

Austin Yogurt Shop Murders

BRIEF OVERVIEW OF CASE 1991-923402046

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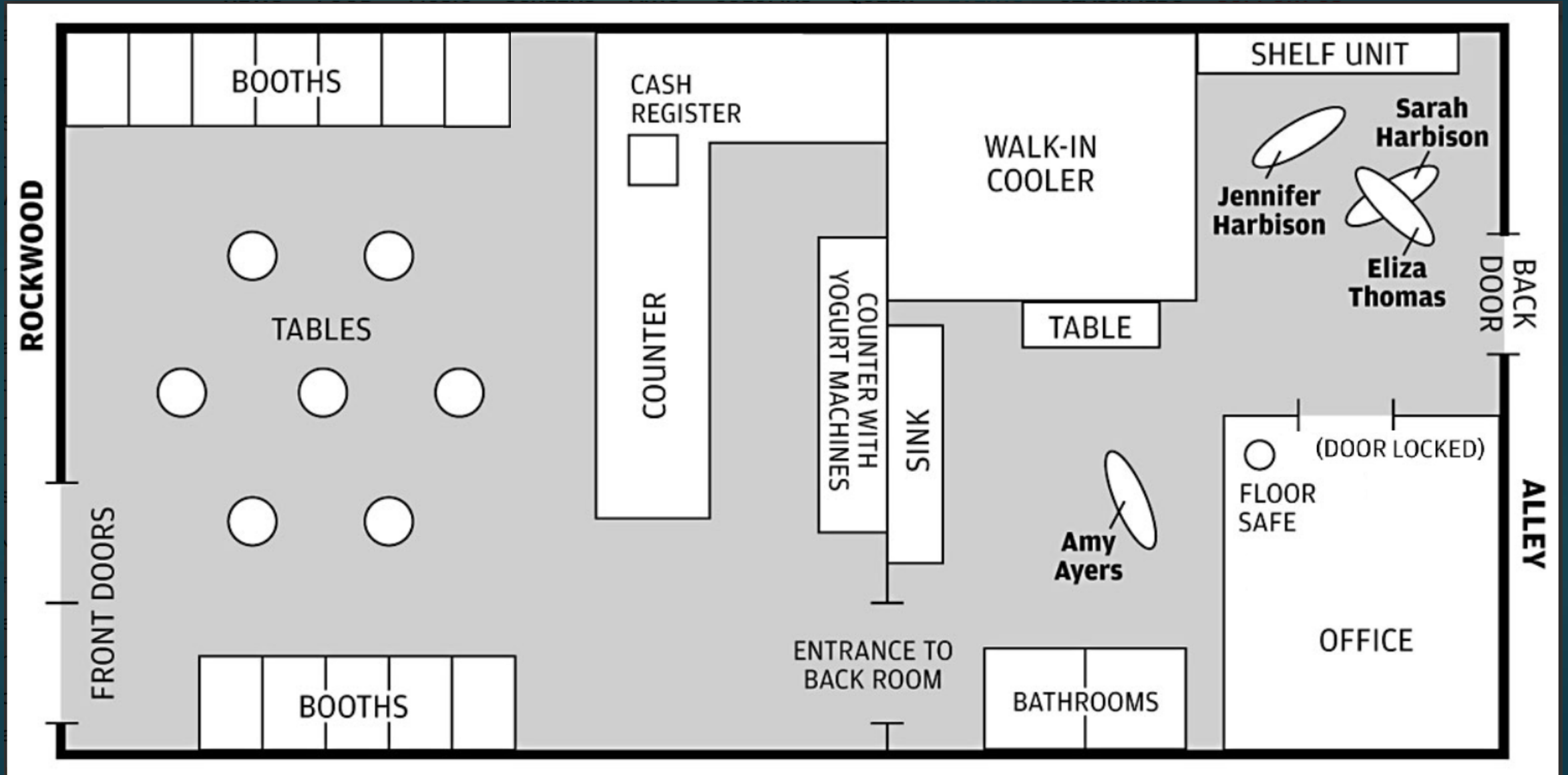


I Can't Believe It's
YOGURT!

SUZ



Diagram



Modus Operandi

- ▶ Perpetrator entered or remained near closing time, when no other customers were present.
- ▶ Girls were found nude and tied up with their own clothing as ligatures and bindings.
- ▶ Evidence of sexual assault.
- ▶ All 4 victims were shot in the head, execution style, with a .22
 - ▶ Amy was also shot with a .380
- ▶ Building was set on fire.

Evidence Collection

- ▶ In 1991, DNA technology was primitive.
 - ▶ All girls had vaginal swabs taken for DNA testing both at the scene and at the autopsies.
- ▶ One fired .380 cartridge casing located in floor drain.
- ▶ The fire and the manner in which the fire was extinguished made evidence collection extremely difficult.

