

MICHAEL GRIGGS, AS	*	IN THE
PERSONAL REPRESENTATIVE OF	*	CIRCUIT COURT
THE ESTATE OF AARON GRIGGS	*	FOR
Plaintiff	*	CHESAPEAKE COUNTY
v.	*	
JODIE DONAHUE	*	
Defendant	*	

* * * * *

COMPLAINT

Comes Now, Plaintiff, Michael Griggs as Personal Representative of the Estate of Aaron Griggs, by and through his attorneys, Plaxen Adler Muncy, P.A., who respectfully represents unto this court as follows:

COUNT I

NEGLIGENCE

1. That Plaintiff, Michael Griggs, as Personal Representative of the Estate of Aaron Griggs, and Aaron Griggs at all times relevant and material hereto has resided in Maryland.
2. That the Defendant, Jodie Donahue, owned and/or managed the premises, located at the Donahue property off Chapman Road, in Chesapeake County, Maryland.
3. That on or about April 18, 2020, Aaron Griggs was walking on the premises owned and managed by Defendant. Aaron Griggs was at the Donahue property off Chapman Road, in Chesapeake County, Maryland. Upon entering the property, Aaron Griggs fell through the basement staircase, causing his death. Defendant knew or should have known of the dangerous condition.
4. That on or about April 18, 2020, Aaron Griggs was an invitee of Defendant.
5. That solely as a result of the failure of the Defendant to properly maintain all common areas in and on the premises, Aaron Griggs sustained severe injuries which caused his death.
6. That the aforesaid incident occurred as a result of and was proximately caused by the carelessness and negligence of Defendant, which consisted inter alia of the following particulars:
 - a. Failing to properly supervise the common areas in question as to furnish to Aaron Griggs a safe walkway, free from hazards which were recognized or should have been

recognized by Defendant, as causing or likely to cause serious physical harm to Aaron Griggs, and others;

b. Failing to maintain the above property in a reasonably safe condition to ensure that Aaron Griggs would not be caused to fall as a result of the dangerous condition which was known or should have been known to Defendant;

c. Failing to properly inspect the property, and/or walking area wherein Aaron Griggs was caused to fall as a result of the dangerous condition;

d. Failing to maintain the premises owned and/or operated by Defendants in a reasonably good and safe condition for Aaron Griggs and other invitees to the property;

e. Failing to warn invitees to Defendant's property of the hazard which caused Aaron Griggs's injuries;

f. Failing otherwise to comply with applicable laws and regulations of the State of Maryland and the applicable Federal or local laws and regulations;

g. Otherwise failing to exercise the reasonable degree of care required under the circumstances; and

h. Otherwise being negligent.

7. That Defendant is the owner and/or operator of the property and surrounding area, was responsible for maintaining the area in question, including the floor, stairs, and/or walking area, in a reasonably safe condition for the safe use of lawful visitors to the property.

8. That Defendant had a responsibility to correct and alleviate any hazardous and/or dangerous conditions on the property which posed a risk of injury lawful invitees to the property.

9. That Defendant had a responsibility to warn lawful visitors of the property of any dangerous conditions on the property and to place appropriate warnings where hazardous conditions existed.

10. That notwithstanding said legal duties, Defendant negligently and carelessly allowed the stairs and walking area of the property to remain in an unsafe condition despite the fact that the Defendant knew, or in the exercise of reasonable care should have known that the condition of the premises was hazardous and posed a risk of severe injury to lawful visitors to the property.

11. That Defendant was negligent and/or careless in failing to take appropriate measures to warn visitors, and or invitees of the dangerous conditions, in failing to place appropriate warnings of the hazardous condition, in failing to adequately and promptly correct the dangerous and hazardous condition created by the stairs and failing to otherwise act with reasonable care as owners, operators, and or managers responsible for the safe operation and maintenance of the property.

12. That Aaron Griggs sustained serious injuries as a direct and proximate result of Defendant's negligent and/or careless conduct, including but not limited to failing to inspect the property, failing to correct an obvious and or known hazardous condition on the property, negligently fixing a known hazard, failing to warn of a hazardous and or dangerous condition, and in otherwise failing to maintain the property in a safe condition for visitors, guests, invitees, and or employees.

13. That as a result of the aforesaid conduct and breach of the duty of care by the Defendant, Aaron Griggs sustained the injuries causing his death, without any negligence of the Aaron Griggs contributing thereto.

WHEREFORE, Plaintiff, Michael Griggs as Representative of the Estate of Aaron Griggs, demands judgment in excess of Seventy-Five Thousand Dollars (\$75,000.00) plus costs of this suit.

Respectfully Submitted,

/s/ _____

PLAXEN ADLER MUNCY, P.A.

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Counsel for Plaintiff

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MARYLAND'S PERSONAL INJURY LAW FIRM

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* * * * *

ANSWER

Jodie Donahue, Defendant herein, by their attorney, Rifkin Weiner Livingston, LLC, files this Answer, and states:

GENERAL DENIAL OF LIABILITY

1. The Defendant is not indebted as alleged.
2. That Defendant did not commit the wrongs as alleged.
3. That on or about April 18, 2020, Aaron Griggs was a trespasser on Defendant’s property.
4. The Defendant denies each and every allegation contained in the Complaint and demands strict proof thereof.

AFFIRMATIVE DEFENSES

5. Plaintiff’s claim is barred by assumption of risk.
6. That the Defendant specifically denies the existence of any causal connection of the injuries to the accident alleged.
7. The Complaint and each and every count therein fails to state a claim upon which relief can be granted.

WHEREFORE, having fully answered the Complaint, Defendant respectfully requests that same be dismissed, with costs.

/s/ _____
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 Baltimore, MD 21211
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 Counsel for Defendant

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* * * * *

PRETRIAL ORDER REGARDING SALEM HARRIS TESTIMONY

Upon consideration of Plaintiff’s Motion To Exclude Evidence and Testimony of Salem Harris, and the Defendant’s Response in Opposition to Plaintiff’s Motion to Exclude Evidence and Testimony of Salem Harris, it is this 14th day of October, 2021, by the Circuit Court for Chesapeake County, hereby:

FOUND that, pursuant to Maryland Rule of Evidence 702, Salem Harris is qualified to testify about safety standards related to climbing, hiking, outdoor adventuring, and urban exploring; and it is further

FOUND that this case poses a challenge for both sides in that the safety standards and practices for exploring abandoned properties are disputable and there is not a clear industry standard. As a result, each side has enlisted the paid services of different types of expert witnesses. This Court acknowledges it is possible that Salem Harris could attempt to testify on matters that are outside of Harris’s scope of expertise based on their experience and training. In the event such testimony occurs, counsel for Plaintiff is free to raise an objection under Rule 702 and argue the witness has gone beyond their expertise; and it is therefore **ORDERED** that Plaintiff’s Motion To Exclude Evidence and Testimony of Salem Harris is **DENIED** in part and **RESERVED** in part; and it is further

ORDERED that the portion of Plaintiff’s Motion that seeks to prevent Salem Harris’ testimony entirely is **DENIED**; and it is further

ORDERED that the portion of Plaintiff’s Motion that seeks to limit Harris’ testimony is **RESERVED** for the trial judge to decide in the event such an objection is raised at trial.

/s/ Erik Atas

 Judge

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* * * * *

PRETRIAL ORDER REGARDING PHOTOGRAPHS

Upon consideration of Defendant’s Motion To Exclude Evidence of Photographs, and the Plaintiff’s Response in Opposition to Defendant’s Motion To Exclude Evidence of Photographs, and testimony taken on the record for a pretrial hearing on September 17, 2021, it is this 20th day of September, 2021, by the Circuit Court for Chesapeake County, hereby:

FOUND that, on September 17, 2021, Inspector Rahul Singh appeared before this court for a pretrial hearing on the issue of the admissibility of certain photographs taken by Inspector Singh. Inspector Singh presented several photographs to the court depicting the cabin where Aaron Griggs died, including the area at the bottom of the stairs where Aaron Griggs’ body was recovered. Chesapeake Police Officers Charles Carmichael and Devin Woodcomb also testified and produced several photographs taken at the scene including photographs depicting Aaron Griggs’ body postmortem; and it is further

FOUND that Defense Counsel has raised an objection to the admissibility of all photographs depicting the basement area where Aaron Griggs died that were taken after Griggs’ death, including the postmortem photographs of Aaron Griggs’ body and the photographs of that same location taken by Inspector Singh approximately two weeks after this incident. Defense Counsel argues those photographs are inadmissible under Maryland Rules of Evidence 403 as they are unfairly prejudicial and contain little to no probative value. Counsel for Plaintiff argues these photos contain probative value to help the jury understand the context surrounding Griggs’ death and to see the impact of the fall that ultimately led to Griggs’ demise; and it is further

FOUND that this is a bifurcated trial; and it is therefore

ORDERED that Defendant's Motion To Exclude Evidence of Photographs is **GRANTED** in part and **RESERVED** in part; and it is further

ORDERED that the only photographs that may be admitted at trial are the photographs this Court is pre-marking as Exhibit 14A - 14K. These photographs include photographs of the fences on the Donahue property, external photographs of the cabin where Aaron Griggs died, and internal photographs of that same cabin. The admissibility of these photographs at trial is **RESERVED** for the trial judge; and it is further

ORDERED that all other photographs taken by individuals connected to this proceeding are excluded under Rules 403 as they are either cumulative to the photographs referenced above or pose a substantial danger of misleading the jury during the liability portion of trial.

/s/ Ben Garmoe
Judge

1 Affidavit of Elin Sanchez
2 Witness for the Plaintiff

3

4 After having been duly sworn by oath, Elin Sanchez hereby states as follows: I am over 18 and
5 competent to make this affidavit. I was subpoenaed to testify in this trial, and I am not testifying
6 voluntarily.

7

8 My name is Elin Sanchez. I am 20 years old and in my junior year at Catoctin College. I met Aaron
9 Griggs during freshman orientation in 2019, and I saw Aaron fall to his death. I won't forget that day for
10 the rest of my life.

11

12 The last thing in the world I want to do is testify at this trial. Aaron was my best friend and I miss
13 him every day. After he died, I took the rest of the semester off from school and had to talk to a
14 therapist almost every day for months. I don't want to think about that day ever again, and I told
15 Aaron's family I just couldn't handle testifying. But they told me I had to - and they sent me a subpoena.
16 I'm telling you everything I can remember. Everything relevant about what I know about what happened
17 to Aaron is written in my affidavit.

18

19 Back in August of 2019 I started at Catoctin College after finishing my senior year at Park River
20 High School. I loved that Catoctin was in a quiet area where I could really focus on studying and doing
21 well in school. I don't always make friends easily, but I was really fortunate that on my first day of
22 orientation I was put in a group with Aaron, Jess Leonard, and Monroe Williams. I could tell you so many
23 stories from that day about how we became fast friends; it was just an instant connection. I think we
24 talked all night. From then on, we basically did everything together.

25

26 I do remember one specific thing that happened a few days after we all met. We were sitting in
27 the dining hall when Aaron suggested we should try to get on the roof of the administration building. It
28 was the tallest building on campus and Aaron said he knew how to access the fire escape if "everyone is
29 up for a little bit of danger." I didn't think that was a good idea, but Aaron and Monroe went off and
30 came back a few hours later claiming they made it to the roof. They didn't have any pictures so I can't
31 tell you if that really happened. But it was definitely the start of a trend with Aaron and what he liked to
32 do.

33

34 Aaron was definitely the type who liked to explore. I remember he told me once that he read
35 websites about urban exploring. He would talk about how cool it was to go see abandoned properties
36 and take pictures of all of the empty spaces that were just left to decay over the years. He would invite
37 me along sometimes, but I was trying to focus on school, so I never went with him. In hindsight, maybe I
38 should have tagged along a few times, so I was more prepared for what happened on the day he died.

39

40 I will say that Aaron did mention safety sometimes. I remember he would talk about how
41 important it was to have a plan for where you were going. Sometime in October he told me about an
42 abandoned hospital he was going to explore. It sounded dangerous to me, especially if they were going
43 to go up or down old sets of stairs, but Aaron told me: "Don't worry, I have a plan. We're only going to
44 go places we can test first to make sure they can hold our weight. I'm not going to let myself get hurt
45 just to see another corner of an abandoned building.

46

47 I was never really interested in joining Aaron on these trips (or Monroe, who I think went with
48 Aaron a few times), but all of that changed on Halloween in 2019. Our group of four skipped the parties
49 and stayed in to watch a movie. Jess suggested we watch something funny, but Aaron had a different

50 suggestion. He said because it was Halloween, we should watch something scary - and he picked The
51 Belair Witch Project.

52 I had never seen that movie before, but I have to admit it was a lot of fun. It definitely got us to
53 jump a few times and I'm pretty sure I slept with the light on that night. But that's not what I remember
54 most from that night. What I remember most is after we finished the movie, we were all sitting in
55 silence just taking it in, and then Aaron spoke up. He said, "You know... that movie was filmed in
56 Maryland. Not that far from here, actually." Monroe laughed and said, "I'm pretty sure we all know
57 what you're thinking, Aaron" and we all laughed too. Someone changed the subject, and we didn't
58 discuss the movie anymore that night.

59
60 But a few weeks later, around Thanksgiving, Aaron sent us all a text message. That's a
61 screenshot of our group text in Exhibit 6. (The name of the group chat was "Patapsco4" because we all
62 lived in Patapsco Hall at school.) I gave that screenshot from my phone to both attorneys in this case,
63 and everything in that screenshot is accurate. Exhibits 7 and 8 are also screenshots from that same
64 group text and those are also fair and accurate screenshots. Like you can see in the message, Aaron sent
65 us a link to a website and said "Hey, remember Belair Witch? Here's a website run by the person who
66 owns the land where they filmed that movie. It's like 20 miles from here! And check out the site - they
67 sell maps to find the actual cabin where the ending was filmed."

68
69 I have to admit I was intrigued. I clicked through to the website on my phone; you can see the
70 screenshot of the website in Exhibit 12. I remember looking at this site and feeling a bit unsure. It's
71 definitely not a very professional looking website, and I didn't like how it seemed to be advertising the
72 place as a tourist attraction. Not that there's anything wrong with trying to make some money if you
73 own famous land, but I just didn't get the sense that the owner was being very careful.

74
75 That February, Aaron sent the group another message, which you can see in Exhibit 7. This one I
76 remember because it really shocked me: Aaron said he had gone to the Belair Witch property on his
77 own. You can see from those texts he told us he went there at night and wanted to go explore it in the
78 daytime "when we have permission to be there." I don't know this for sure, but I think Aaron might have
79 been lying about this. Aaron did tend to tell a good story sometimes, and this seemed like something he
80 would say to impress us.

81
82 I didn't hear anything more from Aaron about this until everything changed in March. Our
83 campus shut down on March 16th and we all had to go home and finish the semester online. I had to go
84 back to my parents' house in Bowie, and my younger sister and I were both doing all of our classes
85 online. Just a few days later we heard from Aaron again about the Belair Witch property. You can see
86 those messages in Exhibit 8. He just kept trying to convince us to go explore the place and see what we
87 could find. I think he would have kept talking about it, but classes started getting a lot harder now that
88 everything was online, and our group text moved on to other things. No one even responded to those
89 messages, I think someone just changed the subject. It was definitely difficult not getting to see each
90 other with how scary everything was that month, and I think we all just sat in our rooms a lot.

91
92 In early April we finally decided we were going to see each other. I know the stay-at-home order
93 was still in effect, but I just couldn't do another day in my house with my parents hovering over me and
94 my internet barely supporting two people at a time. My dad even showed up in the background of one
95 of my Zoom calls during class and made everyone laugh! We decided to meet at a local park near my
96 house and keep our distance from each other to be safe. It was so nice to just sit as a group and relax
97 again, even though everything else was terrible.

98

99 Near the end of our time at the park, Aaron brought up the Belair Witch home. He suggested we
100 go visit it on April 18th. He was right that the date worked well; it was before finals started but after a
101 lot of our papers were due. Plus, it's not like we were doing much on the weekends anyways. We all
102 agreed and made plans to meet there around 2 PM on the 18th. It was just nice to have another date to
103 look forward to where I knew I would be able to see my friends again.

