up telling Chad he would be the one they used to get us both. Who is "they?" Law enforcement. You heard Melanie Gibb's statement in that recording. Alex said, I don't want to know where JJ is. You know who labels people dark. You know what has to happen to the body, and Alex believed Chad 100%.

In November of 2019, Chad gave Alex a patriarchal blessing.

The state plays a portion of the patriarchal blessing Chad gave Alex:

CHAD DAYBELL: – and you progressed, were selected by the Savior himself to be part of the fourth creation.

Great warriors were needed in that creation. Powerful goddesses were needed to be protected, and you were selected to help protect your sister, and you helped her in numerous probations as a defender. You have a special bond even from the premortal world. [sniffles] You connected there, and as she grew in power, you were right there beside her –

LINDSAY BLAKE:

Alex was Lori's protector.

The state plays another portion of the patriarchal blessing Chad gave Alex:

CHAD DAYBELL: I am Chad Daybell. It is November 24th, 2019, Sunday afternoon, 5:15 PM, and we are going to give Alex Lamar Cox a patriarchal blessing.

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LORI VALLOW: Alexander Lamar.

CHAD DAYBELL: Alexander Lamar Cox, on this special day, I lay my hands upon your head to give you a patriarchal blessing as part of a member of the Church of the Firstborn that you have earned the privilege to be a member of.

LINDSAY BLAKE:

Alex is a member of the Church of the Firstborn. You heard testimony about Lori and Chad's mission. Their mission, part of it, to gather the 144,000. Chad was a self-appointed leader or gatherer and the leader of the Church of the Firstborn.

The state plays another portion of the patriarchal blessing Chad gave Alex:

CHAD DAYBELL: You have already assisted us in ways that can never be repaid, and you [voice wavering] will continue to do so as you move forward in this life.

LINDSAY BLAKE:

Alex had already done things for them that could never be repaid.

The state plays another portion of the patriarchal blessing Chad gave Alex:

CHAD DAYBELL: I just want you to know that at this time of Savior saying unto me, well done, [sniffle, crying sounds] my soul is cleansed. All is well. And now you'll begin into your terrestrial phase of this existence, and you'll be a powerful servant. I bless you with that knowledge that you will now move forward as a true warrior in ways that can be demonstrated through not only physical action, but through spiritual power that is coming to you and will be bestowed upon you.

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LINDSAY BLAKE:

Alex had been cleaned. Whatever acts he'd done, he'd been absolved of them now, according to Chad. On December 11th of 2019, Tammy Daybell's body was exhumed. Chad and Lori had a conversation with Alex that day. And Zulema talked to Alex after that. She said Alex seemed worried when he got off the phone. She questioned him. Alex ended up telling her he was worried he was going to be their fall guy. When pushed further, Alex said, "I am either a man of God or I am not." Alex believed Chad 100%. Melanie Gibb had asked Lori at one point if she believed what Chad told her. Lori had responded that she did, but that if he was a satan, he sure was a good one.

On December 12th of 2019, Alex Cox ended up dying the day after Tammy's body was exhumed. An autopsy was conducted on Tammy's body and you heard from both Dr. Erik Christensen and Dr. Lily Marsden. They both unequivocally testified the manner of death was a homicide, the cause asphyxiation. And you heard them talk about the different manners of death. And you heard Dr. Christensen just yesterday talk about no sign the asphyxiation was a suicide. No sign the asphyxiation was natural. No sign the asphyxiation was accidental. That left homicide. Death by the hands of another. They talked about the bruises on Tammy. They talked about the fact those could be consistent with being restrained. They talked about the exhaustive toxicology tests that were done to try to ensure they had the correct cause of death. They talked about considering all the other natural possibilities: seizures, cardiac arrhythmia. And they talked about how they went through that process to reach their final conclusion. They talked about, they followed their normal protocol. They gathered evidence. They gathered information. And you heard Dr. Christensen talk about that. Normally you give a medical history. With his patients, they can't. They have to rely on collateral sources and collateral information. They gather the medical records and they gather reports and statements surrounding that person's death. So they ensure they reach the correct conclusion. Again, both of them were consistent in their findings. Homicide by asphyxiation.

