

STATE OF NEW HAMPSHIRE

GRAFTON, ss.

SUPERIOR COURT

Docket No. 05-E-383

Frederick J. Murray.

GCSC '05DEC20AM11:26

v.

Special Investigation Unit of the Division of State Police of the New Hampshire Department of Safety; Grafton County Sheriff's Department; Grafton County Attorney's Office; New Hampshire Attorney General Kelly A. Ayotte; New Hampshire Governor John J. Lynch; Hanover Police Department; Director of the Division of State Police of the New Hampshire Department of Safety; Commander of the State Police Troop F in Twin Mountain; Troop F of the New Hampshire State Police in Twin Mountain; New Hampshire Fish and Game Department Region 2; and Historic Case Unit in Major Crimes of the Division of State Police of the New Hampshire Department of Safety

BILL IN EQUITY

Now comes the Petitioner, Frederick J. Murray, ("Petitioner" or "Murray") by and through his counsel, Gallant & Ervin, LLC, and respectfully submits this Bill in Equity for Injunctive Relief. In support of this petition, the Petitioner states as follows:

I. Parties

1. The Petitioner, Frederick J. Murray is an individual residing at 22 Walker Street, Weymouth, Norfolk County, Massachusetts.
2. The Respondent, the Special Investigation Unit of the Division of State Police of New Hampshire is a division of a state agency located at 10 Hazen Avenue, Concord, Merrimack County, New Hampshire.
3. The Respondent, the Grafton County Sheriff's Department is a state agency located at 3785 Dartmouth College Highway, North Haverhill, Grafton County, New Hampshire.

4. The Respondent, the Grafton County Attorney's Office is a state agency located at 3785 Dartmouth College Highway, North Haverhill, Grafton County, New Hampshire.

5. The Respondent, the Honorable Kelly A. Ayotte, the New Hampshire Attorney General is a state official whose office is located at 33 Capitol Street, Concord, Merrimack County, New Hampshire.

6. The Respondent, Governor John J. Lynch is a state official whose office is located at the State House, 25 Capitol Street, Concord, Merrimack County, New Hampshire.

7. The Respondent, Hanover Police Department is a municipal agency of the Town of Hanover, New Hampshire located at 46 Lyme Road in Hanover, Grafton County, New Hampshire.

8. The Respondent, the Director of the Division of State Police of the New Hampshire Department of Safety is a state official whose office is located at 33 Hazen Drive, Concord, Merrimack County, New Hampshire.

9. The Respondent, the Commander of State Police Troop F in Twin Mountain is a state official whose office is located on Route 302, Twin Mountain, Coos County, New Hampshire.

10. The Respondent, Troop F of the New Hampshire State Police is a division of state agency located on Route 302, Twin Mountain, Coos County, New Hampshire.

11. The Respondent, New Hampshire Fish and Game Department, Region 2 is a state agency located on Rural Route Box 3a in New Hampton, Belknap County, New Hampshire.

12. The Respondent, the Historic Case Unit in Major Crimes of the Division of State Police of the New Hampshire Department of Safety is a division of a state agency located at 33 Hazen Drive, Concord, Merrimack County, New Hampshire.

13. All of the Respondents named herein are hereinafter collectively referred to as "Respondents." All of the Respondents are agencies and/or entities subject to the Right-to-Know Law NH RSA 91-A, *et seq.* All of the Respondents herein named are included herein only in their professional capacity notwithstanding that they might be identified by name.

II. Subject Matter Jurisdiction

14. This Court has subject matter jurisdiction pursuant to RSA 91-A:7.

III. Venue

15. Venue lies with the Grafton County Superior Court, because the events leading up to this request for relief in this matter occurred in Grafton County.

IV. Facts Common to all Counts

16. The Petitioner, Murray, is the father of a woman, Maura Murray ("Maura"), who was last seen alongside Route 112, Wild Ammonoosuc Road, in Haverhill, New Hampshire after her car was reported being stuck in a snow bank on the evening of February 9, 2004.

17. A neighbor passing through the area reported the accident to either 911 or the North Haverhill Police Department after speaking briefly with Maura. However, when North Haverhill Police Sgt. Cecil Smith arrived at the scene shortly thereafter he found no sign of Maura, only an abandoned 1996 black Saturn registered in the name of Frederick J. Murray of Weymouth, Massachusetts.