104
105 In the week leading up to the 18th, I did some more research about urban exploring and how to
106 stay safe. I decided I was going to bring a flashlight and some extra water, and I knew I wasn't going to
107 let us do anything illegal. Monroe had some experience exploring with Aaron, and Jess pretty much
108 went along with what the rest of us did, so I knew it would probably fall to me to be the one thinking
109 about safety. I will admit I was excited about the idea of seeing such a creepy place in real life, but I was
110 also really nervous. Aaron had mentioned trying to see where the last scene of the movie was filmed,
111 and I was pretty sure that was a bad idea.

112
113 I remember the day before we went to the property, April 17, I got a call from Aaron. He was
114 practically shouting. He told me "I heard about the place we're going on the radio! The commercial said
115 we could explore every set, and that must include the cabin where they filmed the ending." I asked him
116 for more specifics but he just said "this place sounds amazing, I'll see you tomorrow" and hung up.

117
118 It took about an hour to drive from my house to the Belair Witch property, and I got there a few
119 minutes after everyone else. When I arrived at about 2:15 PM on April 18th, Aaron, Jess and Monroe
120 were already inside the gift shop. I found them talking to the owner who introduced themselves as Jodie
121 Donahue.

122
123 Donahue was very friendly. In my opinion, Donahue was a bit too friendly. Donahue kept telling
124 us all about how the movie was filmed on the property and how we needed to check out all these
125 different spots. Donahue never mentioned anything about safety or needing to be careful, and Donahue
126 just seemed to want us to explore as much as we could. I figured Donahue knew the property better
127 than we did and would know if it was safe or not, but that definitely stood out to me.

128
129 We stayed for a few more minutes but eventually Aaron bought one of the maps from Donahue
130 (\$20 for a map??) and we got ready to head out. As we were leaving, Aaron asked Donahue about the
131 cabin and whether we could explore inside.

132
133 Donahue paused for a moment and responded. As best I can remember, Donahue said "the
134 cabin is in pretty rough shape, although the basement where the last scene of the movie was filmed is
135 safe. But the floors on the main level could give you some trouble and it hasn't been checked out in a
136 while. Make sure to look out for each other and don't go anywhere you shouldn't."

137
138 I started to ask a question to clarify whether we were allowed inside but Donahue cut me off.
139 "Oh, and of course... take a lot of pictures and share them with other people who might want to explore.
140 The more people who come here to explore where that movie was filmed, the better things will be for
141 me." I started to ask again if we could go inside, but Donahue walked away, and Aaron told me not to
142 worry about it. I definitely wasn't clear if we were allowed inside or not, but I thought about it for a
143 moment and assumed we were fine to go inside since Donahue told us to watch out for the floors and to
144 take pictures.

145
146 We walked out of the gift shop around 2:45 PM and started to walk around the property. I have
147 to admit, most of it was pretty boring. At first it was fun to wander in and out of the trees like the

148 students from the movie, but after a few minutes it all started to look the same, and none of it was
149 recognizable at all. It only took about a half hour before we started to make our way over to the cabin.
150

151 We navigated around the property using the map in Exhibit 4. That map definitely added to the
152 confusion over whether we could go into the cabin or not. It had the photos of the cabin and all of the
153 facts about the movie, but it didn't say anything about the condition of the cabin or what the rules were
154 for what we could go see. It definitely seemed to feature the cabin though, and that's where we decided
155 to head next.

156
157 At one point Jess asked if the map said anything about where we could or couldn't go, and
158 Aaron said "it definitely says we can go inside the cabin. Why else would they tell us all about the
159 inside?" The map doesn't say that directly, but I could see why Aaron would think that, because the map
160 did talk a lot about the inside of the cabin and doesn't say anything about the cabin being off-limits. And
161 it was obvious that Aaron wanted to go inside the cabin, so he also was probably just seeing what he
162 wanted to see.

163
164 We ended up making a full loop and starting to walk north toward the cabin in the same
165 direction as we started. We passed the campsites again – they were on our left – and then came to a
166 chain link fence that seemed to go all the way around. We walked around for a minute (and saw the
167 weak spot in Exhibit 14A and the fallen tree in Exhibit 14K) before we got to the gate in Exhibit 14J. As
168 you can see from the photo, we were able to walk right through. Just a few seconds after we went
169 through the fence, Aaron had gotten ahead of the group and was headed toward the cabin. We couldn't
170 see the cabin when we first got to the fence, but it came into view soon after we passed the fence.
171

172 I decided I needed to at least make us talk about this before we went inside. It was almost 4 PM
173 at that point and the sun was still up, but it was slowly starting to set and there wasn't as much light as
174 there had been earlier. As we got close to the cabin and started to really see its condition, I started to
175 get concerned. I was shown the photos in Exhibits 14C through 14F before I wrote this affidavit and I
176 agree that's how the cabin looked on the day we were there. As you can see from the photos, it doesn't
177 look too bad, but it doesn't look great either.

178
179 I told Aaron to stop, and I called the group over. I asked everyone "Are we going to go inside?"
180 Aaron said yes, and Monroe said yes right after that. Jess and I looked at each other and Jess said they
181 wanted to at least look inside, but probably not anything more than that. I wasn't sure how much I
182 wanted to explore inside either, but I definitely wanted to see what the inside looked like. I remember
183 the last thing I said before we went in was that we needed to stick together. I wish Aaron had listened to
184 me.

185
186 Aaron walked up to the front of the cabin and grabbed the side of that front door. From these
187 photos it looks like it might latch closed, but it wasn't latched that day. As soon as Aaron pulled on the
188 door, it swung open on the hinges. Aaron and Monroe didn't hesitate; they were immediately just
189 wandering all over the inside. I agree that Exhibit 14G is what the cabin looked like that day, and I
190 thought the floors felt pretty weak. Aaron and Monroe didn't seem to be checking if the floor could hold
191 their weight, but nothing happened, and they didn't fall through so after a minute I started to calm
192 down.

193
194 Jess was still outside and after a few minutes Monroe stepped back out to join Jess. At that
195 point it was just Aaron and me inside the cabin. Aaron was crouched down at the back of the cabin near
196 the basement door you can see on the floor in the back of Exhibit 14G. I walked over to stand next to

197 him and he looked up at me with a big smile and then pulled that door open. I could make out the first
198 step at the top and then all I could see was darkness as the steps went into the basement.

199

200 I watched as Aaron slowly put his weight onto the stair. He seemed fine, and then he did the
201 same thing with the second step. He was very cautious with each step and I think he made it down
202 about five steps before he stopped. He turned back to me and opened his mouth to say something, and
203 then I heard a loud crunching sound, like several boards breaking all at once. His face changed to one of
204 surprise and he reached out a hand toward me, but it was too late. The last thing I heard was the sound
205 of Aaron hitting the basement floor.

206

207 Everything seemed to move in slow motion for a moment, but then I remember screaming.
208 Something in me was able to stay calm enough to stop screaming and tell Monroe and Jess not to run,
209 and that one of them needed to call 911. Jess yelled back that Jess was near the front entrance, so Jess
210 went outside and called for an ambulance. Monroe came back inside and found me about 30 seconds
211 later and we called Aaron's name for what felt like hours. We talked about trying to get down to where
212 Aaron was, but there was no way to do it safely.

213

214 At some point the police and EMTs arrived at the cabin. Donahue was with them too although I
215 don't know who got there first. The EMTs cleared us out and the police separated us and talked to Jess,
216 Monroe and me about what happened. I told them everything I've written in this affidavit and they
217 eventually let the three of us talk to each other again. We just sat in a circle on the ground in silence,
218 hoping for what we knew wasn't going to happen. Eventually the EMTs took Aaron out on a stretcher,
219 but they weren't in a hurry. One of them came over to us and told us that Aaron had died.

220

221 I've seen the photograph of the stairs in Exhibit 14H and I have no idea if that's how the stairs
222 looked that day. It was too dark inside the cabin to see whether the stairs were dirty or intact. But I'm
223 certain that Aaron broke some of those stairs on the way down. I heard the fifth stair crack, the one you
224 can see in the middle of Exhibit 14H, and I know I heard Aaron hit something else on the way down. I
225 don't think those stairs were broken until Aaron fell.

226

227 The rest of the day is a blur. Aaron's parents showed up right before the EMTs left with his body,
228 and they were screaming and demanding answers from the police. I don't remember much else, but I do
229 remember overhearing Donahue telling Aaron's parents that Donahue had told us not to go inside the
230 cabin. I saw Donahue gesture in the direction the fence and say "why do you think I put the fence there?
231 They were never supposed to be inside, it's obviously not safe." I didn't hear any other parts of that
232 conversation, but it looked like it got pretty heated.

233

234 I went home that day and I don't think I've ever really recovered. I've spent so much time
235 wondering whether we should have been inside that cabin, and I don't really have a great answer. We
236 did go through the fence, but Donahue told us we would be okay if we looked out for each other! I tried
237 to do that, but I guess I should have done a better job.

238

239 I swear or affirm that everything in this affidavit is true. Before I wrote this affidavit, I was instructed
240 that I should include everything I know that could possibly be relevant to my testimony in this case, and I
241 carefully followed those instructions. I am fully aware that I must update this affidavit with any new or
242 additional information I remember from now until the moment I take the stand to testify at trial.

243 *Elin Sanchez*

244 Elin Sanchez

1 Affidavit of Jess Leonard
2 *Witness for the Plaintiff*

3

4 After having been duly sworn by oath, Jess Leonard hereby states as follows: I am over 18 and
5 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled to
6 testify.

7 My name is Jess Leonard. I'm 20 years old and I'm a junior at Salisbury University. I was a
8 freshman at Catoclin College on April 18, 2020 when Aaron Griggs died. I couldn't go back to school and
9 face my classmates after what happened to Aaron, so I decided to transfer as far away as I could while
10 staying in-state. I'm now at Salisbury studying nursing. I didn't see what happened to Aaron, but I was
11 inside the cabin when it happened. I don't think I'll forget that day for the rest of my life, and I wish I had
12 done more to help keep our group safe.

13 I met Aaron during freshman orientation at Catoclin College. He was so outgoing from the
14 moment I met him. You know those people where people are just drawn to them? That was who Aaron
15 was. He just had that infectious energy, and everyone went out of their way to talk to him. He and I
16 were in the same small group at orientation along with Elin Sanchez and Monroe Williams, and the four
17 of us became inseparable almost immediately. I know that sounds cliché, but it was like those friend
18 groups you see in movies. We just immediately trusted each other and did everything together.

19 My first semester of freshman year wasn't always easy, but having Aaron, Elin and Monroe
20 around made it tolerable. We would spend hours sitting out on the quad eating questionable campus
21 food and imagining what people were saying to each other. Aaron loved to do this thing where he would
22 create a scenario in his head about two people talking to each other like British spies. It didn't matter
23 who they were, somehow his stories always ended with the people escaping on a helicopter. The four of
24 us just loved to sit and avoid homework and stress together.

25 It was Halloween night that we first watched *The Belair Witch Project*. Of course, it was Aaron's
26 idea; he loved scary movies. Normally we'd all outvote him and watch something that wouldn't keep us
27 awake all night, but it was Halloween, so he managed to talk us into it. I didn't think the movie was that
28 scary until the very end when they found the abandoned cabin. That scene stuck with me for a long time
29 even before what happened to Aaron. It just seemed like exactly the type of place that no one should
30 want to go.

31 After we finished the movie that night, we were all sitting in silence processing the ending when
32 Aaron laughed and said "You know... that movie was filmed in Maryland. Not that far from here,
33 actually. I bet I could sneak us in there if we went to check it out." I think Monroe made a joke about
34 Aaron being obsessed with going places he wasn't allowed to go and then someone changed the
35 subject. But that definitely wasn't the last time Aaron brought up that movie.

36 A few weeks later, around Thanksgiving, Aaron sent a text message to our group chat. I
37 recognize the screenshots in Exhibit 6-8 as our texts, although all the screenshots look like they were
38 taken from Elin's phone. They're all accurate though. You can see in the screenshot that Aaron found
39 the website for the person who owned the property where Belair Witch was filmed. And he immediately
40 mentioned the map to the cabin where the ending was filmed. I was just relieved that he didn't want to
41 sneak onto the property anymore. I didn't look at the website and just assumed he was telling the truth
42 about the cabin being somewhere we could go.

43 I guess this would be as good a time as any to mention that Aaron did like to go exploring. I
44 don't know that much about what he did or how it worked, but sometimes he would mention that he
45 liked to go places that were shut down or abandoned. He never specifically mentioned going places that
46 were off limits, but I assumed that's what he meant. I don't think abandoned schools or hospitals just
47 open their doors to give tours to college students. Monroe apparently went with him sometimes, but I
48 don't know much about that either.

49 I do remember a conversation I had with Aaron in January of 2020. We were home for winter
50 break and Aaron called me one night because he couldn't sleep. He told me he had gone to this
51 abandoned amusement park recently and he couldn't stop thinking about going back. I was definitely
52 concerned about that story. I was worried that he wasn't being safe enough – he never talked about
53 what he did to stay safe while exploring, although to be fair I never asked – but I was also worried about
54 the effect this was having on him. His voice made it sound like he was obsessed with going back to that
55 park, and he said it was keeping him awake just thinking about it.

56 I didn't feel very comfortable about how he sounded so I actually brought it up to him. I
57 remember I said to him "Aaron, I think you need to calm down a bit with this exploring. If it's keeping
58 you awake just thinking about it then it's probably not going to be safe for you to keep doing." Aaron
59 just laughed in that infectious, disarming way he could and said, "Jess, you worry about me and I
60 appreciate that, but I'm very careful when I explore – even when I have to sneak in. I just love seeing
61 places that society has left behind." I think I just dropped it at that point because I wasn't going to
62 change his mind.

63 A few weeks later Aaron sent another text to the group, that's the one in Exhibit 7. And that one
64 definitely surprised me because Aaron claimed he had gone to the *Belair Witch* filming site by himself!
65 You can see from the texts that he says we have to go back as a group because during the day we can
66 have permission to be there. I took that to mean he went there without permission, but I don't know if
67 that's true. Based on what he told me a few weeks ago though about how much he was obsessed with
68 exploring, I thought he was telling the truth.

69 Of course, we all know what happened next in the world. Campus shut down on March 16th and
70 we all had to switch to virtual classes. I have four younger siblings – two brothers and two sisters – and
71 let me tell you: that was a disaster. I basically got nothing done for the next few weeks while we traded
72 devices and tried not to crash the internet every day. Our group text with Elin, Monroe and Aaron was
73 just full of complaining about how miserable we all were. That is until Aaron brought up the *Belair Witch*
74 filming spot again.

75 As you can see in Exhibit 8, Aaron hadn't forgotten about going to see where *Belair Witch* was
76 filmed. He was trying to convince us to go visit the site and I was definitely interested. It's not like we
77 were able to do anything else. But you can see from the chat that I think we were all too exhausted and
78 overwhelmed to respond with much energy. And I'll give Aaron credit; he dropped the subject and
79 didn't push us about it.

80 In early April the four of us met up at a park near Elin's house. Thankfully the weather started to
81 warm up, so we were able to sit outside for hours and have something that felt like normal. Aaron even
82 revived his British spy impressions for the few people we saw out walking their dogs. That's the last
83 happy memory I have of the four of us together, and it's a day I'll remember forever. It was a perfect
84 spring day and I think we could have sat out there for days if we could have.

85 There's one thing about that day that sticks out to me. It was starting to get dark, and we were
86 getting ready to leave when Aaron brought up the *Belair Witch* property. He suggested we go visit on

87 April 18th and he said something really interesting. He told us he called the owner, a person named
88 Jodie, and that Jodie told him we were allowed to explore anywhere on the property we wanted as long
89 as we bought a map. It's not like we had anything else to do, so we all agreed to that date. I was a bit
90 nervous about what to expect but I trusted that Aaron wouldn't encourage us to do something he
91 thought was unsafe.

92 I didn't know much about urban exploring, so I called Monroe on April 16th to ask some
93 questions. Monroe and Aaron liked to go exploring together sometimes and I thought Monroe would be
94 able to give me an idea of what to expect. Monroe told me that Aaron was very careful and that we
95 would be fine because this property was mostly just woods and old trails. I asked about the cabin and
96 Monroe said he talked to Aaron and that Aaron was planning to just take pictures of the outside. That
97 seemed fine to me and I felt a bit better after that conversation.

