COUNTY COURT OF SUFFOLK COUNTY
STATE OF NEW YORK

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THE PEOPLE OF THE STATE OF NEW YORK,

- against -

REX A. HEUERMANN,

Defendant.

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C.P.L. §530.40
BAIL APPLICATION

Indictment No. _____-23

(Ambro, J.)

Defendant Rex A. Heuermann stands before this court charged by the Grand Jury with:

- MURDER IN THE FIRST DEGREE, in violation of New York State Penal Law Section 125.27(1)(a)(xi), a class A-I violent felony for the death of Melissa Barthelemy on or about July 10, 2009;
- MURDER IN THE FIRST DEGREE, in violation of New York State Penal Law Section 125.27(1)(a)(xi), a class A-I violent felony for the death of Megan Waterman on or about June 6, 2010;
- MURDER IN THE FIRST DEGREE, in violation of New York State Penal Law Section 125.27(1)(a)(xi), a class A-I violent felony for the death of Amber Costello on or about September 2, 2010;
- MURDER IN THE SECOND DEGREE, in violation of New York State Penal Law Section 125.25(1), a class A-I violent felony for the death of Melissa Barthelemy on or about July 10, 2009;
- MURDER IN THE SECOND DEGREE, in violation of New York State Penal Law Section 125.25(1), a class A-I violent felony for the death of Megan Waterman on or about June 6, 2010; and

- MURDER IN THE SECOND DEGREE, in violation of New York State Penal Law Section 125.25(1), a class A-I violent felony for the death of Amber Costello on or about September 2, 2010.

As described below, based on the serious, heinous nature of these serial murders, the planning and forethought that went into these crimes, the strength of the People's case, the length of incarceration the defendant faces upon conviction, the extended period of time that this Defendant was able to avoid apprehension, his recent searches for sadistic materials, child pornography, images of the victims and their relatives, counter-surveillance conducted online as to the criminal investigation, his use of fictitious names, burner email and cellphone accounts, and his access to and history of possessing firearms, the only means to ensure Defendant Rex A. Heuermann's return to court is to remand him without bail.

Discovery of the Victims

On December 11, 2010, Police Officer John Malia was conducting a training exercise with his K9 partner, Blue, along Ocean Parkway in Gilgo Beach, Suffolk County, New York. During the course of the training exercise, Blue located a set of human remains. The remains were later identified to be those of Melissa Barthelemy. Two days later, on December 13, 2010, the SCPD continued to search in proximity to where the remains of Melissa Barthelemy were recovered. On that date, members of the SCPD found three additional sets of human remains within one-quarter mile of the first discovery (see image below). These three additional sets of remains were

identified as those of Maureen Brainard-Barnes,[1] Megan Waterman, and Amber Costello. The cause of death of all four women was determined to be homicidal violence.

The investigations into these deaths were linked as, in addition to other factors, the victims each appeared to have been placed in close proximity to one another, 22 to 33 feet from the edge of the parkway, all were petite females approximately 22 to 27 years old, believed to be working as sex workers, all had missing clothing and personal possessions, all had been killed by homicide, all had contact shortly before their disappearances with a person using a "burner" cellphone (i.e., cellphones without an associated verified identity), and the cellphones of two of the four victims,

[1] Although the defendant is not yet charged with any crimes as to the disappearance and murder of Ms. Brainard-Barnes, as set forth below, Defendant Rex A. Heuermann is the prime suspect in her death and the investigation, which is continuing and is expected to be resolved soon. Moreover, there is substantial evidence of Defendant Heuermann's involvement in the disappearance and death of Ms. Brainard-Barnes, which evidence closely fits the *modus operandi* of the Defendant in relation to the deaths of the other three women and which supports the current charges. As such, this bail application contains descriptions of that evidence which demonstrates the strength of the People's case as currently charged.

Brainard-Barnes and Barthelemy, were used by the killer after their deaths. In addition, each of the four victims were found similarly positioned, bound in a similar fashion by either belts or tape, with three of the victims found wrapped in a burlap-type material.

Recent Investigation

In January 2022, the Suffolk County District Attorney's Office assigned an experienced team of investigators, analysts, and prosecutors to work jointly with law enforcement partners from the Suffolk County Police Department, New York State Police, Suffolk County Sheriff's Office and Federal Bureau of Investigation ("FBI"). A comprehensive review of every item of evidence and information in this investigation was undertaken by the team. On March 14, 2022, approximately two months into the renewed joint investigation, this comprehensive review led to the discovery of a first-generation Chevrolet Avalanche that was registered to Defendant Rex A. Heuermann at the time of these murders. As described below, this was significant, because a witness to the disappearance of Amber Costello identified a first-generation Chevrolet Avalanche as the vehicle believed to have been driven by her killer.

This discovery led to a comprehensive investigation of Defendant Heuermann which consisted of over 300 subpoenas, search warrants and other legal processes to obtain evidence. As discussed more fully below, among the items uncovered were cellphone billing records for Defendant Heuermann corresponding to cell site locations for 1) the burner cellphones used to arrange meetings with three of the four victims, 2) the taunting calls made to a relative of Ms. Barthelemy, 3) a call made by a detective to Ms. Barthelemy's cellphone while looking into her disappearance and 4) calls checking voicemail on Ms. Brainard-Barnes' cellphone after her disappearance. In addition, Heuermann lived in Massapequa Park where the victims were believed to have disappeared from, and he worked in Midtown Manhattan, in the vicinity where the taunting

calls were made to the sister of Ms. Barthelemy. As set forth more fully below, Defendant Rex A. Heuermann is believed to be the person who used the burner cellphones to communicate with each of the four victims prior to their disappearance and who used Ms. Brainard-Barnes' cellphone and Ms. Barthelemy's cellphone after their deaths. Both Defendant Heuermann and these burner cellphones had significant connections to both Midtown Manhattan and Massapequa Park, New York.

The Disappearance and Murder of Maureen Brainard-Barnes

Maureen Brainard-Barnes was last seen on July 9, 2007, in New York City. At that time, she was believed to be working as a sex worker. On July 6, 2007, Ms. Brainard-Barnes' cellphone was contacted by a burner cellphone. Between July 6, 2007 and July 9, 2007, there were sixteen interactions between this burner phone and Brainard-Barnes' cellphone. On July 9, 2007, the last cell site location for the Brainard-Barnes cellphone was at approximately 11:56 p.m. in Midtown Manhattan near the 59th Street Bridge. Thereafter, the Brainard-Barnes cellphone had no further activity until July 12, 2007. On July 12, 2007, three days after her disappearance, two outbound calls were made from Brainard-Barnes cellphone, checking her voicemail from a cell site location near the Long Island Expressway in Islandia.