You further heard from multiple of Tammy's coworkers and friends that she didn't have any known health issues. Tammy was very active by all accounts. She participated in fitness classes. She participated in clogging. She never missed work. She was reliable and a hard worker. The only reported health concerns to law enforcement came from Chad Daybell. You heard several officers talk about that. Agents, investigators. Chad's kids didn't want to talk to law enforcement. They didn't want to provide information. The

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information came from Chad. Chad told people different things regarding Tammy's death. Heather Daybell, Jason Gwilliam, the coroner. Tammy was sick, coughing, found her at 6 AM. dead. Also to Heather Daybell, no autopsy because the coroner had found matter in her throat. There was no testimony of that. She died of an embolism, also told to Heather Daybell. Chad said Tammy woke up at midnight throwing up and died at 2 AM.

Consistent that it's an embolism, different time of death to Alice Gilbert. Tammy was sick, coughing, went to bed around 10. Chad went at 1 and found her cold and dead on the floor to Hannah Munoz. Again, remember, Hannah went through the funeral line or the viewing line twice, once with each parent. Second time, Chad said she'd been coughing violently. Both went to bed at 10. He woke up at midnight and her body fell out of bed.

While Tammy's autopsy was being conducted, while the kids were still missing, while Alex passed away, Chad and Lori remained in Hawaii, on the island of Kauai, living out the plan, the plan as set forth by Chad Daybell. They had money, power, sex, and no obstacles, and specifically, no earthly relatives, no encumbrances. However, they left a wake of destruction and tears for those that had trusted them.

Chad and Lori consistently told those around them it was all a misunderstanding. To Jason Gwilliams: "it's a simple situation. The kids were safe and it would all be cleared up in time." However, neither Chad or Lori ever came forward to provide any information on the whereabouts of the kids. On June 9th and 10th of 2020, you heard multiple officers, investigators, detectives talk to you about the search of Chad Daybell's property. Agent Daniels described in detail how the search was conducted and you heard multiple officers talk about the scene, the smell, the process, and the callousness of the way the children were discarded. You heard how the officers present at Tylee's scene were on their hands and knees, sifting through the dirt with their hands, small tools, in an attempt to locate Tylee's bones and her other remains. Tylee had been discarded in a pet cemetery with some of her remains in the fire pit as well. The investigators collected the bones, tissue, organs, and what has been described as a burnt mass. That's what was left behind of this young lady. Tylee had a whole life ahead of herself.

You heard how JJ was buried by the pond and you heard how once the soil was removed, there were rocks. Once the rocks were removed, there were boards. And once those boards were removed, you heard how they found JJ. JJ was seven years old. We heard multiple testimony, multiple talk of Lori asking Chad about a plan, of Lori asking Chad for confirmation of the plan. And one of those things that we heard was a call that took place on June 8th of 2020. I think in the slide it was dated as 2019. That call took

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place on June 8th of 2020, the day before Tylee and JJ were found. Lori wanted confirmation of the plan.

The judge is going to give you jury instructions and we talked clear back in jury selection about those jury instructions, but I just want to remind you when we're talking about a conspiracy, a conspiracy is an agreement between two or more persons to commit a crime. Only one of those persons has to commit one overt act. So one act in furtherance of the conspiracy. And you're going to be given jury instructions and they'll have the overt acts listed out. And looking at the overt acts, endorsed and espoused religious belief for the purpose of encouraging and or justifying murder? You heard testimony from multiple witnesses, Lieutenant Hermosillo, Melanie Gibb, Zulema Pastenes, Ian Pawlowski, David Warwick, Alice and Todd Gilbert. There were Temple records, iCloud records, Verizon records. You heard from Detective Kunsaitis and Forensic Accountant Mike Douglas, as well as Mark Saari with the Social Security Administration, that Lori changed Tylee's money to go to her on August 16th of 2019.

