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Report, July 25, 1954, Cleveland Police Department

Harold O. Lockwood
Cleveland Police Department

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MAR 14 1996

Case # 76629

A - 53

POLICE DEPARTMENT

CLEVELAND, OHIO

DEPARTMENTAL INFORMATION

IST. ZONE Detective Bureau

July 25, 1954

EXAMINED BY

RANK

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FROM Harold C. Lockwood, Sergeant TO James E. McArthur, Deputy Inspector

SUBJECT INFORMATION ON HOMICIDE OF MARILYN REESE SHEPPARD

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Sir:

This date in company with Detective Doyle further investigated the above crime and at this time reread all statements and reports in the homicide of MARILYN REESE SHEPPARD as well as studied photographs taken in this case. From our perusal of statements, reports and photographs we have noted below various facts brought out in the investigations preceding ours which taken as a group tend to prove a strong case against the victim's husband, DR. SAM SHEPPARD. Our contentions are set forth below on the following facts:

FACT #1 - SHEPPARD is known to have been intimate with SUSAN HAYES, and to have stayed with her at DR. MILLER'S home in California.

CONTENTION: This has been denied by subject, and the mere denial indicates the fact that SUSAN HAYES could have been the motive behind his wife's murder. The three year old affair between these two shows it is no fly-by-night romance, and SUS could have been ~~an~~ making demands on him to leave his wife.

FACT #2 - SHEPPARD has been positively identified as having purchased TWO large 8 inch hunting knives at the MAY COMPANY.

CONTENTION: This has also been denied by subject, and the mere denial here further substantiates the fact that he will not admit anything which might prove to be damaging against him, i.e., in the case of FACT #1 the motive could be proved by admitting an affair with SUE and in this case the availability of a suitable weapon would be very damaging. (Request made elsewhere to have a DUPLICATE of this knife for comparison with victim's wounds.)

FACT #3 - MARILYN'S wrist watch was found on the floor of the downstairs ~~sex~~ study and no explanation made how this came to be there. There was blood on the watch and band had been ripped as though torn from her wrist during a struggle.

CONTENTION: The argument between SAM and MARILYN started downstairs, either in the kitchen or study (or else she was chased into the study) and physical violence was used on MARILYN by SAM in the study and at this time she was injured so that blood was drawn so that when the watch was ripped from her arm during the struggle that it carried flecks of blood. With the tremendous amount of blood on and about the victim's body in the bedroom, it seems strange that more than just FLECKS of blood was found on the watch. Also, the fact of the two statettes on the floor and broken indicates a possible struggle in the study, but he makes no mention of this.

FACT #4 - The type of instrument capable of causing the wounds found on victim's body would not be of the type usually found in a bedroom (Knife,

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Golf club, bar, etc.) but might more likely be found in a downstairs room.

CONTENTION: If the weapon used was the hunting knife he denies purchasing, the most likely place for him to keep it would be in his study. It could be that when the struggle first started with her in the study that he struck her with his fist and was so infuriated that he was the one who pulled the desk drawers out, one by one, and stirred up the contents in each looking for the knife. The fact that the three were stacked neatly one on top of the others could have been done later. Altogether, five drawers were pulled out, the three on the left and the upper two of the right, leaving the lower right in place. While pulling out each drawer and ransacking each looking for the knife or some other instrument, he as this is a very old desk, the drawers would have no back catch and if done in anger, would probably come all the way out and after going down the left side, he started down the right side and found what he was looking for in the middle right hand drawer.

FACT #5 - There are two types of wounds as shown in photographs of the victim.

CONTENTION: Two different (or possibly three or four) weapons could have been used on MARILYN. If there was a struggle in the downstairs study, the fact that the broken statuettes were on the floor would not only indicate a savage struggle, but one of these could have made the smaller wounds on MARILYN'S face, and then been discarded to search for the knife, or other weapon, and finish the job.

FACT #6 - There was evidence of blood found in the study by S.I.U. when they examined the red leather chair.

CONTENTION: Since our contention is that there was only a small amount of blood shed in the study (see fact #3) the positive blood checks on the red leather chair could have come during this struggle. It should be recalled that after DR. STEVE came to the house, DR. SAM lay on the floor by the chair in pretended (?) grief.

FACT #7 - Evidence of blood found on stair risers, but none found on stair steps.