The Disappearance and Murder of Melissa Barthelemy

Melissa Barthelemy was last seen on July 10, 2009, in New York City. At that time, she was believed to be working as a sex worker. On July 3, 2009, Ms. Barthelemy was contacted by a burner cellphone. Thereafter, the Barthelemy Cellphone was contacted by this burner cellphone on July 6, July 9, and July 10, 2009, which was the last day she was seen alive. On July 10, 2009, cell site records indicate the burner cellphone traveled from Massapequa Park to Midtown Manhattan. Later that evening, the Barthelemy Cellphone traveled from Midtown Manhattan to

Massapequa with the last cell site location being in Massapequa on July 11, 2009, at approximately 1:43 a.m. On July 11, 2009, Ms. Barthelemy's cellphone was used to make an outbound call checking her voicemail from a cell site location in Freeport. On July 11 and July 12, 2009, the Barthelemy Phone made two more outbound calls checking her voicemail from cell site locations in Babylon. On July 17, July 23, August 5, August 19, and August 26, 2009, the Barthelemy Phone made taunting phone calls to Ms. Barthelemy's family members, some of which resulted in a conversation between the caller, who was a male, and a relative of Melissa Barthelemy, in which the male caller admitted killing and sexually assaulting Ms. Barthelemy. As described below, the cell site locations of the Barthelemy Phone during these taunting calls were all in Midtown Manhattan.

The Disappearance and Murder of Megan Waterman

Megan Waterman was last seen alive at the Holiday Inn in Hauppauge, New York, on June 6, 2010, at approximately 1:30 a.m. At that time, she was believed to be working as a sex worker. On June 5, 2010, Ms. Waterman's cellphone was contacted by another burner cellphone, which had just been activated that day. Thereafter, the Waterman Phone communicated with this burner cellphone on June 6, 2010, at approximately 1:31 a.m., which is around the time Megan Waterman was captured on video surveillance exiting the Holiday Inn in Hauppauge for the last time. Following that communication, the burner cellphone had no further phone activity. However, cell site records show that the Waterman Phone traveled to Massapequa Park with the last cell site location being in Massapequa Park at approximately 3:11 a.m. in the vicinity of the residence of Defendant Heuermann.

The Disappearance and Murder of Amber Costello

Amber Costello was last seen alive on September 2, 2010, leaving her residence at 1112 America Avenue in West Babylon during the late evening hours. At that time, she was believed to be working as a sex worker. On September 1, 2010, the day prior to the disappearance of Amber Costello, Ms. Costello's cellphone was contacted by a burner cellphone. On September 1, 2010, this burner cellphone had communications with the Costello Phone at approximately 11:33 p.m. and 11:34 p.m. During those communications, the burner cellphone connected to cell site towers in West Amityville and Massapequa Park. Thereafter, the burner cellphone traveled to West Babylon, in proximity to the residence of Amber Costello, and had contact with the Costello Phone at approximately 12:05 a.m. on September 2, 2010.

According to witnesses, around the time of these communications between the burner cellphone and the Costello Phone on September 1-2, 2010, a prostitution client showed up at Ms. Costello's residence located in West Babylon, New York. After the client entered the home, a ruse was executed on the client whereby a person pretended to be the outraged boyfriend of Amber Costello and the client left from the residence, while Amber Costello retained the money the client had brought to pay for her services. Based upon interviews, that client was described as a large, white male, approximately 6'4' to 6'6" in height, in his mid-forties, with "dark bushy hair," and "big oval style 1970's type eyeglasses."[2] A witness described him to police as appearing like an "ogre." Furthermore, a witness noticed a first-generation Chevrolet Avalanche parked in the driveway of the residence. According to the witness, following the ruse, this client said he was "just her friend," "tell her I'll give her a call," and walked out the front door. Thereafter, at

[2] This mirrors the physical attributes of Defendant Rex A. Heuermann who is a large, white male, approximately 6'4" in height, in excess of 240 pounds in weight, with dark bushy hair, who wears large eyeglasses and who was 46 years old when Amber Costello went missing.

approximately 1:18 a.m., on September 2, after the ruse had been perpetrated, the burner cellphone sent a text message to the Costello Phone, which stated, "That was not nice so do i [sic] credit for next time." Phone records show that the burner phone was located in Massapequa Park, within two minutes of this text message being sent.

According to a witness, later the next day on September 2, 2010, Ms. Costello was again contacted by the same client that was in the house the night before with the Avalanche. Further, "Amber told us that he wanted to see her again, but he didn't want to come back to the house because of her boyfriend."

Thereafter on September 2, 2010, at approximately 9:32 p.m., the same burner cellphone from the previous evening again communicated with the Costello Phone. During this communication, the burner cellphone used a cell site location in Midtown Manhattan. Following this communication and based upon the cell site records, the burner cellphone traveled to Massapequa Park and had contacts with the Costello Phone at approximately 10:39 p.m. and 11:05 p.m. Cell site records for the burner phone indicate that at approximately 11:17 p.m., the phone traveled to West Babylon in proximity to the residence of Amber Costello. Subsequently, Amber Costello left her own cellphone behind, walked out the front door of the residence, and was seen alive for the last time. Shortly after Ms. Costello left the house, a witness observed a dark-colored truck pass the house, specifically coming from the direction Amber had walked towards.

Records Establish that Defendant Heuermann's Wife Was Out of New York for the Disappearances of Barthelemy, Waterman and Costello

Significantly, travel records show that on July 8, 2009, Defendant Heuermann's wife departed the United States for Iceland. On August 18, 2009, Defendant Heuermann's wife returned to the United States. Consequently, Defendant Heuermann's wife was out of the country during the time of Melissa Barthelemy's disappearance.

Based upon cellular telephone billing records, on June 4, 2010, the cellular telephone subscribed to by Defendant Heuermann's wife traveled from New York to Maryland. On June 8, 2010, the cellular telephone subscribed to by Defendant Heuermann's wife returned to New York from Maryland. Consequently, based upon cellular telephone records, the cellular telephone subscribed to by Defendant Heuermann's wife was out of New York State during the time of Megan Waterman's disappearance.

Based upon cellular telephone billing records, on August 28, 2010, the cellular telephone subscribed to by Defendant Heuermann's wife traveled from New York to New Jersey. On September 5, 2010, the cellular telephone subscribed to by his wife returned to New York from New Jersey. Consequently, the cellular telephone subscribed to by Defendant Heuermann's wife was out of New York State during the time of Amber Costello's disappearance.[3]

Cellular Billing Records for the Cellphone of Rex A. Heuermann

During the times of the disappearances and murders of the victims, Defendant Heuermann owned an architectural business located in Midtown Manhattan and this business was the named subscriber of Heuermann's cellphone, which was active during the times of the victims' disappearances and subscribed to Heuermann's home address in Massapequa Park. Although cell site records from that time period no longer existed, investigators obtained cellular billing records which showed general location information for Heuermann's cellphone. A review of these records, as well as Heuermann's American Express records, showed numerous instances where Heuermann was located in the same general locations as the burner cellphones used to contact victims Barthelemy,

[3] Neither cellular telephone billing records, nor travel/financial records, could be obtained for Defendant Heuermann's wife for 2007, as such records were no longer available due to retention policies. Therefore, it is undetermined at this time Defendant Heuermann's wife was traveling out-of-state during the time of Maureen Brainard-Barnes' disappearance and murder.

