

Friday Afternoon Session, 1:30 p.m., November 11, 1966

THE COURT: Counselor Bailey?

MR. BAILEY: Mr. Bailiff, would  
you call Doctor Koch from the witness room, please.

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THEREUPON the defendant, further to  
maintain the issues on his part to be maintained,  
called as a witness DOCTOR RICHARD E. KOCH, who,  
having been first duly sworn, was examined and  
testified as follows:

DIRECT EXAMINATION OF DOCTOR RICHARD E. KOCH

By Mr. Bailey:

Q Will you tell us your name, please?

A Richard Edmund Koch.

Q Where do you live?

A 999 Shorewood Drive, Medina, Ohio.

Q What is your business or occupation?

A I am a dentist.

THE COURT: Counselor, excuse  
me for interrupting, but how does the doctor  
spell his last name, please?

THE WITNESS: K-o-c-h.

THE COURT: Thank you. Please  
proceed.

Q How long have you been practicing dentistry?

A I have been practicing fifteen years.

Q In 1954, Doctor Koch, where was your practice located?

A In 1954, I was at 4352 West 222 Street.

Q Did you have an office there for the practice of dentistry?

A Yes, I did.

Q Do you know the defendant Sam Sheppard?

A Yes, I do.

Q Did you know him in 1954?

A Yes, I did.

Q Did you ever give him professional services?

A Yes, I did.

Q Drawing your attention to the month of May, 1954, did you see the defendant during that month?

A Yes, I did.

Q Do you have some records with you, Doctor?

A Yes, I have.

Q Will you tell us what those records are, what they reflect?

A On May 26th of 1954, I saw Doctor Sam as a patient on a routine examination and check-up.

Q Did you examine his teeth on that date?

A Yes, I did.

Q Did you photograph them at all?

A Yes, I photographed them, also.

Q By what means?

A X-ray, I x-rayed his teeth.

Q Was this your own equipment?

A Yes.

Q When did you next see Sam Sheppard after May 28th?

A I saw -- I want to correct this -- that was May 26th I saw him for that period.

Q Yes.

A And then I saw him May 28th, which was two days later, when I placed one filling on one of his teeth.

And then -- excuse me, what was your next question?

Q When did you next see him after May 28th?

A Then I saw him on June 4, 1954, when I prepared another tooth for an inlay.

Q Did you do the inlay on that date?

A I prepared it and put a temporary filling in the tooth. I did not put the inlay in at that time.

Q Did you observe his entire mouth on that day?

A Yes, I did.

Q When was the next time that you saw Sam Sheppard?

A The next time I saw Sam Sheppard was on July 15, 1954.

Q And where did you see him?

A In my office.

Q Did you examine his mouth on that date?

A Yes, I did.

Q What did you observe?

A Let me read it, I think it is probably more accurate.

"Examination and X-ray of the upper right quadrant" -- or the upper right side of his mouth -- "revealed the upper right third and fourth tooth both slightly loose and chipped."

The upper right third would be the upper right cuspid, and the tooth right next to it, the upper right fourth, which would be the upper right bi-cuspid, side by side. Chipped and fractured about a quarter of an inch from the cusp tip, through the enamel which is an eighth of an inch layer, into the dentine, which is the layer below the enamel.

So that the chips or the fractures were anywhere from an eighth of an inch to a quarter of an inch on both teeth.

The teeth were still sensitive, since the fractures were into the dentin. Both teeth were ragged on the edges and loose.

Q How did you determine that they were loose?

A By mobility, finger mobility of the teeth.

Q Were you able to move them?

A Yes.

Q What did you do if anything with respect to the raggedness that you found on these two teeth?

A I smoothed them off or ground them down to remove the jagged edges. That was the extent.

Q The condition that you found on this date, July 15, did that represent a change from the condition you had last seen on June 4th?

A Yes, because on June 4th they were not chipped. They were a total tooth at that time.