98 The day before we went, on April 17th, I called Aaron. Aaron said a lot of the same things that
99 Monroe did. Aaron told me we would only go where we were allowed to go, and that mostly it was just
100 for the thrill of being in such a spooky place. Aaron also told me he heard a radio commercial that said
101 we could go anywhere we wanted. I was listening to WHFS that day and actually heard the same
102 commercial myself, it's the one in Exhibit 15. I asked Aaron and he said that's the same one he heard
103 too. I didn't think the commercial sounded very official, but Aaron insisted we would be safe, so I
104 trusted him.

105 On the 18th I borrowed my dad's car and drove to meet Aaron, Monroe and Elin at the *Belair*
106 *Witch* property. I told my dad I was going to the park again which I didn't feel good about, but I don't
107 think he would have let me go if I told the truth. Looking back at what happened, that probably should
108 have been a warning sign. Either way, I got to the property right at 2 PM and saw Monroe and Aaron
109 already waiting in the parking lot. Elin was running a few minutes late so the three of us went inside the
110 smaller building which had a sign saying it was the gift shop.

111 There was only one other person in the building. That person came over and introduced
112 themselves as Jodie Donahue. I immediately liked Jodie; they were warm and welcoming and asked us a
113 lot of questions about school and how we were holding up during the pandemic. I feel like I'm a good
114 judge of character and I definitely got the sense that Jodie enjoyed having visitors and liked meeting the
115 people who came to their property. But I also know that Jodie was trying to sell us maps and other
116 souvenirs, so Jodie might have just been really good at their job.

117 We chatted with Jodie for about 10 minutes before Elin showed up. During those 10 minutes
118 Jodie told us all about the history of the property and how you could literally retrace the footsteps of
119 the movie if you knew where to start. Jodie mentioned they were planning on offering guided tours in a
120 few months to drum up more interest in the property, and even talked about a year-round haunted
121 house as a future dream. I was expecting more discussion of safety and rules, but they never came up.
122 Jodie just told stories about how much we could see on the property if we explored the whole place.

123 I do remember Jodie telling us a really interesting fact about the cabin. Jodie mentioned that the
124 outside of the cabin is wooden, but the inside is made of stucco and bricks. According to Jodie, the
125 producers of the film used cheap local lumber to build the outside so they could spend most of their
126 limited budget making the inside look as creepy as possible. That's why the outside and inside walls
127 don't seem to match. I've never understood why movies do things like that, but it was still interesting to
128 learn.

129 Elin showed up and we bought a map and started to leave so we could start to see the property.
130 Before we left, Aaron asked Donahue about the cabin. I'm pretty sure Aaron's exact question was: "We

131 can check out the inside of the cabin, right?" The wording might have been slightly different, but I
132 remember exactly what Donahue said in response. Donahue had a half-smile, like they were trying not
133 to seem too interested in Aaron's question, and said "the cabin is in pretty rough shape, but it should be
134 okay if you're careful. It hasn't been checked out in a while, but I don't think you'll have an issue in
135 there. Just be smart and look out for each other."

136 Elin started to ask a question to Donahue, something like "can we go in there or-" when
137 Donahue cut Elin off and said "Oh, take a lot of pictures while you're out there and share them with
138 other people who might want to explore. The more people who come here to explore where that movie
139 was filmed, the better things will be for me." Elin seemed to be trying to follow up again, but Donahue's
140 phone rang, and they went to answer the call. Aaron looked at us and said, "that's a good enough yes
141 for me, let's go." We should have stayed and clarified with Donahue again, but I think we were all
142 anxious to get outside and start exploring, so we left.

143 Looking back on this now, I'm not sure if I know what Jodie was trying to say. Aaron asked if we
144 could go inside, and Jodie said we should be okay if we're careful. I know that Jodie never specifically
145 said yes, but they also never said no. If they wanted us to think we weren't allowed inside the cabin,
146 they should have answered Aaron's question.

147 We started exploring the property around 3 PM. For the next hour or two we walked through
148 the woods joking with each other and recreating scenes from the film. At one point Monroe stopped us
149 all and said, "What was that sound?" We all stopped and were silent, and then Monroe played a
150 screaming noise from their phone. I think I jumped about a hundred feet in the air, but then we all
151 couldn't stop laughing. It just felt so great to be doing something together as friends besides sitting on
152 Zoom or texting about sitting on Zoom.

153 I don't remember what time we got to the cabin, but I think it was around 4:00 or 4:30 PM. It
154 was still bright outside, but the sun was slowly starting to go down. Those woods really did create the
155 effect you see in the movie too. It was pretty dark inside the wooded areas even on a sunny day. I was
156 glad I wasn't there by myself and definitely glad we had a map to help us figure out where we were
157 going. And thankfully we didn't lose the map unlike the students in the movie.

158 Before we could see the cabin, we came to a chain link fence. It looked like it went all the way
159 around the cabin, but it was hard to tell from where I was standing, and we never checked if it did.
160 Ordinarily I would see a fence and assume it meant we weren't allowed to go past it, but after walking
161 around for a minute we saw several weak spots, including what you can see in Exhibit 14A and 14K.
162 Then we saw the gate in Exhibit 14J, and it looked like it was partially open. I didn't know how old the
163 fence was and whether it was something Donahue put in or wanted us to ignore.

164 We all stood there in silence for a minute before I asked if the map said anything about the
165 fence and whether we can go inside the cabin. Aaron responded right away and said "the map definitely
166 says we can go inside the cabin, you can see the photos right here. And Donahue never even mentioned
167 this fence so I think we can ignore it." I wasn't sure how I felt about all of that, but Monroe moved first
168 and walked right through the gate. Aaron followed right after, I went next, and Elin went through last. It
169 was easy to walk right through the opening you can see in Exhibit 14J, and I didn't see any signs telling
170 us not to go through that entrance.

171 When the cabin came into view, I immediately felt a chill go down my spine. It looked exactly
172 like the cabin from the movie except it clearly had sat unused and unmaintained for a long time. You can
173 see what it looks like in Exhibits 14C through 14F. Even from a distance it looked like it could fall over in
174 a strong wind.

175 By the time I turned back around, Aaron and Monroe were already to the front of the cabin. I
176 didn't see them run there but I don't think they could have made it to that spot without running as soon
177 as they got through the fence. I was ready to follow them when I heard Elin yell something from behind
178 me. Elin told them to stop and wait for us to catch up so the four of us could talk about this. The four of
179 us stood by the front entrance and had a quick conversation

180 Elin asked me if I wanted to go inside. I said I wanted to see what it looked like but not much
181 more than that. I did think we were allowed inside based on what Donahue told us, but I also knew it
182 wasn't smart to walk around an abandoned building with a basement. Elin agreed with me that they
183 wanted to see the inside too, but they told us all to stick together. Elin looked right at Aaron when they
184 said that, and Aaron grinned and said, "Don't worry, we'll all stay together and keep each other safe." I
185 really wish Aaron had followed that plan.

186 Aaron grabbed that front door that you can see in Exhibits 14C through 14F and pulled it open.
187 There wasn't anything holding it closed and it swung open on the hinges with barely any effort. But the
188 moment the door was open, it was like the conversation we just had hadn't even happened. Aaron and
189 Monroe were wandering all over the cabin looking in every corner. I've seen Exhibit 14G and I agree
190 that's what the inside of the cabin looked like. Elin followed them inside, but I stayed right by the front
191 entrance.

192 I wasn't thrilled with their decision to rush in, but I did see Aaron carefully stepping from one
193 spot to the next. It looked like they were trying not to put all of their weight in one spot. I stayed by the
194 front entrance and tried to keep Aaron and Monroe from doing anything dumb. It's not a very big cabin
195 though, and I think after a few minutes Monroe got bored because Monroe stepped back outside.

196 Since Elin was with Aaron, I walked back outside and around to the side to see what Monroe
197 was doing. Monroe had their camera out and were taking some pictures, and I started to give advice on
198 where to stand for the best lighting when we both heard noises. I remember what I heard as clearly as I
199 remember anything in my life. I heard a creaking noise, and then a loud crack. It sounded like wood
200 snapping in two. Maybe a second or two later, I heard Elin start screaming. They weren't saying words,
201 they were just letting out this horrible, desperate scream.

202 Monroe and I immediately rushed to the front door, but we weren't sure if the floor had given
203 in, so we didn't go inside right away. Monroe slowly made their way across the floor and that's when I
204 saw Elin crouched over the door to the basement. I think I just stopped caring about safety at that point,
205 and I ran across the floor to where Elin and Monroe were located by that basement door.

206 I saw Elin on the ground, peering down into the basement. I couldn't see the stairs because it
207 was too dark, but it was obvious what happened. Aaron had fallen into the basement. Elin was yelling
208 Aaron's name, but he wasn't responding, and none of us knew what to do. Monroe was panicking and
209 started to try and push past us to go down the stairs, but Elin and I held Monroe back. I had to yell to get
210 Monroe's attention, but I managed to convince them we couldn't get down there safely and we needed
211 to call for help.

212 I ran back outside of the cabin and searched for cell signal to call 911. It took a few minutes, but
213 I managed to get through, and police and EMTs were there really fast. One of the EMTs talked to me for
214 a few minutes to make sure I wasn't injured, and then I talked to the police about what happened and
215 told them everything I've written in this affidavit. They finally let the three of us talk to each other again
216 and we just sat on the ground waiting for the inevitable news. We could hear the EMTs working to get to
217 Aaron, but I could hear them stop rushing when they got to the basement. One of the firefighters came

218 over and sat with us for a few minutes and explained that Aaron probably died as soon as he hit the
219 ground.

220 I don't remember much else about that day, but I do remember one specific interaction. Aaron's
221 parents showed up after the EMTs recovered his body and they were talking to the police and the EMTs.
222 They were obviously upset but they were mostly calm. But then Donahue showed up, way after
223 everything was done and we were getting ready to leave. I have no idea what took them so long to
224 arrive, especially with like 50 fire trucks and squad cars flashing sirens and blaring horns on their
225 property.

226 I walked over to Donahue and was about to start yelling at them for telling us it was safe inside
227 the cabin when Donahue looked at me and said "you ignored the fence! You ignored the signs! Why do
228 you think I put those there?" I had no idea what Jodie was talking about with signs, because we
229 definitely didn't see any signs – and we went past the fence because Jodie didn't say we couldn't. But
230 before I could say anything back, Aaron's dad ran over and got in Jodie's face. They screamed at each
231 other for a few seconds, and I could make out Jodie saying, "It's obviously not safe" while gesturing at
232 the cabin, while Aaron's dad kept yelling, "It's your fault, it's your fault" over and over. The police had to
233 separate them. Aaron's parents left in an ambulance soon after that.

234 I have to admit I think Aaron's dad is right. Jodie Donahue told us it was safe to go inside the
235 cabin and never warned us about how dangerous it was to explore. And no, I don't buy the argument at
236 all that we should have realized the fence meant we weren't supposed to go inside. It looked old and
237 Donahue never mentioned it to us, and they were clearly lying about any signs telling us not to enter. I
238 blame Donahue for being so desperate to sell their stupid maps that they let my best friend die. There's
239 nothing anyone could say to me that would convince me this isn't Jodie Donahue's fault, and I hope
240 Aaron's parents take every cent that Donahue has.

241 I swear or affirm that everything in this affidavit is true. Before I wrote this affidavit, I was
242 instructed that I should include everything I know that could possibly be relevant to my testimony in this
243 case, and I carefully followed those instructions. I am fully aware that I must update this affidavit with
244 any new or additional information I remember from now until the moment I take the stand to testify at
245 trial.

246

247 Jess Leonard

248 Jess Leonard

1 Affidavit of Hunter Knowles
2 *Witness for the Plaintiff*
3

4 After having been duly sworn by oath, Hunter Knowles hereby states as follows: I am over 18
5 and competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
6 to testify.
7

8 My name is Hunter Knowles. I'm 26 years old and I'm a journalist. I spoke to Jodie Donahue
9 several months before the accident occurred in this case, and I've been asked to share everything about
10 my interaction with Donahue. I take extensive notes for every interview I conduct, and Jodie's was no
11 different. I'm using those notes to help make sure I have a clear recollection of our meeting.
12

13 I was born here in Chesapeake, but I lived in a lot of places growing up. My parents were
14 wanderers who loved to see the world, so I remember having to change schools a lot. Some people think
15 I picked up an accent from one of those places along the way, and maybe I did. That's not really for me
16 to decide, I guess.
17

18 When I was 16, I started to discover my two passions: writing and exploring. I think I was a
19 strong writer from a young age, but it didn't show in school because I had to move around so much.
20 Sometimes my parents would take us across the world halfway through the school year, right as I was
21 starting to feel settled wherever we were. It took me a long time to build up the confidence in my
22 writing, but during my teenage years I started writing on message boards and sharing some of my
23 stories with other people. I definitely knew that writing was going to be my career at that point.
24

25 Of course, moving around the world also meant I got to see some pretty incredible places. And
26 don't get me wrong, I loved the major spots like the Eiffel Tower or the Sydney Opera House - but I
27 started to figure out there was a whole movement of people who wanted to explore the places that no
28 one else knew about. I started reading and posting on urban explorer websites when I was 16, and it
29 sparked a lifelong passion for exploration and discovery.
30

31 I've gotten to see some really unique places through my exploring. A few years ago, I went
32 through an old hospital for tuberculosis patients, and just a few months ago I went with friends to an
33 abandoned mall. I don't really spend any time checking to see if I'm technically allowed inside of these
34 places, and I suppose it's possible I might be breaking the law. But my friends and I are careful not to do
35 anything dangerous and we're happy to leave if someone asks us.
36

37 I ended up going to the University of Maryland, College Park for undergrad and studied in their
38 journalism school. I worked for the school paper while I was there and covered a wide variety of topics
39 from football to campus protests. Once I graduated in 2017, I interned at the Hrabowski Gazette for a
40 few months before landing a full-time job at the Chesapeake Sun. I worked at the Chesapeake Sun for
41 two years, from September of 2017 to October of 2019. I was initially assigned to the main stories desk
42 and covered everything from local puff pieces to overnight crime stories. It was a fun job, and I enjoyed
43 the work, but I spent most of my free time finding new places to explore. I think my bosses noticed a
44 few times when I was late because I was out the night before checking out a new find or coming back
45 from a trip, but I was always careful to get my work done on time.
46

47 Unfortunately, in October of 2019, I went exploring alone at an abandoned school in southern
48 Chesapeake County. I rarely go places alone for a few reasons. The primary one is safety because it's
49 easier to look out for each other in a group, but it's also to keep an eye out for security guards or other

50 people who might want to cause problems. None of my friends were available that night and I made the
51 stupid decision to go by myself.

52

53 I had gone through the school and taken some pictures and was getting ready to leave when I
54 turned a corner and saw a Chesapeake Police Officer about 25 feet away. He had his flashlight on, and
55 he immediately shined it on my face. He stopped me and asked me who I was, and I lied to him and said
56 I was the owner of the property. That story fell apart quickly when he asked me a few more questions,
57 and I was arrested and charged with trespassing and making a false statement to police.

58

59 I ended up pleading guilty to making a false statement to police. I didn't have to serve any time
60 in prison, and I think there's a chance I can have my conviction expunged in the future if I finish my
61 probation without any issues. I really regret telling the officer that I was the property owner; I just
62 panicked in the moment and thought I could talk my way out of the situation. It doesn't reflect who I am
63 and it's not something I would ever do again. I still explore a lot and I still go places that might be off-
64 limits for me, but if I'm ever caught, I'll just tell the truth about why I'm there.

65

66 Unfortunately, my employer found out about my charges and fired me. I tried to explain what
67 happened, but they just wouldn't listen. I haven't had another regular job since losing that job in
68 October of 2019, and I get by with the revenue from my website and selling some of the old items I find
69 from my exploring on eBay. A few months after the Sun let me go, I started
70 "www.ExploreChesapeake.bay" to share some of my stories and photos. (I thought the custom domain
71 was a nice touch.)

