

**EXHIBIT NO. 9**

## FEDERAL BUREAU OF INVESTIGATION

August 20, 1979

Date of transcription

JAMES EARL FRIAR was contacted at the McDowell County Prison Unit, and was advised by SA STEPHEN P. WHITE, III that the FBI was interested in any information in his possession regarding the events which had occurred at the residence of Dr. JEFFREY MAC DONALD on February 16-17, 1970, in Fayetteville, North Carolina. FRIAR was advised that the United States Attorney's Office in Raleigh, North Carolina, had requested that the FBI interview him. FRIAR stated that he would not talk to the FBI until he had consulted with Raleigh Attorney WADE SMITH. SA WHITE then telephonically contacted WADE SMITH in Raleigh, North Carolina, through FBI Agent DONALD M. MURRAY, and Mr. SMITH consented to the interview of FRIAR by the FBI regarding his knowledge of Dr. JEFFREY MAC DONALD.

FRIAR then volunteered the following information:

During the past several years he has undergone psychiatric treatment in various prison units, and had been incarcerated in 1970 at the North Carolina Central Prison in Raleigh, North Carolina. He had been a patient at Cherry Hospital in Goldsboro, North Carolina, where he was released on February 6, 1970. At that time officers from the North Carolina Department of Correction (NCDC) escorted him back to Central Prison (CP) in Raleigh, North Carolina, where he stayed for three or four days. He was then taken to a state prison camp outside Greensboro, North Carolina, where he stayed an additional one or two days. At that time a Guilford County Deputy Sheriff took him to the courthouse in Greensboro, North Carolina, where he appeared before a District Court Judge. This judge nolle prossed pending charges against him, which consisted of several worthless check charges. Since at this time he was in the military service, and had been absent without leave from Walter Reed Army Hospital in Bethesda, Maryland, Primary Military Investigators (PMI) from Fort Bragg, North Carolina, picked him up the next day and took him to Fort Bragg, North Carolina. FRIAR could not furnish an exact date when he arrived at Fort Bragg, but he estimated he arrived there probably around February 13 or 14, 1970. He was not locked up, but was placed in a special barracks which contained mentally as well as physically disabled soldiers.

Investigation on <u>8/17/79</u> at <u>Marion, N.C.</u>	File # <u>CE 70-3668 - 803</u>
by <u>SA STEPHEN P. WHITE, III:eg</u>	<u>8/17/79</u>
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*White*

As he had been unable to do at Walter Reed, FRIAR then was able to leave the Army base whenever he wanted by slipping money to a military policeman (MP) at Fort Bragg, whose name he could not recall. He stated another MP by the name of JOHN (LAST NAME UNKNOWN), who had been shot in the stomach and discharged in 1973 or 1974, could verify FRIAR's bribing of the other MP.

The one military doctor who made a lasting impression on FRIAR was a Dr. RICHARD M. MC DONALD who consulted with FRIAR on many occasions at Walter Reed Army Hospital. Dr. RICHARD MC DONALD is a psychiatrist who was a major in rank when he was at Walter Reed Hospital. Dr. RICHARD MC DONALD then worked at Letterman Army Hospital in Presidio, California, and it is FRIAR's understanding that this doctor is now located overseas. Dr. RICHARD MC DONALD never treated FRIAR while FRIAR was at Fort Bragg, North Carolina.

On February 16, 1970, FRIAR stated that he had consumed quite a bit of alcohol during the day, had bribed the MP and had then taken the last shuttle bus from Fort Bragg into Fayetteville, North Carolina. FRIAR could not recall the exact time when he had left the base, but he thought that the last shuttle bus departed Fort Bragg at 10:30 P.M.

FRIAR stated during this period in his life that he not only drank heavily, but that he was also taking prescribed medical drugs for his mental condition which included Navine and phenobarbital. On February 16, 1970, FRIAR stated he had taken these two drugs in conjunction with his drinking of beer.

Upon his arrival in Fayetteville, North Carolina, he walked to the Green Lantern Bar, an after hours bar, where he had a few drinks. He recalled that this bar was near the Greyhound Bus Station. He then walked to an old hotel located on Hay Street which he estimated to be one half to one mile from the Green Lantern Bar. He stayed in the hotel lobby for approximately 30 minutes to one hour and then walked back to the Green Lantern Bar. He stayed there a short time and then returned on foot to the old hotel. FRIAR could not remember the name of the hotel, but he stated it was located on Hay Street in Fayetteville next to a Sears or Belk's Department Store. He stated that Leo's Restaurant was also nearby, and that a taxicab stand was next to it.