Waterman, and Costello,[4] as well as the use of Brainard-Barnes and Barthelemy's cellphones when they were used to check voicemail and make taunting phone calls after the women disappeared. Significantly, investigators could find no instance where Heuermann was in a separate location from these other cellphones when such a communication event occurred.

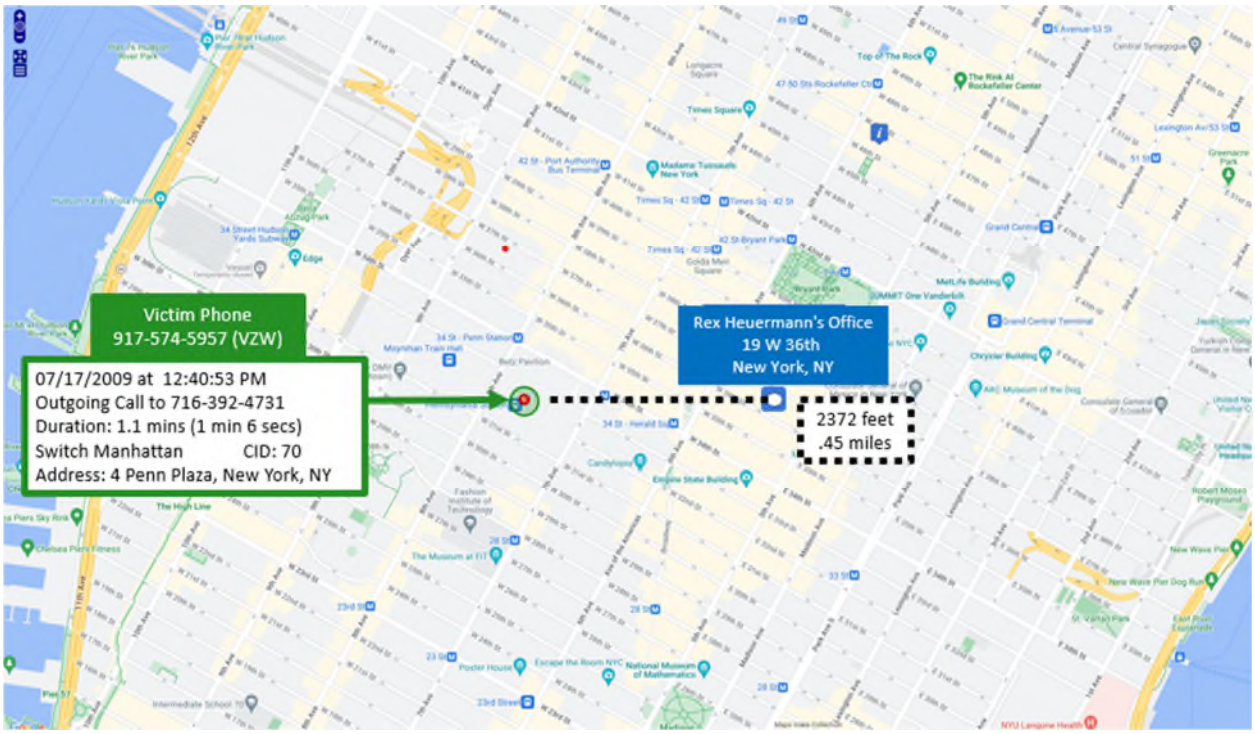
For example, on July 10, 2009, the last day Melissa Barthelemy was seen alive, both the burner phone and Defendant Heuermann's phone were in the area of Massapequa and traveled together toward New York City. Thereafter, both Ms. Barthelemy's phone and Heuermann's phone traveled eastbound toward Massapequa.

On July 14, 2009, at approximately 7:15 p.m., cell site records indicate the burner phone used to contact Ms. Barthelemy prior to her disappearance had activity in Manhattan. On this same date, between approximately 6:58 p.m. and 7:22 p.m., billing records from Heuermann's cellphone also showed call locations in New York City.

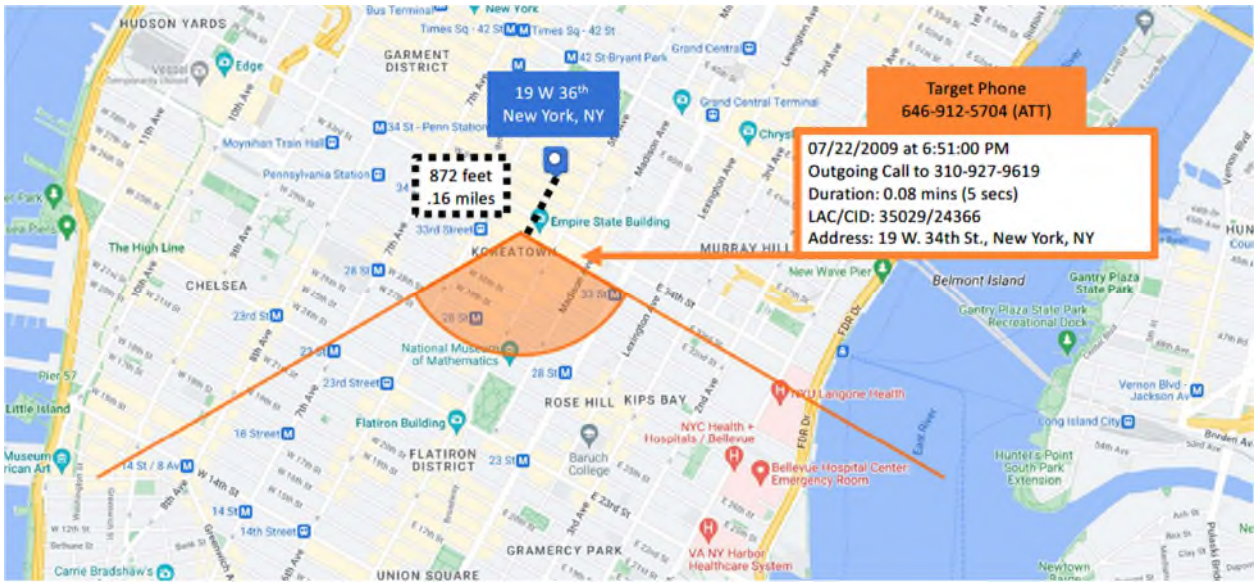
Following Ms. Barthelemy's disappearance, on July 17, 2009, at approximately 12:40 p.m., a male caller used the Barthelemy Phone to contact Ms. Barthelemy's family. The Barthelemy Phone was located in New York City at this time, specifically attached to a cellular tower located at 4 Penn Plaza, which is approximately 2,372 feet or .45 miles from Heuermann's then-office space, which

[4] Unfortunately, cell site records for the burner cellphone used to contact Ms. Brainard-Barnes were not obtained at the time of her disappearance and no longer exist.

at the time was located at 19 West 36th Street, New York, NY (see illustration below). On this same date, at approximately 1:45 pm., billing records from Heuermann's phone also show a call location in New York City.