Tips & Leads

- ▶ There were thousands of tips and dozens of “confessions,” but most led nowhere, and no arrests were made.
- ▶ One of the “confessions” was from a juvenile: Maurice Pierce.
 - ▶ Eight days after the murders, Pierce was at the Northcross Mall with his friend Forrest Welborn. He was carrying a .22 pistol in his waistband.

Maurice Pierce

- ▶ Maurice Pierce, age 16 at the time, was arrested by APD for having a gun at the mall.
 - ▶ A .22 pistol was seized.
- ▶ Pierce was taken to the Homicide Office and interrogated for hours by Detective Hector Polanco.
 - ▶ Pierce confessed.
- ▶ The next morning, lead Detective John Jones arrived at work and spoke to Pierce.



Maurice Pierce

- ▶ Pierce confessed that he had lent the .22 pistol to a friend, Forrest Welborn, and that Welborn told Pierce he had killed the girls
- ▶ When Welborn was questioned, he mentioned his two other friends Robert Springsteen and Michael Scott, along with Pierce had all gone to San Antonio the night after the murders.
- ▶ Police interviewed all four and they were eliminated.

Ballistics – Pierce's .22

- ▶ Ballistics analyzed the .22 gun that was seized from Pierce at the mall to determine if it was the same weapon used in the murders.
- ▶ Results were “inconclusive”, as the projectiles were highly fragmented/distorted.

Case had gone “Cold”

- ▶ The case stalled over the years and personnel were scaled back during the mid 90s’.
- ▶ In 1999, a new Yogurt Shop Task Force revisited the Maurice Pierce confession.

New Suspects

- ▶ The Task Force interrogated 4 subjects:

Maurice
Pierce

Forrest
Welborn

Robert
Springsteen

Michael
Scott

Confessions

- ▶ Robert Springsteen and Michael Scott confessed.
- ▶ Forrest Welborn and Maurice Pierce did not confess.
- ▶ All four subjects were arrested for Capital Murder in 1999.
- ▶ Forrest Welborn was not billed by the grand jury.
- ▶ Maurice Pierce's charges were dropped.

Trial – Scott/Springsteen

- ▶ Michael Scott and Robert Springsteen were put on trial separately.
 - ▶ Both were found guilty, primarily based on each other's confession.
 - ▶ Michael Scott received life without parole.
 - ▶ Robert Springsteen received the death penalty.
 - ▶ No physical evidence was linked to any of the subjects.

Appeals

- ▶ During the appeal process the Supreme Court of The United States (SCOTUS) made a landmark ruling:
 - ▶ *Crawford v. Washington*,
541 U.S. 36 (2004)
 - ▶ Reformulated when hearsay statements can be admitted in criminal cases under the Confrontation Clause of the Sixth Amendment.
 - ▶ The Court held that prior testimonial statements of witnesses who have since become unavailable may not be admitted without cross-examination.
- ▶ Court of Criminal Appeals granted a new trial for Michael Scott and Robert Springsteen.

New Trial Preparation

- ▶ Reviewed DNA evidence:
 - ▶ Fairfax labs processed swabs from a Sexual Assault kit and developed a Y-STR profile with 16-markers (locations with genetic data on the Y chromosome).
 - ▶ The kit only tested for a specific 16 markers.
 - ▶ All four of the original suspects were excluded as contributors for the unknown Y-STR profile.

Charges Dropped

- ▶ 2009:
 - ▶ Charges were dropped pending further investigation.
- ▶ Over the next several years, hundreds of reference samples were collected as elimination samples or suspect DNA profiles.

Continuous DNA Testing

- ▶ Since 2008, numerous items were sent to numerous labs across the country with various testing strategies.
 - ▶ Most of the male DNA collected from the crime scene were only a few picograms and was a mixture with the victims.

Continuous DNA Testing

- ▶ 2018:
 - ▶ The unknown Y-STR samples were submitted for retesting due to technological advancements.
 - ▶ The unknown Y-STR returned with 27 known markers for a more “complete” profile:
 - ▶ 25 markers with two having double alleles to give 27 total.
 - ▶ The Y-STR identity remained unknown.
 - ▶ The unknown Y-STR profile was also found on other swabs taken from the girls.

Additional DNA Testing

- ▶ 2022: Det. Jackson assigned case and met with several Subject Matter Experts (SME) on DNA/genealogy.
 - ▶ A tiered list of items were identified for potential retesting: Some of those items were
 - ▶ Amy's belt buckle
 - ▶ Ice scoop
 - ▶ Fingernail clippings
 - ▶ Clothing.

