

Review of VPM Podcast Provided Documentation

PREPARED BY:

AMY JENKINS AND ROBERT SCANLON (DFS)

75-10986 ("Cat" case):

Case Information provided by submitting agency:

TYPE OF OFFENSE AND STATEMENT OF FACT: **HOMICIDE, ROBBERY - Victim found dead in her bedroom on December 2, 1975, apparently stabbed to death. Upper torso covered by quilt; body nude except for pantyhose and torn panties.**

Allegation:

Re: Defendants Jeffrey Taylor, Howard Bitterf & John Stevenson: Dec 2, 1975 murder/rape of Lillian E. Keller in Ashland, VA. Couldn't be convicted on secretion evidence because ~~the~~ tests had not been done to rule out non-human (i.e., cat) origin before further testing was done. Mary Jane Burton admitted in court that could have come from cat. Test actually was available, and should have been done, to rule out non-human origin, but Burton took a shortcut and skipped it. This was referred to as the "Cat-Case".

From VPM documents: LADIES WATCH ITEM 8



	(23) item 6 #13	(18) item 6 #14	(19) item 20 #8	(20) item 20 #17	(21) item 20 #16	(22) item 20 #15	(24) item 8	(1) item 3	(2) item 3 Control	(3) item 3 not in report	(4) item 3 control
BENZIDINE TEST					K	K	+	+	-	+	-
PHENOPHTHALEIN TEST					K	K	+	+	-	+	-
PRECIPITIN TEST					K	K	+	+	-	+	-
A - C	-	-	-	-	-	-	+w	-	-	-	-
B - D	-	-	-	-	-	-	++	++	--	++	--
H - E	-	-	-	-	-	-	+	+	-	+	-
M - c											
N - e											
CONCLUSIONS FROM ABOVE											
A - C	[Handwritten scribbles]										
B - D	[Handwritten scribbles]										
H - E	[Handwritten scribbles]										
M - c	[Handwritten scribbles]										
N - e	[Handwritten scribbles]										

12-6-75

FS# 75-10986

Other notations of errors on Certificate of Analysis (dated February 4, 1976) provided by VPM:

Item #1: No notation that these were typed by A-E method on "B DEce" in notes.

DFS file: Not on worksheet. Notes:

① - type as whole B DEce

Item #2: Type B+ on the worksheet but not in the report.

DFS file: From notes:

② Bra - dil blood
White uniform - yellow paint, white paint, Godstein
B Rh⁺ blood - some dil, some whol.
→ clump hair inside dress - Victim's
→ Several hairs

③ item 2	④ item 3 control
+	-
+	-
+	-
-	-
+	-
+	-

Item #2 - Both the bra and the white uniform contained blood stains. Some of the stains were diluted blood stains. In addition, a clump of hair consistent with head hair samples from the victim was found inside the uniform. 2-ech (31)

Item #4: Human blood circled.

DFS file: From notes:

(4) - liquid B DEāē

Item #8: Language "In addition, the presence of a small amount of the A factor was also noted" had a question mark behind it.

DFS file: Item 8 typed on chart with "+ w" notation in A-C block.

(24) 3 item 8
+
+
+
+ w
+ +
+

Faint "w" indicates weak.

Item #17: Reported results inconclusive but notation says Rh+.

DFS file: Typing on worksheet with control. H is + for both.

Certificate of Analysis dated May 4, 1976:

Report on hair comparisons and saliva samples. Item 22 reported.

Several notations on Burton's case notes mostly for lack of content. The case notes provided by VPM are not the same as the case notes in the case file.

DFS Additional Case Information: The article provided by VPM indicates the following: "But under cross-examination from [one co-defendant's] attorney, Tom Jones of Richmond, a state forensic scientist said the substance found on [the victim's] watch wasn't necessarily [that defendant's] blood. Mrs. Mary Jane Burton said the substance could have been saliva sweat or blood (sic) from [the victim's] cat. She had tested the cat, Mrs. Burton said, and when tested in a certain manner, secretions from a cat produced the same test results as Taylor's blood."

Defendant #1 tried on 7/15/76. Defendant #2 tried on 7/26/76. Defendant #3, whose trial was the subject of the newspaper article, was arrested days before the trials of Defendant #1 and #2. Defendant #3 testified for the Commonwealth in both trials. He testifies that Defendant #2 took money from the victim. When he left and went back to his room, the victim was alive with Defendants #1 and #2. Fifteen minutes later, they left the hotel and subsequently the state. He remained living at the hotel (according to newspaper accounts) until his arrest.

Burton testified in both first trials for Defendants #1 and #2. There are trial transcripts that have been provided (excerpted below). She testified that the victim's blood was type B in the ABO system, type Rh positive in the Rh system, and type BA in the EAP system. Defendant #1 had type O blood from secretions (she never received a blood sample). She identified a human blood stain on the front of a shirt that was typed as B in the ABO System and EAP BA. The stain was too small to determine the type in the Rh system. The blood from the shirt and the blood from the victim are the same in the ABO system and EAP systems. She found human blood on the knife, but the amount was too small to type. She testified that she could not type the human blood stains on towel in ABO and EAP systems because interference from material or soap, etc. She was able to determine that the stain(s) were Rh positive. She identified tiny splashes of blood on the toe of Defendant #1's shoes. She was able to determine that the blood was human but was not able to type the stain due to shoe polish or dye interference of some sort. Head hairs recovered from pillowcase and bedsheets were "consistent in the individual characteristics with hair from defendant #2." On cross-examination, she testified that head hairs from defendant #3 were consistent with hairs found on the victim's dress.

Burton's testimony from the trials on the watch:

Trial #1:

A. Well, in this case, I found that the stains were human blood. I was able to determine the B in the ABO system and Rh positive in the Rh system; in addition to that I found a small amount of the A factor, which may indicate that there may have been a mixture or something there giving me a reaction also to A. To type A.

Q. All right, did you examine the saliva of Taylor?

A. Yes, sir, I did.

Q. And what was his typing?

BY THE COURT: What is his blood type from the saliva?

A. Yes, sir. Type A.

A. Well, my tests on the saliva from Mr. Taylor indicated that they were type A in the ABO system, and on the watch I identified human blood type B, but in addition to that I found small amounts of A substance, which would be like the A in the ABO system. So in addition to there being type B, there was also the presence of small amounts of A substance.

Defendants #1 and #2 were both convicted and sentenced by the jury.

Thereafter, Defendant #3 was tried. His first trial in November 1976 ended in a hung jury, with the jury indicating it was hopelessly deadlocked. A second trial was held on December 14, 1976. There is no transcript for either trial, as transcripts would not have been prepared without a resulting conviction. The only version of Burton's testimony is in the newspaper article as outlined above. At the close of the

Commonwealth's case during the second trial, the judge granted the defense's motion to strike, indicating the evidence was not sufficient to convict Taylor and "[e]ven believing every piece of evidence you have presented, I don't think you have enough...." He continued that "[i]f the jury brought in a conviction, I would have to reverse it."

In the interim, Defendants #1 and #2 appealed their convictions to the Virginia Supreme Court. Both convictions were reversed on appeal. (See [Commonwealth v. Stevenson, 237 S.E.2d 779 \(1977\)](#) and [Bittorf v. Commonwealth](#)). The Virginia Supreme Court held that the nonverbal act of defendant #1's wife of obtaining the clothing (including the shirt) worn by defendant #1 on the day of the crime was inadmissible nonverbal hearsay. As such, "the introduction into evidence of the shirt and the result of the scientific tests conducted thereon was without proper foundation." It does not appear that the prosecution was able to resolve the foundational issues with the shirt on retrial. As was noted by Mr. Bynum (the prosecutor) in his letter in the DFS file, the trial court dismissed the case against defendant #1 as insufficient because the case was considerably weaker without the shirt and the serology results from the shirt that tied defendant #1 to the crime. The dismissal of the case was not related to Ms. Burton. It appears that the case against defendant #2 was *nolle prossed* (according to the press accounts) given the evidentiary issues.

From the press account:

Without the shirt, Bynum conceded last night, his case was "materially weakened." "The case I had was circumstantial from the beginning," he noted. "And when the state Supreme Court knocked out part of my evidence (the shirt), it weakened my case considerably."

From the DFS file, it does appear that Joan Faunce, Regina Demas, June Browne (from the Tidewater Lab), and Walter Forst were subpoenaed by the defense. June Browne submitted a voucher for travel, noting that she had been subpoenaed as a "technical consultant" for the defense.

Virginia Post-Conviction DNA Testing Program and Notification Project:

Not eligible due to no resulting convictions for any of the listed suspects.

76-09468 ("Deer" case):

Allegations:

① Joan Faunce's synopsis, in her own handwriting, of discrepancies/ errors/alterations done by Mary Jane Burton in case # 76-9468
Evidence submitted w/ request to check for human blood--
(MJB apparently skipped testing to rule out non-human origin;
Evidence resubmitted six months later w/ request to identify animal blood--
MJB wrote "new report" w/ different result, ~~but~~ but there is no evidence of
further testing on which to base any new report.) "Deer Case"

Documents from DFS case file:

11/17/76 RFLE:

TYPE OF OFFENSE AND STATEMENT OF FACT: Victim of gun shot wound.

EXAMINATIONS REQUESTED: Check gun to see if it had been fired.
Check samples to see if human blood.