On July 22, 2009, at 6:51 p.m., cell site records indicate the burner cellphone had activity in New York City, specifically attached to a cellular tower located at 19 West 34th Street, which is approximately 872 feet or .16 miles from Defendant Heuermann's then-office space, which at the time was located at 19 West 36th Street, New York, NY (see illustration below). On this same date, at approximately 5:12 p.m., billing records from Heuermann's cellphone listed a call located in New York City.



On July 23, 2009, at approximately 1:39 p.m., cell site records indicate that the burner cellphone had activity in New York City, specifically attached to a cellular tower located at 19 West 34th Street, which is approximately 872 feet or .16 miles from Heuermann's then-office space (see illustration below). On that same date, at approximately 12:48 p.m., billing records from Heuermann's cellphone listed a call located in New York, NY.

On July 23, 2009, at approximately 6:42 p.m., a male caller used the Barthelemy Phone to contact her family. The Barthelemy Phone was located in New York City at this time, specifically attached to a cellular tower located at 275 West 39th Street, which is approximately 872 feet or .16 miles from Heuermann's then-office space. On July 23, 2009, between approximately 8:29 p.m. and 9:30 p.m., the burner cellphone had activity in New York City. Later on this same date, at approximately 11:05 p.m., billing records from Heuermann's cellphone listed a call located in Jamaica, Queens.

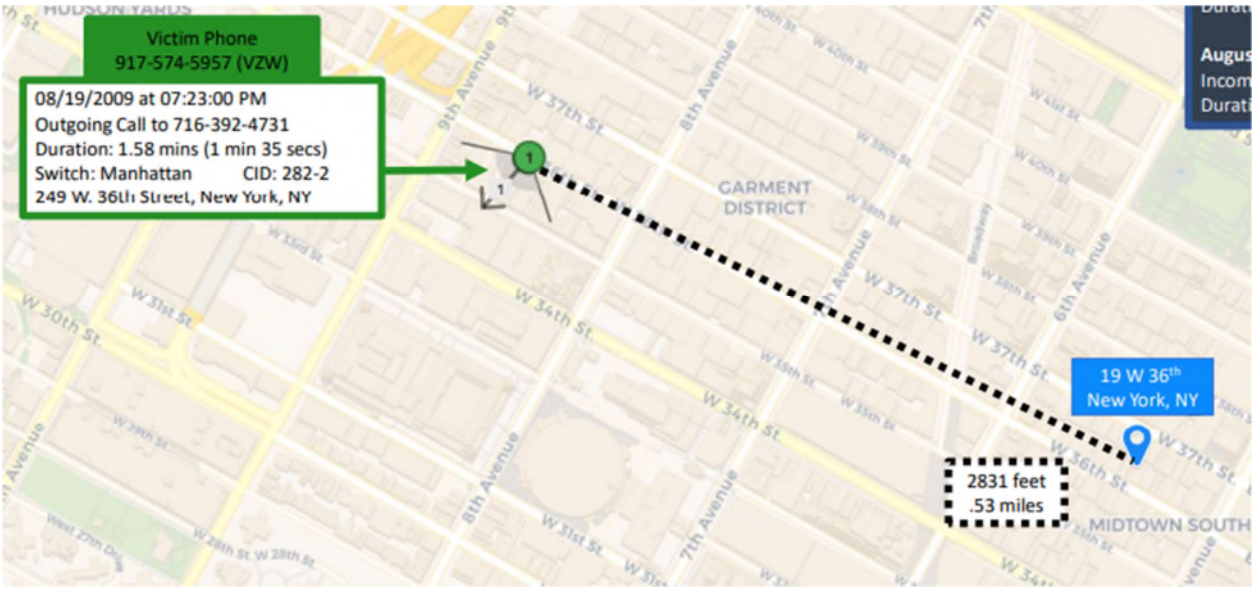
On August 5, 2009, between approximately 6:50 p.m. and 7:11 p.m., a male caller used the Barthelemy Phone to contact Ms. Barthelemy's family. During said time period, the Barthelemy Phone utilized the following cellular phone towers in New York City, which are 2230 to 3280 feet from Heuermann's then office-space (see illustration below). On this same date, during a similar timeframe, between approximately 6:46 p.m. and 7:05 p.m., Heuermann's cellphone listed billing locations in New York City.

917-574-5957 (VZW)

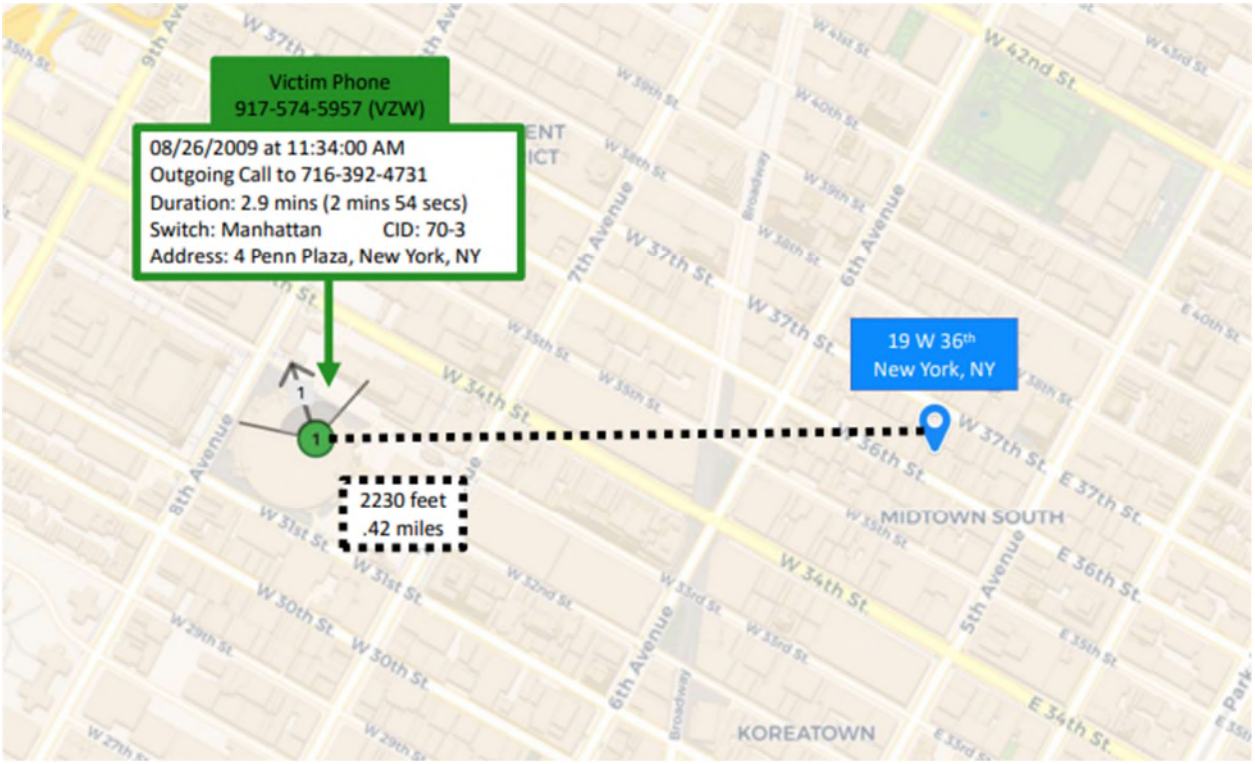
Date	Time	Called	Calling	Out/In	Duration	Address	CID
8/5/09	18:50	917-574-5957	Unknown	In	29sec	275 W 39 St., New York, NY	CID 52-2
8/5/09	18:50	917-574-5957	Unknown	In	9 sec	275 W 39 St., New York, NY	CID 52-2
8/5/09	19:00	716-392-4731	917-574-5957	Out	35 sec	249 W 36 St., New York, NY	CID 282-2
8/5/09	19:03	917-574-5957	716-392-4731	In	7 sec	275 W 39 St., New York, NY	CID 52-2
8/5/09	19:04	917-574-5957	716-392-4731	In	31 sec	408 W 34 St., New York, NY	CID 151-1
8/5/09	19:07	917-574-5957	716-912-4896	In	32 sec	4 Penn Plaza, New York NY	CID 70-3
8/5/09	19:11	917-574-5957	239-1811	In	16 sec	4 Penn Plaza, New York NY	CID 70-3