18. On the following evening, February 10, 2004, the North Haverhill Police Department contacted Maura's brother, Freddie Murray ("Freddie"), thinking they were contacting the vehicle owner, Maura's father. The contacting officer made no mention of Maura. He reported only that the 1996 black Saturn was found abandoned on February 9, 2004. Freddie, concerned for the safety of his sister, informed the officer that the vehicle, although registered to his father, was actually Maura's car. Freddie requested at that time to file a missing person's report, however, the officer informed him that the vehicle was not in his jurisdiction.

19. On February 11, 2004, approximately thirty-seven to thirty-eight hours after the accident was reported to the North Haverhill Police Department, the New Hampshire Department of Fish and Game Services Region 2 conducted a foot and helicopter search of the woods surrounding the location where Maura's vehicle had been discovered. Canines were able to track Maura's scent for approximately one hundred yards from her abandoned vehicle, where the scent was lost. Other searches conducted by law enforcement and private citizens have yielded no results.

20. Troop F of the New Hampshire State Police Department initially publicly characterized Maura as "endangered and possibly suicidal." Subsequent media accounts reported that the State Police had determined that Maura had: 1) gone missing voluntarily; 2) committed suicide; or 3) succumbed to the elements. The State Police concluded that Maura had not been the victim of foul play or been abducted against her will. A true copy of newspaper articles regarding the investigation into Maura's disappearance have been attached hereto as "1A," "1B" and "1C."

21. Since Maura's disappearance, Murray has made several requests seeking to obtain records from the Respondents named herein regarding the investigation into his daughter's disappearance. These requests were made pursuant to the New Hampshire Right to Know Law, NH RSA 91-A, as well as its Federal counterpart, the Freedom of Information Act.

22. On or about June 29, 2004, Brian Hester, Lieutenant for the Special Investigation Unit of the Division of State Police of the New Hampshire Department of Safety denied Murray's request for "all reports, log files 2/9/04 to present and all information and data" relating to Maura Murray, Case Number F-04-1514, stating that the "release of the requested reports, logs and data information would be a disclosure constituting invasion of privacy under RSA 91-A:5 IV." A true copy of the denial is annexed hereto as Exhibit "2A." On or about September 17, 2004, Attorney Marta Modigliani from the Office of the Commissioner of the Department of Safety responded to Murray's response to Lieutenant Brian Hester regarding the initial denial. This letter advised that the Department of Safety's decision to deny Murray's request for information was final. A true copy of this letter is annexed hereto as Exhibit "2B".

23. On or about June 29, 2004, Murray made a written request to the University of Massachusetts Police at Amherst for the following:

- All reports and log files from February 9, 2004 to present; and
- All information and data pertaining to case number F04-1514 (UMass Police case number 04-1851)

24. On or about July 12, 2004, Chief of Police Barbara O'Connor responded in writing and enclosed copies of records that comprised public logs. However, Chief O'Connor's letter enclosing these records stated that the police reports were not being

released “based on Public Records Law Exemption F – The Investigatory Exemption.” The letter further stated “[t]he University of Massachusetts Police at Amherst have fully cooperated with the New Hampshire State Police, the lead investigatory unit. Accordingly, under their direction, all information should be requested through them.” A true copy of the response is annexed hereto as Exhibit “3A.”

25. On or about November 30, 2004, Murray made a written request to the Grafton County Sheriff’s Department for “[a]ll radios dispatches and log files from 6:00 PM on February 10, 2004 up to and including 12:00 AM on February 11, 2004.” On or about January 3, 2005, this request was denied by Thomas Andcross, the Director of Communications of the Grafton County Sheriff’s Department because such information was “part of files that are investigative in nature, and release would constitute an unwarranted invasion of privacy” under RSA 91-A:5 IV. A true copy of the request and the denial are annexed hereto as Exhibits “4A” and “4B” respectively.

26. On or about January 13, 2005, Murray made a request to the Grafton County Attorney’s Office for the following:

- All reports and log files from 2/09/04 to Present
- All information and data* pertaining to Case Number: F04-1514 and/or the following:
Maura Murray
University of Massachusetts
Amherst, MA 01002

*All information and Data – electronic and paper: pertaining to all police logs, areas searched, witness reports, any records with any affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

27. On January 18, 2005, Ricardo A. St. Hilaire informed Murray in writing that their office did not have any such documents. A true copy of the request and the denial are annexed hereto as Exhibits “5A” and “5B” respectively.

