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Little Boy Lost

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Some people call the patch of playground at the corner of 28th and Cedar “Jahi Park.” It’s a beautiful spot, sheltered by towering old trees and adjoining the expanse of emerald grass that blankets the municipal golf course on the southeastern side of Balboa Park. Children scramble over its play structure and slide down the plastic chutes, their presence belying the dark legacy of the informal name. It was here that 2-year-old Jahi Turner was reported missing April 25, 2002. And it is here that the

lingering mystery of his disappearance can feel most intense.

That mystery transfixed Malcolm Lambert from the onset of the case. Like legions of other San Diego residents, Lambert reacted strongly to initial reports that yet another child had vanished. A retired social researcher, he had joined the volunteers who searched for 7-year-old Danielle van Dam after her disappearance in February 2002. He shared in the widespread sorrow when Danielle’s body was found. The success of that search effort was part of what drove him to 28th and Cedar, he says, when he heard a search for the missing African-American toddler was taking shape.

Bill Garcia was coordinating the hunt. A licensed private investigator, Garcia had helped to search for 25 missing children, including van Dam, over the preceding 11 years. He says Jahi’s disappearance hit him—literally—close to home: “I live three and a half blocks from that playground.” His own 2-year-old played there.

As Garcia was heading home on the afternoon Jahi was reported missing, “I saw the choppers overhead at treetop level, and I knew something was up,” he says. The next day, he contacted police and asked permission to help out. By Saturday morning, “I started organizing volunteers out of the back of my Explorer with a laptop,” Garcia says.

The park was the epicenter, because it was the last place anyone saw Jahi, according to Tieray Jones, the child’s 23-year-old stepfather. Jahi’s 18-year-old mother, Tameka, was a sailor who’d left on a week-long cruise on the Navy’s amphibious ship *Rushmore* (a dock-loader) three days before the child’s disappearance. Tieray had described the disappearance this way:

He and Jahi had walked to the park, where the toddler started playing with two other children in the care of a woman. At one point, Jones strolled away from the playground equipment, crossing a long stretch of lawn to reach a nearby soda machine. When he returned, having been away for only about 15 minutes, Jahi and the others were gone.

Garcia says the volunteer search headquarters soon moved into the neighborhood Moose Lodge, and over the

next three weeks, some 1,100 individuals participated. “It took on almost a party atmosphere,” says Lambert, who showed up daily. Some of the Indian casinos brought in food; Starbucks supplied free coffee. Homeless men walked up from downtown to work side by side with concerned suburban matrons.

But one aspect of the efforts began to bother Garcia, Lambert and other participants. “We were searching, but Tieray, Tameka and their friends were in the back of the Moose hall watching basketball and drinking beer. Now what is that about?” Garcia wondered. “They wouldn’t meet with the media when they said they would. I finally said, ‘You know what? You guys do your own thing. Our priority is to find this child.’”



Garcia says other developments heightened the circus atmosphere. “The van Dams came in and tried to take over,” he says. As a consequence, he and Danielle’s parents had a falling out that continues to this day, he says. Representatives from the Laura Recovery Center in Texas also showed up, and Garcia says they turned against him after an incident that occurred nine days after Jahi’s reported disappearance.

Family members, supporters and reporters had gathered for a candlelight prayer service in the park, and Tieray Jones fell to the ground. Chaos erupted, and Garcia says the Laura Recovery Center representatives later made it clear they thought Garcia had helped Tieray feign passing out. In fact, “I did catch him and whisked him away in a vehicle,” Garcia concedes. But once in the vehicle, Garcia says, Tieray immediately came to, and answered his cellular phone. He wasn’t lethargic, and lacked any appearance of having just lost consciousness. “It was completely an act,” Garcia says. “That’s when I began to feel that something was up.”

The private investigator says he also learned the 90-minute statement Tieray gave him differed from what the stepfather had told police. Why, Garcia also wondered, would Tieray have walked a full mile to the park with a toddler—and no stroller—when the Beech Street Knoll apartment complex where Tieray, Tameka and Jahi lived had its own almost-identical play equipment? None of the child’s fingerprints was ever found in the park at Cedar and 28th, and search dogs failed to detect any clear sign he had ever played there. In the crowded neighborhood, no witness ever could be found to corroborate the stepfather’s account of his outing with the 2-year-old that day.

