

Phone:(608)270-4300

Narrative:

INTERVIEW OF STEVEN M. COLLINS

On July 24, 2003 at 10:57 a.m. I made contact with Steven M. Collins, identified on the face sheet of this report. Mr. Collins was incarcerated at the Dane County Jail and had previously requested contact with investigators related to the Lizzette Fountain homicide case. Detective Dave Bongiovani and myself had previously interviewed Collins on separate occasions related to information he claimed to have related to the homicide.

On 07/24/03 after making contact with Collins, I advised him of his Miranda Warnings, as I read the Miranda Warnings to Collins from a Rights Information card I was carrying. Additionally I read the Waiver of Rights section to Collins at which time he stated he understood his Miranda rights and was willing to waive his right to counsel. I advised Collins that I had reviewed his statements to Detective Bongiovani as well as his previous statements to myself, in addition to statements which he had made to City of Madison detectives who were investigating a separate homicide. I advised Collins that I was having difficulty understanding several conflicts in his statements and asked if he would be willing to go over with me the information he had related to the suspect in the Lizzette Fountain homicide. Collins stated that he would provide me with the information again and stated that he had been released from the Dane County Jail on April 7, 2003. Collins states prior to that time he had met with Packy Pollard (Rovar Pollard), who had also been housed in the Dane County Jail. Collins states after getting out of jail he made contact with Pollard, on April 15, 2003. Collins states at the time he met with Pollard, Collins and Pollard were at a park located just off of State Street in the City of Madison. Collins states he does not recall the name of the park other than it is not Peace Park and it has black benches in the park.

Collins states after meeting with Pollard in the park, he and Pollard had been drinking heavily. Collins states he asked Pollard what had happened with the "Little Mick homicide" as Collins had thought the police were looking at Pollard for the homicide. Collins states Pollard became upset and then pulled a handgun out, stating that it was the same gun he had killed Little Mick and Lizzette Fountain with. Collins states this incident was witnessed by a friend of Collins whom Collins knew only by the street name of "Homicide". I asked Collins how he could recall so specifically the date of the contact with Pollard. Collins states he recalls the incident due to the fact that after he had been confronted by Pollard, Collins had went to a bus shelter and had fallen asleep due to his high level of intoxication. Collins states he was subsequently arrested and has been incarcerated at the Dane County Jail since April 15th. Collins states while in the Dane County Jail prior to April 7, 2003 Packy Pollard had gone to court and upon his return made a statement to Collins stating that he now knew who had killed Lizzette Fountain.

At this point I advised Collins that his previous statements to me had indicated the conflict between he and Pollard had occurred on Allied Drive after shooting dice. Collins stated that this was not accurate and that his contact with Pollard, during which Pollard produced the handgun had occurred at a park off of State Street. I advised Collins I had also reviewed Madison Police Department reports in which he had provided differing statements to officers. I advised Collins that I was concerned that he was fabricating statements in an attempt to get some sort of leniency. I advised Collins that it was likely he was going to be called into court to provide testimonial evidence under oath. I advised him that if he lies under oath it was likely he would end up being charged with perjury. I explained that perjury was a very serious crime and that it was important he be 100 percent honest as to what he may have truly

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heard or been told. I advised Collins that at this point he had not committed perjury but he should think twice about doing so and should refrain from providing any false information to anyone.

Collins leaned back in his chair and then stated that he was not some villain against society and that they were trying to put him away for a sexual assault. I advised Collins that whatever cases he had going were separate issues and that he just needed to be honest as to what he had heard or been told and not commit any further crimes such as perjury. At this point Collins stated "alright I'll tell you what happened, my lawyer told me I could get leniency but I had to sign some papers saying McCants didn't do it, but McCants did do it, he told me he did it when he was coming out of visiting our lawyer." Collins went onto say that he only signed papers saying that Pollard had said that Pollard killed Lizzette Fountain because his (Collins) attorney said Collins could get leniency for signing the papers. Collins then stated that a couple days after he had signed the papers Thomas McCants was coming out of visiting his attorney as Collins was going into the visitation area. Collins states McCants mentioned Collins having signed the papers. Collins states he then asked McCants "did you really kill her". Collins states McCants responded by nodding his head affirmatively and stating "yeah". Upon Collins making these unexpected statements, I realized the gravity of them and advised Collins that I wanted to summon another law enforcement officer into the interview as a witness to the conversation taking place. I advised Collins it was important he be 100 percent honest with everybody and that I did not want to be the sole witness to his statements. I subsequently made contact with Dane County Jail Deputy James Franklin who was working in the 7 West area of the jail. Deputy Franklin agreed to come into the interview and witness the statement I was taking from Collins. Upon Deputy Franklin coming into the interview room I advised Collins that I would appreciate him repeating the statements he had just made to me as I wanted to be assured I was accurately noting his statements and doing so in the presence of a witness. Collins repeated the statement he had provided to me, providing the same account of events. I advised Collins that if he was fabricating statements at this time that it was utterly important that he acknowledge the fabrications and that he cease making any false statements. Collins again stated that he was telling the truth and that the only reason he had signed the previous affidavit or papers for his attorney was the belief that he would get leniency for doing so. I asked Collins who his attorney was at which time he stated that his attorney was Joseph Sommers, who is also Thomas McCants' attorney.