CONTENTION: If the struggle was in the study, or some other downstairs room and if MARILYN was injured so that blood was drawn, it is possible that she ran up the stairs, either to get away from SAM or being closely pursued by him, and if the injuries were to her hands, or the blood was on her hands (wrist watch was torn away), then her

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hands would in all probability be in motion (not held to her sides) of the mere running would give enough forward momentum that any blood dripping from her fingers would tend to have a horizontal trajectory and this would account for blood on the risers and not on the stair steps themselves. On the additional possibility that a greater quantity of blood was dripping so that it did evidence itself on the stair steps as well as the risers, it is ~~xxx~~ our contention that same would be more noticeable on the steps and SAM had ample time to wipe up same ~~ix~~ with his T shirt, or some other cloth, as there is no covering on the steps and they would be easily wiped.

The negative fact concerning the lack of blood on the stair steps with the implication that SAM wiped it up in order to cover his tracks could be very damaging as he admits being in the bedroom on two occasions (when he first heard her call and when he came up from the lake) and on both occasion he stated he felt her pulse (at her neck where there was a great quantity of blood) and still he left no traces of it on the stairs or elsewhere, except on the red leather chair in the study (which we have explained away in Fact #6.)

FACT #8 - Lack of blood on the stair railing, or stairwell walls.

CONTENTION: It is known that SAM touched MARILYN at least twice after she was dead (see fact #7) trying to sense a pulse, and if the story he gives concerning his deep love for his wife and his resultant emotional shock at finding her viciously assaulted, bleeding and dead on her bed, it would appear he was in no condition to negotiate the steep stairs without additional support from the stair railing or by placing his hands against the wall on either side, or on both sides, and no blood was found in any of these places. The type of injuries SAM claims to have sustained could have been caused by a tumble down the length of stairs.

FACT #9 - According to Ptl. Drenken #1 of the Bay Village Police, the underbrush leading from the top of the cliff at a point about 20 feet east of the stairway to the boathouse, this path continued all the way down the cliff, stopping just short of the place where the stairs end and the board walk starts. This path in the underbrush was apparently newly made on the night of the murder and apparently was caused by someone tumbling down the cliff (the cliff is too steep to be negotiated by walking or running, and especially at night).

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CONTENTION: SAM was under great emotional stress as he came out of his house after the murder, and in his condition either missed the top of the stairs in the darkness on his way to the lake to wash the blood from himself and from his clothing. Or else, he was in such a frame of mind that he attempted to do away with himself by throwing himself from the top of the cliff (which would also account for his claim of injuries). The fact that the small cloth bag from the motor boat tool kit containing his jewelry was found near the point where the path in the underbrush down the side of the cliff ended was found would tend to lend credence to the first theory, that he was on his way down to clean himself up.

FACT #10- - Cloth bag containing SAM's watch, key chain and fraternity ring was found at bottom of path in underbrush, and this fact together with the fact that the five drawers had been pulled out of the desk in the study and ransacked, as well as the contents of the living room desk being dumped on the living room floor.

CONTENTION: The five drawers in the study have been discussed in fact #4. It could have been that after the struggle and when SAM'S emotions cooled, he began covering his tracks and at that time stacked them one on top of the other but left the contents appear as if ransacked, so as to give evidence of a robbery. He was then in the study and decided that ~~in~~ in order to make it appear more likely that there was a robbery that he would place some jewelry in the cloth bag (he was in the study at the time and has said that the motor boat tool bag was there too) so the tools were dumped out and he placed jewelry (his was all that was available, none of her's was in the bag) and he then tossed it down the bank in a place where it could be recovered later, possibly thinking the bag would protect ~~in~~ the jewelry against weather conditions. Then in order to more fully make it appear as a robbery, the two small drawers in the living room desk were emptied on the living room floor and the lower three were pulled out and ransacked. His story of an intruder in the house would then have backing. Of further support to the fact that no burglar would steal the jewelry in the manner described (and only his jewelry) is the fact that if an intruder did take it, he certainly wouldn't take the time to look for a container such as this tool bag for such a small amount of loot. Also, the fact that the five desk drawers in the study and the three desk drawers in the living room had only been rumpled up and not emptied does not substantiate a claim of an intruder looking for valuables.

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FACT #11- - Pant were wet, and SAM stated he had struggled on beach and after being knocked unconscious, awakened to find himself in the water.

CONTENTION: We have already set forth one contention in fact #9 that SAM intended going to the lake and dousing himself in order to wash off the blood from his clothing and his body, knowing as he would that blood is easiest removed by cold water. There is also the possibility that he intended to commit suicide following his crime, but lost his nerve and came back to the house, and officers testified that there was no signs of a struggle on the sandy beach at the time of their arrival.

FACT #12 -- Considerable time between the official time of death as later established by Coroner Gerber and the time when SAM first called anyone, 4:00 A.M. until 5:50 A.M. when he called Spencer Houk.