28. On or about January 13, 2005, Murray contacted the Office of the Attorney General, the Honorable Kelly A. Ayotte, seeking the following:

- All reports and log files from 2/09/04 to Present
- All information and data* pertaining to Case Number: F04-1514 and/or the following:
Maura Murray
University of Massachusetts
Amherst, MA 01002

*All information and Data – electronic and paper: pertaining to all police logs, areas searched, witness reports, any records with any affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

29. On or about February 9, 2005, Assistant Attorney General David W. Ruoff denied Murray's request for such documents. This was based on the fact that Murray made the request pursuant to the Freedom of Information Act, the federal statute applicable when seeking documents and information held by federal agencies, rather than pursuant to the New Hampshire Right-to-Know Law. A true copy of the request and the denial are annexed hereto as Exhibits "6A" and "6B" respectively.

30. On or about February 9, 2005, Murray contacted the office of the Governor of New Hampshire, John Lynch seeking any and all records pertaining to the investigation of the disappearance of his daughter. Murray did not obtain any documents or records as a result of this request. A true copy of the request is annexed hereto as Exhibit "7."

31. On or about February 24, 2005, Murray met with representatives from some of the agencies named herein and reiterated his concerns regarding the investigation into his daughter's disappearance and the reasons behind his requests to obtain documentation into her disappearance. As a result of said meeting Murray understood

that the respective agencies would be cooperating with him and that the parties would engage in a more free flow exchange of information.

32. On or about February 24, 2005, the State of New Hampshire appointed a victim advocate to Murray for the purpose of "improving communication." However, Murray still has not been provided with any documents relative to his daughter's disappearance. Murray has since been told by the victim advocate, Lynda Ruel "they are not going to give any information on your questions regarding the ongoing investigation at this time." A true copy of this communication is annexed hereto as Exhibit "8."

33. On or about October 10, 2005, Murray contacted the Hanover Police Department, seeking the following:

- All radio dispatches and log files, from 6:00 P.M. on 2/09/04 – 6:00 P.M. on 2/10/04.
- All written reports* and logs including but not limited to Missing Person Maura Murray and/or report of motor vehicle accidents pertaining to Maura Murray and/or a Black Saturn on Route 112 in Haverhill/Woodsville (Bath/Swiftwater). Including but not limited to *All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

34. On October 20, 2005, Nicholas J. Giaconne, Jr., the Hanover Chief of Police sent a response to Murray indicating that his request had been directed to the Attorney General's Office who was working with the State Police on the investigation into Maura's disappearance and "[n]o documents will be released pending a determination by the Attorney General's Office" approving the same. The letter further stated the Attorney General's Office anticipated that it would take at least thirty (30) days for their office to make a determination regarding the release of such information. A true copy of the request and the response are annexed hereto as "9A" and "9B" respectively.

35. On or about October 10, 2005, Murray contacted the Office of the Director of the Division of the State Police of the New Hampshire Department of Safety seeking the following:

All written reports* and logs relative to Case#: F04-1514-NCIC ID # M 883793945 including, but not limited to

- Any and all motor vehicle accident reports relative to an accident reported on February 9, 2004 on Route 112 in the Haverhill/Woodsville and/or Swiftwater/Bath area to any and all State and/or municipal agencies
- Missing Person Reports filed by any and all agencies relative to Maura Murray
- Reports of searches performed under the direction of or at the request of New Hampshire State Police
- Witness reports and/or statements
- Reports from the University of Massachusetts Police
- Reports from the FBI investigating the case of Maura Murray
- Reports from the Amherst, Massachusetts Police Department
- Reports from the New Hampshire State Police Troop F regarding the case of Maura Murray
- Reports from the New Hampshire Fish and Game Department relating to searches for Maura Murray
- Reports from the Haverhill Police Department
- Results of any and all lie detector tests performed in the investigation of this case
- Videos received showing persons believed to be Maura Murray
- Any and all receipts found in the vehicle belonging to Frederick Murray, driven by Maura Murray
- Computer read out from vehicle (Black Saturn) driven by Maura Murray
- Copy of computer hard drive from computer obtained by Det. Todd Landry from Kathleen Murray
- List of any and all DNA requests made
- Results of any and all DNA tests performed on behalf of the New Hampshire State Police of any agency acting on its behalf
- Results of any and all telephone record requests made regarding Case # F04-1514 including but not limited to: University of Massachusetts (dormitory room of Maura Murray, Security Phone at Maura's place of employment, Art Gallery where Maura was employed). Records requested in conjunction with a cell phone call reported to NH State Police to have been made by the American Red Cross, received by William Rausch (Maura's boyfriend) believed by Mr. Rausch to have been Maura.
- Copies of all correspondence between Maura Murray and William (Billy) Rausch found within Maura's belongings obtained by State Policeman Todd Landry from Kathleen Murray, Hanover, Massachusetts.