On August 10, 2009, based upon subpoenaed travel documents, Heuermann departed for Iceland and all phone activity for the Barthelemy Phone stopped. On August 18, 2009, Heuermann returned from Iceland and phone activity for the Barthelemy Phone resumed the next day.

On August 19, 2009, at approximately 7:23 p.m., a male caller used the Barthelemy Phone to contact Ms. Barthelemy's family. Cell site records indicate that the Barthelemy Phone was located in New York City at this time, specifically attached to a cellular tower located at 249 West 36th Street, which is approximately 2,831 feet or .53 miles from Heuermann's then-office space (see illustration below). On this same date, before and after the call to Barthelemy's family, at approximately 7:16 p.m. and 7:28 p.m., billing records from Heuermann's cellphone list calls located in New York City.



On August 26, 2009, between approximately 11:29 a.m. and 11:34 a.m., a male caller used the Barthelemy Phone to contact Ms. Barthelemy's family. According to cell site records, the Barthelemy Phone was located in New York City at this time, specifically attached to the cellular tower located at 4 Penn Plaza, which is approximately 2,230 feet or .42 miles from Heuermann's then-office space (see illustration below). On this same date, at approximately 11:38 a.m., billing records for Heuermann's cellphone list a call location in New York City.



Additional Burner Phones and Online Account Activity Linked to Defendant Heuerman

As described herein, over the course of the comprehensive investigation of Defendant Heuermann, investigators located a number of online accounts and burner cellphones linked to Defendant Heuermann, but which were held by him in fictitious names and used for illicit activities.

American Express records obtained via subpoena revealed recurring "Google Pay" payments made by Defendant Heuermann to "Tinder," an online dating and geosocial networking application used to find "dates" or "hookups" within a user's immediate vicinity.

Records were then obtained from Tinder, which revealed that the Tinder Profile was set up in the name "Andy" (Heuermann's middle name is Andrew), with links to a burner cellphone 347-885-1697, subscribed in the fictitious name of "Andrew Roberts," using an email account, Springfieldman9@aol.com. The Springfieldman9@aol.com account was established with AOL on January 15, 2011, in the fictitious name "John Springfield" with an Astoria, Queens, New York zip code, using another burner cellphone, 347-304-2671, which records show has no named subscriber.

Records obtained from Verizon showed that Defendant Heuermann's cellphone was used on December 11, 2022, for a period of over three hours to access the fictitious Springfieldman9 AOL Account. Similarly, records obtained from T-Mobile show that burner cellphone 347-304-2671 was used on multiple dates including November 8, 2022, to access this account.

A review of call records for these two additional burner cellphones revealed that both cellphones were used extensively between 2021 and 2023 for prostitution-related contacts (either with sex workers or massage parlors). In addition, cell site warrants for these burner cellphones revealed that just like the burner cellphones Defendant Heuermann used to contact the victims prior to their disappearances, these additional burner cellphones had frequent cell site activity in

Midtown Manhattan and Massapequa Park. Specifically, the records revealed that both these burner cellphones consistently had activity on the cellular towers that provided coverage to Defendant Heuermann's residence in Massapequa Park and his business in New York City.

Legal process served on Google seeking records or accounts associated with the device identifiers of these additional burner cellphones revealed a connection to yet another "burner" or "junk" email account, namely thawk080672@gmail.com (hereinafter the "Thawk Email Account"). Google records further indicated that the Thawk Email Account was subscribed in the fictitious name "Thomas Hawk." A search warrant revealed that the Thawk Email Account, associated with burner cellphone 347-304-2671, was used to conduct thousands of searches related to sex workers, sadistic, torture-related pornography and child pornography, including:

1. mistress long island
2. mature escorts Manhattan
3. girl begging for rape porn
4. teen girl begging for rape porn
5. pretty girl with bruised face porn
6. torture redhead porn
7. 10 year old school girl
8. henta[i] plump pussy lips cut off porn
9. skinny red head tied up porn
10. short fat girl tied up po[r]n
11. tied up and raped porn
12. Asian twink tied up porn
13. tied slave forcefed cock
14. cum shot and crying porn
15. girl hog tied torture porn
16. 10 year old blonde hair girl
17. Chubby 10 year old girl
18. Black girl 10 years old
19. Girl with face beat up
20. Chubby 10 year old girl crying
21. 13 year old school girl
22. Age 12 child girl with blonde hair and blue eyes
23. Blonde hair girl young depressed
24. Teen girl oiled bodies
25. Preteen girl with makeup
26. Nude slave girls

27. Old Janitors gangbang little school girl
28. Crying girl painful anal
29. School girl
30. Crying teen porn

The Thawk Email Account was also used to conduct in excess of two-hundred (200) searches, between March 2022 and June 2023, related to active and known serial killers, the specific disappearances and murders of Maureen Brainard-Barnes, Melissa Barthelemy, Megan Waterman, and Amber Costello, and the investigation into their murders. These searches or articles accessed include, but are not limited to:

1. "why could law enforcement not trace the calls made by the long island serial killer"
2. "why hasn't the long island serial killer been caught"
3. "Long Island killer"
4. "Long Island Serial Killer Phone Call"
5. "Long Island Serial Killer update"
6. "Long Island Serial Killer Update 2022"
7. "FBI active serial killers"
8. "Serial Killers by State 2023"
9. "Map of all known serial killers"
10. "unsolved serial killer cases"
11. "America's 5 most notorious old cases"
12. "11 Currently Active Serial Killers"
13. "8 Terrifying Active Serial Killers (We Can't Find)"
14. "John Bitroff"
15. "Megan Waterman"
16. "Melissa Barthelemy"
17. "Maureen Brainard-Barnes"
18. "[Redacted – name of relative of Melissa] Barthelemy"
19. "[Redacted – name of relative of Megan] Waterman"
20. "Cops launch Gilgo Beach Homicide Investigation Task Force"
21. "Mapping the Long Island Murder Victims"
22. "Inside the Long Island Serial Killer and Gilgo Beach"
23. "The Gilgo Beach Killer | Criminal Minds"
24. "In Long Island serial killer investigation, new phone technology may be key to break in case"

The Thawk Email Account was also used to search for a number of podcasts and/or documentaries regarding this investigation, as well as repeatedly viewing hundreds of images depicting the murdered victims and members of their immediate families.