You heard that Lori, Tylee, JJ and Alex moved from Chandler to Rexburg. You heard about that through multiple investigators, multiple witnesses. You heard how Chad Daybell Googled south southwest wind and visited a website. Detective Stubbs talked about that. Analyst Heidemann talked about that. You heard from Agent Ballance and Agent Wright, as well as Patrick Eller, how Alex went to apartment 175 in those early morning hours of September 9th. You heard again from Detective Kunsaitis, Forensic Accountant Douglas, Mark Sari, and Agent Hart, that Lori did not report to the Social Security Administration. She continued to collect that money. There's evidence of that in the iCloud accounts and bank records. Similarly, same type of evidence to support, she continued to wrongfully collect those Social Security benefits.

On or about September 23rd, Alex took possession of JJ. Lori tells Warwick and Gibb, JJ's with Alex, refuses to let David Warwick see him on the 23rd and the night before David and Melanie had seen him with Alex. We heard multiple clips from that November 26th interview with Lori Vallow, where she provided false information. JJ wasn't with Gibb. She was married to Chad. She didn't provide truthful information.

September 23rd to February 1st. Again, similar to Tylee and the Social Security, Lori failed to report that. You heard about that through those financial timelines that were presented and that testimony. September 9th. Similarly, she continued to wrongfully collect that money. She didn't report it. She continued to collect it. Again, that Chad and Lori

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espoused religious beliefs in an attempt to justify their actions. You heard multiple witnesses talk about that.

On September 1st, again, we've already talked about that. Multiple witnesses, multiple evidence showing they moved to Idaho. And again, remember those text messages designating Tylee, JJ and Tammy as dark happened before that move. Text messages with Chad and Lori regarding death percentages. We just discussed those today. You heard about them through Agent Hart through those iCloud records. Chad Daybell obtained a burner phone. We heard about him obtaining multiple phones, multiple phone numbers. We talked about Alex Cox obtaining a burner phone on October 9th. Text messages between Chad, Lori and Lori about Tammy being possessed. Again, we talked about those today. They came in through Investigator Edwards and Agent Hart.

September 8th, Chad signed that application to increase Tammy's life insurance. His signature is on that policy. Emma Daybell talked to you about that. Alex Cox attempted to shoot Tammy on October 9th. Talked about that. You heard from multiple witnesses about the firearm, about what was reported. Deputy Cannon, Detective Kaaikamanu, Investigator Edwards, Agent Wright, Agent Ballance. Alex Cox conducted multiple internet searches. So we talked about that. The Homer J. Maximus account, the searches about how to shoot the AR in the cold and different things regarding a Grendel 6.5 as well as shooting through a Dodge Dakota. Alex being at the gun ranges. We talked about that again today. Detective Kaaikamanu, Investigator Edwards, Agent Wright. I'll talk to you about that. Alex traveling to Sportsman's Warehouse on October 9th. Agent Ballance, Agent Wright, Investigator Edwards, Detective Kaaikamanu. I'll talk to you about that location data and the recovery of the items purchased or the identification of the items purchased, I should say. Alex being at the church parking lot approximately 2.5 miles from the Daybell residence on October 18th, 2019. You heard about that information from Agent Ballance, Agent Wright, Detective Kaaikamanu, and Investigator Edwards.

One other instruction that's going to be talked about and the court already has is principal to commit first degree murder. When we're talking about principal, it can include aiding and abetting, so advising or assisting, encouraging, commanding, coercing another. Chad didn't ever have to actually physically cause the death of another person if you believe the state has met our burden with one of those other elements. If Chad advised or assisted, encouraged, commanded, coerced. And if it was premeditated, so planned or intended.

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Tammy Daybell was a 49 year old mother of five, a new grandmother. Chad labeled her as dark or possessed. Her death percentage was low. We know what happens to the body. Tammy had to die.

Tylee Ryan, a 16 year old young lady with her life ahead of her. Labeled as dark or possessed by Chad Daybell. Death percentage low. We know what has to happen. Tylee has to die.

JJ Vallow, a seven year old little boy with most of his childhood and his whole life ahead of him. Labeled as dark or possessed by Chad Daybell. Death percentage low. JJ has to die. All three victims: gone too soon.