- Inventory of all items that had been voluntarily provided to NH SP by the Murray family or any other party, and for the account of the information if any that each item provided
- Reports of any and all forensic evaluations resulting from the investigation of Maura Murray
- * All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with any affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

A true copy of the request is annexed hereto as Exhibit “10.”

36. On or about October 10, 2005, Murray contacted the Office of the Commander of State Police Troop F in Twin Mountain seeking the following:

All written reports* and logs relative to Case#: F04-1514-NCIC ID # M-883793945 including, but not limited to

- Any and all motor vehicle accident reports relative to an accident reported on February 9, 2004 on Route 112 in the Haverhill/Woodsville and/or Swiftwater/Bath area to any and all State and/or municipal agencies
- Missing Person Reports filed by any and all agencies relative to Maura Murray
- Reports of searches performed under the direction of or at the request of New Hampshire State Police
- Witness reports and/or statements
- Reports from the University of Massachusetts Police
- Reports from the FBI investigating the case of Maura Murray
- Reports from the Amherst, Massachusetts Police Department
- Reports from the New Hampshire State Police Troop F regarding the case of Maura Murray
- Reports from the New Hampshire Fish and Game Department relating to searches for Maura Murray
- Reports from the Haverhill Police Department
- Results of any and all lie detector tests performed in the investigation of this case
- List of persons interviewed in connection with the case of Maura Murray
- Videos received showing persons believed to be Maura Murray
- Any and all receipts found in the vehicle belonging to Frederick Murray, driven by Maura Murray
- Computer read out from vehicle (Black Saturn) driven by Maura Murray
- List of any and all DNA requests made
- Results of any and all DNA tests performed on behalf of the New Hampshire State Police of any agency acting on its behalf

- Results of any and all telephone record requests made regarding Case # F04-1514 including but not limited to: University of Massachusetts (dormitory room of Maura Murray, Security Phone at Maura's place of employment, Art Gallery where Maura was employed). Records requested in conjunction with a cell phone call reported to NH State Police to have been made by the American Red Cross, received by William Rausch (Maura's boyfriend) believed by Mr. Rausch to have been Maura.
- Inventory of all items that had been voluntarily provided to NH SP by the Murray family or any other party, and for the account of the information if any that each item provided
- Reports of any and all forensic evaluations resulting from the investigation of Maura Murray

*All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with any affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

A true copy of the request is annexed hereto as Exhibit "11."

37. On or about October 10, 2005, Murray contacted Troop F of the New Hampshire State Police in Twin Mountain, seeking the following:

All written reports* and logs including but not limited to "Black Book" entries and reports made on or about February 9, 2004 *All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

A true copy of this request is annexed hereto as Exhibit "12."

38. On or about October 10, 2005, Murray contacted the New Hampshire Fish and Game Department seeking the following:

- All radio dispatches and log files from 6:00 P.M. on 2/09/04-6:00 P.M. on 2/10/04.
- All written reports* and logs regarding searches for Maura Murray including, but not limited to searched performed on or about the following dates:
 - February 11, 2004
 - February 19, 2004
 - April 24-25, 2005
 - July 13, 2004

Including but not limited to *All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

A true copy of this request is annexed hereto as Exhibit “13.”

39. On or about October 10, 2005, Murray contacted the Office of the Commander of the Historic Case Unit in Major Crimes Division of State Police of the New Hampshire Department of Safety seeking the following:

All written reports* and logs including but not limited to *All Information and Data – electronic and paper: pertaining to all logs, areas searched, witness reports, any records with affiliated law enforcement agency, and any information that pertains to Maura Murray and this case. Case Number F04-1514.

A true copy of this request is annexed hereto as Exhibit “14.”