CONTENTION: The hour and fifty minutes between the death of MARILYN and when SAM first called for assistance would have given him more than ample time to wash himself off in the lake, secrete the murder weapon and his bloody T shirt, straighten up any signs of a struggle in a downstairs room, or any room other than in the bedroom. Also, sufficient time to clean up any blood stains on the stairway, rearrange the desk drawers in the study and plant evidence to make it look like a robbery. Also, by the time he had called he would have composed himself and would then have been following a studied plan of actions and reactions to questions by relatives and friends. The fact that this subject was sleeping on the couch and claims that he was there until he was suddenly aroused by his wife's calls for help are belied by the fact that the couch was nicely straightened out and his courdoray coat was neatly folded on this couch in such a manner that had he been sleeping on it the coat would have been mussed up, which it wasn't, so the only choice of thought is that it was neatly placed there during cleaning up operations.

FACT #13- - That SAM was known to have a terrific temper, having knocked MARILYN down the stairs about four years ago, and as a result she had a miscarriage. They were also known to have argued over SUE as well as the fact that SAM was very friendly with DR. HOVERSTON and insisted on having him as a guest despite MARILYN'S dislike of DR. HOVERSTON.

CONTENTION: Our contention is that an argument developed between SAM and MARILYN and shortly got out of hand. The argument could have been over SAM'S attention to SUE and the watch he purchased for her while in California, which according to his own statement did not meet with MARILYN'S approval.

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There is also the possibility that SAM was upset about MARILYN'S pregnancy as there has been conversation that she wanted the baby and he didn't, and also that he wanted the baby, but she wasn't happy. Also, with the conversation about SAM being sterile and MARILYN being pregnant, the fact that he was going to give his name to another man's child might have caused the argument.

A third possibility was that DR. HOVERSTON was the point of contention, inasmuch as he had been a house guest on previous occasions and he was wearing his hospitality thin as far as MARILYN was concerned. We have had various explanations from acquaintances of DR. HOVERSTON concerning his actions around any woman, married or single, and it all boils down to the fact that he was on the "make" for any and all of them and made no attempt to hide this fact from them. With the picture of MARILYN SHEPPARD as given us by her friends wherein she is shown as a quiet, demure, very modest woman deeply in love with her husband, a house guest with thoughts such as those accredited to DR. HOVERSTON would certainly be a bone of contention.

FACT

EXX #14 - TYPE OF WOUND as shown in photographs of MARILYN SHEPPARD'S head would indicate that such a wound could have been caused by a large heavy ~~low~~ knife.

CONTENTION: It is known that SAM SHEPPARD bought two large 8 inch hunting knives, which he denies ever having purchased, and it is our contention that such a knife if used in anger could cause the type wound as received by the victim and which caused her death. IT IS REQUESTED THAT A DUPLICATE OF THE KNIVES PURCHASED BY DR. SAM SHEPPARD WHILE AT THE MAY COMPANY BE FURNISHED TO DR. GERBER FOR COMPARISON AGAINST WOUNDS RECEIVED BY MARILYN SHEPPARD. - ALSO, IF DOUBLE EDGED OR NOT AND IN SCABBOARD WAS FURNISHED. IT IS FURTHER REQUESTED THAT THE JOHNSON MOTOR BOAT PEOPLE BE CONTACTED RELATIVE TO THE TOOL BAG AND VARIOUS TOOLS WHICH ARE FURNISHED AT THE TIME OF PURCHASE OF A JOHNSON OUTBOARD MOTOR AND COMPARE THE TOOLS FOUND IN DR. SAM SHEPPARD'S STUDY WITH THE FULL SET TO ASCERTAIN WHETHER ANY ARE MISSING.

FURTHER, NOTE IF THE HUNTING KNIFE HAS A LEATHER HANDLE OR AT LEAST A LEATHER SCABBOARD AND THAT THE PIECE OF LEATHER FOUND AT THE TOP OF THE STAIRS BY DR. GERBER CAN BE COMPARED ON THE POSSIBILITY THAT THIS PIECE CAME FROM THE LEATHER HANDLE OR FROM THE SCABBOARD OF ONE OF THE HUNTING KNIVES PURCHASED BY DR. SAM SHEPPARD.