This evidence is being submitted in connection with a criminal investigation and has not been examined by another laboratory

If a previous submission to us in this case has been made please give our FS Lab # _____

Specify manner of return of evidence: Regular Mail _____ Registered Mail _____ Certified Mail _____ Personal Pick-up _____

EVIDENCE SUBMITTED: (Enclose copy of this form in evidence package) (Itemize) eg. Quantity, Color description of item, etc.

1. One 12 ^{GAUGE} Gauge Shotgun, High Standard, Proff Tested # 3158715.
2. Samples of possible human blood.

Case notes:

76-9468

② white towel - blood stains in beaker with
Containing corn husks + stalk pieces,
Soil in paper + cotton pad (diaper)
+ blood

Report issued dated November 29, 1976:

Item #2 - Towel containing cornstalk and husks and soil.
Evidence Submitted By: Office of Chief Medical Examiner **Date Received: 11-17-76**
Item #3 - Sample of blood from victim.
Item #4 - Oral and anal swabs.
RESULTS OF EXAMINATION:
Item #2 - Stains on the items were identified as human blood. Further tests indicate the blood is type B CDce.
Item #3 - Tests indicate the blood is type B CDce.
Item #4 - No evidence of seminal fluid was found on any of the swabs.

12/17/76 Submission:

Attempt to determine if victim had been dragged or moved.
EXAMINATIONS REQUESTED: To determine if clothing has animal hair and animal blood on them.
This evidence is being submitted in connection with a criminal investigation and has not been examined by another laboratory
If a previous submission to us in this case has been made please give our FS Lab # _____
Specify manner of return of evidence: Regular Mail _____ Registered Mail _____ Certified Mail _____ Personal Pick-up _____
EVIDENCE SUBMITTED: (Enclose copy of this form in evidence package) (Itemize) eg. Quantity, Color description of item, etc.

⑧ **One envelope containing clothing.**
Plastic Bag

Rel. Harold H. Osborne
12/17/76

Rec. Gina Demas
12/17/76

Examination documentation in case file with two pages of species testing dated 12/30/76 with the case numbers and examiner initials: "MJB/RKD."

Report issued dated January 19, 1977:

Evidence Submitted By: Sheriff H. H. Osborne **Date Received: 12-17-76**
Item #8 - Bag containing clothing.
RESULTS OF EXAMINATION:
Item #8 - No evidence of animal blood was found on any of the items. Two (2) animal hairs, most consistent with dog hairs, were recovered from the clothing.
The evidence has been released to Investigator W. L. Cliborne, Virginia State Police, on 1-13-77.

Second submission of a towel 5/23/77:

TYPE OF OFFENSE AND STATEMENT OF FACT:

Victim was killed while hunting for deer.

EXAMINATIONS REQUESTED: **Blood (animal mixed with human ?)**

This evidence is being submitted in connection with a criminal investigation and has not been examined by another laboratory
If a previous submission to us in this case has been made please give our FS Lab # 76-09468

Specify manner of return of evidence: Regular Mail _____ Registered Mail _____ Certified Mail _____ Personal Pick-up

EVIDENCE SUBMITTED: (Enclose copy of this form in evidence package) (Itemize) eg. Quantity, Color description of item, etc.

Item #1 - Towel containing cornstalk and husks and soil

*+ deer
+ remnant*

Reported issued dated May 31, 1977:

Richmond, Virginia 23208

Evidence Submitted By: **Investigator W. L. Cliborne**

Date Received: **5-24-77**

Towel containing cornstalk, husks and soil.

RESULTS OF EXAMINATION:

Tests indicate the presence of blood from a member of the deer family.

The evidence can be picked up in the laboratory.

Amelia Sheriff's Department has no records. Request submitted to the Virginia State Police.

Virginia Post-Conviction DNA Testing Program and Notification Project:

Case not identified as part of the project because there were no taped down samples.

News article for additional facts:

Hunter, 21, Was Shot In Head

Times-Dispatch State Staff

AMELIA — [REDACTED] 21, of Glen Allen in Henrico County, died of a gunshot wound to the head, the state medical examiner's office said Wednesday.

Tests are continuing, the office said.

[REDACTED] was hunting with two friends from Richmond and his brother in Amelia County Monday. They last saw him about 4:16 p.m. as they split up when entering woods.

The county sheriff was told [REDACTED] was missing about 7 p.m. and an extensive ground and air search involving about 100 persons was conducted Monday night and Tuesday.

The body was found in a field Tuesday afternoon, about 300 yards from where a command post had been set up for the search.

Sheriff H.H. Osborne said he suspects murder. The sheriff said [REDACTED] gun had not been fired. There were three shells in the gun and the safety was on, he said.

76-23383 (Inmate felonious assault case):

Information Provided by Submitting Law Enforcement Agency:

TYPE OF OFFENSE AND STATEMENT OF FACT: **Felonious Assault - Victim was stabbed several times in block C-5, Cell B-28, Powhatan Corr. Center on May 16, 1977. Victim also had a chemical (liquid), possibly ammonia, thrown in his face at the time of the stabbing.**

The victim told Lt. Halsey and Lt. DunMoodie, correction officers, that this was done by the suspect.

received on 5-18-77 by Deanne Dabbs
 Examiner: Robin Porter Examiner: Mary Jane Burton

EXAMINATIONS REQUESTED: Item @ Mary Burton 5/19/77 Deanne Dabbs

This evidence is being submitted in connection with a criminal investigation and has not been examined by another laboratory.

If a previous submission to us in this case has been made please give our FS Lab # _____

Specify manner of return of evidence: Regular Mail _____ Registered Mail _____ Certified Mail _____ Personal Pick-up

EVIDENCE SUBMITTED: (Enclose copy of this form in evidence package) (Itemize) eg. Quantity, Color description of item, etc.

1) **Brown grocery bag containing:** (Clothes of Victim) *received unsealed*

- 1 pair brown pants, left leg cut from waist to cuff.
- 1 brown shirt, left side and sleeve missing
- 1 pair boxer shorts, brown & white striped.
- 1 green & black sleeveless T-shirt, split down back.
- 1 scarf, multi-colored.
- 1 pair shoes, burgandy & silver, high-heeled.
- 1 pair black socks.

2) **Brown grocery bag containing:** *white plastic bag w/* (Clothes of Suspect) *received sealed*

- 1 pair of denim pants (brand name Lee), with green cloth belt
- 1 brown checked shirt, both sleeves cut off near elbow.
- 1 pair ~~boxer~~ jockey undershorts.
- 1 red print cap.
- 1 black cap.
- 1 pair leather sandals.

Allegations:

#3 Sample of blood from suspect

Type ^v AU CD $\bar{c}\bar{e}\bar{e}$ EAP-A EsD-1 #p 2-1

#5 Sample of blood from victim

Type ^v O $\bar{c}\bar{e}\bar{e}$ EAP-B EsD-1 #p 2-1

Conflict in EAP logbook

May 23, 1977 EAP V
 9:40 AM 400 V 44 m A

B	1	①	76-23383	Victim
A	1	②		Suspect
B	1	③		blue jeans

Reported that it was not possible to type the suspect's jeans in the ABO system, but worksheet jeans and control were Type A. Rh was done and not reported. Write up is confusing. Blood Type A CDce is consistent with suspect and not with victim.

Documents from case file

Typing results worksheet done by Deanne Dabbs for victim's and defendant's blood samples. Defendant typing:

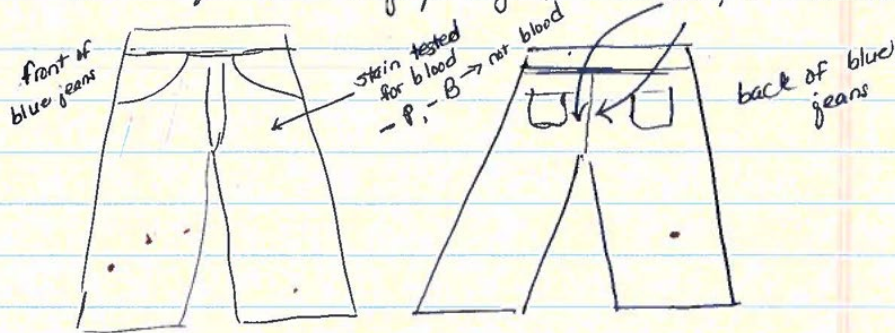
Anti-A - Lot#	A 8539-2	#
Anti-B - Lot#	B 9196-2	-
Anti-A,B - Lot#	OAB 184-1	#
Auto Control		-
A ₁ Cells	DA	-
B Cells	CM	#
Anti-M - Lot#		NT
Anti-N - Lot#		NT
Anti-C - Lot#	RCST 161	#
Anti-D - Lot#	R5729-1	#
Anti-E - Lot#	REST 168	-
Anti-c̄ - Lot#	R0369	#
Anti-ē - Lot#	RSE 120	#
Interpretation of Results		ACDce

Victim indicated as:

	A 8539-2	
	B 9218-2	
	OAB 184-1	
		-
	DA	+ _{c̄}
	CM	+ _{ē}
		NT
		NT
	RCST 161	-
	R5729-1	-
	REST 168	-
	R0369	+ _{c̄}
	RSE 120	+ _{ē}
		O cē du neg

Case notes on Item 2A:

② (A) blue jeans - green cloth belt & leather attached to belt loop
worn & faded - legs fringed



stains shown in red above -

stain on right upper front of blue jeans + P, + B → blood

all blood spots combined

control taken from inside waist on back of blue jeans

Worksheet:

	(31) ① A.B.O	(3) ② Control	(4) ③ stem 2	(5) ④ stem 3 Control	(6) ⑤ stem 3 suscept	Violin dent	Violin tent
BENZIDINE TEST			+	+			
PHENOPHTHALEIN TEST			+	-			
PRECIPITIN TEST			+	-			
	ND		2-1 ⁽⁴⁵⁾	-	2-1	3-1	2-1
A - C	+↓	-↓	+	+	+↓		
B - D	+↓	-↓	-↓	-↓	-↓		
H - E	+↓	-↓	-↓	-↓	+↓		
M - c	+	-			+		
N - e	+	-			+		
EAP ESD			B / 1	(11/80) A / 1	B / 1	(33/80) B / 1	
CONCLUSIONS FROM ABOVE				latter +αB -αA		Cāē	
A - C							
B - D							
H - E							
M - c							
N - e							

Report issued dated 6/8/77:

Item #2 - Tests on stains on the front and back of the right leg and one (1) stain at the bottom of the left leg at the front of the blue jeans indicate the presence of human blood. Further tests on a combination of these stains indicate the blood is type EAP-B EsD-1 Hp2-1. It was not possible to determine the type in the ABO system. No evidence of blood was found on any of the other items of clothing.