JAIL VISITS/COLLINS

I subsequently checked records at the Dane County Jail, related to visits to the jail by Joseph Sommers. This was done in order to credit or discredit the statements provided to me by Collins. And the specific statements that were related to Collins indicating he had visited with Sommers, as Sommers was just exiting an interview with Thomas McCants, and prior to interviewing Collins. The statement again from Collins was that Collins had contact with Thomas McCants as McCants was exiting a visitation with Sommers. Collins reported this type of contact with McCants occurred on two occasions and on the later occasion McCants had made a statement to Collins related to the fact Collins had signed papers related to McCants' case. Collins further stated it was at this time that McCants was asked by Collins "did you really kill the girl". Collins again states that McCants responded by saying "yeah I did".

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In checking the visitor logs at the Dane County Jail, Joseph Sommers did in fact visit with Steven Collins for the first time on May 28, 2003 at 1:47 p.m. Sommers later on that same day visited with Thomas McCants at 8:22 p.m. On June 4, 2003 Sommers visited McCants at 1:31 p.m. and then visited with Collins at 1:38 p.m. On June 18, 2003 Sommers met with McCants at 7:24 p.m. and is logged in as visiting with Collins at 7:24:59. Sommers again visited with Thomas McCants on 06/20/03 at 7:04 p.m. and then visited with Steven Collins on 06/20/03 at 8:04 p.m. On June 27, 2003 Sommers met with Steven Collins at 8:12 p.m. and met with Thomas McCants at 8:20 p.m. On July 2, 2003 Sommers met with McCants at 7:37 p.m. and met with Steven Collins at 8:06 p.m. on the same date. On July 14, 2003 Sommers met with McCants at 2:13 p.m. and then met with Collins at 3:06 p.m.

The check of the Dane County Jail records was consistent with the information provided to me by Steven Collins.

EVIDENCE RECOVERED

Also while speaking with Steven Collins he indicated Joseph Sommers had provided him with a letter, which Collins referred to as an affidavit. Collins stated Sommers told Collins by signing the form that Collins could then get leniency on his charges. Collins states he had a copy of the form in his personal papers at the Dane County Jail. I subsequently met with Collins at the Dane County Jail on 07/24/03 at approximately 4:45 p.m. I asked Collins if he would be willing to provide to me the letters which he was referring to in which he stated he currently had in his property. Collins advised that he would provide the letters to me however stated he would like copies made of them so that he had a copy for his file. Collins further stated that the letters are signed by Joe Sommers, however the copy which Collins had signed was turned over to Mr. Sommers. Collins subsequently handed to me through the food slot in his jail cell a copy of three letters which he stated were handed to him by Attorney Joe Sommers. The first letter is originally dated May 30, 2003 with this date being crossed out and the handwritten date above this indicating 06/04/03. It should be noted this date is consistent with a visit by Sommers to Steven Collins at the Dane County Jail, shortly after Sommers met with Thomas McCants. The second letter is dated June 7, 2003. This letter does not have a notation upon it which the first letter did, that notation being "hand-delivered". It is also noted in the jail records that Mr. Sommers did not meet with Collins on June 7, 2003 at the Dane County Jail. The third letter is dated June 20, 2003. This letter does not have an indication indicating it was hand delivered however there is a log of Joseph Sommers' meeting with Steven Collins at the Dane County Jail, after having met with Thomas McCants on the same date and in close proximity to time. Refer to the attached copies of the letters which are attached to this report. After receiving the letters from Mr. Collins I returned to the Fitchburg Police Department and made copies of the letters and then placed the originals into evidence at the Fitchburg Police Department. Upon completion of these reports being typed I request that the reports be immediately forwarded to the Dane County District Attorney's Office attention to Assistant District Attorney Matt Moeser.

NO FURTHER ACTION TAKEN**Detective Todd Stetzer**

TS:dr 07/25/03

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