Within a week after Jahi’s reported disappearance, San Diego police disclosed that they didn’t believe the story either. A lie-detector test taken by Tieray also failed to demonstrate he was telling the truth, according to sources. In fact, at least one witness told police about seeing Tieray at the apartment complex at the very time the stepfather claimed to have been frantically searching for the missing child. Phone records indicated he was on the telephone with a former girlfriend about that time.

Certainly the circumstances in which the little boy had found himself seemed ripe for trouble. Until just four days before his reported disappearance, Jahi had been living with Tameka’s mother in Frederick, Maryland. Tameka had traveled back East to get him, returning only the night before she departed on her deployment. This left the child, who reportedly was having problems with bedwetting, in the care of a man he barely knew, a man with whom he reportedly shared a bed. A diary kept by Tieray during his wife’s absence (in accordance with Navy recommendations for spouses separated by deployments) hinted that trouble had developed.

“The journal did contain references to something being wrong with Jahi,” says one authority who worked on the case. It described the normally energetic child as listless and inactive. Other entries appeared to have been faked (ones referring to an outing to Balboa Park).

Perhaps most suspicious were other witnesses’ accounts of seeing the stepfather lug a heavy trash bag in the middle of the night to the green WasteMaster outside his apartment. The contents of the trash container were hauled away the day before the child was reported missing. On the strength of the witnesses’ reports, San Diego police began searching through the Miramar landfill.

“We were looking for a dead body,” says Lieutenant Mike Hurley, a homicide supervisor. Hundreds of officers dug through 5,000 pounds of trash, working for a full week. “Nothing on that scale had ever been done here in San Diego County before,” Hurley says. By the time they ended their efforts at Miramar, police “felt pretty confident” Jahi’s body wasn’t there, Hurley says.

Unfortunately, by that point, the police had learned the driver covering the trash route in Jahi’s neighborhood had the option of taking his load to another location. From there, it would have been transferred to the Otay landfill. Starting a search at Otay was considered but rejected, Hurley says, because of concerns about the health of the searchers.

Within a few weeks after police terminated the Miramar landfill search, the volunteers who’d been searching for Jahi throughout the county also curtailed their efforts. News reports, which had been appearing almost daily, dried up. “Nothing seemed to be happening,” says Lambert, the septuagenarian who’d been caught up in searching for Jahi from the first days. “That just made me more determined to know what happened.” Lambert bought a Greyhound bus ticket and traveled to Maryland to visit Jahi’s two grandmothers and biological father (all of whom had come to San Diego right after the boy disappeared). Along the way, Lambert tacked up posters soliciting information about the case. When he got back to San Diego, he tried, without success, to rekindle the search efforts.

By the fall of 2002, District Attorney Paul Pfingst was facing an election challenge from Bonnie Dumanis, and after Dumanis succeeded and took office in January of 2003, she assigned another prosecutor to work on the case. Although a newspaper report described Garry Haehnle, the prosecutor who had been working on it, as being upset about being replaced, Dumanis disputes this interpretation of the events.

“I didn’t replace the first prosecutor,.” says Dumanis. “He was doing many other cases, and I felt because this was of such great concern to the community, we had a responsibility to make a more concentrated effort, so I assigned another prosecutor and a full-time investigator to it.” (Haehnle, who also is said to have argued for prosecution of Tieray Jones, declined to comment on internal department matters.)

In the months that followed, Dumanis also called Dina Naylor, the mother of Jahi Turner’s biological father, Tramane Sampson. Naylor says at one point Dumanis indicated no charges could be filed against Tieray Jones until Jahi’s body was found.

“My words to her was ‘I can’t go along with that,’” Naylor now says. “I figured [Tieray] needs to be locked up or

something. This is a grown man who was responsible for a 2-year-old baby. He needs to be locked up for child neglect or something. He should not be walking the streets knowing that he was the last adult with this 2-year-old baby!”



By the spring of 2003, Tieray, in fact, was serving a sentence back in Maryland for misdemeanor drug-possession charges. Tameka followed her husband to the East Coast, according to Garcia, and last summer she gave birth to a baby boy reportedly fathered by Tieray. (Efforts to contact Tameka and Tieray for this article were unsuccessful.) Free again last fall, Tieray made several trips between San Diego and Maryland, according to Naylor. He was in Maryland in January, family members say, when Dumanis made an extraordinary announcement about the case.