Item #3 - Tests on the blood from the suspect indicate the type is A EAP-A EsD-1 Hp2-1.

Item #5 - Tests on the blood from the victim indicate the type is O EAP-B EsD-1 Hp2-1.

Virginia Post-Conviction DNA Testing Program and Notification Project:

Deemed ineligible because no conviction or court record could be located for the suspect.

76-16982/76-T-3655 (Rape case with alleged change to Item 33):

Information Provided by Submitting Law Enforcement Agency:

TYPE OF OFFENSE AND STATEMENT OF FACT: RAPE AND SODOMY - SUSPECTS HELD VICTIM AT KNIFE-
POINT DURING SEX OFFENSES. VICTIM WAS CUT AND ALSO SUSPECT, SAMUEL REDMOND.

[NOTE: There are two sets of allegations for this case. One is outlined below. A separate two-page chart was also provided that has not been detailed here but can be referred to by the members of the Subcommittee.]

Allegations regarding blood and human blood typing:

The following items were reported as blood, however there is no record of positive red, phenol or pos benzidine test in notes:
2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15 (all 10 stains)
16, 17, 18, 19, 20, 21, 22, 28 (3 stains), 29 (3 stains)

The following items were reported as human blood - there is no record of origin determination being done in notes: 2, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15 (all 10 stains), 18, 20, 21 (2 stains), 22, 28 (3 stains), 29 (3 stains)

DFS file:

Taped down worksheets show Benzidine, phenolphthalein and precipitin test on all of these items.

Item 7

7. One white shirt with blue decoration containing red substance and belonging to Leon Foreman.

Allegations:

Item #7 consists of four stains numbered as follows in notes:

#1 (rt. sleeve)

#2 (lt. sleeve)

#3 (front center)

#4 (bottom front)

" The report here disagrees with the results recorded in 2 ways

① The Haptoglobin record book says 2-1 or 2-2 and it should be noted that no 2-1 control was run on this date (3-18-77)

② The report says each stain was Hp 2-2 where as there is no record of # 1 being run on haptoglobin at all and it is recorded as indiff. in notes.

ALLEGATIONS OF CHANGE TO LOGBOOK:

March 18, 1977 #
 10:45 AM 100V 35mA
 11:15 AM 100 22mA
 11:20 AM 200V 46mA
 10 AM 200V 36mA

3-19 76-16982 (7) #2
 (8) #1
 (9)
 (10)
 (11)
 (12) #1
 (12) #2

#2 March 19
 10:15 100V 45mA
 11:00 100V 33mA
 5:00 200V 45mA
 10:00 200V 60mA

3-20 76-16982 (10)
 (14) #1
 (14) #2
 (15) #10
 (18)
 (20)

2-1M? (1)
 2-1M? (2)
 2-1M? (3)
 (4)
 2-1M? (5)
 2-1M? (6)
 1 (7) 2-1

March 18, 1977 #
 10:45 AM 100V 35mA
 11:15 AM 100 22mA
 11:20 AM 200V 46mA
 10 AM 200V 36mA

3-19 76-16982 (7) #1
 (8) #2
 (9)
 (10)
 (11)
 (12) #1
 (12) #2

#2 March 19
 10:15 100V 45mA
 11:00 100V 33mA
 5:00 200V 45mA
 10:00 200V 60mA

3-20 76-16982 (10) slip 6/9/77
 (14) #1
 (14) #2
 (15) #10
 (18)
 (20)

2-2 (1)
 2-2 (2)
 2-2 (3)
 2-2 (4)
 (5)
 (6)
 (7)
 2-1M? (8)
 2-1M? (9)
 (10)
 2-1M? (11)
 2-1M? (12)
 1 (13) 2-1

Worksheet results:

(17) item 7 #1	(18) ^(3H) item 7 #2	(19) item 7 #3	(20) ^(4A) item 7 at 2	(31) ^(4B) item 7 control
+	+	+	+	-
+	+	+	+	-
+	+	+	+	-
-	-	-	-	-
+ 4	+ =	- 4	+ +	- -
+	-	+	+	-
Insuf		Insuf		
B	B	O	B Rht	

[IMPORTANT NOTE: First report was issued on May 6, 1977. Second report, containing only results for the known reference samples, was issued May 19, 1977. A third report, entitled "CORRECTED," was issued July 5, 1977. Please note that all HP results have been removed from this third report.]

First report:

Item 7 Tests on a stain in the front center of the shirt indicate the presence of human blood type O. The amount was insufficient for further typing. Tests on three (3) other stains on the shirt (one on the right sleeve, one at the bottom of the front at the right, and one (1) on the left sleeve) indicate the presence of human blood type B Hp2-2 in each.

Third corrected report dated July 5, 1977:

Item 7 Tests on a stain in the front center of the shirt indicate the presence of human blood type O. The amount was insufficient for further typing. Tests on three (3) other stains on the shirt (one (1) on the right sleeve, one (1) at the bottom of the front at the right, and one (1) on the left sleeve) indicate the presence of human blood type B in each.

Item 9

9. One pair ladies underpants, yellow found in wastebasket containing red substance.

Allegations:

Item 9
Results in notes are: ^{ABO type B, RA pos} EAP - BA, ESD 1, Hp 2-1M
Results in EAP Record Book: EAP - BA, ESD 1 (3-24-77)
Results in Hp Record Book: Hp 2-1M (3-18-77)
However, Report says blood type ~~is~~ was B EAP BA and states that it was not possible to determine the type in the other systems.
Results in record books ^{& notes} show this item was typed in all systems - no question marks are indicated.

ALLEGATIONS OF CHANGE TO LOGBOOK:

March 18, 1977 #
 10:45 AM 100V 35mA
 11:15 AM 100 22mA
 11:20 AM 200V 46mA
 3-19 10 AM 200V 36mA

76-16982

①
②
③
④
⑤
⑥
⑦

⑧
⑨
⑩
⑪
⑫ #1
⑬ #2

#2 March 19
 10:15 100V 45mA
 11:00 100V 33mA
 5:00 200V 45mA
 10:00 200V 60mA

76-16982

①
②
③
④
⑤
⑥
⑦

⑧
⑨
⑩
⑪ #1
⑫ #2
⑬ #10
⑭
⑮
⑯

1 ⑰ 2-1

March 18, 1977 #
 10:45 AM 100V 35mA
 11:15 AM 100 22mA
 11:20 AM 200V 46mA
 3-19 10 AM 200V 36mA

76-16982

①
②
③
④
⑤
⑥
⑦

⑧
⑨
⑩
⑪
⑫ #1
⑬ #2

#2 March 19
 10:15 100V 45mA
 11:00 100V 33mA
 5:00 200V 45mA
 10:00 200V 60mA

76-16982

①
②
③
④
⑤
⑥
⑦

⑧
⑨
⑩
⑪ #1
⑫ #2
⑬ #10
⑭
⑮
⑯

1 ⑰ 2-1

	(22) 44 item 9	(23) 5A item 9 control
BENZIDINE TEST	+	-
PHENOPHTHALEIN TEST	+	-
PRECIPITIN TEST	+	-
	Page 7/8/77 Hyo 2-1	
A - C	-	-
B - D	+	+
H - E	+	-
M - c		
N - e		
	BA	
CONCLUSIONS FROM ABOVE	B Rh-	

First report:

Item 9

The panties were cut up on one side, ripped on the other and three (3) slits were noted in the back. Several blood stains were noted on the inside. Tests on these stains indicate the presence of human blood type B EAP-BA. It was not possible to determine the type in the other systems.

Third corrected report:

Item 9

The panties were cut up on one side, ripped on the other and three (3) slits were noted in the back. Several blood stains were noted on the inside. Tests on these stains indicate the presence of human blood type B Rh positive.

Item 11

11. One pair men's white underwear found in back of bed containing substance - possibly belonging to Samuel Redmond.

REC-1
FCS
P

Allegations:

Item 11 notes (abs-el sheet) list stain as being typed as EAP B, ESD 1 in the EAP record book (3-24-77). ~~EAP~~ EAP type is recorded for item 11, ^{is Bol CP? 3/4/77} there is a question mark for 11 3/24/77. The report states that the stain was EAP type B. This stain was also not repeated on EAP.