NIBIN Submission

National Integrated Ballistic Information Network

- ▶ Late June 2025:
 - ▶ Detective Jackson determined the .380 cartridge had not been submitted into NIBIN in many years, and software had greatly improved.
 - ▶ Original ballistics reported in all probability the weapon used was limited to an AMT “backup’ model .380 semiautomatic handgun in the murder of Amy Ayers.
- ▶ July 2, 2025:
 - ▶ Requested submission of fired .380 cartridge casing through ATF TFO.
 - ▶ **Received a “hit” the same afternoon to an unsolved murder in Kentucky (KY).**

Kentucky Cold Case Homicide From 1998
they have not done their press release yet, so the actual city
will not be named).

- ▶ July 2025:
 - ▶ APD Cold Case and Attorney General Cold Case investigators travel to Kentucky to review cases.
 - ▶ The murders share a similar MO.
 - ▶ Preliminary NIBIN results indicate a presumptive positive correlation between the two casings indicating the same gun was used.
 - ▶ The Yogurt Shop .380 casing was brought to the Kentucky State Police, so toolmark examiners could do a 1-to-1 definitive comparison.
 - ▶ Official Results are pending.
 - ▶ Aside from the MO and NIBIN hit, no obvious links were found between Yogurt Shop and the Kentucky murder.

APD Cold Case, Texas Attorney General's Cold Case Unit, & Kentucky PD

- ▶ Kentucky had only tested a cigarette butt from the scene and got an unidentified CODIS profile.
- ▶ Testing strategy was developed to test:
 - ▶ Additional Including an untested sexual assault kit
 - ▶ DNA testing had not done a Y-STR profile yet, so I requested they develop one from their evidence to see if it matches our unknown profile.

Y-STR Manual Search

- ▶ In 2018/2019, a manual Y-STR search was requested from any lab that retained Y profiles on CODIS samples.
 - ▶ At the time, few CODIS labs were profiling Y-STRs on CODIS samples.
 - ▶ At the time, 0 profiles “matched” our unknown Y-STR.
- ▶ In 2025, more labs profile Y-STR's and databases have grown.
 - ▶ August 2025: Detective Jackson requested a Y-STR keyboard (manual) search from all labs in the US that keep Y-STR profiles.

Y-STR “Match”

- ▶ **South Carolina State Lab was the only lab that responded that a complete Y-STR “match” to our unknown Y-STR was found. (all others had no “hits” at that level)**
 - ▶ Results were reviewed for accuracy by South Carolina Legal Department before the profile was released to APD.

This was the first time South Carolina had received a request for a manual search of Y profiles.


▶ August 22, 2025:

▶ Received SC Lab report that linked the Yogurt Shop unknown Y-STR to a **known** Y-STR profile from a 1990 Greenville, SC Sexual Assault and Murder.

“Unknown” Y-STR linked to: Robert Eugene Brashers

- ▶ Robert Eugene Brashers
 - ▶ 03/13/1958 – 01/19/1999



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- ▶ Detective Jackson and Greenville, SC PD began collaborating on case information.
 - ▶ After the initial report and conversations with the Greenville, SC detective who worked their case, he sent biological evidence to APD for a 1-1 YSTR comparison and for populations statistics to be done by Signature Science.

Known Y-STR Profile

- ▶ This known Y-STR DNA profile may occur in as much as 0.12% of the U.S. population
 - ▶ This is the most conservative estimate of African American, Asian, Caucasian, Hispanic, and Native American populations.

Brashers' Arrests for Violent Crimes

- ▶ December 12, 1985:
 - ▶ Brashers plead to 2nd Degree Homicide and Aggravated Battery.
 - ▶ He was sentenced to 12 years.
- ▶ May 4, 1989:
 - ▶ Brashers was granted parole.

Criminal Acts discovered post-mortem

- ▶ 2006:
 - ▶ DNA linked an unsolved murder in **SC (1990)** with two cases that were previously linked through ballistics:
 - ▶ Unsolved Double Homicide in New Madrid, **MO (1998)**
 - ▶ Unsolved attempted assault in Dyersberg, **TN (1998)**.
- ▶ 2016:
 - ▶ Sexual Assault Kit was submitted for testing from the sexual assault of a **14-year-old** girl in **Memphis, TN (1997)** during home invasion by a man who tied up 4 females and sexually assaulted the youngest one.
- ▶ 2017:
 - ▶ The Memphis, TN (1997) case was linked to the cases in SC, MO, and TN.
- ▶ Fall 2018:
 - ▶ Genealogy identified Brashers as a potential suspect.
 - ▶ Family member DNA samples were collected from Brashers' relatives in Huntsville, AL.
 - ▶ Brashers' body was exhumed in Arkansas to retrieve DNA for FGG and CODIS.