Q Did you observe anything unusual with respect to the flesh on the inside of the mouth in the vicinity that you described?

A The mouth was lacerated inside, parallel to the jagged teeth.

Q When was the next time after July 15th, that you checked the teeth for looseness?

A The next time was when I was a witness twelve years ago in the courtroom, and I examined the mouth at that time for looseness.

Q In open court?

A In open court, yes, sir.

Q And were the teeth tightened up by then?

A Yes, they were.

Q Is that a natural healing of the process, that teeth loosened by some force will tighten up?

A Yes, they will, yes.

Q Did you ever see Sam Sheppard between July 15th and the time you observed him in the courtroom?

A Yes, I saw him in the jail one time.



Q What was the purpose of seeing him in the jail?

A If I go back to -- I prepared an inlay on June 4th, 1954, prior to the day I saw him with his chipped teeth.

I had placed a temporary filling, and a temporary filling is a temporary filling.

Sometime after that I got a call from the jailer that his tooth was bothering him, and would I put the inlay in, or could I do something.

So I was called down to the jail and I placed the inlay in the mouth in the jail, and that was the last time I have seen him.

Q Doctor Koch, do you have with you some X-ray films?

A Yes, I have.

Q May we see them, please?

A Yes.

MR. BAILEY: Will you mark these, please.

(Defense Exhibits VV, WW, and XX were marked for identification by the reporter.)

Q Doctor Koch, I show you Defendant's Exhibit WW, and ask you if you can identify it for us?

A Yes, this is the X-ray I took of Doctor Sam prior to the time the teeth were chipped. That was on the 26th of June.

Q Now, does this X-ray that is dated 5-28-54, does that

indicate the same area of the defendant's mouth that you subsequently found to be damaged?

A Yes. The only thing this X-ray does not show one of the teeth that were chipped. It does not include it. It is not a big enough X-ray to include it.

It shows one of them but not the other one.

Q But does this show the area of the tooth in question?

A Yes.

Q -- which was subsequently chipped away?

A Yes.

Q Now, I show you Defendant's Exhibit XX, and ask you if you can identify that?

A Yes, this is the one that I took the day that I smoothed the edges of the teeth when they were fractured.

Q And does that X-ray reflect the absence of the portion of the tooth that was there on the 28th day of May?

A Yes, it does.

Q Now, Doctor, I show you Defendant's Exhibit VV, and ask you to tell us what that is?

A That is another picture of the same, the chipped teeth.

MR. BAILEY: These are all offered by the defense, your Honor, as exhibits.

MR. SPELLACY: No objection.

THE COURT: They may be received.

Q Doctor, from your observations and examinations of

Doctor Sheppard, having in mind what you saw July 4th and what you saw subsequently, and the extent of the damage that you did observe, do you have an opinion as to whether or not injury of this sort to the area where it was located could be self-inflicted?

A I do not think it could be self-inflicted.

MR. BAILEY: That is all. Thank you.

You may examine.

CROSS EXAMINATION OF RICHARD E. KOCH

By Mr. Corrigan:

Q Doctor Koch, you said that you do not think it could be self-inflicted; do you rule out the possibility absolutely?

A Do I rule it out? I think that would be difficult to determine. I just don't feel you could self-inflict damage of that sort to yourself.

Q But you don't rule out the possibility?

A I don't think it could be ruled out, no.

Q You don't know when these teeth were chipped prior to the 14th of July, do you, of your own knowledge?

A I haven't any idea, no.

THE COURT: Counselor, excuse me, your question was the 14th of July?

MR. CORRIGAN: That was the date.



MR. BAILEY: The 15th.

MR. CORRIGAN: The 15th, I am sorry.

Q You do not know?

A I haven't any idea.

MR. CORRIGAN: No further questions  
of this witness.

MR. BAILEY: Thank you, doctor.

May I have a moment before the next  
witness comes in?

THE COURT: You may have whatever  
time you deem necessary. Be at ease, ladies and  
gentlemen.

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