(26) item 11 (6A)	(27) item 11 Control (6B)
+	-
+	-
+	-
-	-
- +	- -
+	-
B ₁	
ORh+	

First report:

Item 11

Tests on stains on the underwear indicate the presence of human blood type O Rh positive EAP-B EsD-1. It was not possible to determine the type in the Hp system.

Third corrected report:

Item 11

Tests on stains on the outside of the underwear at the left and center indicate the presence of human blood type O Rh positive.

Item 12

12. One blue shirt belonging to Leon Foreman - removed from his person prior to taking him to headquarters.

Allegations:

Item 12 consists of three stains on a shirt. Notes (Abs-El sheet) record these stains as being follows

#1 ABO → O EAP B ESD 1 no Rh results

#2 ABO → O No EAP / ESD Rh pos

#3 ABO → O No EAP / ESD no Rh results

EAP record book shows that no readable results were obtained when item (12) was run (3-24-77) (12) #1 recorded as B11 3/4/77. A sample was not repeated (no notation if stains were combined)

The report states that each of the three stains were typed as O, Rh pos EAP B ESD 1.

(28)	(29)	(30)	(31)
item 12 #1	item 12 #2	item 12 #3	item 12 Control
+	+	+	-
+	+	+	-
+	+	+	-
-	-	-	-
-	- +	-	-
+	+	-	-
B/1			
O	O Rh +	O	

First report:

Item 12 Tests on three (3) separate areas of the shirt (the right sleeve, the left front near the bottom, and the left front at the top) indicate the presence of human blood type O Rh positive EAP-B EsD-1 in each. It was not possible to determine the type in the Hp system.

Third corrected report:

Item 12 Tests on three (3) separate areas of the shirt (the right sleeve, the left front near the bottom, and the left front at the top) indicate the presence of human blood type O in each. Further tests on one (1) stain indicate the type is EAP-B EsD-1. Further tests on another stain indicate the type is Rh positive.

Item 13

13. One cigarette found at food to bed containing red substance.

Allegations:

Item 13 Notes (Abs-El) record type as B. Report states that it was not possible to determine the type on this item.

(32)
item 13
+
+
+
-
+
+
B

First report:

Item 13

Stains on the cigarette were identified as human blood. It was not possible to determine the type.

Third corrected report:

Item 13

Stains on the cigarette were identified as human blood type B.

Item 15

15. One white bedspread containing red substance and hair.

Allegations:

* Item 15 Consists of 10 ^{results} stains recorded on
Aw-El sheet - notes as follows:

#1	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#2	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#3	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#4	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#5	O	Rh pos	NO EAP/ESD		Hp 2-1M
#6	B	Rh pos	EAP-BA	ESD-1	Hp 2-1M
#7	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#8	O	Rh pos	EAP-B	ESD-1	Hp 5-1M
#9	O	Rh pos	EAP-B	ESD-1	Hp 2-1M
#10	A	Rh pos	EAP-B	ESD-1	(Hp - none) <small>(non reported)</small>

Results recorded in EAP & Hp record books which do not agree with notes are:

15#6 EAP BA no ESD recorded 3/29/77
~~15#~~ [Hp 2-1M? 3/2/77 Hp 2-1M? 3/19/77 #1] agrees w/ notes but not report.
15#10 no results were readable on both attempts at typing this stain (none recorded in book 3/19/77 #2 3/20/77 #1)

The Report states for item 15 that eight stains were type O etc. in addition, tests on another stain... type B Rh positive EAP-BA ESD-1 Hp 2-2.

The only stain on item 15 that was typed ABO B is 15#6. However, when this stain was typed in the EAP/ESD system, the record books show no ESD type was readable. Also, stain 15#6 was typed twice in the Hp system and recorded as 2-1M? both times. It is also recorded as 2-1M in the notes. But - it was reported as Hp 2-2

ALLEGATIONS OF CHANGES TO LOGBOOK:

March 19, 1977 #/
 12 noon 100V 32mA
 1 PM 100V 17mA
 5 PM 200 33mA
 3-20/ 10AM 200 25mA

2-1M? ① 76-16982 ②① #1
 2-1M? ② ②① #2
 ③
 2-1M? ④ ②② #1
 ④ ②③ #2
 2-1M? ⑤ ①⑤ #6
 ⑥ ②⑧ #2
 2-2? ⑦ ②⑨ #1

March 19, 1977 #/
 12 noon 100V 32mA
 1 PM 100V 17mA
 5 PM 200 33mA
 3-20/ 10AM 200 25mA

2-1M? ① 76-16982 ②① #1
 2-1M? ② ②① #2
 ③
 2-1M? ④ ②② #1
 ④ ②③ #2
 2-2 ⑤ ①⑤ #6
 ⑥ ②⑧ #2
 2-2? ⑦ ②⑨ #1

SmP
 6/9/77

(36) item 15 #1	(37) item 15 #2	(38) item 15 #3	(39) item 15 #4	(40) item 15 #5	(41) item 15 #6	(42) item 15 #7	(43) item 15 #8
+	+	+	+	+	+	+	+
+	+	+	+	+	+	+	+
+	+	+	+	+	+	+	+
2-1	2-1	2-1	2-1	2-1	2-1	2-1	2-1
-	-	-	-	-	-	-	-
- +	- +	- +	- +	- +	+ +	- +	- +
+	+	+	+	+	+	+	+
B/1	B/1	B/1	B/1		BA-	B/1	B/1
ORH+	ORH+	ORH+	ORH+	ORH+	B	ORH+	ORH+

(44) item #9	(45) item #10	(46) Control
+	+	-
+	+	-
+	+	-
2-1		
-	+	-
- +	- +	- -
+	+	-
B/i	B/i	
ORH+	ARH+	

First report:

Item 15

Tests on eight (8) separate stained areas indicate the presence of human blood type O Rh positive EAP-B EsD-1 Hp2-1, in each. In addition, tests on another stain indicate the presence of human blood type B Rh positive EAP-BA EsD-1 Hp2-2. Tests on a tenth stain indicate the presence of human blood type A Rh positive EAP-B EsD-1. It was not possible to determine the type in the Hp system. In addition, spermatozoa heads were identified in another stain on the bedspread. Further tests on this stain indicate the secretions are type B.

Third corrected report:

Item 15

Tests on eight (8) separate stained areas indicate the presence of human blood type O Rh positive in each. Further tests on seven (7) of these stains indicate the type is EAP-B EsD-1 in each. In addition, tests on another stain indicate the presence of human blood type B Rh positive. Tests on a tenth stain indicate the presence of human blood type A Rh positive EAP-B EsD-1. In addition, spermatozoa heads were identified in another stain on the bedspread. Further tests on this stain indicate the secretions are type B.

Item 18

18. One multicolored pillow and pillowcase containing red substance.

Allegations:

Item 18 (Ab-El sheet) notes record
EAP-B EsD-1

EAP Record book shows EsD type was not readable when sample was typed 3-29-77
It was not repeated.

Report states stain was typed EsD 1

(47) 128 Item 18	(18) 1211 Item 18 Control
+	-
+	-
+	-
2-1	
-	-
- +	- -
+	-
B ³ -	
O Rh+	

First report:

Item 18

Tests on the stain on the pillowcase indicate the presence of human blood type O Rh positive EAP-B KeD-1 Hp2-1.

Third corrected report:

Item 18

Tests on a stain on the pillowcase indicate the presence of human blood type O Rh positive.

Item 22

22. One blue and white pillow containing red substance.

Allegations:

Item 22 (continued)

EAP record book → 22#1 EAP BA EsD 1 3/30/77

Hp record book → 22#1 ~~Hp 2-1~~ ^{no results 3/19/77 #1} Hp 2-2 3/26/77 #1

22#2 Hp 2-1M? 3/19/77 #1

Report states that each stain was type O, Rh pos Hp 2-1 and that it was not possible to type the blood in the other systems.

However, from notes and record books the 2 stains were typed as follows:

22 #1 O, Rh pos EAP-BA EsD-1 Hp 2-2

22 #2 O, Rh pos ^{not run on} _{EAP/ESD} Hp 2-1M

Item 22 ~~stain~~ consists of 2 stains

Results recorded in notes (Ab-El sheet) as follows:

22 #1 O, Rh pos Hp 2-2

22 #2 O, Rh pos Hp 2-1M

(54) (14H) item 22 #1	(55) (15H) item 22 #2	(56) (16H) item 22 control
+	+	-
+	+	-
+	+	-
	2-1	
-	-	-
- +	- +	- -
+	+	-
ORh+	ORh+	O
?		

First report:

Item 22

Tests on two (2) separate stains indicate the presence of human blood type O Rh positive Hp2-1 in each. It was not possible to determine the type in the other systems.

Third corrected report:

Item 22

Tests on two (2) separate stains indicate the presence of human blood type O Rh positive in each.

Item 28

28

One pair green trousers

Allegations:

Item 28 consists of 3 stains on pants
Notes (av-El sheet) record results as
follows:

28#1 → O, Rh pos 28#2 → O 28#3 → O, then insuff
Report states that all three stains
were typed as O, Rh pos.

Third corrected report:

Item 28 A stain on the back of the trousers and two (2) stains on the front of the trousers were tested. These tests indicate the presence of human blood type O in each. Further tests on one indicate the type is Rh positive.