40. On or about October 10, 2005, Murray sent a request to University of Massachusetts Police at Amherst seeking the following:

- All reports and log files from February 9, 2004 to present pertaining to case number F04-1514 (UMass Police Case number 04-1851);
- All files associated with UMass email account mmur0@student.umass.edu or any other account obtained by Maura Murray, and
- Copy of hard drive of computer of Maura Murray.

41. On or about October 19, 2005, Chief of Police Barbara O’Connor responded by stating there were not any additional log files besides those already provided to Murray in July of 2004. Additionally, release of the files associated with Maura’s email account and computer hard drive information were denied based on Public Records Law Exemption F – The Investigatory Exemption. Once again Chief O’Connor stated “the University of Massachusetts Police at Amherst have fully cooperated with The New Hampshire State Police, the lead investigatory unit. Accordingly, under their

direction, all information should be requested through them.” A true copy of the request and response are annexed hereto as Exhibits “15A” and “15B” respectively.

42. On October 24, 2005, Jeffrey A. Strelzin, Senior Assistant Attorney General and Chief of the Homicide Unit of the Attorney General’s Office sent a letter to Murray indicating that all of Murray’s requests for information from New Hampshire state agencies and officials had been submitted to the Office of the Attorney General. The letter further stated that it would likely take thirty (30) days for the office to make a determination as to whether documents in the custody of the respective agencies would be released to Murray. A true copy of the response is annexed hereto as Exhibit “16.”

43. On November 15, 2005, David W. Ruoff, Assistant Attorney General of the Homicide Unit sent a letter to Murray stating that “all the materials...requested [from the Hanover Police Department, the Director of the Division of State Police of the New Hampshire Department of Safety, the Commander of State Police Troop F in Twin Mountain, Troop F of the State Police in Twin Mountain, New Hampshire Fish and Game Department, and Commander of the Historic Unit of Major Crimes of the Division of the State Police of the New Hampshire Department of Safety] that pertain to [Maura’s] case are exempt from disclosure because they are investigatory files.” Assistant Attorney Ruoff further stated that reports of motor vehicle accidents made to the Hanover Police Department and the New Hampshire State Police on February 9, 2004 and log files kept by the Hanover Police Department, the New Hampshire State Police and the New Hampshire Fish and Game Department between 6:00 P.M. on February 9, 2004 and 6:00 P.M. on February 10, 2004 may be released to Murray. However, the letter specified that any information pertaining to Maura’s case within these released files would be redacted

based on the investigatory exemption to RSA 91-A. A true copy of the response is annexed hereto as Exhibit "17."

44. Upon information and belief, Murray's requests for documents outlined herein have been denied in contravention of the New Hampshire Right to Know Law by the respective state agencies and public officials. Murray is entitled to inspect and copy any and all non-privileged documents, records, notes, memoranda and any other information regarding his daughter's disappearance under RSA 91-A:5.

45. To date, Murray has not been provided with all of the documentation requested from the Respondents named herein pertaining to his daughter's disappearance.

COUNT I
(Injunction under RSA 91-A:7)

46. The Petitioner repeats and re-alleges the allegations set forth in paragraphs 1-45 and specifically incorporates each herein by reference.

47. Under the New Hampshire Right to Know Law, citizens have a right to inspect public records maintained by governmental bodies, including but not limited to all State executive branch agencies and departments, and make notes and copies of all such documents.

48. When a citizen's request for public records to a covered government agency under RSA 91-A:4 is denied, the citizen may petition the Court for an injunction mandating the release of such records pursuant to RSA 91-A:7.

49. Here, the Petitioner has made written requests pursuant to RSA 91-A:4 from the named Respondents in this action seeking any and all non-privileged records pertaining to the disappearance of his daughter.

50. Despite the fact that these governmental entities are governed by RSA 91-A:4, the Respondents have failed, refused and neglected to adhere to their obligations under the New Hampshire Right to Know Law by failing to produce any records to the Petitioner.

COUNT II
(Attorney's Fees and Costs under RSA 91-A:8)

51. The Petitioner repeats and re-alleges the allegations set forth in paragraphs 1-50 and specifically incorporates each herein by reference.

52. Citizens seeking injunctive relief from the Court in order to compel governmental entities to turn over public records can seek to recover attorneys' fees and costs for having to pursue an action under RSA 91-A.