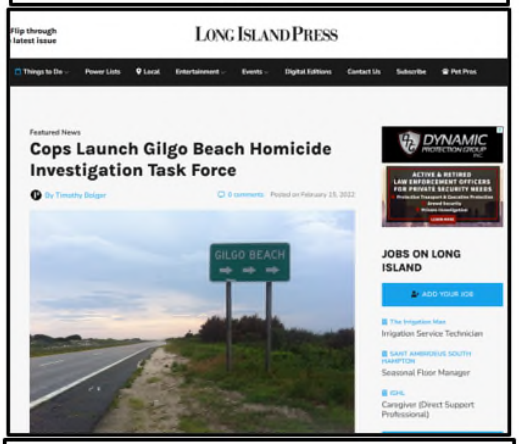
Significantly, Defendant Heuermann also searched for and viewed articles concerning the very Task Force that was investigating him:

March 28, 2022 - 9:19 AM – 9:25 AM → Searched "long island serial killer" (4x)

9:20 AM

https://www.google.com/url?q=https://www.oxygen.com/crime-news/new-task-force-aims-to-solve-long-island-serial-killer-case%3Famp&usg=AOvVaw3fo7ePpFYhqMpkYS4XxyTg

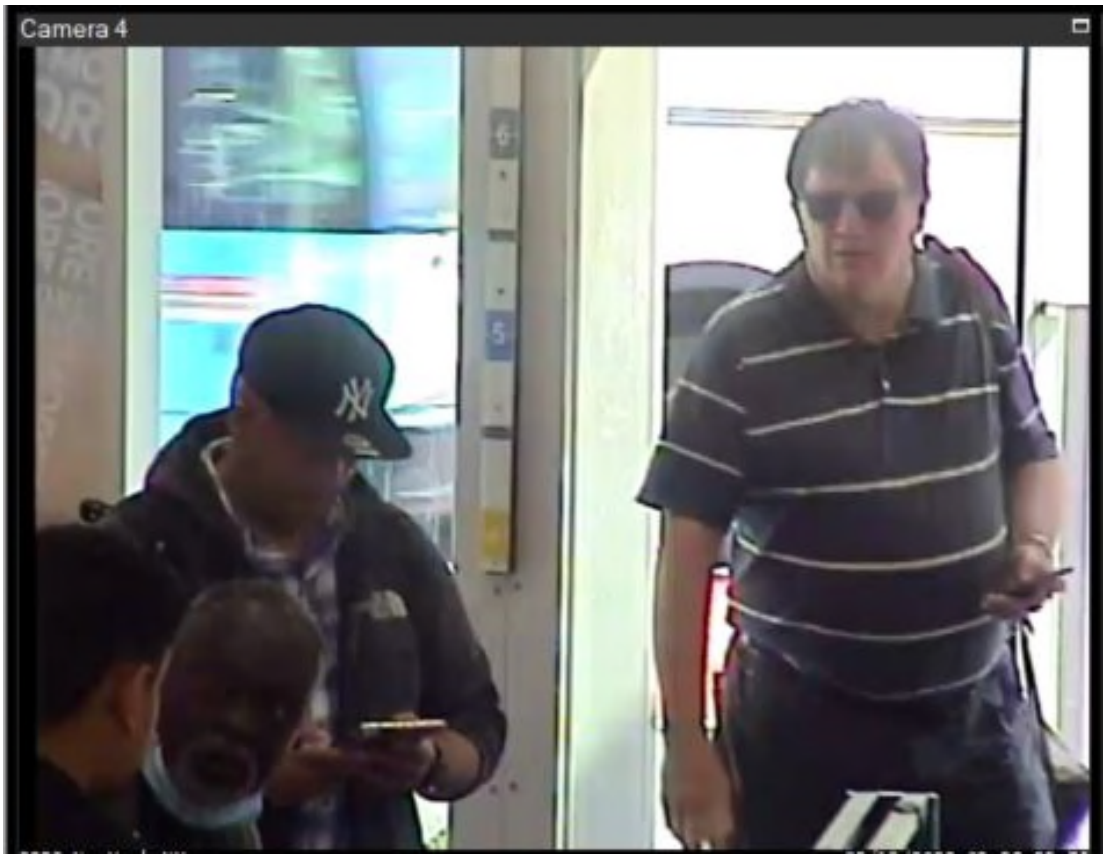
9:24 AM

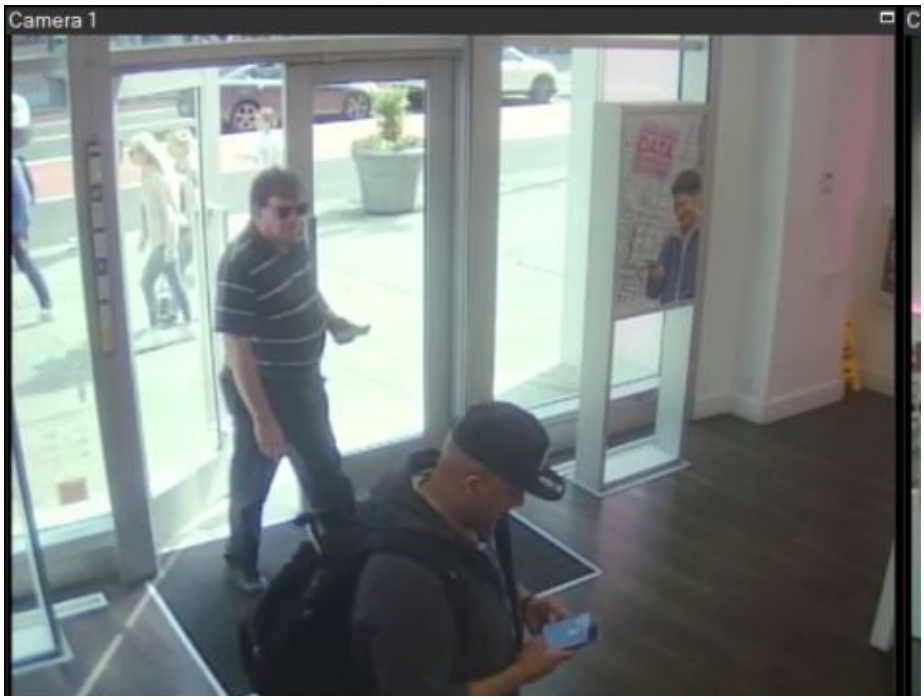


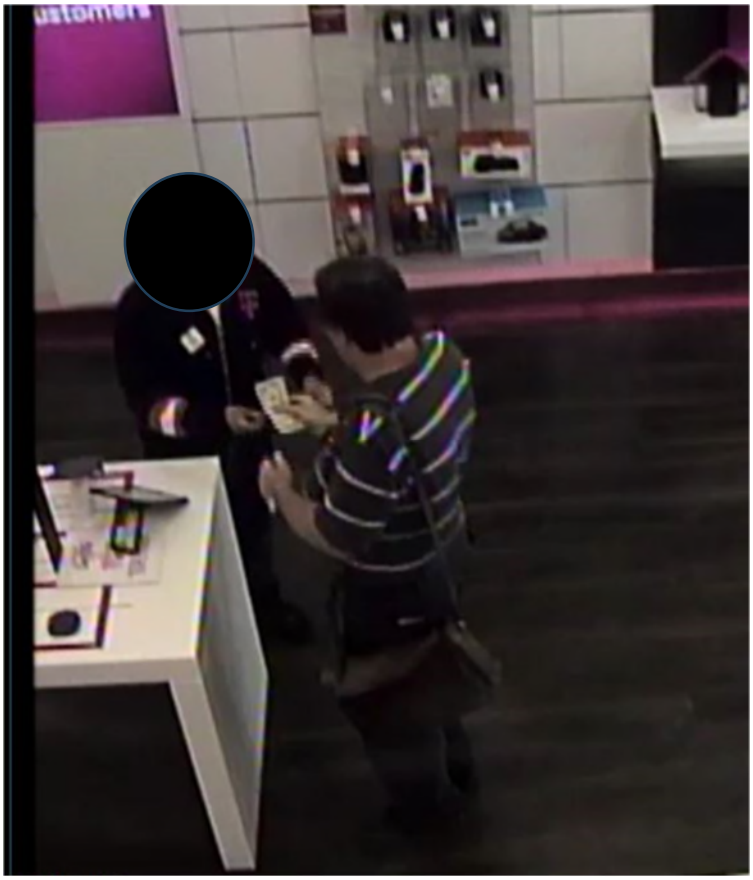
https://www.longislandpress.com/2022/02/15/cops-launch-gilgo-beach-homicide-investigation-task-force/

A search warrant conducted on the fictitious Springfieldman9 AOL Account further revealed “selfie” photographs that appeared to have been taken by Defendant Rex Heuermann of himself (see below) and sent to other persons to solicit and arrange for sexual activity, further linking Heuermann to the fictitious email account and the burner cellphone, 347-304-2671, used to establish the account.

Defendant Rex A. Heuermann was further linked to the burner cellphone 347-304-2671, because on May 19, 2023, Defendant Heuermann was observed by law enforcement via video and field surveillance, at a cellphone store in Midtown Manhattan, and purchased additional minutes which were added to this burner cellphone (see images below).




Camera 1



Analysis of the Springfieldman9 AOL Account also led to the discovery of another email account, Hunter1903a3@gmail.com (hereinafter the "Hunter1903a3 Google Account"), used on February 14, 2021, to send an image of a prostitute from upstate New York between two of Heuermann's secret email accounts. Further investigation revealed that the Hunter1903a3 Google Account was created on February 14, 2021, using burner cellphone 347-885-1697 as the user's phone number and SMS recovery number, and subscribed in the fictitious name "Andy Roberts" (the same fake name linked to the Target Tinder Profile and burner cellphone 347-885-1697, as well as the same alias utilized by Defendant Heuermann in communications with numerous potential sex partners responding to his advertisements for sex) and the fictitious birthday of August 6, 1972 (which corresponds to the digital ending of the burner account Thawk080672@gmail.com). In addition, Google provided IP Address information for the user's acceptance of the Terms of Service, which revealed that the Terms of Service were accepted on February 14, 2021, from IP address, 24.184.75.31. Significantly, records were obtained from Altice, doing business as "Optimum," which is an internet services provider, indicating that the IP Address at Defendant Heuermann's home address was also 24.184.75.31.

Moreover, based upon SCPD records for the official website Gilgonews.com, a website maintained by the SCPD to disperse news pertaining to this investigation, Defendant Heuermann's home IP Address was used on May 23, 2020, and July 3, 2020, to access the official news concerning this investigation. Records obtained from JetBlue also show that the same IP address was also utilized to book flights for Defendant Heuermann and his wife in 2018.