Item 29

29 1. One pair tan trousers containing red substance

Allegations:

Item 29 consists of 3 stains - notes
(Alw-El sheet) record results as follows:
29 #1 B, Rh pos EAP-BA ESD-1 Hp 2-2
29 #2 O
29 #3 O

Item 29 (continued)

EAP and Hp record books record stains
typed as follows:

29 # 1 EAP-BA? ESD-1 (3-29-77) Hp 2-2? (3-19-77 #1 no known run)

Sample not repeated on either system

29 # 2 No record - sample not run

29 # 3 EAP-B ESD-1 (3-30-77)

Report states that two stains were
type O [from notes 29 # 2, 29 # 3]. There
is no mention in the report that 29 # 3
was also typed EAP-B ESD-1

Report states one stain was

~~B~~ B, Rh pos EAP BA ESD1 Hp 2-2

The results in the record book indicate
there was some question about results, however
the samples were not repeated.

(61)	(62)	(63)	(64)
item 29 H 1	item 29 H 2	item 29 H 3	item 39 (carried)
+	+	+	-
+	+	+	-
+	+	+	-
2-2			
	-	-	-
+	-	-	-
+	+	+	-
BA ² / ₁		O/ ₁	
B Rh+ O	O	O	

First report:

Item 29

Three (3) separate stains on the front of the trousers were tested. Tests on two (2) of these stains indicate the presence of human blood type O in each. Tests on the third stain indicate the presence of human blood type B Rh positive RAF-BA RaD-1 Hp2-2. Many other blood stains were noted.

Third corrected report:

Item 29 Three (3) separate stains on the front of the trousers were tested. Tests on two (2) of these stains indicate the presence of human blood type O in each. Further tests on one of these stains indicate the type is EAP-B EsD-1. Tests on the third stain indicate the presence of human blood type B Rh positive. Many other blood stains were noted.

Items 33 through 35

33. 20 cc UNPRESERVED BLOOD FROM SAMUEL REDMOND B Rh+

34. 20 cc. Unpreserved Blood from Leon FORMAN B Rh+

35. 20 c.c. Unpreserved blood from Mary A. Stanci O Rh+

RECEIVED
ADCL-FORENSIC
APR 12 1

[Important Note: From RFLC submitting these items dated 4/12/77; Received on lock box by Burton on 5/9/77.]

Allegations:

76-16982 2nd Report

known blood types from 2 suspects + victim

Notes → no work sheets for whole blood typing on any of samples

Notes Record blood types follows

(33)	B Rh +	EAP/BA EsD-1	Hp 2-2
(34)	B Rh +	EAP-B EsD-1	Hp 2-1
(35)	O Rh +	EAP B EsD-1	Hp 2-1

5/16/77 EAP Record Book 2

(33)	EAP-B EsD-2-1
(34)	EAP B EsD 1
(35)	EAP B EsD 1

Report states Blood typed as
item (33) EAP-BA EsD ~~1~~ 1

This is a sample of the suspect's blood (Redmond) who was supposed to be bleeding. The EAP and EsD types attributed to him in the official reports were not the ~~same~~ actual results that were obtained from typing tests - And furthermore - This suspect would be eliminated on the basis of his blood type as a possible contributor on some of the items. Since both suspects are type B and secretors there is no solid proof that he and not the other suspect contributed and B blood or secretions.

Certificate of Analysis dated 5/6/1977: No results reported from Items 33 to 35. Appears to have been typed by Rebecca Horak:

MJB:rah

ALLEGATION OF CHANGES IN LOGBOOKS DATED 5/16/77:

May 16, 1977
9:55 AM 400 V 34 mA A
2 PM 400 V 40 mA A
EAP

EAP EsD
B 2-1 (1) 76-16982 (33)
B 1-2 (2) (37)
B 1-3 (3) (35)
B 1-4 (4) 76-11812 (49)

May 16, 1977
9:55 AM 400 V 34 mA A
2 PM 400 V 40 mA A
EAP

EAP EsD
BA 1-1 (1) 76-16982 (33)
B 1-2 (2) (37)
B 1-3 (3) (35)
B 1-4 (4) 76-11812 (49)

May 16, 1977
 8:30 AM 100V 33mA
 9:25 AM 200V 31mA
 5-11 8 AM 200V 30 mA

2-1 ① 76-16972 ③③
 1-1 ② ③④
 2-2 ③ ③③
 2- ④ 76-11812 ④⑨ red
 2- ⑤ ④⑨ purple
 2-1 ⑥ ⑤⑥ red
 2-1 ⑦ ⑤⑥ purple

May 17, 1977
 8 AM Plate in 100V 29mA
 9:45 AM Sampling 100V 17mA 2:30 PM
 5-11 11 AM " off 200V 53mA

1-1 ① 76-23098 Victim
 1-1 ② ↓ (on scene)
 1-1 ③ ①
 ④ 76-22531 Ent
 2-1 ⑤ 76-16982 ③③
 1-1 ⑥ ④⑨
 2-2 ⑦ ③③

May 16, 1977
 8:30 AM 100V 33mA
 9:25 AM 200V 31mA
 5-11 8 AM 200V 30 mA

2-1 ① 76-16972 ③③
 1-1 ② ③④
 2-2 ③ ③③
 2-1 ④ 76-11812 ④⑨ red
 2-1 ⑤ ④⑨ purple
 2-1 ⑥ ⑤⑥ red
 2-1 ⑦ ⑤⑥ purple

May 17, 1977
 8 AM Plate in 100V 29mA
 9:45 AM Sampling 100V 17mA 2:30 PM
 5-11 11 AM " off 200V 53mA

1-1 ① 76-23098 Victim
 1-1 ② ↓ (on scene)
 1-1 ③ ①
 ④ 76-22531 Ent
 2-1 ⑤ 76-16982 ③③
 1-1 ⑥ ④⑨
 2-2 ⑦ ③③

Certificate of Analysis dated 5/19/77 provides the following typing results:

Item #33- Tests indicate the blood is type B Rh positive RAP-BA EsD-1 Hp2-2.
Item #34- Tests indicate the blood is type B Rh positive RAP-B EsD-1 Hp1-1.
Item #35- Tests indicate the blood is type O Rh positive RAP-B EsD-1 Hp2-1.

Appears to have been typed by Shirley Patterson.

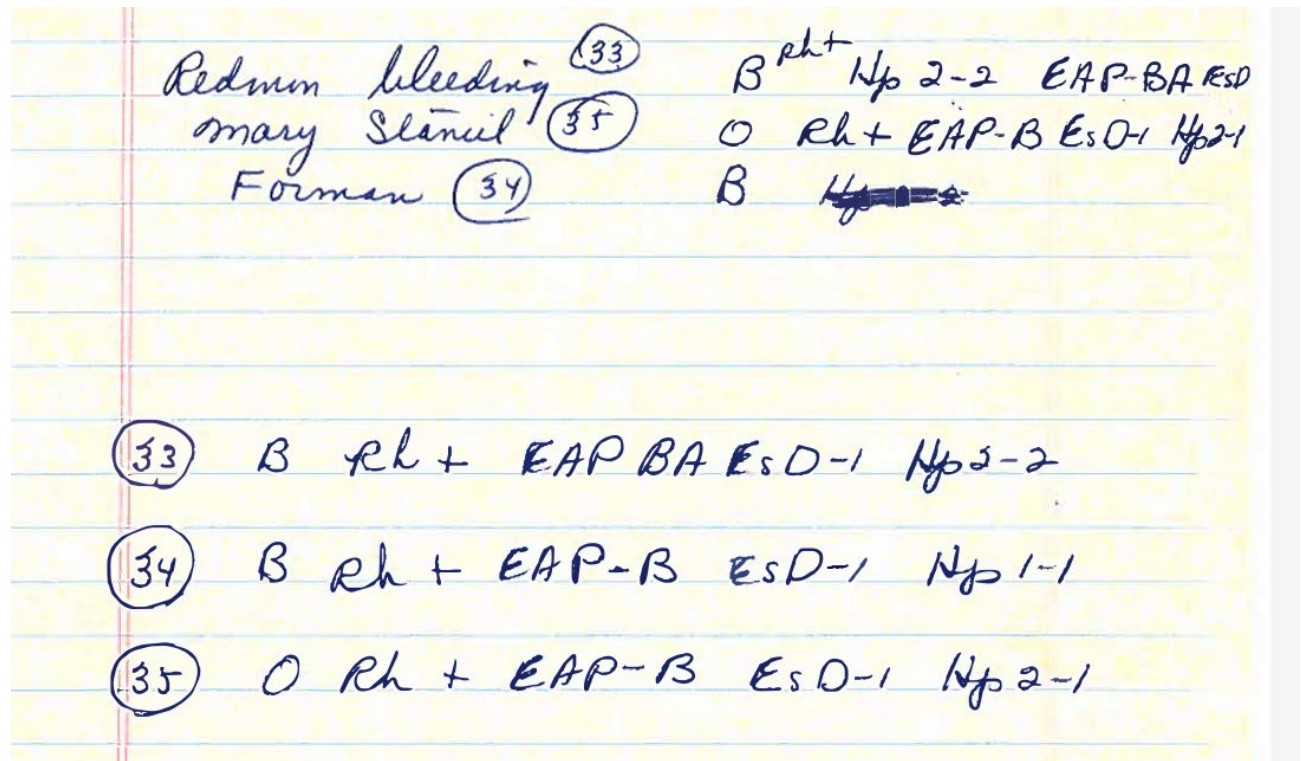
MJB: sup

Certificate of Analysis labeled "Corrected" and dated 7/5/77:

Item 33 Tests indicate the blood is type B Rh positive.
Item 34 Tests indicate the blood is type B Rh positive.
Item 35 Tests indicate the blood is type O Rh positive RAP-B EsD-1.