72

73 ExploreChesapeake is mostly my own work, but every so often I am contacted by people who
74 want to feature their property or their work on my site. That's what happened in January of 2020 when I
75 got a phone call from Jodie Donahue. I still don't know how Donahue got my number, but I remember
76 that call clearly. Donahue told me they owned the property where *The Belair Witch Project* was
77 featured, and they were hoping I could interview them and publish a piece about their property on my
78 site.

79

80 I wasn't sure if I would end up running the piece, but I met Donahue to do the interview because
81 I thought the movie connection was interesting. And honestly, I really liked Donahue when I first met
82 them. They were friendly and helpful, and spent a few hours with me going through the history of their
83 property and how cool it was that so many of the original film locations were still intact.

84

85 I don't record my interviews, but I remember a lot about the conversation I had with Donahue.
86 You can see the piece I published in Exhibit 11, and I think it's pretty obvious from that article that
87 Donahue really wanted people to come check out their property. I kept trying to guide the conversation
88 away from just promoting their gift shop and toward a substantive discussion of what explorers could
89 find on Donahue's property, but it didn't seem like Donahue cared that much about the specifics.

90

91 I didn't even put the worst quotes into the story. After I closed my notebook, Donahue looked at
92 me and said, "Okay, so off the record, I can't actually tell people to go explore the cabin but obviously
93 that's where people should go." I never agreed for this to be off the record which is why I'm sharing it
94 now. In my opinion, "off the record" only applies if both sides agree to it. Other reporters might see this
95 differently, but in my experience that's how "off the record" works. Anyway, I just nodded after
96 Donahue said that, but Donahue kept going. Donahue told me, "That cabin is in pretty rough shape so I
97 definitely wouldn't suggest anyone should go in there alone. I put up a sign to cover any issues, so
98 hopefully everyone just gets their photos and leaves."

99 I thought that Donahue was done, but they weren't! Donahue paused again and then said, "And
100 last thing: I had a call a few weeks ago with the original producers of the film about them possibly
101 making a sequel! I think if I can build some regular business and intrigue about the property, I'll be able
102 to convince them it's a good decision. And the cabin is the key to that plan." I thought about putting
103 those quotes in my story but ultimately decided they didn't have much to do with what I wanted to
104 write about. It felt like Donahue was trying to use me for their own publicity, especially with what they
105 said about a possible sequel, and I didn't want to be a part of that, so I left all of those quotes out. But
106 Donahue definitely said those things, I remember it very clearly.

107
108 Unfortunately, it turned out that Donahue wasn't very happy with my story. As you can see in
109 Exhibit 11, I put some very light criticism at the end. I barely even said anything bad about Donahue!
110 Apparently even a little bit of gentle critique was too much. Donahue called me out of the blue a few
111 days after the piece went up and screamed into the phone that I was a "lousy no-good joke of a
112 journalist who wouldn't know a good story if it punched me in the face." Donahue also yelled, "If a good
113 story didn't punch me in the face, maybe they would." Donahue told me they were going to make sure
114 my story wasn't read by anyone else, and then they hung up.

115
116 A few days later I woke up and checked my site and it was down. I checked the traffic trackers
117 for the site, and they were off the charts, like hundreds of thousands of views in just a few hours, from
118 all over the world. I'm not a computer expert but I knew what this was: it was a DDoS attack. (That's
119 short for "distributed denial of service" attack.) That's where someone hires a company to flood a
120 website with traffic until it crashes because the servers are overloaded. My site was down for almost a
121 month because of this attack, and I had to spend almost \$2,000 to get someone to help me fix it. I lost
122 thousands of dollars in advertising revenue during that month as well.

123
124 Obviously, I can't prove that Jodie Donahue attacked my site. I'm not great with technology and
125 I can't afford to hire someone to investigate what happened. But let's be real here: of course, I blame
126 Donahue! Who else could it have possibly been? It's absurd to claim it's just a coincidence that Donahue
127 threatened me and specifically said they would make sure no one could read my story, and then a few
128 days later my website was taken down. Before the attack I was averaging barely 5000 unique views per
129 month; there's no one else out there who would want to target my site, and I never got any demands
130 from hackers or anything like that. I'm absolutely certain it was Donahue who paid someone to attack
131 my site.

132
133 I don't really have a good thing to say about Donahue. They came in, tried to use my livelihood
134 for their own personal gain, threatened me, and then came after my only reliable source of income. I'm
135 happy to testify here and tell you the truth about Donahue if it helps the Griggs family take Donahue
136 down. I swear or affirm that everything in this affidavit is true. Before I wrote this affidavit, I was
137 instructed that I should include everything I know that could possibly be relevant to my testimony in this
138 case, and I carefully followed those instructions. I am fully aware that I must update this affidavit with
139 any new or additional information I remember from now until the moment I take the stand to testify at
140 trial.

141
142 *Hunter Knowles*
143 Hunter Knowles

1 Report of Inspector Rahul Singh
2 *Witness for the Plaintiff*

3

4 **Introduction**

5

6 My name is Rahul Singh. I'm a senior inspector for Brickchecker of Lesser Chesapeake. On May 2, 2020 I
7 was hired by the family of Aaron Griggs to perform a property inspection of the land owned by Jodie
8 Donahue, and specifically the abandoned cabin on Donahue's property where Aaron Griggs died.

9

10 **Background and Qualifications**

11

12 I graduated with a Bachelor of Science in Mechanical Engineering from the University of Maryland,
13 Baltimore County (UMBC) in 2011. Upon graduating I began a 150-hour course with Inspection and
14 Training of Maryland (ITM) to gain my certification in home inspection. I passed that course with an A-
15 and passed the National Home Inspector Examination. I also completed the required 72-hour on site
16 site experience training through ITM and was certified in Maryland as a Home Inspector in 2012. I was hired
17 by Brickchecker of Lesser Chesapeake in 2012 as a home inspector.

18

19 I worked full-time as a home inspector at Brickchecker for three years before beginning an additional
20 certification process to be certified as a Commercial Inspector. I sat for several classes with the
21 Commercial Property Inspectors Association (CPIA) on topics like structural evaluation, code inspection
22 and compliance review, roof inspection for commercial buildings, and several other similar topics to
23 prepare me to inspect a broad variety of buildings and structures. While there is not a specific
24 certification for Commercial Property Inspection in Maryland, I passed the certification course with CPIA
25 in 2016. That allows me to refer to myself as a Certified Commercial Property Inspector.

26

27 Upon passing the CPIA inspection in 2016, I began to broaden my work with Brickchecker and was
28 promoted to Senior Inspector. (I'm not even 35 yet though, so the "senior" refers to the job title and not
29 to me.) Brickchecker is a full-service inspection agency, and we provide services to many different types
30 of properties. For most of 2016 and all of 2017, I split my work about 50/50 between standard home
31 inspections and commercial inspections. In 2018 and 2019, my primary focus was commercial
32 inspections. I would estimate I did about 80% commercial inspections and 20% home inspections from
33 2018-19.

34

35 In March of 2020 (I believe the exact date was March 22, 2020) I was furloughed when our office closed
36 temporarily due to the onset of the COVID-19 pandemic. I was unemployed for approximately a month
37 until April 21, 2020 when Brickchecker brought me back on due to the rapidly growing real estate
38 market. During the approximately one month where I was unemployed, I did not complete any
39 inspections. I focused on home inspections exclusively from April 21, 2020 when I was re-hired until May
40 2, 2020 when our company was contacted by the family of Aaron Griggs and asked to perform an
41 inspection of the Donahue property and the cabin where Aaron Griggs died. At the time of this request, I
42 was the most experienced inspector on staff with a commercial property inspection license, so I was
43 assigned to complete the inspection. While the Donahue property is not technically a commercial
44 property, nor is it a workplace which is why I think there was no OSHA inspection, it presented enough
45 unique challenges that my supervisors felt I should handle the inspection.

46

47 At the time of this inspection, I would estimate I have performed approximately 800 home inspections
48 and 350 commercial property inspections. Of those inspections, less than 20 have been of what I would

49 call “abandoned” property. Hundreds of those inspections were of “vacant” property, which I consider
50 property that has been unused for less than six months and is being maintained by an owner or manager
51 who intends to use or have someone occupy the property in the near future.

52
53 Abandoned buildings, where the owner makes little to no effort to maintain the property and has no
54 intention for the property to be occupied in the near future, are simply not inspected often. Abandoned
55 buildings are bought and sold at lower rates than maintained property, and inspections are often not
56 necessary for abandoned buildings because new owners will typically demolish existing structures and
57 start with a ground inspection. As a result, I do not have extensive experience with inspections of
58 property similar to the Donahue land and the abandoned cabin on the Donahue property. That said, all
59 of the same principles and basic rules apply for an inspection of this nature and I was fully qualified and
60 capable to complete this inspection.

61
62 One last note about my qualifications: both of my certifications require 10 hours of continuing education
63 courses each year. I have completed exactly 10 hours of continuing education each year as required and
64 can provide documentation of those courses upon request.

65

66 **Inspection Parameters and Materials Reviewed**

67

68 My inspection in this case had two components. First, I did a walk-through inspection of the entire
69 Donahue property. Second, I focused on the area surrounding the abandoned cabin where Aaron Griggs
70 died, and I inspected the interior of that cabin extensively.

71

72 I relied on several documents and exhibits when preparing this report. I took several photographs during
73 my inspection of the property, which can be seen in Exhibits 14A through 14K. I took photographs of the
74 area of the basement where Aaron Griggs passed away, but those photographs are not included in this
75 report because of a court order. I also reviewed copies of the map sold by Donahue at their store, and
76 you can see that map in Exhibit 4. I did not review any witness statements or conduct any interviews, as
77 doing so could potentially bias my inspection of the property.

78

79 I utilized relevant safety standards in the field of property inspection, and I followed what is referred to
80 in my field as the OED method. That stands for “observe, examine, and document.” I first observe the
81 property and look for any obvious surface-level problems. I then do a thorough and complete
82 examination of all areas of the property. Finally, I document all of my findings in a comprehensive report
83 like this one. The OED method is standard in my field and I learned it during my ITM certification
84 courses. It is used by hundreds of thousands of property inspectors across the world.

85

86 All of my methods used are reliable and accurate, and I had sufficient facts and data to reach all of my
87 conclusions. I reliably applied the OED method to the facts of this case, and I used my scientific and
88 technical knowledge to reach all of my conclusions to a reasonable degree of professional certainty.

89

90 **Safety Standards**

91

92 Many of the standard checklists for inspections were inapplicable in this case because of the unique
93 nature of the property. When I inspect commercial buildings, for example, I look for whether electrical
94 and plumbing lines are secured and wired correctly. When I inspect homes, I look for any potential
95 issues with the structure or invasive pests. In this instance, I had to use my knowledge to develop a
96 checklist I could apply to these unique circumstances.

97 I knew very little about this case going into my inspection, which was by design to prevent any potential
98 bias. That said, I needed some basic information to help guide the development of safety standards. I
99 spoke to Officer Karen Featherston of the Chesapeake Police Department and requested a brief
100 overview of the facts and issues of this case. She relayed the following information to me:

- 101
- 102 1. The property was mostly outdoors but had three structures: a two-story home, a single
103 story converted garage (the “gift shop”), and an abandoned cabin that had never been used
104 as a residence.
- 105 2. Aaron Griggs was the deceased party and they had gone to the property to explore because
106 it was the site of filming for a film.
- 107 3. The owner, Jodie Donahue, welcomed visitors to their property, but there was an open
108 question about whether the students including Griggs were permitted to be inside the
109 cabin.
- 110 4. Officer Featherston also asked me to examine whether the signage and other measures
111 were compliant with safety standards in my industry to prevent harm to visitors to the
112 property.
- 113

114 I should make one note here for completeness. Once Officer Featherston completed relaying this
115 information, I thanked her and began to end the call. Before I was able to do so, she started speaking
116 again and said this was “off the record.” I am not a journalist and that term is not applicable to me, so I
117 said nothing and did not agree to that arrangement. Officer Featherston spoke again and said, “Look,
118 this Donahue person is a smug jerk, and a kid is dead because of their stupid maps. I don’t want you to
119 write anything that isn’t true, but I expect this report to come out the way we need it.” I told Officer
120 Featherston I thought that request was extremely inappropriate, and I ended the call. I did not report
121 the exchange to anyone at the Chesapeake Police Department, and I simply resolved to do what I do in
122 all of my cases: complete a fair and impartial review of the information I discover during my inspection.

123

124 Based on the information given to me by Officer Featherston, I decided to focus on two crucial questions
125 related to safety:

- 126
- 127 1. Did Jodie Donahue provide sufficient information and/or communication to clearly indicate
128 whether visitors to the property were permitted to enter the cabin where Aaron Griggs passed
129 away?
- 130
- 131 2. Did Jodie Donahue take reasonable steps to secure the abandoned cabin such that a visitor to
132 the property would not be exposed to unsafe conditions?
- 133

134 As a safety inspector, it’s my job to make sure properties are compliant with Chesapeake County Codes
135 related to construction and maintenance. But the basic standard of all codes is that property must be
136 safe for a reasonable person to function without being exposed to unsafe conditions. I used that basic
137 standard of “reasonable care” to reach my conclusions in this case.

138

139 **Conclusions**

140

141 I reached three conclusions in this case, although only two of them are connected to the events that led
142 to Aaron Griggs’ death.

143 As it pertains to the surrounding Donahue property, I found nothing remarkable during my inspection.
144 Most of the property consists of several acres of forest land with no structures or inhabitable buildings.

145 The two inhabitable structures other than the abandoned cabin are Jodie Donahue’s residence and the
146 building next door that holds the small gift shop. (Perhaps “held” the small gift shop is a better term, as
147 the gift shop appeared to be closed and shut down when I visited the property.) I did not inspect either
148 of those buildings as they had no information that would impact my investigation of Aaron Griggs’
149 death.

150
151 I have two conclusions related to the abandoned cabin and the area surrounding that cabin. They are:
152

- 153 1. Jodie Donahue did not provide sufficient signage to warn potential visitors that the cabin was
154 dangerous and may have quietly encouraged visitors to explore the cabin area despite making
155 no effort to ensure it was safe. This is a violation of reasonable care.
- 156 2. Jodie Donahue’s attempts to secure the abandoned cabin were woefully inadequate and
157 constitute clear violations of reasonable care.

158

159 **Narrative of Inspection and Conclusions**

160

161 I arrived at the Donahue property at 8:30 AM on Monday, May 4, 2020. I was given permission to
162 inspect the property by Jodie Donahue’s attorneys, but Donahue herself did not appear to be present
163 for my inspection. If they were on the property at the time, I did not see them.

164

165 Before arriving at the property, I asked Donahue’s attorneys if Donahue had made any changes to the
166 property between the end of the police investigation and my arrival to the property. They assured me
167 Donahue had made no changes and had not gone near the cabin since the accident. I have no way of
168 verifying this information, although I did not notice anything that appeared to show evidence of
169 tampering or recent modifications to the property. I also spoke to Officer Charles Carmichael, one of the
170 responding officers after the accident, who assured me that police and emergency personnel were
171 careful not to disturb the scene aside from the removal of Griggs’ body.

172

173 I parked in the driveway near the Donahue residence and did a brief visual inspection of the two
174 buildings that contain Donahue’s home and the formerly operational gift shop. Both were unremarkable
175 and appeared to be well-maintained. I did not consider either building to be relevant to my inspection.

176

177 I began to walk the property in broad circles, slowly making my way around the area with the goal of
178 ending my inspection in the area where the abandoned cabin is situated. As you can see in Exhibit 4, the
179 cabin sits roughly in the center of the property, so this technique allowed me to quickly view the
180 remainder of the property before arriving at the area where I believed I would need to spend the most
181 time.

182

183 As noted above, the remainder of the property was also unremarkable. Donahue owns several acres of
184 forest land that were depicted in various scenes within *The Belair Witch Project*. These areas contained
185 the natural, inherent dangers of walking through a forested area, such as downed trees or uneven
186 pathways, but they were moderately easy to navigate, and I did not note anything that impacted my
187 conclusions related to the area where the abandoned cabin is located.