When analyzing the usage of all devices and accounts used by Defendant Heuermann, there appears to be a clear pattern wherein Heuermann used "burner" phones and "burner"/"junk" email addresses to 1) contact sex workers and sex partners, to conduct extensive searches related to sex and

prostitution, violent, sadistic and child pornography and 3) seek online information about the authorities investigating his crimes. These burner cellphones and email accounts with fictitious identities were used in an effort to conceal Heuermann's true identity, conceal his criminal activity, unlawfully proposition sex workers, and attempt to monitor the investigation of his crimes.

DNA Analysis of Hairs Recovered from the Examination of the Victims' Bodies

During the course of this investigation, each of the four victims' bodies were examined by a Forensic Scientist with the Suffolk County Crime Laboratory, which revealed as follows:

Maureen Brainard-Barnes

Ms. Brainard-Barnes had been left restrained by 3 leather belts, one of which was utilized to tie Barnes' feet/ankle/legs together. During the examination of the belts, a female human hair was recovered from the buckle of one of the belts by the Suffolk County Crime Lab (hereinafter "Female Hair on Barnes"). On or about December 18, 2010, the Suffolk County Laboratory this hair and was able to determine that it corresponded to a "Caucasian head hair fragment." Although this hair was not suitable for nuclear DNA profiling at that time, it was subsequently submitted for further DNA analysis (see below).

Megan Waterman

Megan Waterman had been bound by clear or white duct tape. During the course of the examination of Ms. Waterman's body, two female human hairs were recovered, one "from outside the head area" and the other from "the tape of the head area." Both hairs were recovered in the vicinity of Ms. Waterman's head (hereinafter "Two Female Hairs on Waterman"). Examination by the Suffolk County Laboratory indicated that the Two Females Hairs on Waterman exhibited Caucasian/European characteristics, but were unsuitable for further DNA testing at that time. The Two Female Hairs on Waterman were subsequently submitted for further DNA analysis (see below).

Amber Costello

An examination of the body of Ms. Amber Costello revealed that she appeared to have been bound by 3 pieces of clear or white duct tape. During the course of the examination of Ms. Costello's body, a female human hair was recovered, specifically on a piece of tape, inside of the burlap wrapping, in the vicinity of Ms. Costello's head (hereinafter "Female Hair on Costello"). A subsequent examination of the Female Hair on Costello led to the determination that it had Caucasian/European characteristics, however, it was unsuitable for further DNA testing at that time by the Suffolk County Crime Laboratory. The Female Hair on Costello was subsequently submitted for further DNA analysis (see below).

Forensic Laboratory #1

As noted above, the Female Hair on Barnes, Two Female Hairs on Waterman and Female Hair on Costello (collectively, the "Female Hairs Recovered on the Three Victims"), were all sent to an outside forensics laboratory (hereinafter "Forensic Laboratory #1"). Forensic Laboratory #1 applies DNA techniques and direct genome sequencing in difficult-to-solve forensic casework and the identification of human remains.