No typist's initials indicated but notarized by Rebecca Horak.

Case notes regarding typing of blood samples:



It appears Burton requested that the items of evidence be resubmitted on June 27, 1977 (see letter in file). The "Corrected" Certificate of Analysis was issued July 5, 1977.

ALLEGATIONS OF CHANGED LOGBOOK RESULTS FOR 76-16982

EAP/ESD BEFORE AND AFTER IN SIDE-BY-SIDE COMPARISON (Differences highlighted):

EAP / ESD Before
 March 4, 1977 EAP ↓
 9:50 AM Samples on 400V 30 mA

B		①	76-15410	⑪
B		②	76-16982	⑫
B		③		⑬
B		④		⑭
B		⑤		⑮
B		⑥		⑯ #1
		⑦		⑰ #1
		⑧		⑱ #2
		⑨		⑲ #1
		⑩		⑳ #2
		⑪		㉑ #7
		⑫		

A

March 4, 1977 EAP ↓
 9:50 AM Samples on 400V 30 mA

B		①	76-15410	⑪
B		②	76-16982	⑫
B		③		⑬
B		④		⑭
B		⑤		⑮
B		⑥		⑯ #1
		⑦		⑰ #1
		⑧		⑱ #2
		⑨		⑲ #1
		⑩		⑳ #2
		⑪		㉑ #7
		⑫		

A

Smp
 6/9/77

March 21, 1977 ^{EAP} ↑

10:40 Samples on 400V 35mA

EAP	ESD	
B	1	① 76-18067 Victim
		② ↓ (A) swab
BA	1	③ 76-18071 Victim
BA	1	④ 76-18082 suspect
		⑤ ↓ glass
BA	1	⑥ 76-18081 bra
B	1	⑦
		⑧ handle
		⑨ blade
B	1	⑩ 76-16982 ⑨ # 2
		⑪ ⑫ A
		⑬ ⑭ # 1

March 21, 1977 ^{EAP} ↑

10:40 Samples on 400V 35mA

EAP	ESD	
B	1	① 76-18067 Victim
		② ↓ (A) swab
BA	1	③ 76-18071 Victim
BA	1	④ 76-18082 suspect
		⑤ ↓ glass
BA	1	⑥ 76-18081 bra
B	1	⑦
		⑧ handle
		⑨ blade
B	1	⑩ 76-16982 ⑨ # 2
		⑪ ⑫ A
		⑬ ⑭ # 1

March 29, 1977

9:20 AM Samples on 400V 35mA

1:20 PM ⑩ 400V 35mA

B	1	① 76-16982 15#3
BA?	1	② 15#4
BA	—	③ 15#6
B	1	④ 15#7
B	1	⑤ 15#8
B	1	⑥ 15#9
BA?	1	⑦ 15#10
B	1	⑧ ⑬
B	1	⑨ 21#1
B	1	⑩ 21#2
BA?	1	⑪ 29#1
A	1	⑫ MJ

March 29, 1977

9:20 AM Samples on 400V 35mA

1:20 PM ⑩ 400V 35mA

B	1	① 76-16982 15#3
BA?	1	② 15#4
BA	—	③ 15#6
B	1	④ 15#7
B	1	⑤ 15#8
B	1	⑥ 15#9
BA?	1	⑦ 15#10
B	1	⑧ ⑬
B	1	⑨ 21#1
B	1	⑩ 21#2
BA?	1	⑪ 29#1
A	1	⑫ MJ

Smop
6/9/77

March 30, 1977
 9:25 AM Samples on 400V32MA

B		①	76-16982	①⑤ #4
B		②		①⑤ #10
BA		③		②② #1
B		④		②⑨ #3
BA		⑤	76-18081	② bra
		⑥	↓	④ blade
BA		⑦	76-18620	④ Victim
B or BA		⑧	76-18635	③
BA		⑨		⑤
CA		⑩	↓	⑥
BA?		⑪	76-19195	③
		⑫	A	

March 30, 1977
 9:25 AM Samples on 400V32MA

B		①	76-16982	①⑤ #4
B		②		①⑤ #10
BA		③		②② #1
B		④		②⑨ #3
BA		⑤	76-18081	② bra
		⑥	↓	④ blade
BA		⑦	76-18620	④ Victim
B or BA		⑧	76-18635	③
BA		⑨		⑤
CA		⑩	↓	⑥
BA?		⑪	76-19195	③
		⑫	A	

5-12-77 NEW BUFFER EAPP
 11:30 AM Samples on 400V 29MA
 3:30 PM Samples off 400V 43MA

CB-1.T	③③	} 76-16982
B-1.2	③④	
B-1.3	③⑤	
	④	③⑤ 4. Mellor too strong
A-1.5	③⑥	T Sulphin
B or BA	④	③⑦ N. " - James switch
A	④	④B Coverlet
B or BA	④	76-22599 Gladys Bradley
B?	④	76-22710 Ruby Pow
B?	④	76-22711 Jane Pow
CB	④	④B Gary
A	④	④ MJ 4-8-77

Run very diffuse separation ok except for trailing - samples did not seem to migrate as far. Repeat my good samples to check buffer.

12% starch used

5-12-77 NEW BUFFER EAPP
 11:30 AM Samples on 400V 29MA
 3:30 PM Samples off 400V 43MA

CB-1.T	③③	} 76-16982
B-1.2	③④	
B-1.3	③⑤	
	④	③⑤ 4. Mellor too strong
A-1.5	③⑥	T Sulphin
B or BA	④	③⑦ N. " - James switch
A	④	④B Coverlet
B or BA	④	76-22599 Gladys Bradley
B?	④	76-22710 Ruby Pow
B?	④	76-22711 Jane Pow
CB	④	④B Gary
A	④	④ MJ 4-8-77

Run very diffuse separation ok except for trailing - samples did not seem to migrate as far. Repeat my good samples to check buffer.

12% starch used

May 16, 1977
 9:55 AM 400 V 34 mA
 2 PM 400 V 40 mA

↑ EAP

EAP EsD

B	2-1	(1)	76-16982	(33)
B	1	(2)	↓	(34)
B	1	(3)	↓	(35)
B	1	(4)	76-11812	(49) purple
B	1	(5)	↓	(49) red
BA	2-1	(6)	↓	(50) purple
BA	2-1	(7)	↓	(50) red
CB	1	(8)	76-22046	Violin
CB	1	(9)	↓	(1)
A ²	2	(10)	76-22531	
B+C	1	(11)	CB	
A	1	(12)	MJ	

EM/ESD BEAMS

(10) Lower A band D12
 upper A band broad blue, higher
 (sl.) than (12) upper band

Shirley M. Patterson
 5/20/77
 exp no 9/29/79

May 16, 1977
 9:55 AM 400 V 34 mA
 2 PM 400 V 40 mA

↑ EAP

EAP EsD

BA	1	(1)	76-16982	(33)
B	1	(2)	↓	(34)
B	1	(3)	↓	(35)
B	1	(4)	76-11812	(49) purple
B	1	(5)	↓	(49) red
BA	2-1	(6)	↓	(50) purple
BA	2-1	(7)	↓	(50) red
CB	1	(8)	76-22046	Violin
CB	1	(9)	↓	(1)
A ²	2	(10)	76-22531	
B+C	1	(11)	CB	
A	1	(12)	MJ	

(10) Lower A band D12
 upper A band broad blue, higher
 (sl.) than (12) upper band

Shirley
 6/9/77

HP BEFORE AND AFTER SIDE-BY-SIDE OR ON SAME PAGE (Differences highlighted):

March 2, 1977
 9 AM 100 V 60 mA
 9:45 100 V 45 mA
 10 AM Samples on 100V #1 21 mA
 #2 35 mA
 3-4 / 11 AM 100V 39 mA
 #1
 2-1 ① 76-16589 (A) short
 2-2 ② 76-16873 (50)
 2-2 ③ (51)
 2-1M ④ 76-16982 (15) #1
 ⑤ #2
 ⑥ #3
 ⑦ 2-1

2-1M? #2
 ① 76-16982 (15) #4
 ② #5
 ③ #6
 ④ #7
 ⑤ #8
 ⑥ #9
 ⑦ 2-1

March 2, 1977
 9 AM 100 V 60 mA
 9:45 100 V 45 mA
 10 AM Samples on 100V #1 21 mA
 #2 35 mA
 3-4 / 11 AM 100V 39 mA
 #1
 2-1 ① 76-16589 (A) short
 2-2 ② 76-16873 (50)
 2-2 ③ (51)
 2-1M ④ 76-16982 (15) #1
 ⑤ #2
 ⑥ #3
 ⑦ 2-1

2-1M? #2
 ① 76-16982 (15) #4
 ② #5
 ③ #6
 ④ #7
 ⑤ #8
 ⑥ #9
 ⑦ 2-1

3MP
 6/9/77

March 17, 1977
 2:00 PM 100V 48 mA
 2:45 PM 200V 41 mA
 3:10 AM 300V 34 mA

- 1-1 (1) 76-18082 Suspect
- 2-1 (2) 76-18069 Victim
- 1-1 (3) 76-18070 Victim
- 2-2 (4) 76-18067 Victim
- 2-2 (5) 76-18071 Victim
- 1-1 (6) 76-18082 glass
- 2-1 (7) 2-1

