

Aftermath

Sunday evening, February 1, 2004, Matthew Barbis received a phone call from his mother. For Matt, a financial planner, the phone is his life's blood. The words he heard from his mom, Maryann, were about blood, his cousin's.

"Matt," she said, "Carlie has been abducted!"

Matt says he was not sure what he had heard. *Abducted?* He couldn't quite make sense of what was said, couldn't wrap his mind around the enormity of the word, the deed. "Mom, what do you mean *abducted?*"

Maryann replied, "She's missing."

Even as she spoke, it was too late.

Writing in *USA Today* for February 8, 2004, Larry Copeland noted a "seminal study by the Washington State Attorney General's Office" posited a profile of an abducted child. He stated, "The average victim of child abduction and murder is an 11-year-old girl considered a low-risk, 'normal' child from a middle-class neighborhood. She has a stable family relationship. And her initial contact with an abductor occurs within a quarter-mile of her home."

On that February evening, Carlie, an 11 years old blond, close to five feet tall, was walking home from a friend's house. She had left at approximately 6:16 pm. The friend's mother called Carlie's mother to find if it was OK for Carlie to walk home alone. Carlie's mother said she had not given it and immediately sent her husband, Carlie's stepfather, to get her. Arriving at the friend's home, he found that Carlie had already left. By 7:30 p.m., Carlie had not been found and a 911 call was made.

Evie's Car Wash is on Bee Ridge Road. People in the community knew it was easy to cut through the parking area to save some time. Many had done it before; many do so today. Carlie would not get the chance.

Video surveillance cameras at the car wash caught a not too clear image of Carlie being grabbed and pulled away by a man dressed in work clothes, his name fuzzily scrawled on a patch on his chest. It is the last picture of this young girl, too easily recalled for family, friends, law-enforcement officials, and interested by-standers who have viewed it on line, the young girl being forcibly dragged towards the unknown abductor's car, an old station wagon.

Carlie's body was found six days later, buried between two trees on the property of the Central Church of Christ. She had been raped and strangled. The police report noted that Carlie died of "homicidal violence."

From the time of her kidnapping until the discovery of her body, the police department was flooded with calls. Nearly 800 tips were received by investigators. Psychics called professing to know the location of her body or to say their vision showed her still alive. Concerned individuals offered their beliefs that the crime was perpetrated by any of a number of their close associates, family members, neighbors, or co-workers. One name came up repeatedly: Joseph P. Smith, an ex-convict with a sordid past, identified quite assuredly by his friends and business associates.

Joseph P. Smith, 37 at the time, had been arrested 13 times since 1993, mostly on drug-related charges. In 1998, he was arrested and acquitted of trying to abduct a woman. He served one 16-month sentence for prescription fraud and probation violation. One month earlier a state probation officer asked a circuit judge to violate Smith for a technical parole violation and he did not. Smith was married, but separated, and the father of three girls.

Following tips a detective interrogated Smith on February 3rd with regard to his activities on the day of the abduction. Smith provided the officer with a description of his whereabouts on the date of the abduction along with a time line for that date. He stated he had not been near the car wash that day. Upon seeing photograph from the car wash video, Smith noted the similarity of the image to himself. The detective was given consent by Smith to search his room and his car. In the car, drug paraphernalia was found and Smith was taken into custody by probation officers.

During his trial Smith would say,

“...I had called my wife and I had asked to come home, but on February 1st, I found out she didn’t want me. ..I lost my business, my family, and my self- control was really coming apart fast. I just wanted to die on that day. So I went out, copped a bunch of heroin, cocaine, and began injecting it hoping I would overdose...I was so high, I’ve never experienced a high like that. It was different from any other time...”

Subsequently investigators learned that Smith had borrowed a friend’s car that matched the one seen in the car wash video. During the next days’ incarceration Smith was visited by his brother, John. The conversations led John to suspect his brother was indeed the man in the video, that he knew more than he was willing to admit, that he knew where the girl was. When asked if his brother had confided in him during initial visits, John lied. Later, believing the brothers’ meetings had been recorded by the FBI, John admitted to the police that he had been told where the girl’s body was. He led police to the location. Carlie’s body was recovered on the following Saturday.

Joseph Smith was arraigned and charged with kidnapping, rape, and first degree murder. In March 2006, the jury delivered its verdict. It had taken the jury all of five hours to decide Joseph Smith’s fate. He was guilty on all counts. The charges of kidnapping and rape carried prison terms of life imprisonment. The jury voted 10-2 for the death penalty on the murder charge.

Smith had said,

“I want you to know that I take full responsibility for the crimes. I don’t know how this all happened. I was very angry with myself and very high...I could not stop...I’m not trying to make excuses for what happened, but I really don’t remember much about anything on that day after about 4:00 p.m.”

Smith also stated days after his arraignment,

“I do not ask for mercy for myself. The only thing I can see to give me a life sentence is for the sake of my family. I do not want to see my children hurt any further.”

On March 15, 2006, Circuit Judge Andrew Owens sentenced Joseph Smith to death citing as aggravating circumstances Smith’s previous felony convictions, the victim’s age (11), and the fact that the capital felony was especially heinous, atrocious and cruel. The judge said Carlie had suffered “unspeakable terror and physical suffering.”

He added, “May God have mercy on your soul!”

Carlie’s mother lamented that Smith would spend more time alive on appeals than Carlie had lived.

In February 2009, 5 years after he had murdered Carlie Brucia, Joseph Smith, the convicted murderer, filed for a new trial questioning handling of DNA evidence found on the girl’s clothing.

Larry Copeland’s aforementioned article states

“(child abduction) Experts are quick to point out that the overwhelming majority of child abductions end with the victim being safely returned home.”

He further quoted Joe Weiss, professor of Sociology at the University of Washington and a co-author of the Washington study:

“ Child abduction murders are ‘pretty rare compared to the total number of reported missing kids. People are probably more afraid and concerned than the numbers indicate.” (The National Incidence Studies of Missing, Abducted, Runaway, and Throwaway Children[NISMART-2]has compiled the following statistics for 2008: For children under the age of 18, 2,000 children on average are reported missing each day in the United States, 800,000 annually. Family members are responsible for over 200,000 child abductions. Non-family members abduct 58,000 children yearly. Complete strangers abduct over 21,000 annually. An estimated 115 children are victims of ‘stereotypical’ kidnapping. The child is held overnight, transported 50 miles or more, killed, ransomed or intended to be kept permanently.)

The Washington study estimated 100 such instances of the murder of an abducted child occur in the United States each year. The National Center for Missing and Exploited Children states that with non-family abduction the child is at greatest risk of death.

One year after Carlie's death, in February 2005, 9-year old Jessica Lunsford was abducted and murdered in Florida by a convicted sex offender.