In or about July 2022, Forensic Laboratory #1 was able to determine that each of the aforementioned Female Hairs Recovered on the Three Victims each belonged to a female individual in mitochondrial haplogroup K1c2 and that this female was not any of the victims.

On or about July 21, 2022, an undercover SCPD Detective recovered eleven (11) bottles from a trash receptacle that had been left out for collection in front of the residence of Defendant Rex A. Heuermann. The Suffolk County Crime Laboratory took swabs of said bottles, which were subsequently sent to Forensic Laboratory #1 for DNA profiling.

Based on these new submissions, on or about February 24, 2023, Forensic Laboratory #1 was able to conclude that one of the DNA profiles generated from the aforementioned bottles taken from Defendant Heuermann's residence indicated a female individual belonging to mitochondrial haplogroup K1c2 (which is the same mitochondrial haplogroup as the Female Hairs Recovered from the Three Victims). This profile was then compared against the previously-tested female hair sample recovered on the remains of Ms. Megan Waterman, which indicated that the two "belong to the same individual or someone closely related." Based upon the investigation and evidence recovered to date, that female is believed to be the wife of Defendant Heuermann.

Forensic Laboratory #2

On or about March 23, 2023, the Suffolk County Crime Laboratory requested Forensic Laboratory #2, a lab specializing in forensic mitochondrial analysis, to conduct additional, independent analysis. On or about June 12, 2023, Forensic Laboratory #2 issued a report concluding that the DNA sample from the female recovered from the bottles outside the residence of Defendant Heuermann (i.e., Heuermann's wife) and the Female Hair on Costello indicated that the "mitochondrial DNA profile(s) are the same at all compared positions common to and between samples," specifically at a rate that would, as per the EMPOP database,[5] exclude 99.98%[6] of the North American population from the Female Hair on Costello.

[5] EMPOP is shorthand for the "European DNA Profile Group (EDNAP) mitochondrial DNA Population Database," which is a web-based collection of human mitochondrial sequence data from various populations worldwide. The North American database includes 12,386 sequences of North American forensic significance.

[6] This statistical analysis incorporates a 95% "confidence level" or margin of error as the North American database does not include every single DNA sequence of North American forensic significance, which would require the "typing" of every individual in the population. *See Exhibit B*, Statistical Reporting for an in-depth explanation regarding "confidence levels."

Forensic Laboratory #2 then compared the profile associated with the DNA sample from Heuermann's wife to one of the two aforementioned female hairs recovered on the remains of Ms. Waterman, which also resulted in the conclusion that the "mitochondrial DNA profile(s) are the same at all compared positions common to and between samples," specifically at a rate that would, as per the EMPOP database, exclude 99.69% of the North American population from the hair recovered on Ms. Waterman.

Based on the foregoing, while 99.98% of the North American population can be excluded from the FEMALE HAIR ON COSTELLO and 99.69% of the North American population are excluded from the FEMALE HAIR ON WATERMAN, it is significant that RH's wife cannot be excluded from either the female hairs recovered on the remains of Megan Waterman and Amber Costello. As previously noted, Defendant Heuermann's wife was out-of-state at the time of Ms. Waterman and Ms. Costello's disappearance and murders. As such, it is likely that the burlap, tape, vehicle(s) or other instrumentalities utilized in furtherance of these murders came from Defendant Heuermann's residence, where his wife also resides, or was transferred from his clothing.

Male Hair Linked to Defendant Heuermann

During the initial examination of Ms. Waterman's skeletal remains and the burlap materials, the Suffolk County Crime Laboratory was also able to recover a male hair from the "bottom of the burlap" used to wrap Ms. Waterman by her killer (hereinafter "MALE HAIR ON WATERMAN"). An initial examination of said hair revealed Caucasian/European characteristics. However, the hair was unsuitable for further DNA analysis at that time by the Suffolk County Crime Laboratory. This hair was subsequently submitted for further DNA analysis and on or about July 31, 2020, Forensic Laboratory #1 was able to generate a DNA profile for the hair recovered on the

bottom of the Waterman burlap. Specifically, Forensic Laboratory #1 determined that this hair belonged to a male in mitochondrial haplogroup V7a.

Following the discovery of the Chevrolet Avalanche, which was registered to defendant Heuermann, and the investigation of cellular billing records and other items, on or about January 26, 2023, a surveillance team observed and recovered a pizza box thrown by Defendant Rex A. Heuermann into a garbage can located in front of 385 5th Avenue in Manhattan (see below).

This pizza box was sent to the Suffolk County Crime Laboratory for analysis, where a swab was taken from the leftover pizza crust. On or about March 23, 2023, the Suffolk County Crime Laboratory sent the swab from the pizza crust abandoned by Defendant Heuermann to Forensic Laboratory #2.

On or about April 28, 2023, a detective hand-delivered from Forensic Laboratory #1 a portion of MALE HAIR ON WATERMAN to Forensic Laboratory #2 for testing.

On or about June 12, 2023, Forensic Laboratory #2 was able to determine as to the MALE HAIR ON WATERMAN and the swab from the pizza crust, that the "mitochondrial DNA profile(s) are the same," specifically at a rate that would, as per the EMPOP database, exclude 99.96% of the North American population from the MALE HAIR ON WATERMAN. Based on the foregoing, while 99.96% of the North American population can be excluded from the MALE HAIR ON

WATERMAN, it is significant that Defendant Heuermann cannot be excluded from the male hair recovered near the "bottom of the burlap" utilized to restrain and transport Megan Waterman's naked and deceased body.

Arrest and Search of Heuermann, His Residence and Other Locations

On or about the evening of July 13, 2023, Defendant Rex A. Heuermann was arrested by Suffolk County Police Officers. Searches of his residence, as well as other locations are currently ongoing. At the time of his arrest, Defendant Heuermann had on his person the burner cellphone 347-304-2671 which was linked to the Thawk Email Account used to conduct the online searches described above.

Penalties

If convicted on the current charges, Defendant Rex A. Heuermann faces multiple sentences of life without parole.

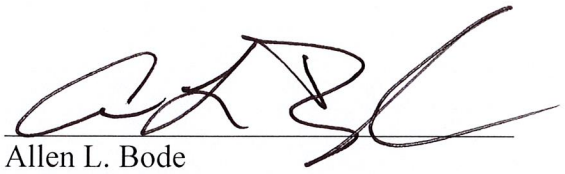
Remand Without Bail is Appropriate

Based on the serious, heinous nature of these offenses, the strength of the People's case, the life incarceration the defendant faces upon conviction, the extreme measures this defendant took to attempt to avoid apprehension for an extended period of time, the recent sadistic and child pornography searches, use of fictitious names, email and cellphone "burner" accounts, online counter-

surveillance and his access to and history of possessing firearms, the People believe that the only means to ensure the defendant's return to court is to remand the defendant without bail.

DATED: July 14, 2023
Suffolk County, New York

RAYMOND A. TIERNEY
DISTRICT ATTORNEY



By: Allen L. Bode
Chief Assistant District Attorney