March 18, 1977 #2
 9:15 AM 100V 38 mA
 10 AM 100V 26 mA
 10:15 AM 200V 59 mA
 10 AM 3-19 200V 37 mA

Attison
 2-1 (1) 76-15410 (11)
 2-1 (2) 76-18069 victim
 1-1 (3) 76-18069-18070 (A)
 2-1M (4) 76-16982 (C)
 2-1M (5) (D)
 (6) (E)
 (7) 2-1

March 18, 1977 #
 10:45 AM 100V 35 mA
 11:15 AM 100V 22 mA
 11:20 AM 200V 46 mA
 10 AM 200V 26 mA

- 3-19 2-1 (1) 76-16982 (7) #2
- 2-1 (2) (8) #4
- 2-1 (3) (9)
- 2-1M (4) (10)
- (5) (11)
- (6) (12) #1
- (7) (12) #2

#2 March 19
 10:15 100V 45 mA
 11:00 100V 33 mA
 5 PM 200V 45 mA
 10 AM 200V 60 mA

- 3-20 2-1 (1) 76-16982 (10)
- 2-1M (2) (14) #1
- 2-1M (3) (14) #2
- (4) (15) #10
- 2-1M (5) (18)
- 2-1M (6) (20)
- (7) 2-1

March 17, 1977
 2:00 PM 100V 48 mA
 2:45 PM 200V 41 mA
 3:10 AM 300V 34 mA

- 1-1 (1) 76-18082 Suspect
- 2-1 (2) 76-18069 Victim
- 1-1 (3) 76-18070 Victim
- 2-2 (4) 76-18067 Victim
- 2-2 (5) 76-18071 Victim
- 1-1 (6) 76-18082 glass
- 2-1 (7) 2-1

March 18, 1977 #2
 9:15 AM 100V 38 mA
 10 AM 100V 26 mA
 10:15 AM 200V 59 mA
 10 AM 3-19 200V 37 mA

Attison
 2-1 (1) 76-15410 (11)
 2-1 (2) 76-18069 victim
 1-1 (3) 76-18069-18070 (A)
 2-1M (4) 76-16982 (C)
 2-1M (5) (D)
 (6) (E)
 (7) 2-1

March 18, 1977 #
 10:45 AM 100V 35 mA
 11:15 AM 100V 22 mA
 11:20 AM 200V 46 mA
 10 AM 200V 26 mA

- 3-19 2-1 (1) 76-16982 (7) #2
- 2-1 (2) (8) #4
- 2-1 (3) (9)
- 2-1M (4) (10)
- (5) (11)
- (6) (12) #1
- (7) (12) #2

#2 March 19
 10:15 100V 45 mA
 11:00 100V 33 mA
 5 PM 200V 45 mA
 10 AM 200V 60 mA

- 3-20 2-1 (1) 76-16982 (10) smf 6/9/77
- 2-1M (2) (14) #1
- 2-1M (3) (14) #2
- (4) (15) #10
- 2-1M (5) (18)
- 2-1M (6) (20)
- (7) 2-1

March 19, 1977 #/
 12 noon 100V 32mA
 1 PM 100V 17mA
 5 PM 200 33mA
 3-20 / 10 AM 200 25mA

3-1M? ① 76-16982 ②① #1
 3-1M? ② ②① #2
 ③ ②② #1
 3-1M? ④ ②③ #2
 2-1M? ⑤ ①⑤ #6
 ⑥ ②⑧ #2
 2-2? ⑦ ②⑨ #1

March 20, 1977
 #1 11:45 100V 33mA
 Sample 12:30 100V 18mA
 3-22 / 7:30 100V 41mA (both)

3-22 - ① 76-16982 ①①
 - ② ①⑤ #10
 2-2 ③ ②② #1
 2-2 ④ 76-18071 Victim
 2-2 ⑤ 76-18067 "
 2-2 ⑥ 76-18067 (A)
 ⑦ 2-1

#2 11:45 100V 55mA
 Sample 12:30 100V 32mA

2-1 ① 76-18109 Victim
 2-1 ② 76-18081 Victim

March 19, 1977 #/
 12 noon 100V 32mA
 1 PM 100V 17mA
 5 PM 200 33mA
 3-20 / 10 AM 200 25mA

3-1M? ① 76-16982 ②① #1
 3-1M? ② ②① #2
 ③ ②② #1
 2-1M? ④ ②③ #2
 2-2 ⑤ ①⑤ #6
 ⑥ ②⑧ #2
 2-2? ⑦ ②⑨ #1

Smip
 6/9/77

March 20, 1977
 #1 11:45 100V 33mA
 Sample 12:30 100V 18mA
 3-22 / 7:30 100V 41mA (both)

3-22 - ① 76-16982 ①①
 - ② ①⑤ #10
 2-2 ③ ②② #1
 2-2 ④ 76-18071 Victim
 2-2 ⑤ 76-18067 "
 2-2 ⑥ 76-18067 (A)
 ⑦ 2-1

#2 11:45 100V 55mA
 Sample 12:30 100V 32mA

2-1 ① 76-18109 Victim
 2-1 ② 76-18081 Victim
 2-1 ③ fork
 2-1 ④ knife
 2-1 ⑤ ...
 2-1 ⑥ ...
 ⑦ 2-1

May 16, 1977
 8:30 AM 100V 33mA
 9:25 AM 200V 31mA
 5-11 8 AM 200V 30mA

2-1 ① 76-16972 ③⑤
 1-1 ② ③④
 2-2 ③ ③③
 2-1 ④ 76-11812 ④⑨ red
 2-1 ⑤ ④⑨ purple
 2-1 ⑥ ⑤⑥ red
 2-1 ⑦ ⑤⑦ purple

May 17, 1977
 8 AM Plate in 100V 29mA
 9:45 AM Sampling 100V 17mA 2:30 PM
 5-11 11 AM " off 200V 33mA

1-1 ① 76-23098 Victim (murder)
 1-1 ② ↓
 1-1 ③ ↓ ①
 ④ 76-22531 Ent
 2-1 ⑤ 76-16982 ③③
 1-1 ⑥ ③④
 2-2 ⑦ ③③

May 16, 1977
 8:30 AM 100V 33mA
 9:25 AM 200V 31mA
 5-11 8 AM 200V 30mA

2-1 ① 76-16972 ③⑤
 1-1 ② ③④
 2-2 ③ ③③
 2-1 ④ 76-11812 ④⑨ red
 2-1 ⑤ ④⑨ purple
 2-1 ⑥ ⑤⑥ red
 2-1 ⑦ ⑤⑦ purple

May 17, 1977
 8 AM Plate in 100V 29mA
 9:45 AM Sampling 100V 17mA 2:30 PM
 5-11 11 AM " off 200V 33mA

1-1 ① 76-23098 Victim (murder)
 1-1 ② ↓
 1-1 ③ ↓ ①
 ④ 76-22531 Ent
 2-1 ⑤ 76-16982 ③③
 1-1 ⑥ ③④
 2-2 ⑦ ③③

1

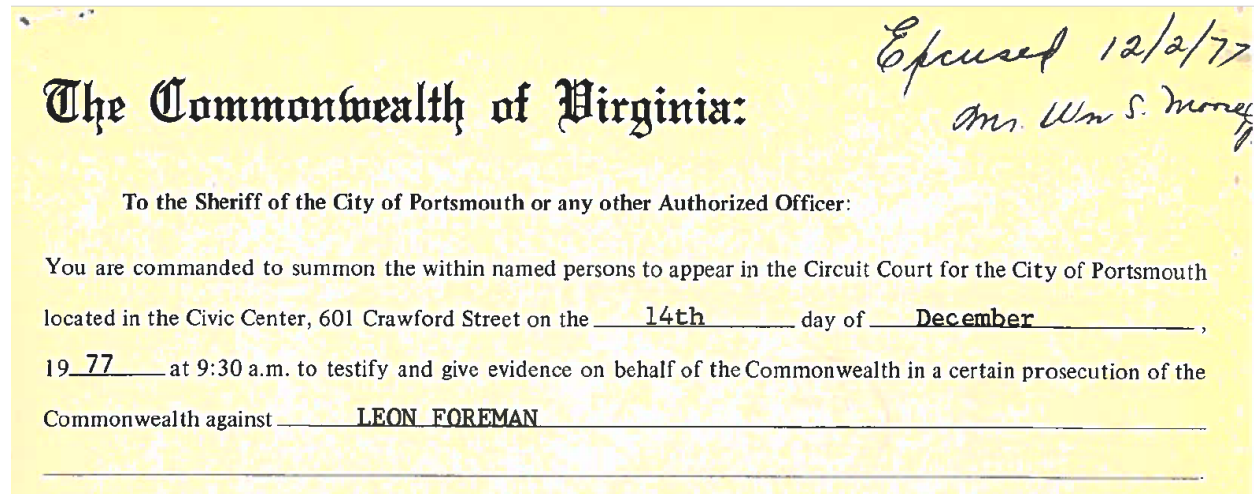
Results Comparisons for issues Certificates of Analysis (probative evidence highlighted):