53. Murray has made proper request for public records under RSA 91-A for any and all non-privileged records pertaining to the disappearance and search for his daughter.

54. The Respondents named in this action have all denied his requests for such public documents.

55. Despite his own efforts to obtain these public records since the time of his daughter's disappearance in February of 2004, Murray has been unable to obtain copies of such documents or any other information from any of these governmental agencies.

56. Murray has been required to resort to initiating this action in the Superior Court in order to obtain these documents, many of which he is entitled to under the New Hampshire Right-to-Know Law, RSA 91-A.

57. The governmental entities named in this lawsuit knew or should have known of their obligations towards honoring citizen's requests for public records

pursuant to RSA 91-A.

58. Therefore, Murray is entitled to reimbursement for attorney's fees and costs incurred in having to initiate this lawsuit to obtain an injunction for release of such public records.

REQUESTS FOR RELIEF

WHEREFORE, the Petitioner respectfully requests that the Court grant him the following relief:

1. That this Court determine and declare that the Respondents: Special Investigation Unit of the Division of State Police of the New Hampshire Department of Safety; Grafton County Sheriff's Department; Grafton County Attorney's Office; New Hampshire Attorney General Kelly A. Ayotte; New Hampshire Governor John J. Lynch; Hanover Police Department; Director of the Division of State Police of the New Hampshire Department of Safety; Commander of the State Police Troop F in Twin Mountain; Troop F of the New Hampshire State Police in Twin Mountain; New Hampshire Fish and Game Department Region 2; and Historic Case Unit in Major Crimes of the Division of State Police of the New Hampshire Department of Safety have violated RSA 91-A in their failure and refusal to provide public records to Frederick J. Murray;
2. That this Court enter an injunction obligating the Respondents to make available for inspection and copying all non-privileged documents and records regarding the investigation into the disappearance of Maura Murray to her father, Frederick J. Murray, including but not limited to police logs, 911 recordings, witness statements, investigatory notes, law enforcement policies and procedures and all correspondence;

3. That the Court determine and declare that the Respondents have a continuing obligation to produce and supply the documents ordered diligently and promptly after the information and documents are received by each Respondent;
4. That the Court determine and declare that the Respondents knew or should have known of their obligations under RSA 91:A and that the institution of an action should not have been necessary to obtain the requested documents;
5. That this Court award Frederick J. Murray reasonable attorney's fees and costs incurred in filing this action; and
6. Such other and further relief as may be just and proper.

Respectfully submitted,
FREDERICK J. MURRAY,
By his Attorneys,



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Date: 12-19-05

1A



Father says search for daughter has become stagnant

By Associated Press

Tuesday, February 17, 2004

The investigation into the disappearance of a Massachusetts woman last seen more than a week ago in northern New Hampshire has become stagnant, the woman's father said Tuesday.

"There's no new leads, no new evidence," Frederick Murray said of the search for Maura Murray, a 21-year-old nursing student who disappeared after a car accident in Woodsville, N.H. "It's stagnant at the moment."

He blamed the lack of leads on a shortage of resources, saying that though local police were working hard, he wished the small department had more help so it could broaden its search.

"Results are slow in coming. Like the bus stations. Did she leave from a local bus station? That hasn't been investigated, so I did it myself," Mr. Murray said, adding that his efforts turned up nothing.

"The police are good guys," he said. "But there aren't many of them."

Authorities said Maura Murray, a University of Massachusetts student from Hanson, Mass., withdrew \$280 from an ATM on Feb. 9 and e-mailed professors saying she wouldn't be in class all week because of a family problem.

Around 7 p.m. that evening she crashed her car into a snowbank on Route 112 in New Hampshire several miles from the Vermont border. Police say a witness offered help, but that Murray refused and told the witness not to call police.

The witness, who later told police Murray appeared intoxicated but uninjured at the time, called authorities anyway. But by the time emergency workers arrived, Murray was gone. Most of her belongings were left behind in the car.

On Feb. 11 a police dog was brought to the scene, but was able to track her for only 100 yards, prompting her family to conclude that she got a ride. A police helicopter and ground search also turned up no evidence.

Mr. Murray said Tuesday that his daughter may have been distraught at the time, in part because just two days earlier she had been involved in another accident. Police described Maura Murray as "endangered and possibly suicidal."