SYNOPSIS

On the basis of all the above listed facts with their qualifying contentions,

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it is our opinion that the murder of MARILYN SHEPPARD could have been accomplished by her husband, DR. SAM SHEPPARD in the following manner:

Shortly after the AHERNS left the house, MARILYN went to the cot and awakened her husband (he admitted that he remembers her waking him to say that she was going to bed) and that she actually did get him up. This would be sometime after 12:10 A.M. and 4:00 A.M. and that as he got up to go to bed she probably straightened the couch out, fluffed the pillow and neatly folded his cordoray coat over the foot of the couch. DR. SAM after taking his coat off then took his T shirt off and threw it in the dirty clothes and while preparing to go upstairs SAM and MARILYN started arguing, probably about SUE and then leading into the fact that it was their first night alone without DR. HOVERSTON. Whatever the fight was about it ended up in the den (which is the farthest room removed from CHIP, who was not awakened by the noise) and while in the den, or study, the fight actually started and either SAM struck MARILYN with his fists or with one of two statuettes found broken on the study floor. She bled enough to get flecks on her watch which was torn from her wrist during the struggle, and she either ran upstairs to her bedroom pursued by DR. SAM, who had stopped in the meantime to pull out his study desk drawer searching for the hunting knife, or else she was knocked out completely and carried upstairs by DR. SAM, who had stopped in the meantime to find his knife. The blood on the stair risers and lack of it on the stairs seems to indicate that she was bleeding only slightly and probably went upstairs followed by SAM. The more serious assault on MARILYN followed in the bedroom and the fact that the greater number of wounds on her head are on the left side would indicate that she was either carried upstairs unconscious, or the first few blows from the hunting knife in the bedroom brought unconsciousness. The fact that CHIP who sleeps in the next room was not disturbed would indicate that no great amount of noise came from the main SHEPPARD bedroom.

After MARILYN either climbed on the bed (the first twin bed beside the door and it is still to be established whether this was actually her twin bed) or was thrown on the bed unconscious by SAM and he then proceeded to finish her off with the large hunting knife, hitting repeatedly at the head which was turned to a side position by repeated blows on the left side of the face and in order to more easily reach her face (a crime of passion against a woman is usually demonstrated against her face) then DR. SAM pulled MARILYN by the legs down under the post on the foot of the bed and returned to finish his job. The fact that her one leg was out of the pajamas might be explained by the idea that when he attempted to pull her down, he pulled on her one leg and the other on the pajama leg, which came off her body.

DR. SAM SHEPPARD is now wearing only his brown trousers and shoes, no T shirt, so after he recovers himself he decides to get the blood off his clothing and his body, and it is with this ~~mind~~ in mind that he goes down the stairway, after first ascertaining that CHIP has not awakened, and he helps himself down the stairway with the railing, which he later wipes clean with toilet paper, as well as wiping the blood off the stairs which he has carried out of the bedroom on his shoes and clothes.

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The dog, KOKO, in the meantime has not come out of his usual resting place because there were no newcomers to the house. As SAM goes downstairs, he goes directly to the door facing the lake and heads for where he thinks the beach stairway is, but misses it and plunges down the cliff ~~inj~~ receiving the injuries he later claims. He rouses himself, goes to the lake and washes himself off completely emerging himself including his pants and shoes, knowing full well that cold water will cleanse ~~his~~ fresh blood spots.

From the lake he goes back ~~upstairs~~ to the house, dropping water on the stairs and through the living room, upstairs where he makes certain that MARILYN is dead. He then starts covering up his tracks by removing blood stains from the hall, stairway, elsewhere, and then takes his jewelry and puts it in the outboard motor tool-bag and throws it over the cliff, to be recovered later by himself, or the police, and listed as property stolen in the robbery. He also straightenes out the desk drawers in the study by piling them upright, but leaving them messed up to ~~be~~ appear as though ransacked and then does the same in the living room desk, also dumping over his doctor's bag to make it appear that narcotics might have been stolen. After he has cleared up everything, he then calls SPENCER HOUK and nothing additional happens until he is sitting in the red leather chair in the study when Dr. STEVE comes up to him, and either he sees blood flecks on the study carpet, or he is afraid there might be, so he ~~and~~ throws himself to the floor so that any blood found there can be said to have come from his body while lying on the floor.

An additional fact is that SAM says when he came to in MARILYN'S room after he had gone to her assistance, he saw a reflection of something on the floor, and when investigating found it to be the badge on the inside of his wallet, and he states when he opened the wallet found that his \$3.00 and check for \$1,000 was still intact, however his father testifies that the wallet contained only the check and the 3-\$1 bills were in SAM'S pants pocket. Any burglar taking the trouble to steal a wallet would certainly take anything inside the wallet, even if it was only \$3.00. Not only that, it was later learned that there was \$160.00 hidden in the study and although the story as given by DR. SAM was that there wasn't sufficient time for this burglar to be in the house to ~~start~~ make a thorough search, still the study was partially ransacked and with the drawers which were ransacked, the money should have been found.

IT SHOULD BE REPEATED THAT ALL OF THE CONTENTIONS AND THE SYNOPSIS ARE PURELY THEORETICAL WITH THE POSSIBLE RESERVATION THAT ALL ARE WITHIN THE REALM OF POSSIBILITY.

Respectfully,

Sergt.