Item No.	Description	May 6 CoA	May 19 CoA	July 5 "Corrected" CoA
1	Blue flowered towel	Spermatozoa heads/secretions are type B/no blood		Spermatozoa heads identified/no blood
2	Pink flowered towel	Human blood type O Rh+ EAP-B EsD-1 Hp2-1		O Rh+ EAP-B EsD-1
3	Flowered washcloth	Blood/typing not possible		Blood/typing not possible
4	Flowered towel	Blood/typing not possible		Blood/typing not possible
5	Scatter rug from back hall	Human blood type O Rh+ EAP-B EsD-1/No hp typing possible		O Rh+ EAP-B EsD-1

6	Scatter rug from bathroom	Human blood type O Rh+ Hp2-1/Insufficient for further typing		O Rh+ EAP-B EsD-1
7	Shirt from Leon Foreman	Stain on front is human blood type O/ insufficient for further typing Three other stains human blood type B Hp2-2		Stain on front of shirt is human type O/insufficient for further typing Three other stains human blood type B
8	Switchblade knife	No evidence of blood		No evidence of blood
9	Ladies panties from wastebasket	Human blood type B EAP-BA/insufficient for further typing		Human blood type B Rh+
10	Pillow from back hall	Human blood type O Rh+ EAP-B EsD-1/insufficient for further typing		O Rh+ EAP-B EsD-1
11	Men's white underwear	Human blood type O Rh+ EAP-B EsD-1 / No Hp result		O Rh+
12	Blue shirt from Leon Foreman	Tests on three areas indicate human blood type O Rh+ EAP-B EsD-1/insufficient for Hp typing		Tests on three areas human blood type O Further tests on one stain indicate type EAP-B EsD-1 Further tests on another stain indicate Rh+
13	Cigarette containing stains	Human blood/not possible to determine type		Human blood type B
14	Bag containing sections of mattress cover	Stains on both pieces indicate human blood type O Rh+ EAP-B EsD-1 Hp2-1		O Rh+ EAP-B EsD-1
15	White bedspread	8 stains were O Rh+ EAP-B EsD-1 Hp2-1 Another stain was B Rh+ EAP-BA EsD-1 Hp2-2 10 th stain A Rh+ EAP-B EsD-1		8 stains were O Rh+ 7 of these stains were EAP-B EsD-1 Another stain was B Rh+ 10 th Stain was A Rh+ EAP-B EsD-1

		Spermatozoa heads on another stain with secretions type B		Spermatozoa heads with secretions type B
16	Green blanket	Blood/no further exam		Blood/no further exam
17	Purple blanket	Blood/no further exam		Blood/no further exam
18	Pillow and pillowcase	Human blood O Rh+ EAP-B EsD-1 Hp2-1		Human blood O Rh+
19	Blue and white pillow	Blood/no further exam		Blood/no further exam
20	Pink and green striped pillow	Human blood O Rh+ Hp2-1/insufficient for further typing		Human blood O Rh+
21	White bed sheet	Two stains Human blood type O Rh+ EAP-B EsD-1 Hp 2-1		Human blood O Rh+ EAP-B EsD-1
22	Blue and white pillow	Two stains Human blood O Rh+ Hp2-1/no other typing		Human blood O Rh+
23	Green scatter rug	Blood/no further exams		Blood/no further exam
24	Green cardigan sweater from victim	Human blood stain/insufficient for typing		Human blood stain/insufficient for typing
25	Sleeveless sweater from victim	No evidence of blood or seminal fluid		No evidence of blood or seminal fluid
26	Panties from victim	No evidence of blood or seminal fluid		No evidence of blood or seminal fluid
27	Slacks from victim	Human blood/no further exam		Human blood/no further exam
28	Trousers from Samuel Redmond	Three stains Type O Rh+ for each		Three stains Type O/one stain also tested as Rh+
29	Trousers from Leon Foreman	Two stains were human blood type O for each. Third stain human blood type B Rh+ EAP-BA EsD-1 Hp2-2		Two stains were human blood type O/One tested as EAP-B EsD-1 Third stain Human blood type B Rh+
30	PERK from Victim	No evidence of seminal fluid/Type O secretions		No evidence of seminal fluid/Type O secretions
31	PERK from Leon Foreman	Type B secretions		Type B secretions
32	Perk from Samuel Redmond	Type B secretions		Type B secretions
33	Blood sample from Redmond	N/A	B Rh+ EAP-BA EsD-1 Hp2-2	B Rh+
34	Blood sample from Foreman	N/A	B Rh+ EAP-B EsD-1 Hp1-1	B Rh+
35	Blood sample from victim	N/A	O Rh+ EAP-B EsD-1 Hp2-1	O Rh+ EAP-B EsD-1

Burton was subpoenaed to testify but released.



Virginia Post-Conviction DNA Testing Program and Notification Project:

Charges for both listed suspects were reduced, so deemed ineligible. Misdemeanor convictions for fornication with \$100 fines imposed. Confirmed by DFS through court records. VSCC was unable to locate one suspect/defendant and the other suspect/defendant was deceased.

76-20619 (Fairfax homicide case):

Information Provided by Submitting Law Enforcement Agency:

TYPE OF OFFENSE AND STATEMENT OF FACT: VICTIM WAS ASSAULTED BY THE SUSPECT OVER AN ARGUMENT OVER THE SUSPECT'S WIFE. VICTIM DIED FROM STAB WOUNDS, FROM A BUCK KNIFE, SCREW DRIVER AND WRENCH.

Only VPM allegations provided:

Contains: Lab Reports, Examiner's record sheets, etc. Shows discrepancies, errors, and alterations of test results by Mary Jane Burton.

Logbook excerpt:

3-2-77 (1) 76-20052 (14)
FBI Lab 2-1 (2) 76-20619 Victim
2-1 (3) (12)

Comments on Certificate copies:

Item #15- A small amount of blood was noted on the sock.

Item #16- No examination conducted.

Item #17- Tests indicate the blood is type A DEce Hp1-1 EAP-LAC EsD-1.

? No Such type!

From DFS Case file:

From CoA dated May 9, 1977:

Item 7 (Blue jeans from suspect):

Item #7 - Stains on the front of both legs and some stains on the back were identified as human blood. Further tests on these stains indicate the type is A DEce Hp2-1 EAP-CB EsD-1.

Item 10 (Blue jean shirt from suspect)

Item #10- Stains were noted over the front and both sleeves. Further tests on these stains indicate the presence of human blood type A DE ϵ e Hp2-1 EAP-CB EsD-1.

Notes regarding Item 17:

①7 A CDE ϵ e

Note dated 4/19/77 regarding hospital surgery:

→ Mr. Boggs 703-691-2587
691-2603
Stabbing 2:00-10:00

Hosp. Surgery - Expired
Type blood used

→ Cpt. Romo 703-664-2884
Lab Techn DeWitt
Army Hosp
Ft. Belvoir, Va

Re differ. blood type
on shirt

Tape down worksheet results:

	(3) Stem 1	(4) Stem 2 head	(5) 34H Stem 2 handle	(6) 35A Stem 3 blade	(7) 35B Stem 4 handle	(8) 36A Stem 5	(9) 36B Stem 6	(10) 36C Stem 7	(11) 36D Stem 8	(12) 36E control	(13) 36F Stem 9
SENZIDINE TEST	+	+	+	+	+	+	+	+	+	-	+
PHENOPHTHALEIN TEST	+	+	+	+	+	+	+	+	+	-	+
PRECIPITIN TEST	+	+	+	+	+	+	+	+	+	-	+
H _p	-	2-1	2-1	2-1		2-1	2-1	2-1	2-1		2-1
A - C	+	+	+	+	+	+	+	-	+	+	-
B - D	-	-	-	+	-	+	-	+	-	+	-
H - E	-	+	+	+	+	+	+	+	+	-	+
M - c	Imag						+		+	-	+
N - e							+		+	-	+
EAP / FSD	-	CB / 1	CB / 1	CB / 1	CB / 1	CB / 1	CB / 1		CB / 1		CB / 1
CONCLUSIONS FROM ABOVE							A 40 DEce 10				

20-81
DATE 4-16-77
FS#

	(14) Stem 9B	(15) 11 Stem 10	(16) 13 control	(17) 13 Stem 11 #1	(18) 36A Stem 11 #2	(19) 36B Stem 11 control	(20) 36C Stem 12	(21) 36D Stem 13	(22) 36E control	(23) 36F control
SENZIDINE TEST	+	+	-	+	+	-				
PHENOPHTHALEIN TEST	+	+	-	+	+	-				
PRECIPITIN TEST	+	+	-	+	+	-				
H _p	2-1	2-1		2-1	2-1		1-1 plus small am 4 (2-1)	2-1		
A - C	+	+	-	-	+	-		+	-	-
B - D	-	-	+	-	+	-		-	+	-
H - E	+	+	+	-	+	+		+	+	-
M - c		+	-	+	+	-		+	+	-
N - e		+	-	+	+	-		+	+	-
EAP / FSD		CB / 1		CB / 1	CB / 1		BAK / 1	CB / 1		
CONCLUSIONS FROM ABOVE							A CDEce			

Virginia Post-Conviction DNA Testing Program and Notification Project:

DNA post-conviction testing results concluded that he was “indicated” (“the victim could not be eliminated from DNA profile developed from the blue jeans of the suspect”). The victim’s blue shirt (Item 13) was utilized as an alternate known DNA profile for the victim.