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Police lied to get Novak's confession



Shawn Novak

Charged with murdering 2 boys

By Kerry DeRochi
Staff writer

VIRGINIA BEACH — Daniel Geier begged Shawn Novak to let him see the buck knife he carried as he walked through the woods near Birdneck Lake.

The 9-year-old boy repeatedly asked Novak to bring the blade out. Then Daniel grabbed its bone-colored handle.

Novak snapped. "I took the knife and I grabbed him by the back of his shirt, and I dragged him back

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and I stabbed him four times and I slashed him, too," Novak told Detective Shawn W. Hoffman in a videotaped confession.

The statement, made during a two-hour interrogation on March 9, 1991, provided prosecutors with key evidence in Novak's upcoming capital murder trial for the slayings of Geier and his 7-year-old friend, Christopher Scot Weaver.

The question now is whether they

can use it. Novak's attorneys on Monday tried to persuade a judge to throw out the confession, claiming it was illegally obtained.

A 107-page transcript of the interview introduced in Circuit Court on Monday provided the first detailed glimpse of what happened in the thick woods of Birdneck Road on March 4, 1991, and why.

Novak's attorneys accused police of lying to his mother — telling her that her son was not a suspect — so she would permit them to interrogate him on four different

occasions.

Detectives also lied repeatedly to the teenager in the final interview March 9 in an attempt to make him trip up and change his story.

"All the way down the line, they lied to this boy," a defense attorney, Richard G. Brydges, said at the opening of the hearing. "In order to get that confession, they went right into the teeth of the (constitution)."

Judge John K. Moore delayed ruling on Brydges' motion until this morning.

The prosecutor, Robert J. Hum-

phreys, defended the police tactics, saying detectives acted properly both in their approach to Jenny Novak and the interrogation of her son.

"He's an intelligent, young 16-year-old kid. He never asked for a lawyer. He never asked to go home," Humphreys said.

The defense's claim rests on a series of interviews that started March 6, the day after the bodies of the two boys were found.

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That afternoon, detectives called Jenny Novak at work to ask her permission to speak with her three children.

Jenny Novak testified Monday that she refused until the detectives told her that it was part of a routine canvassing of the neighborhood.

She then consented, thinking that she could beat them to her house in Wadsworth Homes if she left work immediately. She arrived to find that they had called from her home.

A detective called her again that night and asked her to bring Shawn in for questioning.

"He was very rude. We argued," Jenny Novak testified. "He insisted we needed to come down there. I wanted to help, but I was frightened for Shawn."

She took her son to headquarters but was not allowed into the interrogation.

The next day, detectives were waiting for Shawn Novak when he got off the school bus. They asked Jenny Novak again to bring him to headquarters that night.

She consented. Again, she was not allowed in.

On March 9, she went to police headquarters for the third time with Shawn.

This time, she insisted on being let into the interview.

"All the time they kept telling us Shawn was not a suspect," Jenny Novak testified. "They kept assuring me I was being overly worried, maybe even paranoid. He wasn't a suspect, they only wanted to clarify some things he had said."

After an hour of questioning, Hoffman broke off the interview and asked to see Shawn Novak alone.

"There is a couple of sensitive areas not dealing with (Daniel Geier and Scot Weaver) but dealing with a few things I want to ask him about," Hoffman told Jenny Novak.

Jenny Novak consented, and went



Geier



Weaver

to sit in the lobby of the detective bureau.

Hoffman resumed the interrogation.

What happens next is the crux of the defense attorney's claims that police illegally manipulated Novak.

Hoffman, according to the transcript, told the teenager that police found his fingerprint on Geier's brown leather bomber jacket. He said a similar print was found on Weaver's sweat shirt.

"Nobody else's was on there except for that one of yours," the transcript quotes Hoffman as saying.

Hoffman also told the teenager that he was seen by a witness walking with the two boys near a lake, just hours before the two were reported missing.

"I'm not playing word games with you, OK?" Hoffman told Novak. "Don't think I am. Don't look at me like I'm trying to trick you or play word games with you. I'm not."

"I'm not trying to trick you, son. You know I'm not."

In court Monday, the detective acknowledged the fingerprints and eyewitness never existed.

He described his statements as "ruses" designed to help police see if Novak was hiding anything.

Novak confessed soon after, according to the transcript.

"Shawn, you can talk to me. Don't be afraid," Hoffman said. "Something happened and you went too far? Is this something that just happened?"

"Yeah," Novak responded.

"You killed them, didn't you?" Hoffman asked.

Novak shook his head, yes.

"You killed Scot and Daniel?" Hoffman asked.

"Yes."