Criminal Acts discovered post-mortem

- ▶ 2018:
 - ▶ DNA testing confirmed that Brashers' genetic profile was a perfect match with the DNA profiles for the following unsolved crimes:
 - ▶ **March 11, 1997**, Sexual Assault of Child, Memphis, TN:
 - ▶ **14-year-old girl** was sexually assaulted.
- ▶ **March 28, 1998**, Murder x2, New Madrid county, MO
 - ▶ Victims: **Sherri Scherer** (38 yoa) and her daughter **Megan** (12 yoa)
 - ▶ The 12-year-old was tied up and shot to death in their home, Megan was also sexually assaulted.
- ▶ **March 28, 1998**, Attempted Assault, Dyersburg, TN
 - ▶ Approximately 2 hours after the Scherer murders, Brashers broke into another home in Dyersburg, Tennessee, where he attempted to assault and shot a **25-year-old woman** who survived.
 - ▶ Ballistics testing revealed the same gun was used at both crime scenes on March 28, 1998.

Identification of Brashers

- ▶ According to Detectives in previous cases, Brashers faked his own death by publishing a fake obituary.
- ▶ Brashers' Criminal History Check (CCH) lists multiple aliases, including a combination of family members' names and his mother's maiden name.
- ▶ Brashers has known criminal involvement in multiple southern states.
- ▶ According to Brashers' daughter, Brashers would be gone for weeks at a time traveling for work and their mother asked them to call their dad by a different name.
- ▶ APD CC and AG begin researching Brashers history as well.

December 6, 1991

- ▶ The Yogurt Shop murders occurred on **12/06/1991**, around 11 p.m.

Brashers – Texas

- ▶ **12/08/1991 (less than 48 hours after Yogurt Shop):**
 - ▶ Brashers stopped by Border Patrol at a westbound checkpoint between El Paso and Las Cruces.
 - ▶ Brashers was driving a stolen car out of GA.
 - ▶ Brashers was in possession of a .380 pistol.
 - ▶ AMT .380 "backup" model, serial # A75213.
 - ▶ This is the same make/model identified by ballistics as the weapon used in Yogurt Shop.
 - ▶ Brashers was charged with auto theft and felon in possession of firearm.
 - ▶ The gun was later released to Brashers' father after Brashers was sentenced.

Brashers – Y-STR

- ▶ Brashers' Y-STR profile has been found in the following 3 Yogurt Shop Y-STR profiles:
 1. Sexual Assault Kit – Jennifer Harbison
 2. Sexual Assault Kit – Sarah Harbison
 3. Sexual Assault Kit – Amy Ayers

Limitations of Y-STR DNA

- ▶ Y-STR looks at markers only found on the male (Y) chromosome.
- ▶ It is not “unique” to only one individual like autosomal STRs used in CODIS. Y-STRs are passed down paternally.
- ▶ Certain combinations are more frequent than others, so you could have several “hits” from the databases that have no relation to the crime.
- ▶ Y-STRs are good for eliminating suspects and donors, but are difficult to positively identify one person.
 - ▶ Y-STR matches are statistical probabilities of how many people are expected to also have the same Y-STR profile.

Additional DNA Testing

- ▶ September 15, 2025:
 - ▶ Additional items from the crime scene were submitted to DNA Labs International.
 - ▶ These items were previously tested for DNA, but results were never eligible for upload to CODIS due to the profile quality/quantity.
 - ▶ The purpose of the retesting was to obtain sufficient STR markers to do a direct STR comparison.

Direct STR Comparison

- ▶ Retesting resulted in an STR profile from the fingernail clippings of Amy Ayers.
- ▶ The STR profile was compared directly to Brasher's STR profile and matched.
 - ▶ 2.5 million to 1
- ▶ September 22, 2025:
 - ▶ DNA from the KY murder was directly compared to Brashers can not be excluded.
 - ▶ *final report pending*
 - ▶ *1-1 ballistics report for .380 pending*

Brashers – M.O.

- ▶ Brashers was known to carry multiple weapons.
- ▶ Brashers tied up his victims, sometimes with their own clothing.
- ▶ Brashers sexually assaulted young female victims.
- ▶ Brashers often shot victims in the head.
- ▶ KY Murder: same gun, similar details.

Continuing Investigation

- ▶ There is no physical evidence that links Springsteen, Scott, Peirce, or Wellborn to the Yogurt Shop crime scene.
- ▶ There is no evidence that connects the previous 4 suspects with Robert Eugene Brashers.
- ▶ Surviving victims of Brashers' violence report he was alone when he acted.
- ▶ History of sexually assaulting young girls.
- ▶ Brashers was alone and able to control 4 women during the 1997 Memphis home invasion and sexual assault.
- ▶ Brashers killed himself on 01/13/1999 in Kennett, MO with the same AMT .380 "backup" model serial # A75213 that he was stopped with 2 days after the Yogurt Shop Murders.