188

189 About 1.5 hours after I began my inspection of the property, I first encountered a chain link fence that
190 surrounded the area where the abandoned cabin is located. I walked the entire perimeter of that fence
191 and documented its condition. Most of the fence was in decent to good condition, although some areas
192 were poorly maintained or impacted by falling trees. You can see in Exhibit 14A as well as Exhibits 14J

193 and 14K, that several areas of the fence are broken and not properly maintained. Exhibit 14A was taken
194 on the southern edge of the fence, approximately due north from where the campsites are located on
195 Exhibit 4. Exhibits 14J and 14K are also taken on the southern edge of the property. Exhibit 14A is
196 roughly in the middle of the fence, Exhibit 14J is about 200 yards to the left of Exhibit 14A, and Exhibit
197 14K is about 150 yards to the right of Exhibit 14A. Because of these areas in the fence where it was not
198 properly maintained, as well as the gate entrance in Exhibit 14J, the fence was not a meaningful obstacle
199 to anyone who wanted to enter the cabin.

200

201 There was essentially no signage warning people not to enter the area inside of the chain link fence. I
202 found one faded "No Trespassing" sign on the north side of the property that faces away from the
203 Donahue home. That sign can be seen in Exhibit 14B. I noticed the sign because I was carefully
204 documenting the property as a part of my inspection, but someone else could easily miss that sign if
205 they did not walk around to the area of the property where it was located.

206

207 I found two copies of the printed map that Donahue sold at the gift shop and provided to me. Both were
208 located inside of the fence in the area depicted in Exhibit 4. (I did not take a photograph of the maps
209 from where I found them.) One of the maps had a handwritten note in black sharpie on it with an arrow
210 pointing at the photo of the basement. It read "check this out! Looks just like the movie!" You can see
211 the photo I took of that map in Exhibit 5 with Officer Michael Sloat holding the document. I
212 photographed that map and then provided the original copy to Officer Sloat of the Chesapeake Police
213 Department.

214

215 I was very concerned by these observations. It might seem like the presence of a fence is sufficient to
216 indicate to explorers or visitors that they are not permitted to enter, but that's not actually true. As I
217 discussed in my mention of safety standards, property owners need to communicate clear instructions
218 for what areas are safe or off limits. A fence may be on a property to keep out wildlife or children. This
219 fence had several areas that were improperly maintained. And perhaps most importantly, Exhibit 14J
220 shows a gate that is at least partially open. It is reasonable to imagine someone could see that gate, with
221 no signage around it, and believe they were permitted to go beyond the gate.

222

223 Additionally, there is evidence in this case that I will discuss later to suggest that Donahue wanted
224 visitors to ignore that fence. The lack of maintenance or signage on the fence was a clear violation of
225 reasonable care and industry standards related to safe maintenance of property, and it increased the
226 possibility that someone would bypass the fence and be exposed to a dangerous property.

227

228 Once I had fully examined the area outside of the fence, I passed through the fence in the area shown in
229 Exhibit 14J. I was able to walk through the gate with no difficulty. From there I began to approach the
230 cabin.

231

232 My immediate impression of the cabin is that it was obviously abandoned and in a state of moderate
233 disrepair. As you can see from the photographs, I took shown in Exhibits 14C through 14F, the exterior
234 of the building does appear to be mostly intact. But you can also see clear signs of weathering and wear
235 on the external building materials. This should have been a clear warning sign to Aaron Griggs and the
236 others with him that the cabin may be unsafe.

237

238 That visual appearance does not absolve Donahue of their responsibility to follow best practices for
239 safely maintaining their property. The entrances to the cabin were entirely unsecured. I was able to
240 easily pull open the front door and enter the cabin without any resistance. There were no plywood

241 barriers to keep me out, no fencing or other security barriers around the cabin, and no signs or writing
242 on the cabin itself warning potential visitors not to enter the cabin.

243
244 Once inside of the cabin I carefully inspected the interior. I was aware that Griggs fell to his death in the
245 basement and thus knew there was a basement below me, and the floor could potentially cave in. I used
246 rocks I collected during my walkthrough of the property to test if sections of the floor could withstand
247 pressure before stepping on them, and I only examined portions of the cabin where I felt I could safely
248 walk without risk of injury. The photograph of the interior of the cabin can be seen in Exhibit 14G. While
249 it is only one photograph, it depicts the entire interior area of the main cabin.

250
251 Once I had inspected the main level of the cabin, I found the door that led to the basement stairway.
252 That door is visible in the back of the room in Exhibit 14G. Once I used my flashlight to illuminate the
253 stairs to the basement, I could clearly see the step about five steps down where Aaron Griggs had fallen
254 through to the ground below. There was limited daylight in the cabin, so I used a tripod and flood light
255 to illuminate the basement from the top of the stairs. From my position at the top of the stairs I could
256 see the area where Griggs fell to their death. I did take photographs of that area, but they are not
257 included in this report by court order, and they played no role in my final conclusions.

258
259 I used a pulley anchored to one of the trees behind the cabin to slowly lower myself into the basement
260 without using the stairs. Once in the basement, I set up another flood light and took the photographs
261 depicted in Exhibit 14H and 14I. As you can see from Exhibit 14H, the stairs to the basement have
262 extensive debris on them and appear to be weak and in need of repair. I did not attempt to test if any of
263 the other stairs would hold my weight as I did not want to disturb the scene if a criminal investigation
264 was still underway.

265
266 Ultimately my time inside the cabin led me to my second conclusion about the safety risks that Donahue
267 allowed to exist. That cabin was an extremely dangerous building and in my professional opinion it
268 would have been impossible for anyone to explore the entirety of the interior structure without
269 suffering significant injury. While I did not use any tools to determine the strength of the floor or the
270 basement stairs, and none of the floor areas broke or caved when I placed rocks on them to test their
271 strength, I could feel the floor bending under my weight at multiple points during the inspection. This
272 cabin was a death trap, and it is tragic that Aaron Griggs was allowed to enter and was not warned of
273 the potential risks.

274
275 I'm not a lawyer so I can't speak about whether Griggs should have been able to know the cabin was
276 dangerous simply by looking at it. But in my opinion, that does not absolve Donahue of their affirmative
277 duty as a property owner to follow best practices and to use reasonable care when securing and
278 maintaining their property. Donahue's failure to warn visitors of potential danger in and around the
279 cabin was made even worse by the fact that Donahue invited those visitors to explore Donahue's
280 property.

281
282 It is my professional opinion that Jodie Donahue did not properly maintain their property, did not
283 properly indicate what areas of the property were off-limits to visitors, and made no effort to secure the
284 cabin where Aaron Griggs died. These conclusions amount to violations of safety standards that all
285 property owners are expected to follow, and they are unacceptable lapses that may have caused a
286 young man to die.

287
288

289 **Outside Investigation**

290

291 I do not typically conduct outside research when inspecting a property. In this case, however, I felt it was
292 necessary to determine if Donahue was using other methods to adhere to the safety standards I just
293 discussed. If, for example, Donahue was telling visitors clearly that the fence was meant to keep them
294 away from the cabin and that the cabin was unsafe for exploration, this could possibly change or at least
295 impact my conclusions.

296

297 I first looked at the map of the Donahue land that Donahue was selling in the gift shop. That's the map
298 shown in Exhibit 4 and the map shown in Exhibit 5 that I found on the property. The map was very
299 concerning to me because it does not contain any warnings to suggest the cabin is off limits. It clearly
300 marks the cabin's location, discusses facts that could encourage people to enter the cabin, and does not
301 provide clear instructions to visitors on where they are allowed to go or areas they should avoid. This
302 was very concerning to me and it added to my belief that Donahue did not properly warn visitors of the
303 dangers inside the abandoned cabin.

304

305 I also wanted to gather more information about the copies of the map I found inside the fence
306 surrounding the cabin. While I was not able to ask Donahue directly about the handwriting, I was able to
307 find a copy of Donahue's resume from LinkedOn. I contacted Donahue's previous employer, a local
308 bowling alley about 20 miles from the property I inspected. I set up a meeting with two individuals who
309 claimed to have worked with Donahue and had seen Donahue's handwriting extensively because the
310 system at the bowling alley required them to write all scores and receipts by hand. Both individuals
311 asked that I not use their name in this report, but they both agreed the handwriting on Exhibit 5 is
312 Donahue's.

313

314 I attempted to verify this information but was only able to reach one other person who claimed
315 knowledge of Donahue's handwriting: a former college professor who had seen Donahue's handwriting
316 approximately ten years before our interview. That professor also requested to remain anonymous but
317 agreed the handwriting appeared to belong to Donahue.

318

319 If the handwriting on Exhibit 5 is indeed Donahue's handwriting, that is very concerning to me because it
320 suggests that Donahue may have intended to encourage people to explore inside the cabin where Aaron
321 Griggs died. I cannot offer an opinion as to whether the handwriting is Donahue's, but I can say that if it
322 is, that map certainly represents a gross violation of safety standards for property owners.

323

324 *Rahul Singh*

325 Rahul Singh

1 Affidavit of Monroe Williams
2 *Witness for the Defense*
3

4 After having been duly sworn by oath, Monroe Williams hereby states as follows: I am over 18
5 and competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
6 to testify.
7

8 My name is Monroe Williams, and I'm 21 years old. I was a freshman at Catocin College back in
9 2020 when Aaron Griggs died. I finished my first year but then left school and haven't really found the
10 right path since then. I've done some odd jobs and tried a few classes at community college, but nothing
11 has stuck. It's definitely not easy for me to talk about what happened to Aaron but I'm going to do my
12 best to recall what happened.
13

14 I met Aaron at freshman orientation back in fall of 2019. We had to do one of those welcome
15 sessions where you were put at a table with a bunch of strangers and work together to solve some
16 puzzles. It was like a mini-escape room except we were seated at a table and our orientation guide kept
17 yelling motivational phrases at us. (College is weird sometimes.) But Aaron, Jess Leonard, Elin Sanchez
18 and I just figured out right away that we were a great match. Aaron and Elin figured out one of the last
19 clues and we all cheered, which made our orientation guide cheer so loud that Jess knocked Jess's water
20 off the table. It's one of those memories that I can't help but look back on and laugh.
21

22 The four of us basically saw each other every day after that. We would spend hours at each
23 other's dorms playing games, watching movies, and helping each other navigate the chaos of freshman
24 year. We just clicked, and it was so easy to spend time together and not worry about all of the pressure
25 and the social challenges that come with adjusting to a new place and new people. Aaron was about as
26 loyal of a friend as you can imagine. I miss him a lot these days.
27

28 About a month after classes started, Aaron pulled me aside and asked me if I wanted to go
29 exploring with him. I asked him why he was talking to me alone and not Elin and Jess, and he said "I
30 don't think they're quite ready for what I have in mind. I want to explore some places where we might
31 have to take a few risks." He showed me a few pictures on his phone of abandoned hospitals, run down
32 schools, and even an abandoned amusement park. I had never done that type of exploring before but
33 I'm not one to back down from a challenge, so I was definitely in.
34

35 Every few weeks I would tag along with Aaron and go exploring. And at first it was great. We
36 would do safety checks before we went inside, we would stay within a few feet of each other, and I
37 really felt like we were discovering new places and seeing amazing things without taking unnecessary
38 risks. But over time, things changed. We started doing less safety checks, we started branching out into
39 more dangerous places, and sometimes Aaron would go off on his own when I would stop because I
40 didn't feel comfortable. I didn't feel great about that part of our exploring, but aside from that it was an
41 amazing experience to see these creepy places that society has left behind.
42

43 Of course, Aaron's attention became focused on a new place around Halloween of 2019. On
44 Halloween night we all watched *The Belair Witch Project* at Aaron's insistence. I hadn't seen that movie
45 before, but I loved it. The entire premise was so creepy, and it really surprised me a few times. The
46 ending especially was the scariest scene I've ever seen, and I'm pretty sure we all screamed at the very
47 end. I remember we put on some dumb comedy show after that and turned all the lights on so we could
48 try to calm down and get some sleep.

49 But that was the same night that Aaron mentioned *The Belair Witch Project* was actually filmed
50 in Maryland. He told us it wasn't too far from where we were, and he said he looked it up and the cabin
51 where the final scene was filmed is still there. A few weeks later, Aaron Griggs showed the website to
52 Williams on 11/13/19 where he learned it was maintained by Jodie Donahue. The screenshot in Exhibit 12
53 is an accurate depiction of what I saw on Donahue's website about the *Belair Witch* property. I was
54 definitely surprised that we were allowed to visit the filming locations, but I didn't see anything telling
55 us we were allowed to go inside the cabin where the last scene was filmed.

56
57 Over the next few months, Aaron would bring up the *Belair Witch* property every so often. You
58 can see in Exhibits 6 through 8 that he mentioned it a lot in our group texts and was really pushing us to
59 go check it out. And for me it wasn't that I didn't want to; I thought it was a great idea. He just kept
60 suggesting it at bad times or he would suggest it and then we'd all get distracted by an exam or some
61 event on campus. But as you can tell from the messages, Aaron really seemed fixated on that location
62 and would bring up a lot that he wanted to see if the basement really was still intact.

63
64 I honestly can't say for sure if Aaron visited the *Belair Witch* property without us. I remember
65 once that Elin claimed Aaron had said that, but I don't remember him telling me he had gone there. But
66 it's definitely possible. I could tell he was annoyed when I would stop and turn around during an
67 exploration. It was obvious from his body language and tone of voice that he thought I was being
68 overcautious and wasn't willing to take enough risks to see the best areas of these old buildings or
69 locations. He even said that to me once during a trip to an abandoned office park. I didn't want to go
70 into an old computer server room because I figured there was a lot of weight on the floor, and it could
71 be dangerous. Aaron looked at me and said, "If you won't take risks to see the best spots, I'm not sure
72 why you're here." I wouldn't put it past him to go check out the *Belair Witch* property without me
73 before we all went there.

74
75 March of 2020 was when things started to move quickly. We all got sent home in mid-March
76 because of COVID and within a few days I think we were all going crazy. I love my family, but they live a
77 few hours away from campus and going from campus life to not seeing any of my friends overnight was
78 miserable. You can see from the texts in Exhibit 8 that Aaron was feeling the same way too, because he
79 brought up the *Belair Witch* property again. I think it was around that same time that we all decided to
80 meet at a park where we could stay distanced and see each other.

81
82 At that park meeting we all finally agreed to go visit the *Belair Witch* film site. I was really
83 excited to go, but I was definitely nervous about how Aaron seemed to be approaching the idea. He told
84 us he was pretty sure we weren't supposed to go in the cabin where the last scene was filmed, and he
85 said we'd have to be careful to make sure no one saw us if we did go exploring in there. Like I
86 mentioned, Aaron tended to push the limits a bit and this seemed like another example of that
87 behavior.

88
89 Aaron and I actually met up the night before the 18th to talk about the plan for the next day. We
90 went back to the park and we talked about what we wanted to see and how cool it would be to recreate
91 some of the scenes from *The Belair Witch Project*. But then Aaron suggested we bring a film camera to
92 recreate the final scene, where the one student is in the basement facing the corner. I think my surprise
93 must have registered on my face because Aaron looked at me and laughed and said, "What's wrong with
94 you?"

95

96 I told Aaron I had looked at the website and it didn't say anything about going inside the cabin.
97 And I said I really wasn't comfortable going with him on exploring trips anymore if he was going to keep
98 pushing our limits. I wish I could say otherwise, but it just didn't seem like I was getting through to him.
99 Aaron told me he was sure we were allowed to go inside the cabin; in fact, he said that was obviously
100 why the cabin was featured so prominently on the website. He did reassure me that we would stick
101 together and be safe, but I didn't feel very comforted.

102
103 Aaron also told me about a radio commercial he heard for this property. He said the radio
104 commercial said we could explore "all the sets" and that had to include the cabin. He also said the
105 commercial specifically referenced the property as the "ultimate thrill." I didn't hear the radio
106 commercial before Aaron died, but before I wrote this affidavit my lawyers played Exhibit 15 for me.
107 That's definitely the commercial Aaron described, but he didn't mention any of the other parts.

108
109 We changed the subject for a bit, but I brought it back up before we left and asked him how he
110 could be so sure we were allowed to go inside that cabin. I wondered if maybe he had already talked to
111 the property owner or something, but Aaron said he hadn't called the owner and didn't know any more
112 than I did. He said, "I guess I'm just better at interpreting the rules so we can have more fun." I left it at
113 that and figured I could just do what I usually do and encourage Aaron to be safe while we explore.