Since then, Maura Murray's family, her boyfriend and his family have come to area to

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help in the search and hand posters throughout New Hampshire, Maine and Vermont.

But Mr. Murray no longer believes his daughter is in the area, adding to his frustration that the police lack the resources to do more. He wants the FBI to get involved, but was told there needs to be evidence of foul play first.

"But you can't get evidence because you don't have the force enough to go out and get it," he said. "Do you wait until you have a body to have evidence and you can call the FBI in? ... Isn't it possible to expand and pound a little harder?"

A spokeswoman for the Haverhill Police Department, which is handling the case, would not comment except to say the investigation was ongoing.

Mr. Murray is convinced foul play is involved, thought authorities have yet to find evidence of it. Still, he holds out hope that perhaps she just needed to get away.

"Just tell us you're OK," he urged her. "Don't come back if you don't want to. Just tell us you're OK. ... She would if she could, but I don't think she is able to, for whatever reason that is."

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BRIAN MCGRORY

The Boston Globe

Where could Maura be?

By Brian McGrory, Globe Columnist, 3/2/2004

The mystery continues to deepen around Maura Murray, the nursing student who vanished in New Hampshire three weeks ago after she slammed her car into some trees on a dark, rural road.

Investigators have determined the origin of an unusual telephone call that Murray received a few nights before she fled the University of Massachusetts at Amherst. The conversation upset her so much that she had to be escorted from her job to her dorm room.

The call, according to UMass police Lieutenant Robert Thrasher, came from one of Murray's two sisters. But Thrasher said police have yet to receive an explanation of what was so upsetting.

Yesterday, Fred Murray, the girls' father, said he was told that Maura's sister called her to talk about a "monstrous" fight with a boyfriend. "But I don't think that would upset her all that much," Murray said.

The more details are revealed, the more baffling the case becomes, police acknowledge. Yesterday, Thrasher said that Maura had fastidiously packed all her belongings into boxes before she left school, even removing the art from her dorm room walls. Meanwhile, one UMass friend has seemingly withheld information from police, saying she didn't want to get Maura "in trouble."

UMass investigators, who have interviewed dozens of potential witnesses and combed through Murray's computer, shared an in-depth timeline that preceded the disappearance. Murray received the call on Thursday evening, Feb. 5. On Saturday, Feb. 7, Maura and a girlfriend had dinner with Fred Murray, who was visiting Amherst. Afterward, the father returned to his hotel, and the two young women attended a campus party.

At 3:30 a.m. Feb. 8, Maura crashed her father's new Toyota into a roadside post. She told her father about the accident later that morning. Just after midnight on Monday morning, Feb. 9, she conducted a MapQuest search of the Berkshires and Burlington, Vt., on her personal computer.

At 3:40 p.m. Monday, she withdrew \$280 from an area ATM, then stopped at a liquor store. Surveillance cameras at the bank machine and in the store show that she was alone.

Maura was next seen at 7 p.m. in the White Mountains hamlet of Haverhill, N.H., an area where she had hiked and camped with her father. Schoolbus driver Butch Atwood came across her car in an embankment, he said, and stopped to ask if she needed help.

When she declined, he drove the 100 yards to his cabin and summoned police. By the time authorities arrived seven to 10 minutes later, she was gone. Her bank card, credit cards, and cellphone have been dormant since.

Authorities are exploring four scenarios, all of which they say contain flaws. Least likely is that she committed suicide. She left no note. Her grades were excellent. Her medical records showed no issues, and her relationships appeared sound. One investigator characterized her ongoing e-mail exchange with her boyfriend, an Army lieutenant in Oklahoma, as "sappy."

Second unlikeliest is that, intoxicated, she ventured into the woods and was overcome by the elements. But dogs couldn't trace her scent, there were no footprints in the fresh snow, and helicopters equipped with heat-seeking devices were no help.

Third is that in the brief window of time, she was picked up by someone who abducted or killed her. But

authorities believe the odds of a violent criminal coincidentally coming across her on the rural road are as remote as the location itself.

Fourth is that she was picked up by a passerby, taken to a bus station, and fled the area, possibly with little idea of the anguish she has left behind.

This may have started innocently, with a confused young woman needing a break from the pressures of student life. But it isn't ending well. Maura, if you're alive, if you're able, come home.

And if she's not, there's someone, somewhere who has some idea of what happened that night.

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