Without naming any names, the district attorney’s written statement said there was “insufficient evidence at this time to bring charges against anyone in the disappearance of 2-year-old Jahi Turner.” Although the case had been “thoroughly investigated,” both by police and by her office, and the evidence had “undergone an exhaustive review ... unfortunately, still there is not closure,” Dumanis said, adding that Jahi’s disappearance “still weighs heavy on our hearts.”

In a subsequent interview with San Diego Magazine, Dumanis cited the need to have proof that the child is dead before any murder charges can be filed. “We have to have evidence that the crime was committed, and the body in this case would be essential to that.” Although cases involving adults have been successfully prosecuted from time to time without a body, “In adult cases, if you have somebody that’s missing, you have other ways to point to the fact that the person is no longer living,” the district attorney says. “They’re not using credit cards or a checking account, or they don’t show up where they’re supposed to be—that sort of thing.” With a baby, however, “you don’t have that same sort of circumstance.” And missing children sometimes do turn up, as in the Elizabeth Smart case.

“Since we don’t know what happened to Jahi, if we were to file any [lesser] charges against anyone, it would preclude us from filing anything greater if we later found evidence to support that greater charge,” says Dumanis. “It all gets subsumed in the same thing.”

Dumanis says her announcement that no charges would be filed at this time sprang from a sensitivity to public concerns about the case. She denied it was influenced by pressure from police (who reportedly had been urging that charges be filed against Tieray Jones and even made unofficial inquiries with the state attorney general’s office about prosecuting the case).

“There’s a normal tension that occurs between law enforcement and the prosecutor,” Dumanis says. “It’s not uncommon to have disagreements between [police investigators], who invest their personal lives and work really hard on a case and feel very strongly about it, and prosecutors, who have to make a legal decision.”

A former homicide investigator agrees. “You [as a police officer] can have a case you believe is 98 percent prosecutable. There’s no question you have the right person. That’s not the question.” Yet the district attorney’s office still might not issue the case, he says, because for too many other cases the certainty of

conviction might be 99 or 100 percent.

Such legalistic logic doesn't make much sense to Dina Naylor, Jahi's paternal grandmother, who says she was "devastated" by Dumanis' announcement. "I could not believe it, and I still can't believe it. Something ain't right with that. Tieray should have been arrested for something. I'm sorry. People come up to me that don't even know me, really sad, that just can't believe he's still walking the streets."

Malcolm Lambert still wears a button bearing Jahi's smiling face, and he says when he's out in public, "sometimes 10 people will approach me—in the bank or the post office or on the trolley." Some of them "think racism is involved" in the failure to hold anyone responsible for Jahi's disappearance, he says. "Many black people think if he were white, the FBI would be involved, the way they were with Elizabeth Smart." (In fact, the local FBI did respond to the report of Jahi's abduction, but hasn't been the lead agency because there was no indication any state lines had been crossed.)

Lambert, who's white, isn't one to rush to judgment. "I don't want to be critical of the police. I know they only have so much manpower and can only do so much." But at the same time, he can't bear the thought of Jahi's disappearance fading from public consciousness.

He's still trying to do something to resolve it. For one thing, he's opened an account with Bank of America to collect reward money for information leading to an arrest in the case. (Lambert says if no arrest is made by April 25, 2005, he'll donate all the money he collects to the National Center for Missing & Exploited Children.) Lambert also traveled to Maryland again to be with Jahi's relatives on February 10, the missing child's fourth birthday. He says the local Jahi Turner Foundation, which he helped establish, would like to fly Naylor and Jahi's biological father to San Diego for the two-year anniversary of Jahi's reported disappearance. There's talk of organizing some commemorative event. Lambert's idea "was to have a 'Walk for Jahi' from the downtown courthouse to Jahi Park.

"He looks like such a nice little kid. Kind of mischievous," Lambert says. "He wasn't abducted by aliens, I'm almost sure." Instead, he believes, "Someone must know what happened to Jahi." If that's the case, he argues, "We cannot let this go."