114
115 On April 18th we all met at the property around 2 PM. Elin was a few minutes late so Jess, Aaron
116 and I went inside and met Jodie Donahue. I liked Donahue immediately, if I'm being completely honest.
117 We had a lot in common and I just thought Donahue was trying to make sure we appreciated the history
118 of the property while still being safe. They kept bringing up how important it was that we were careful
119 and that we stuck together.

120
121 We bought a map from Donahue and turned to leave, but Aaron turned back around and asked
122 Donahue about the cabin. I think Aaron's exact question was "That cabin, where the last scene was
123 filmed; it's safe to go inside if we're careful?" Donahue's response was immediate and very clear to me.
124 Donahue told us "You can't go in the cabin, that's why there's a fence. The floors could give you some
125 trouble and it hasn't been checked out in a while. Feel free to get as close to the cabin as you want, but I
126 definitely don't want you to go inside."

127
128 That was clear enough for me, so I stepped outside. The other three were inside for another
129 minute and I have no idea if Donahue said anything to them after I left, but soon after that they were
130 back outside, and we headed out to explore. We decided to head to the edge of the property and work
131 our way inward so we could end by the cabin before heading home.

132
133 We barely made it to the edge of the property when Aaron announced he was sick of wandering
134 through the trees and wanted to go see the cabin. There was no talking him out of it, and we started
135 moving in the direction we thought the cabin would be. I'm not sure if the woods at that place really are
136 cursed, but we definitely got turned around a few times trying to navigate our way to the cabin. It was
137 sunny out but not a lot of light made it through the thick tree brush and down to where we were, so I
138 was glad when we ran into the chain link fence and I was able to figure out where we were.

139
140 The chain link fence definitely looked like it had seen better days. We walked around a little bit
141 and saw several spots that were broken, including the ones in Exhibit 14A and Exhibit 14K. After a few
142 minutes, we found the gate you can see in Exhibit 14J. Aaron didn't even seem to pause when he saw

143 that gate. He walked through so fast that he was practically running, so I followed behind him to try and
144 keep up.

145

146 Aaron didn't say a word about what Donahue told us earlier about not going inside, and it sure
147 looked like he was determined to see the inside of that cabin. As Aaron walked through the gate in the
148 fence (the one in Exhibit 14J), I suggested we look around a bit more to see if there was something to
149 tell us whether we were allowed beyond the fence, like a "No Trespassing" sign or something similar.
150 Aaron definitely heard me, I was standing right behind him, but he didn't acknowledge me or answer at
151 all.

152

153 Right as Aaron reached the front of the cabin and I was a few steps behind him, Elin called out
154 for us and told us to stop. Elin and Jess caught up and we had a group discussion about what to do.
155 Aaron wanted to go inside but I told him it was a bad idea. I said I wanted us to think about this because
156 Donahue clearly told us not to go inside. Aaron reacted strongly to that. He let out a harsh laugh and
157 then said, "Come on, you have to learn to read between the lines. Jodie said to get as close as we want.
158 You really think that busted fence was meant to stop us?"

159

160 Aaron stepped inside the cabin, so I followed behind him. I will admit that once we got inside
161 the cabin, I got distracted by the sheer creepiness factor of standing in the place where *Belair Witch* was
162 filmed. I know this was probably just the sunlight playing tricks on my eyes (and the woods playing tricks
163 on my mind), but I could have sworn I saw shadows moving past the side of the cabin while we were
164 inside.

165

166 After a few minutes I stepped back outside to take some pictures. Jess went with me and we
167 walked over to the side of the cabin and started to talk about where we could get the best lighting to
168 show how creepy this place was. I figured I could even show the pictures to Jodie since they asked us to
169 take pictures while we explored. I was just starting to relax and enjoy the novelty of exploring such an
170 interesting location when everything happened so fast.

171

172 I don't know exactly how long it was from when I separated from Aaron and when I heard Elin
173 scream, but I don't think it was any longer than 30 seconds. I didn't see where Aaron was in the cabin
174 when I stepped outside, but I think Aaron basically went straight to the entrance for the basement. I'm
175 not sure how he would have known where that entrance was if this was really his first time in the cabin,
176 but he found it right away. I was outside when I first heard the noises that are burned in my brain.

177

178 I heard some sort of noise that sounded like wood cracking, like when wood pops in a fire but
179 much louder. Almost instantly after that I heard Elin start screaming. Elin was initially just screaming
180 without forming words, but then they just kept screaming "Aaron!" over and over again until Jess and I
181 made it to where Elin was. I was confused at first about what happened until Jess pointed toward the
182 entrance to the basement. Immediately I felt my stomach drop and I knew Aaron must be down there. I
183 wanted to try and go down there myself, but Jess and Elin talked me out of it, and they were definitely
184 right. Anyone could look at those stairs and see they weren't safe. Jess ran outside to call 911 and I
185 stayed with Elin until police and paramedics arrived.

186

187 I don't remember much about what happened the rest of the day, but I do remember I was one
188 of the last people to leave. The police interviewed each of us and Donahue showed up at some point,
189 but everyone cleared out once Aaron's parents left in an ambulance. Elin and Jess left really quickly and

190 without much warning, and suddenly it was just Jodie and me. I was getting ready to leave when Jodie
191 asked if we could talk for a minute.

192
193 Jodie just broke down crying and told me this was never supposed to happen. Jodie said they
194 knew they could have made it clearer that people weren't supposed to go inside the cabin, but that they
195 wanted people to think that was a possibility until they showed up and bought the map from Jodie. I
196 thought that was a pretty scummy business tactic, but I also believed Jodie and thought they seemed
197 sincere. I told Jodie they made it clear to us that we weren't allowed to go inside the cabin and that I
198 had tried to talk Aaron out of it. Jodie calmed down a lot after hearing this, and we exchanged phone
199 numbers before I left.

200
201 A few weeks after this lawsuit was filed, I got a call from Jodie asking if I would testify on their
202 behalf. Jodie apologized a lot during that call for asking me to testify against my best friend's parents,
203 but Jodie said they didn't want their life to be ruined just because Aaron and our group went where we
204 weren't supposed to go. After I thought about it for a little while, I agreed to testify for Jodie. I love
205 Aaron and I miss him every single day, but in my opinion, he knew we weren't supposed to go inside
206 that cabin. The whole point of court is to tell the truth, and that's why I'm here – as hard as the truth
207 might be to acknowledge in this case.

208
209 I would say I've become friends with Jodie since this lawsuit was filed. We don't hang out a lot,
210 but we see each other about once a month. I think it's wrong to blame Aaron's death on Jodie, but to be
211 clear, Jodie has never asked me to lie or do anything besides tell the truth. Unfortunately, my decision to
212 befriend Jodie has caused Elin and Jess to stop speaking to me. They said I "sold out" instead of backing
213 up our best friend's parents, and they told me to enjoy whatever Jodie was paying me to tell my side of
214 the story. Those accusations are nonsense and I think they're both just still hurting about what
215 happened. I am too.

216
217 I swear or affirm that everything in this affidavit is true. Before I wrote this affidavit, I
218 was instructed that I should include everything I know that could possibly be relevant to my testimony in
219 this case, and I carefully followed those instructions. I am fully aware that I must update this affidavit
220 with any new or additional information I remember from now until the moment I take the stand to
221 testify at trial.

222

223 *Monroe Williams*

224 Monroe Williams

1 Interview of Jodie Donahue
2 Witness for the Defense
3

4 SLOAT: OK, I have just turned on the recording device. I will advise everyone in the room that this device
5 only records audio. We do not have video recording devices set up in this room. I'm Officer Michael
6 Sloat with the Maryland State Police. With me is Officer Karen Featherston. It's 4:17 PM on May 6, 2020.
7 We're conducting this interview with Jodie Donahue in Room #2 at police headquarters. All parties are
8 wearing a mask and maintaining six feet of distance from one another. Jodie Donahue, please state your
9 full name for the record and spell your last name:

10 DONAHUE: Jodie Myrick Donahue. That's D-O-N-A-H-U-E.

11 SLOAT: To be clear, you are here of your own free will. No one has forced you, coerced you, or offered
12 you anything to be here. You are not a suspect in any crime, nor are you under arrest. You are free to
13 leave at any time and all statements given in this interview are given freely and without pressure or
14 undue influence. We have asked you here to give a voluntary statement about your knowledge in the
15 death of Aaron Griggs, and you have agreed to give a voluntary statement without an attorney present.
16 Do you agree?

17 DONAHUE: Yes, I do. And feel free to call me Jodie.

18 SLOAT: Sounds good. Jodie, can you tell us how you first bought the property you own now?

19 DONAHUE: Sure. Back in 2017 I was living in a small farmhouse about five miles from where I live now. I
20 had almost no monthly expenses because I bought that place for cheap and fixed it up myself, and I was
21 doing well with my job as a sales representative. I saw the property advertised for sale, but for some
22 reason the ad didn't mention that it was where The Belair Witch Project was filmed. I knew that because
23 I've lived in this area for my whole life and I was in grade school when the movie came out, so I jumped
24 on the opportunity to buy that land.

25 SLOAT: Did you start living there right away?

26 DONAHUE: No, the house on the property needed some work so I spent a few months fixing it up before
27 I sold my old place and moved there. There was also a separate building next to the house that might
28 have been an old garage. I didn't worry about that building right away but eventually remodeled it and
29 started using it as my gift shop.

30 SLOAT: Can you tell us about when you started to market your property to outside visitors?

31 DONAHUE: Yeah, that was about a year after I moved in. I spent a fair amount of money to buy the
32 property and fix up the main house, and I knew there was some potential tourist money since Belair
33 Witch is still very popular, especially in this area. I decided it made sense to fix up the old garage building
34 and start to use it as a half-museum, half-gift shop that could help me bring people to explore the
35 property.

36 FEATHERSTON: Was that your full-time job?

37 DONAHUE: Definitely not. Maybe in a few years I could put in some paths and charge admission, but for
38 right now it's just a weekend hobby. I'd probably be willing to arrange special events on weekdays if
39 someone asked, but so far no one has.

40 FEATHERSTON: I understand. Did you do anything to make sure the property was safe for people to visit
41 and explore?

42 DONAHUE: Of course. I walked the entire property and cut down dead trees, and I cleared some walking
43 paths for people to use. I tried to clear out as many rocks and thorns as possible to make it easy for
44 people to get around. It's a large property though, so there was only so much I could do.

45 SLOAT: Let's talk about the cabin. What did it look like when you bought the property?

46 DONAHUE: Pretty much how it looks now: empty, worn down, abandoned. I don't know how long
47 before the movie it was built, but even in Belair Witch it's in pretty rough shape. The outside doesn't
48 look too bad, but the inside has seen better days.

49 SLOAT: Did you go inside after you bought the property?

50 DONAHUE: I did. It had a few places where the floor seemed a bit weak, and obviously it wasn't
51 somewhere you could live, but I didn't have any problems. The first thing I did was go down the stairs
52 and check out the basement. It looked like it hadn't been touched since the movie was filmed, which
53 was really cool but also incredibly creepy.

54 SLOAT: Anything else you noticed about the cabin when you went inside?

55 DONAHUE: I had read about how the inside and outside were made of different materials, but it was still
56 weird to see in person. The outside is made with lumber from a nearby forest, but the inside has brick
57 walls and stucco. I think it had something to do with how they wanted the place to look for the movie.
58 Apparently, the outside needed to look creepy and rustic, but the inside needed to have more of a
59 haunted feel.

60 SLOAT: There's a chain link fence around the cabin area. Did you put that in?

61 DONAHUE: No, that was there when I bought the place. I thought about removing it but ultimately
62 decided to leave it to keep out unwanted guests. And then when I decided to market the property as a
63 tourist spot, I knew the fence would be the perfect tool to help make sure no one went inside the cabin.

64 SLOAT: Since you bring that up, let's talk about it. Did you do anything else to the fence to make it clear
65 you didn't want people to explore the cabin?

66 DONAHUE: Sure, I hung some "Do Not Enter" and "No Trespassing" signs around the fence. I think I put
67 3 or 4 of them out there.

68 SLOAT: When was that?

69 DONAHUE: That would have been summer of 2019, probably in July.

70 SLOAT: I went to the property the day of Aaron Griggs' death and there was only one sign on the entire
71 fence, and it looked a lot older than a year.

72 DONAHUE: Is that a question?

73 FEATHERSTON: Come on, you know what we're asking. If you hung those signs, where are they?

74 DONAHUE: I don't know what you want me to say. I hung the signs. Someone must have taken them
75 down or stolen them. I can't control what other people do.

76 SLOAT: Okay, fine. But that fence is in bad shape. There's even a gate with an opening, and some trees
77 have fallen on the fence. You didn't fix it up or think it was just better to replace it?

78 DONAHUE: Like I said earlier, I was trying to do this on a budget. But also, it's a fence, what more does it
79 need to be? Even if it was in perfect shape someone could have just climbed over it. The whole point of
80 the fence was to communicate what I also told people, which is that the cabin was cool to look at, but it
81 wasn't safe to explore inside.

82 SLOAT: Let's take a look at a few photos. You've seen all the photos in Exhibit 14?

83 DONAHUE: Yeah, I have. Those are all from my property and inside the cabin.

84 SLOAT: Exhibit 14J shows a gate with an opening, and Exhibit 14K has a tree fallen on the fence. Anyone
85 could just walk through these openings, couldn't they?

86 DONAHUE: I've already told you, I did this on a budget. All of those photos show the fence, and people
87 should understand what a fence means, even if it's not in great shape.

88 SLOAT: Okay. Let's talk about a few of the things you did to promote your property. You actually hired
89 someone to make a radio commercial, didn't you?

90 DONAHUE: Yeah, I did. I'm not sure why they picked such an awful voice actor, but I paid some local kid
91 a few hundred bucks to make that commercial. It aired three times on WHFS in April of 2020, but I don't
92 know if it actually worked. The transcript in Exhibit 15A is accurate, though, and the audio in Exhibit 15 is
93 the audio from the final commercial.

94 SLOAT: Did anyone ever come in and mention the radio commercial?

95 DONAHUE: Yeah, they did. The day before Aaron and his friends came to the property, a guy on his own
96 came by. He told me he wanted to explore all of the sets, so I sold him a map and wrote some directions
97 on it.

98 SLOAT: You'd agree with me that the commercial says you can explore "all of the sets." Right?

99 DONAHUE: That's what it says, yes.

100 SLOAT: Including the cabin?

101 DONAHUE: What is this, a cross examination?

102 SLOAT: Let's move on. I found a page on Atlas Enigma that claimed you contributed to it. Here's a
103 printout, it's Exhibit 9. Is that true?

104 DONAHUE: Yes, it is. I was familiar with that website before I bought the property. After I bought the
105 land and did some renovating work, I contacted them to see if they would put a page up about the
106 filming locations. They did a short interview with me about what was there to see from the films.

107 SLOAT: This page quotes you as saying, "The ultimate scare opportunity is to try and stand in the same
108 corner as Josh did at the very end of Belair Witch." Doesn't that go directly against what you just said
109 that you didn't want people to go inside the cabin?

110 DONAHUE: I was just trying to drum up some interest in the place. Once people got to the property, I
111 made it clear they weren't allowed inside the cabin. But by that point they were already there, and I
112 could probably sell them some maps and merchandise. I'm not saying it was the most ethical approach,
113 but I framed it as a hypothetical anyways.

114 SLOAT: You didn't answer my question. Doesn't that go against what you said you wanted people not to
115 do?

116 DONAHUE: I don't think it does. And if you're going to talk to me in that tone, I'm going to leave.

117 SLOAT: I'm sorry. I'm just trying to clarify what you're saying.

118 FEATHERSTON: Let's talk about the Chesapeake Gazette article, Exhibit 10. Was this before or after the
119 Atlas Enigma piece?

120 DONAHUE: This was a few months after that. I think I called their news desk and pitched it as a
121 community interest story, and they sent an intern out a few days later. And as you can see in this article,
122 I make it clear the cabin is off limits.

123 FEATHERSTON: Okay, fair enough. But you also say in here that the basement area is still intact like it
124 was in the film. If people aren't allowed to go into the basement, why would you even mention that?