FRIAR stated that several pay telephones are located in the lobby of this hotel. He stated when you enter the front door of the hotel, the pay telephones are to the left. He stated after returning to the hotel for the second time that he went to one of these pay telephones in the hotel in order to call Womack Army Hospital at Fort Bragg, North Carolina. FRIAR stated he could not remember what number he called, but he was interested in contacting Womack Army Hospital and that he did make telephonic contact with the hospital. FRIAR told the individual that answered the telephone that he was a psychiatric patient of Dr. MC DONALD at Walter Reed Hospital in Bethesda, Maryland, that he was AWOL from the Army and he wanted to get in touch with Dr. MC DONALD.

FRIAR stated at this point in time he did not know his doctor's first name, which was RICHARD M., he only knew the physician who had treated him at Walter Reed as Dr. MC DONALD. The individual who answered the telephone at Womack Army Hospital told FRIAR that Dr. MAC DONALD was not on duty. FRIAR then got upset and stated that he needed to get in touch with Dr. MC DONALD and therefore his call was switched to an individual who FRIAR thinks was the officer on duty at Womack. FRIAR then told this individual that he needed Dr. MC DONALD's telephone number, but the second individual refused to give it to him.

FRIAR then hung up, waited a few minutes and then called Womack Army Hospital again. During the second call, he represented himself as being a doctor and stated an emergency existed and that he needed to get in touch with Dr. MC DONALD. Womack Army Hospital then gave him the residence telephone number of Dr. MAC DONALD.

FRIAR then called the operator at the same pay telephone told her that he had just lost 10 cents in the telephone, and requested her to dial the telephone number which Womack Army Hospital had given him. The operator dialed the number and a female answered the telephone. FRIAR asked for Dr. MAC DONALD and the female broke into hysterical laughter. FRIAR asked again to speak to MAC DONALD and this same female continued to laugh. In the background, FRIAR heard other voices which he thought to be male voices. He could not say how many male voices he heard in the background and he could not recall hearing any background conversation. He stated that to his best recollection,

the background noise sounded like noise made by individuals who had either been drinking or using drugs. FRIAR stated he heard no music in the background, no screams, no groans, and no yells. He heard no gunshots. The only words which FRIAR could recall being said were: "Hang up the goddamn phone." He recalled that a male made this comment and that the male was talking to the female who had answered the telephone since she then proceeded to hang up the telephone. FRIAR stated the male's comment was not made in a threatening tone, and that when the female attempted to place the receiver on the body of the telephone, that she either dropped the receiver on the floor or caused the body of the telephone to fall, since he then heard a large noise. He then stated the line went dead, but he could not recall whether or not the deading of the line was caused by the hanging up of the telephone or the receiver of another telephone finally being put down. He stated it was difficult to recall these events since they had occurred nine years ago and since at that time he had been drinking and had been taking drugs.

FRIAR stated the only sound which he could recall, not described above, was a sound which sounded like an object being turned over. He stated there had been a lot of noise in the background while he was talking on the telephone, and the only specific sound he could recall other than the male voices, was the sound of some object falling over.

FRIAR stated that he could not fix a specific time for the telephone calls which he had made to Womack Army Hospital and to Dr. MAC DONALD's residence, but he felt that these calls had been made sometime between 12:30 A.M. and 3 A.M. on February 17, 1970. After making these telephone calls, he stated his primary interest was returning to Fort Bragg prior to 7 A.M. so he would not be missed.

FRIAR did not think anything of these telephone calls until he read about the murders of Dr. JEFFREY MAC DONALD's family in the paper the next day. Subsequent to his learning of the MAC DONALD murders, FRIAR stated that he only then became aware that his doctor's name was RICHARD M. MC DONALD and not JEFFREY MAC DONALD. He stated he had not related the details of his telephone conversations with the MAC DONALD residence until this time inasmuch as he was having serious mental problems and was drinking heavily. He stated that he

had only recently solved his drinking problems, and he felt that he had by now straightened himself out. He stated that he was motivated only by his conscious which caused him to write a letter to the courthouse in Raleigh, North Carolina, in July, 1979, in order to relate the details of the above described telephone conversation which had occurred on February 17, 1970.

FRIAR insisted on being interviewed by only SA STEPHEN P. WHITE, III since he did not want the details of the interview to be made known to the prison officials. FRIAR advised that he had been arrested by the FBI on Mail Fraud charges in South Carolina in June, 1976, and was currently serving a ten year sentence on State Fraud charges in North Carolina. He advised he would be eligible for parole on November 7, 1979. FRIAR described himself as being a "con man and manipulator."

The following description was obtained from observation and interview:

Name:	JAMES EARL FRIAR
Race:	White
Sex:	Male
Date of Birth:	[REDACTED]
Place of Birth:	Florence, South Carolina
Height:	5 feet 11 inches
Weight:	189 pounds
Eyes:	Green
Hair:	Brown
Social Security Account Number:	[REDACTED]