125 DONAHUE: I don't know how many times I need to explain marketing to you, but that's the most famous
126 scene in the movie. If I didn't make people think they could see every filming spot, they probably
127 wouldn't show up. Do you see theme parks advertise that some of their rides are closed for
128 maintenance? Of course not.

129 SLOAT: Your property has a fence around the entire edge, doesn't it?

130 DONAHUE: Yeah, it does, I had that installed not long after I bought the place. It cost a lot, but I wanted
131 to protect my investment and stop people from sneaking in without buying something from me.

132 SLOAT: But it's just a chain link fence, right? Weren't you worried that someone would come on the
133 property and try to go on the cabin without stopping by your gift shop? Because you said all this stuff
134 about how the filming spots were still there in the cabin.

135 DONAHUE: I can't control what other people do. I make rules and it's up to other people to follow them.

136 SLOAT: Alright. Let's talk about this last interview, the one with ExploreChesapeake. I see here that you
137 spoke to Hunter Knowles, the own-

138 DONAHUE: Hunter Knowles is a liar. They have these crackpot theories that I attacked their website or
139 something, when they probably just forgot to pay the bill.

140 SLOAT: But you agree you gave an interview to Hunter Knowles?

141 DONAHUE: Yes, I did.

142 SLOAT: In Exhibit 11 it says you told Knowles that it was worth visiting your property to see the places
143 where "iconic scenes" were filmed. Does that sound familiar?

144 DONAHUE: Yeah, that sounds like me. But then Knowles starts going on and on about how I said people
145 could take self-guided tours in the cabin and how they should go in there and tag us in photos on
146 Instagram. I never said any of that and Knowles clearly just embellished my story for some page views.

147 FEATHERSTON: Didn't your dispute with Knowles happen after this? Why would Knowles make
148 something up about you before the two of you even argued?

149 DONAHUE: That's a question for Hunter Knowles. There's a reason they don't record interviews, it
150 would reveal they're a liar. And I know they're a criminal too.

151 FEATHERSTON: But you didn't record it either, did-

152 SLOAT: Let's move on. Jodie is here voluntarily, so let's try to keep it civil. Jodie, I want to get back to
153 talking about the fence and how your property looked. I talked to the other kids who were exploring
154 that day and they said it was really easy to get past the fence. One of them even told me they figured
155 you didn't care because the fence was in such bad shape. Why didn't you at least repair the fence a little
156 bit?

157 DONAHUE: I did, but not until after this happened. But that's a ridiculous thing to think. If there's a
158 fence, I don't want people going past the fence! And I would dispute the characterization that the fence
159 was in bad shape. It had a few spots that didn't look great, but it's also a fence in the middle of a forest.

160 Trees and branches fall down sometimes, and I can't spend every minute walking the property and fixing
161 the fence.

162 SLOAT: But one of them also told me they looked at the map and saw a picture from inside the cabin.

163 DONAHUE: Right, because you can't go inside. It allows people to see what it looks like and imagine
164 what it would be like to go inside.

165 SLOAT: Let's agree on something though: this map doesn't say "don't go inside the cabin."

166 DONAHUE: It doesn't have to.

167 SLOAT: Come on, this is an easy question. It doesn't specifically tell people on the map that the cabin is
168 off-limits, does it?

169 DONAHUE: Not in those exact words, no.

170 SLOAT: Fine. I'll accept that. Let's talk about April 18th. What do you remember about when the group
171 of students - Aaron Griggs, Elin Sanchez, Jess Leonard, and Monroe Williams - came into your gift shop?

172 DONAHUE: It was early afternoon, maybe around 2 PM. I think just 2 or 3 of them came in at first, and
173 one of them came in a bit later. Aaron, the one who eventually passed away, rest his soul, he had so
174 many questions. He came across as a bit of a horror movie buff but also someone who didn't really want
175 to follow the rules. He asked a lot about whether anything was dangerous, but not in the way where
176 people were trying to avoid danger. It sounded like he wanted to go looking for danger.

177 FEATHERSTON: That's a great thing to say about a kid who died.

178 DONAHUE: You asked me a question, I answered it. Stop trying to make me feel like this is my fault or
179 I'm going to leave.

180 SLOAT: Let's all keep calm here. You're talking to Aaron, what about the other students - did you talk to
181 any of them?

182 DONAHUE: A little bit. Aaron did most of the talking, but I think I answered a question or two from the
183 others about how old the place was. One of them told me they thought \$20 for a map was way too
184 much, but I explained that this property didn't come cheap, and I had to make a little bit of money
185 somehow.

186 SLOAT: Let's get specific about the cabin. When did it come up in conversation?

187 DONAHUE: It didn't come up until after they bought a map. I sold one to Aaron, he opened it, and then
188 he asked me about the cabin. If I'm remembering things right, he asked, "We can go inside the cabin,
189 right?"

190 SLOAT: What did you say to that?

191 DONAHUE: I told him absolutely not. I said the cabin was off limits, it has a fence around it and "No
192 Trespassing" signs on the fence. I made it very clear to the entire group that the cabin wasn't for them
193 to go exploring.

194 FEATHERSTON: That's definitely not what the others told me at the scene.

195 DONAHUE: You mean college kids lied to make their friend not look bad after his death? I'm shocked.

196 SLOAT: Alright, look. Let's just cut to the chase here. You're telling me you weren't ambiguous at all?
197 You didn't even hint to them that maybe the inside of the cabin would be a cool place to see?

198 DONAHUE: I mean, I answered their questions about what it looked like. Like I told you earlier, I'm in the
199 business of marketing. I'm not going to tell them it's boring and they can't see anything. I think at one
200 point I said they would be safe to get close to the cabin as long as they stuck together. But I told them in
201 no uncertain terms that they were not allowed to go inside.

202 SLOAT: Wait a second. To get close to the cabin they'd have to go through the fence.

203 DONAHUE: I just meant as close to the cabin as possible without going past the fence.

204 SLOAT: Are you sure? Because it sounded like you just said you told them they could go past the fence?

205 DONAHUE: I didn't say that. I said they could get close if they were careful. The fence is close.

206 SLOAT: Isn't it impossible to see the cabin from outside the fence?"

207 DONAHUE: Not everywhere. It's not easy to see but there's a few spots where you can catch a glimpse
208 of the outside.

209 SLOAT: Okay. The cabin isn't secured in any way, like with plywood or signs on the cabin itself?

210 DONAHUE: I'm not sure how many more times I have to explain marketing to-

211 SLOAT: Just answer the damn question, it's not that hard.

212 DONAHUE: You're right. I wanted to preserve the exterior as close to the film as possible so people
213 would come and take photos of the cabin. So no, I didn't hang any signs on the cabin itself or do
214 anything to try and block the doors.

215 SLOAT: Earlier you said you fixed up the house you used to own and the house you live in now. It wasn't
216 worth using those skills to do some work on the inside in case someone tried to explore? Maybe make
217 sure the stairs to the basement weren't accessible?

218 DONAHUE: Same answer. I wanted to be able to tell people it looked the same and let their imaginations
219 go from there.

220 SLOAT: Let's finish up with what happened the rest of that day. I assume the students eventually left
221 your gift shop?

222 DONAHUE: They did, I think around 3 PM. Everything was quiet around the property for a few hours
223 until I heard the first sirens.

224 SLOAT: What do you mean?

225 DONAHUE: I was sitting in the gift shop starting to close up for the day when I heard sirens getting
226 closer. Pretty soon it sounded like they were right next to my house, so I walked outside and saw three
227 or four Chesapeake Police Department cars and a bunch of emergency vehicles and ambulances. One of
228 the EMTs ran over to me and told me they got a call about a person who had fallen into a basement on
229 my property.

230 SLOAT: How did you react to that?

231 DONAHUE: I was confused at first because I don't have a basement and it's just me living there, but then
232 I remembered the kids were out there and realized they must have gone inside the cabin. I led the EMTs
233 there as quickly as I could, but it was too late. One of them told me later they think Aaron died as soon
234 as he hit the ground.

235 SLOAT: I remember you and Aaron's dad got into a heated conversation at one point. What do you
236 remember about that interaction?

237 DONAHUE: Aaron's dad came over to ask a few questions. I explained that I put the fence there to keep
238 people out because the cabin wasn't safe. He accused me of tricking people into thinking the cabin was
239 an area they could explore, and it became obvious to me that he was overcome with grief. I decided to
240 end the conversation and went back to my house.

241 FEATHERSTON: Do you remember that we spoke that day too?

242 DONAHUE: Yeah, you asked me to give you a statement and I declined.

243 FEATHERSTON: Everyone else talked to us, you know.

244 DONAHUE: You love to do that thing where you raise your voice at the end of a sentence and act like
245 you asked a question.

246 FEATHERSTON: And you love to talk back instead of answering basic questions. Why didn't you talk to
247 me that day?

248 DONAHUE: I don't owe you an explanation for that decision. I helped the EMTs find Aaron and the other
249 students, and now I'm here telling you everything I know.

250 SLOAT: Have you spoken to anyone from the Griggs family since April 18th?

251 DONAHUE: No.

252 SLOAT: You didn't reach out to see if you could be helpful at all? After their child died on your property?

253 DONAHUE: Call me cynical if you want, but I assume I'm going to be sued. I feel terrible about what
254 happened to Aaron, I really do. He seemed like a great kid and he clearly had a lot of people who loved
255 him. But it was a terrible accident caused by his decision to go somewhere he wasn't allowed to go.
256 That's not my fault and I'm not going to lay awake every night thinking about something I couldn't have
257 prevented.

258 SLOAT: I've actually got one more question for you. For the purposes of this recording, I'm setting on the
259 table a map that was given to me by Inspector Rahul Singh. Jodie, do you recognize this map?

260 DONAHUE: I recognize the map, sure. No clue who wrote on it.

261 SLOAT: You beat me to my question. That's not your handwriting there, in black sharpie?

262 DONAHUE: Nope. No clue who wrote on this. I've sold tons of these maps. It could have been anyone.

263 SLOAT: About how many maps have you actually sold?

264 DONAHUE: Maybe 10 or 20.

265 SLOAT: And isn't that a black sharpie in your jacket pocket, on the back of your chair?

266 DONAHUE: Yeah, it is. And it looks the same as the millions of other black sharpies in the world. That's
267 not my handwriting and you're not going to get me to admit it is.

268 SLOAT: Jodie. Come on. It says, "check this out, just like the movie." You're telling me someone else
269 wrote that on your map? This isn't the map you sold to the visitor the day before Aaron died?

270 DONAHUE: I guess I'll repeat myself again and maybe you'll hear me this time: it's not my handwriting, I
271 didn't write that, and you're not going to get what you want. Time to move on.

272 SLOAT: Alright Jodie, we appreciate your time. I need to just ask a few more questions before we wrap
273 up. Is there anything else you can think of, anything at all, that you think could possibly be relevant to
274 the death of Aaron Griggs or any other events that relate to this case?

275 DONAHUE: No, I can't. I told you everything I know.

276 SLOAT: And you're aware that if you remember anything else that is relevant to this case, you must
277 notify us of that information immediately, up to the beginning of any trial if there is one?

278 DONAHUE: Yes, I understand that.

279 SLOAT: Do you swear or affirm that everything you've told us today is true?

280 DONAHUE: Yes.

281 SLOAT: Thank you. Karen, anything else?

282 FEATHERSTON: Just curious if the \$20 maps were worth a kid's life.

283 DONAHUE: We're done here.

284 SLOAT: This interview has concluded. It is now 6:03 PM on May 6, 2020.

285 *Jodie Donahue*

286 Jodie Donahue

1 Salem Harris
2 *Witness for the Defense*

3
4 **Introduction**

5
6 I was hired by Jodie Donahue’s attorneys to prepare a report on the actions of Aaron Griggs and
7 Jodie Donahue on April 18, 2020, and specifically to evaluate whether Aaron Griggs or Jodie Donahue
8 violated safety practices in the fields of urban exploring and the maintenance of outdoor property. I
9 used my extensive experience in outdoor recreation, climbing, hiking, and outdoor safety training to
10 evaluate each of their actions and come to my conclusions.

11
12 **Background**

13
14 I’m 33 years old and I currently work as an independent consultant for property owners who are
15 designing outdoor recreation spaces. I assist them in the development of safety rules and standards,
16 equipment purchases, effective design of safety warnings and signage, and marketing techniques that
17 allow effective marketing without compromising safety and while considering potential issues of liability
18 in the event of an injury. I formed my consulting business, Harris Outdoor Consulting LLC in 2018 and I
19 have been the owner, operator and sole employee for the entirety of its existence.

20
21 I began exploring my outdoor surroundings at age 3. I was born and raised in Estes Park,
22 Colorado, and my parents would take me hiking from a very young age. As soon as I could walk on my
23 own and figure out directions, I was out on the trails near my house alone. I loved to venture off the
24 trails and find new and interesting places to explore. As I got older, I began to explore the mountainous
25 terrain in the area surrounding Estes Park. I was an active member of the Local Mountain Scouts while I
26 was a teenager; that’s an organization that gives merit badges for outdoor activities like rock climbing,
27 archery, and fishing. In 2002, my senior year in high school, I was named a Hawk Scout - the highest
28 possible honor in scouting.

29
30 I got my Bachelor of Science in Exercise Science in 2006 from the University of Colorado. While I
31 was an undergraduate student, I worked all four years for a local tour company. As a tour guide, I would
32 lead groups to many different places around Colorado, including mountain hikes, rock climbs, and white-
33 water rafting. I am certified in wilderness first aid, wilderness survival, and extreme survival training.
34 These certifications cover scenarios where an individual may be hurt or stranded in an area with little to
35 no resources including access to modern medical tools or regular food and water sources.

36
37 I started learning about urban exploring when I was 16 years old. A friend of mine told me about
38 an abandoned mine not too far from where we lived, and we went there one day to check it out. From
39 the moment we snuck past the fence and into the main mine shaft, I was hooked. But it was also
40 obvious to me right away how dangerous this could be. There were holes in the ground that looked
41 hundreds of feet deep, and they were barely covered by old rotting wood. From that point on I told
42 myself I was going to learn how to explore as much as possible without getting hurt. I continued
43 exploring but I changed my approach. I would search for places where it was clear that I could explore
44 legally, or I would find older properties where the owners would give me permission to look around.
45 This was easier than I expected it to be; most of them just wanted assurances I would be careful and
46 wouldn’t sue them if I got hurt, and then they were fine to let me explore.

47
48 From about 2000 to 2010 I’ve explored hundreds of different abandoned properties, from
49 schools to hospitals to farmhouses and so many other examples. And I didn’t limit myself to buildings; I

50 loved finding old junkyards in the middle of a field somewhere and seeing the boats and trucks that
51 people had just given up to nature. These adventures were where I developed so many of my rules
52 about safety and exploring without exposing myself to significant danger. I used years of trial and error
53 to figure out what I think are the best practices for how to explore safely and responsibly.
54

55 After graduating in 2006 I worked for three years until 2009 at an outdoor ropes and ladders
56 course outside of Denver that was often used by corporations and other organizations for motivational
57 retreats. I helped them redesign their safety procedures and signage to modernize their approach and
58 stay in line with standards in that field. I am proud to say that during my final year in 2009, I was the
59 lead safety supervisor for the entire property, and we did not have a single serious injury. Sprained
60 ankles and rope burns are inevitable in a place like that, but we didn't have to call emergency services
61 the entire year, and I attribute that to my careful planning and dedication to following safety rules.
62

63 In early 2010 I accepted a job here in Chesapeake as a forest guide at the Chesapeake Wildlife
64 Center just outside of Chesapeake City. From 2010 to 2018 I worked at Chesapeake Wildlife handling all
65 kinds of duties from guided nature tours to trail maintenance to teaching local scouts about responsible
66 outdoor exploration. I taught several simple courses to kids including how to tie different knots, basic
67 wilderness first aid, how to prepare for overnight backpacking trips, and what to do if you get injured
68 without anyone to help you.
69

70 I've never testified in court before. On one prior occasion I was hired to prepare a report for the
71 owner of a climbing gym who needed someone to evaluate whether an injured customer had properly
72 followed facility rules before falling and fracturing several bones. I wrote a report in that case evaluating
73 their safety standards and the customer's actions, but the case settled before it went to trial. That said, I
74 have extensive experience in all of the areas necessary to render opinions about how to explore safely
75 and within the boundaries of the law.
76

77 **Compensation**

78
79 I charged \$250 per hour for my work in this case. I don't know if there is a standard rate for
80 people who do work like I do, but that seemed like a fair amount because of my expertise and years of
81 experience with safety practices and urban exploring. I spent 12 hours of work reading documents and
82 doing research for this case, and I spent 9 hours writing this report. If I am called to testify, I will bill for
83 10 hours of preparation time and 1 hour for my time on the witness stand. That amounts to a total of 32
84 hours of work spent on this case. I also charge a \$2500 flat fee if I am called to testify in court. Most of
85 these numbers came from doing internet searches on what other expert witnesses charge.
86

87 **Materials and Scope of Review**

88
89 I reviewed the affidavits of all three eyewitnesses: Elin Sanchez, Jess Leonard, and Monroe
90 Williams, as well as all exhibits referenced in those affidavits. I also reviewed maps of the property
91 owned by the defendant, Jodie Donahue, as well as images of the maps sold by Donahue at their store
92 and photographs of the property and the cabin in question taken by Inspector Rahul Singh. Finally, I
93 reviewed Rahul Singh's report discussing the property and their inspection of that property. I utilized
94 relevant safety standards in the fields of climbing and hiking to generate the standards for urban
95 exploring that I will explain in this report.
96

97 I did request an interview of the defendant, Jodie Donahue, or the ability to review Donahue's
98 affidavit. Each of those requests were denied by Donahue's attorneys. Their stated reason was that

99 Donahue was not present at the time of Aaron Griggs' death and as a result Donahue would have no
100 useful information for me. I did not agree with this reasoning, but this did not impact my final
101 conclusions. While it would have been ideal to interview Donahue or review their sworn statement, I
102 had sufficient information to complete my review and reach my conclusions.

103

104 **Methods and Standards**

105

106 Urban exploring is a term with many different definitions. While the use of the word "urban" in
107 the term might lead some to believe that such exploration must occur in a city. While it often does, that
108 is not a requirement. "Urban exploring" is best defined as "the exploration of a man-made structure that
109 is abandoned or in a state of disrepair." (That is a definition I wrote myself, but I ran it by several fellow
110 explorers and they each agreed it was accurate.) By its very nature, urban exploration involves some
111 degree of danger, as abandoned or dilapidated structures usually have at least some areas where floors,
112 stairs, or other parts of the structure are damaged and unreliable.

113

114 Because urban exploration is a pursuit that exists at the intersection of several different disciplines
115 and sometimes involves violating the law, there are not settled safety standards that have been
116 published or peer reviewed. But based on my experience and research, there are certain common
117 principles that all experienced urban explorers should follow. They are:

118

- 119 1. Follow all applicable laws.
- 120 2. Pay close attention to signs and other markings that indicate a place is off-limits to explorers
121 and could be dangerous.
- 122 3. Never explore alone.
- 123 4. Never trust weight-bearing structures without testing their strength first.
- 124 5. Maximize light sources.

125

126 In this report I will document the information I learned in my review of the available evidence and
127 apply that information to each of these safety principles. This is what I call a "comparative analysis" and
128 it is a standard form of analytical review that I have used throughout my career. It is reliable and widely
129 used in my field and other similar fields of safety analysis. While it's true as I mentioned earlier that I
130 have not testified in court using this method, I have used this method in hundreds of reports that I have
131 prepared during my time as a consultant. When I do a comparative analysis report, I look at my client's
132 current safety procedures and compare them to accounts I gather of potential conduct at that client's
133 location. That allows me to identify and propose solutions for safety issues that may exist.

134

135 I carefully applied a comparative analysis to the facts and data of this case, and I had more than
136 enough information (otherwise known as sufficient facts and data). All of my conclusions are made to a
137 reasonable degree of professional certainty.

138

139 **Conclusions**

140

141 Based on my review of all applicable evidence, I reached two conclusions:

142

- 143 1. Aaron Griggs failed to follow nearly every safety standard that a reasonable urban explorer
144 should follow.
- 145 2. Jodie Donahue provided sufficient signs and indications to demonstrate that explorers on
146 Donahue's property should not enter the cabin where Aaron Griggs was killed.

147

148 **Sequence of Events**

149

150 Based on the information I reviewed, Aaron Griggs and his three friends - Elin Sanchez, Jess
151 Ferguson, and Monroe Williams - arrived at Jodie Donahue's property around 2:00 PM on April 18, 2020.
152 Griggs and Williams had some limited experience in urban exploring, but as far as I am aware Sanchez
153 and Ferguson had none. As far as I could tell from the statements I reviewed, they did not bring any
154 specific equipment for urban exploring aside from a flashlight.

155

156 Text messages and witness accounts suggest that Griggs had been discussing this destination for
157 several months after the four students viewed *The Belair Witch Project* on Halloween of 2019. Accounts
158 vary as to what Griggs said regarding the trip and his willingness to abide by posted signs and rules, but
159 witness Monroe Williams does suggest that Griggs may have expressed a willingness to break rules or
160 laws when exploring in the past.

161

162 The four individuals encountered Jodie Donahue in the gift shop when they arrived at the
163 Donahue property, and accounts differ somewhat about the conversations that they had with Donahue.
164 Because I was not able to speak with Donahue or review any statements given by Donahue, I cannot
165 speak to Donahue's account of these conversations. Each of the three students present agree that
166 Griggs asked Donahue about whether they could go inside the cabin, and each student gives a slightly
167 different depiction of what Donahue said in response.

168

169 After this interaction with Donahue, the students left to explore the property, guided by a map
170 they purchased at Donahue's shop. They eventually found their way to the cabin area where they went
171 through a fence and entered the cabin despite it clearly showing signs of weathering and disrepair. Once
172 inside, Griggs attempted to go down the stairs to the basement. Sanchez was with Griggs when the stair
173 Griggs was standing on collapsed and Griggs fell to his death.

174

175 **Violation of Safety Standards**

176

177 To more easily explain my first conclusion, I believe it will be helpful to address each of the factors I
178 mentioned above. I will take those factors one at a time.

179

180 1. Follow all applicable laws.

181

182 This may seem like an obvious point, but urban explorers must be aware of local and state laws
183 and take careful steps to follow those laws when exploring. The tendency to bend or break the law to
184 see an interesting place can be strong, especially when the explorer may perceive there to be no
185 consequences for their actions, but that mistakes the intent of those laws. Abandoned buildings often
186 have hidden or unpredictable dangers, and laws are in place to protect people from entering those
187 structures and being injured.

188

189 While I am certainly not a legal expert, it doesn't take one to understand the concept of
190 trespassing. As you can see in Exhibit 14B, a photograph taken by Rahul Singh barely two weeks after
191 this incident, the fence at Jodie Donahue's property had a "No Trespassing" sign on it. This clearly
192 indicates that anyone who went beyond the fence without express permission from Donahue would
193 likely be trespassing on private property.

194

195 I do not find the argument convincing that Donahue invited the students onto their property
196 and thus the students could reasonably assume they were free to explore all areas. There are countless

197 examples of private property that is partially open to the public at certain specific times and with
198 defined terms. A farmer who invites the community onto their farm for an autumn hayride is not
199 offering the public a place to eat in their kitchen. The evidence shows that Aaron Griggs likely trespassed
200 on April 18th, and I believe that is a violation of a core safety standard for urban explorers.

201
202 2. Pay close attention to signs and other markings that indicate a place is off-limits to explorers and
203 could be dangerous.

204
205 I will address the topics of signs and other indicators more thoroughly in my second conclusion.
206 But this standard pertains to a slightly different concept: urban explorers must carefully look for signs
207 and markings when exploring an unfamiliar area. When Aaron Griggs and the other students came
208 across a fence surrounding an area that they admit they were uncertain if they were allowed to enter, it
209 was their obligation to carefully look for any other indications that they were allowed to explore in that
210 area.

211
212 This responsibility only increases when a barrier like a fence is present. Fences and walls don't
213 just magically appear; they exist because someone puts them in a particular location and for a specific
214 reason. When I am exploring a building where I have been given permission to explore, I will frequently
215 come across locked doors or "Do Not Enter" signs. I pay attention to those signs and follow their
216 instructions when I find them, because I know the safest thing to do is to assume that someone does not
217 want me to enter a particular area for my own safety.

218
219 Aaron Griggs had an obligation as an urban explorer to look for signs that could have faded or
220 fallen down when he came across the fence surrounding that cabin. His apparent failure to do that was
221 a violation of another basic safety standard for exploring, and the consequences of that decision are a
222 clear example of why this is a core standard that explorers must follow to keep themselves and others
223 around them out of harm's way.

224
225 I have reviewed the photographs in Exhibits 14A – 14K, and these photographs support my
226 conclusions. It is true that the fence was broken in several areas, and Exhibit 14J shows a partially open
227 gate. That gate is not ideal, and I can see why someone would look at that gate and believe they could
228 pass through it. But an urban explorer is not an ordinary "someone." It is our responsibility to be diligent
229 and careful when exploring. The gate in Exhibit 14J is rusted and not well maintained, which means
230 Aaron Griggs should not have assumed the gate was "open" for him and his friends to pass through. Of
231 course, it is ultimately Donahue's responsibility to maintain the gate, but that does not remove the
232 responsibility of the explorer to pay close attention to why a fence might be present.

233
234 3. Never explore alone.

235
236 For most of the day on April 18th, Griggs followed this standard. Whether you can argue he
237 followed it by bringing three less experienced (or completely inexperienced in the case of Sanchez and
238 Leonard) explorers to a dangerous location is not for me to decide. By the letter of this rule, Griggs had
239 people with him for nearly the entire time he was at the Donahue property. But he deviated from this
240 safety principle in one crucial moment, and it was arguably the most important moment before his
241 death.

242
243 According to the account of Elin Sanchez, Griggs turned down a hallway and went away from the
244 group before Sanchez caught up to him. While Sanchez does not give an exact description of how long
245 Griggs was separated from the group, even a few seconds can be critically dangerous. When you're

246 exploring in an unfamiliar place, the group acts as eyes and ears for each other. The more people are
247 actively looking for potential danger and holding each other accountable to safety standards, the more
248 likely it is that everyone in the group will avoid harm.

249
250 In this case, Griggs was away from the only other student with exploring experience (Monroe
251 Williams) and had already begun to move toward the basement stairs when Sanchez rejoined him. If he
252 and the others had explored this area of the cabin together, they would have been following this safety
253 standard at all times.

254
255 I will admit that for the overwhelming majority of the time, Griggs followed this standard. It's
256 even arguable that he followed it the entire time depending on how far away Sanchez was from Griggs
257 when Griggs walked down the hallway toward the basement stairs. But this rule is less about the letter
258 of the law and more about the idea I mentioned above of having more than one perspective on each
259 decision. Had Griggs asked the group about whether they should explore the basement, someone may
260 have been able to convince him it was unsafe.

261
262 4. Never trust weight-bearing structures without testing their strength first.

263
264 Urban exploring often involves traversing what I refer to as "weight-bearing structures" which
265 usually are things like stairs, floors above the ground level, ground floors with a basement underneath,
266 and roofs or ceilings. The main thing these structures each have in common is that a person can be
267 injured or killed if a weight-bearing structure collapses.

268
269 It is basically impossible to eliminate the risk of weight-bearing structures and still participate in
270 urban exploring. That's why this rule isn't "never put your weight on a weight-bearing structure." Urban
271 explorers can safely explore upper floors or basements if they carefully evaluate every step before they
272 continue. Common techniques include finding heavy rocks or other objects and tossing them onto a
273 surface to see if it shows signs of weakness, or placing your body weight onto a surface while holding
274 onto something that is less likely to collapse and could prevent you from falling. Some more elaborate
275 explorations may involve harness systems with independent mounting systems to allow explorers to
276 move freely without the concern of a collapse.

277
278 Based on the evidence I reviewed, Griggs did not follow this standard when he explored the
279 stairs to the basement of the Donahue cabin. Those stairs are an example of exactly why this standard
280 exists. They are wooden, likely over 20 years old, contained within a building in an obvious state of
281 disrepair, and they are in a location (a basement) that has a higher likelihood of dampness and water
282 damage, making it more likely the stairs could be rotted or weakened by water and insects. A weight
283 test with a heavy object may have demonstrated that the stairs were not safe to use and could have
284 saved Griggs' life.

285
286 Of course, there's no way to know if this would have been effective because we can't recreate
287 the conditions immediately before Griggs' death. It's possible the stairs could have held a heavy object
288 but not the weight of a human adult. But given that according to Sanchez's account of Griggs' fall, Griggs
289 was barely on the stair for a second before it collapsed, it is reasonable to consider whether testing the
290 stairs beforehand could have made a meaningful difference in keeping Griggs from falling to his death.
291 Unfortunately, Griggs' apparent failure to do this was a violation of another crucial safety standard.

292
293
294

295 5. Maximize light sources.

296

297 Eyewitness accounts suggest the group had one flashlight for the four people exploring the
298 property. That is woefully inadequate. Even when exploring in the daytime, each person should have at
299 least a handheld flashlight if not a headlamp and a flashlight. You never know when you can end up in a
300 situation where you have to operate in low lighting conditions, especially when you're exploring
301 structures with interior rooms or basements.

302

303 None of the eyewitness accounts speak to whether the stairs were visibly damaged before
304 Griggs fell, and that's part of the problem. If each person had a flashlight, someone might have looked at
305 the stairs closely and deemed them to be unsafe. At the very least, the group would have been more
306 prepared for all possible scenarios. While I cannot say with any certainty whether this violation
307 contributed to Aaron Griggs' death, I can say that Griggs and his fellow students failed to follow this
308 safety standard as well.

309

310 **Signs and Warnings from Jodie Donahue**

311

312 Finally, I concluded that Jodie Donahue provided sufficient signs and indications to demonstrate that
313 explorers on Donahue's property should not enter the cabin where Aaron Griggs was killed.

314

315 Evidence from the three other students and Inspector Rahul Singh shows that Donahue had a
316 fence around the cabin and one "No Trespassing" sign on the north side of the property. To be clear,
317 Donahue could have done more. The list of things Donahue could have done to be clearer about the fact
318 that the cabin was off-limits is nearly endless. Donahue could have repaired the fence, put in a better
319 fence, hung more "No Trespassing" signs or similar signs, written on the map that the cabin area was off
320 limits, and many other options. Donahue could have easily fixed the gate shown in Exhibit 14J and
321 avoided any confusion about whether explorers were allowed to pass through it. Donahue can be fairly
322 criticized in my opinion for the failure to take at least some of these steps.

323

324 But whether Donahue can be criticized is ultimately not the issue here. In my opinion, Donahue
325 met the minimum standard for what was reasonable to give notice to visitors on the property that the
326 cabin area was not open for exploration. When a person comes across a fence, it is reasonable for
327 Donahue to expect that person not to assume they can bypass or simply ignore that fence. And this
328 analysis does not change simply because the fence is worn down and does not have clearly displayed
329 signs indicating people should not go beyond the fence, or because the fence has a gate that is obviously
330 falling apart. A land barrier without an intentional gap has one meaning: don't pass this barrier unless
331 you're allowed to do so.

332

333 I will acknowledge that because I did not have access to Donahue for an interview, I can't speak
334 to what statements Donahue may have said that could change this analysis. If Donahue told anyone
335 they could bypass the fence and enter the cabin, that would certainly change my analysis. But from the
336 information I reviewed I did not find any direct evidence that this occurred, and as a result I believe
337 Donahue acted reasonably.

338

339 Finally, I will note that I disagree with Singh's criticism of Donahue for not securing the cabin
340 itself. In addition to what I have already identified about the fence and signage that Donahue put up, the
341 cabin's value was in its rundown state. Donahue presumably wanted to preserve the look of the cabin
342 that would be familiar to visitors and made the decision to use other security measures to keep people

343 away from the interior of the cabin. While those decisions may have some aspects that can be criticized,
344 I believe Donahue provided sufficient notice to visitors that the cabin itself was not open for exploration.
345

346 *Salem Harris*

347 Salem Harris