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Thereupon, the State, further to maintain the issues on its part to be maintained, called as a witness MICHAEL S. GRABOWSKI, who, being first duly sworn was examined and testified as follows:

DIRECT EXAMINATION OF MICHAEL S. GRABOWSKI

By Mr. Parrino:

Q Will you state your name, please?

A My name is Michael S. Grabowski.

Q Where do you live?

A I live on 3813 East 52nd Street.

Q What is your occupation?

A I am a member of the Cleveland Police Department.

Q How long have you been a police officer?

A About nine years.

Q And what particular assignment do you have at the present time?

A I am assigned to the Scientific Unit at the present time.

Q And what is the Scientific Unit?

A In the Scientific Unit we have three divisions. We have the Photographic Unit, the Laboratory Unit and the Fingerprint Unit.

Q And with what unit do you work, sir?

A I work with the Fingerprint Unit.

Q And how long have you worked with the Fingerprint Unit?

A Six years.

Q What training did you have for work in that unit?

A My preliminary training was to a special FBI school which they conducted in fingerprinting.

Q And when did you go to that school?

A Before I went up to the Bureau.

Q And for how long did you attend that FBI school, sir?

A It was about two and a half weeks.

Q And after that, what did you do?

A After that I started working with the older men for actual experience in the various phases of the work.

Q And did you do any individual study on the subject?

A That's right, I did.

Q And when did you begin that?

A As soon as I went up to the department.

Q And how long has that continued?

A It's still continuing.

Q Now, the nine years that you have had in the Cleveland Police Department, has that been of continuous service?

A That's right -- no, there was an exception. One year, in 1950, I was recalled to the Army.

Q And in 1950, you said?

A 1950.

Q And upon being recalled to the Army, for what period did

you serve?

A For one year.

Q And what branch of the Armed Forces did you belong to?

A I worked with the Criminal Investigation Detachments.

Q And was that during the entire year?

A That's right.

Q And beginning in that work while you were in the Army, what, if any, training did you receive from the United States Armed Forces?

A I was sent to Camp Gordon, to the Provost Marshal General School, and there I took a 12-week course in criminal investigation.

Q And did that include fingerprinting?

A That's right.

Q And anything else?

A It included photography, laboratory, interrogation; the whole field of criminology.

Q And upon completion of that training, what work were you assigned to in the United States Armed Forces?

A I was assigned to the Criminal Investigation work.

Q And what work did you perform?

A We did investigation of traffic accidents, any homicides, any burglaries or any thefts, like in the barracks, thefts, and so forth.

Q I see. Now, Officer Grabowski, I want to call your

attention to July 4th of this year. Were you working on that day?

A Yes, sir.

Q At what time did you begin your work that day?

A About 7:45.

Q Now, did you receive any instructions that day or that morning?

A Yes, sir.

Q And what time was it that you received those instructions?

A At 7:45.

Q And from whom did you receive those instructions?

A From Captain Hauschild at the Detective Bureau.

Q Upon receiving those instructions, what did you do?

A I then proceeded to Bay Village.

Q And where you alone?

A Yes, sir.

Q And what time did you arrive in Bay Village?

A I arrived there about 8:15, 8:30.

Q And where did you go in Bay Village?

A To a home, 28934, which, as I was instructed, was the third house west of Huntington Park on the north side of the street.

Q And what, if anything, did you have with you when you took that trip?

A I had the regular, what we call the Bertillon car, which

is equipped with camera equipment, fingerprint taking equipment, and so forth.

Q And I take it that upon your arrival there at the Sheppard home, you entered it, is that correct?

A I answered it, that's right.

Q Now, as you entered the home, did you speak with someone there?

A Yes. I spoke with Dr. Gerber.

Q Did you speak with anyone else there?

A Yes, with Patrolman Drenkhan.

Q Now, did you see anyone else there later that morning?

A Yes. I seen a couple of our Cleveland detectives there and also the Chief, and several other patrolmen from Bay Village, whose names I don't recall at the moment.

Q Now, what was the nature of your assignment there that morning?

A I was told to assist the Bay Village police in a dead body that they found there.

Q Now, after speaking with Dr. Gerber and some of these other people that you have described, did you do something there that morning?

A Yes. I made a hurry-up -- I went through the home fast to get myself just exactly -- what I could see throughout the whole home.

Q Describe generally what you saw?

A Well, when I first walked in, I walked in through the south door, and as I walked in the hallway I noticed a medical bag spilled. Then I looked into my -- the first room on my right, and there I saw a desk, and the desk drawers pulled out and lots of articles strewn all over the floor.

Then I walked into the living room, and just ahead of me I seen another desk with a drop leaf down and some more articles scattered on the floor.

And then I went upstairs, and in one bedroom I seen the body there, and then I looked over in the other bedrooms, which there was nothing unusual about the other places.

Q I see. Now, did you take some photographs there that morning, Officer Grabowski?

A Yes, sir.

Q Generally, what photographs did you take?

A Well, I took pictures of the bag that was spilled in the hallway, the study, the picture of the desk in the living room, and also some pictures on the bedroom; took some pictures on the beach, took one picture to show the grass and another picture showing the steps, and so forth.

Q Now, will you describe the desk in the living room, please?

A ✓ The desk is three drawers and it had a drop leaf on top, and when you put the drop leaf down it had little -- three

drawers and had little cubicles that you could put in your letters.

Q Did you do anything pertaining to that desk that morning?

A Yes. I dusted that desk for fingerprints.

Q And how did you do that?

A I used regular white fingerprint powder and with a little small brush, camel's hair brush, that we have especially for that purpose, and I dusted the surfaces of the front -- the sides, the front, front of the drawers, the front and the back of the drop leaf, and also some of the articles that were on top of the desk, like there was two pictures there and a glass full of -- container full of some money, which I think was pennies.

Q Now, as you dust the drawers with fingerprint powder, what happens when you place that powder on a desk?

A That powder is very susceptible to oils, like your hand oils, or moisture, and it shows just exactly what is over there.

Q Now, I think you stated that you poured some of that powder on the surface of the leaf, is that correct?

A That's right.

Q And on the drawers?

A That's right.

Q On the face of the drawers?

A That's right.

Q All the drawers, sir?

A Yes, sir.

Q And on the sides of the desk?

A Yes, sir.

Q In other words, you made an examination of that entire desk?

A That's right.

Q For prints?

A That's right.

Q Did you make an examination of the contents that were still remaining on the desk for prints, also?

A The contents that were in the drop leaf section.

Q Yes. Did you make --

A Yes, sir.

Q Now, what, if anything, did you find?

A I found a partial palm print on the inside of the drop leaf on the right side about six inches from the beginning and about three inches from the right end.

Q And upon seeing this palm print -- withdraw that.

Upon seeing this partial palm print what, if anything, did you do?

A Then I photographed it.

Q And how did you do that, please?

A We have -- with a special fingerprint camera, which is a camera which contains its own light source and has a fixed

focus so that when you take the picture you show the actual size.

Q And you say you did photograph that partial palm print?

A That's right.

Q Now, upon obtaining that photograph, did you dust anything else there in that living room for prints?

A No, I did not. I dusted --

MR. GARMONE: Was your answer,

"No, I did not"? I didn't hear you.

THE WITNESS: I said, yes, I

dusted also some letters that I picked up from the floor, which I thought contained fingerprints.

Q And did they?

A No, none of them did.

Q Now, there was a quantity of paper and letters and -- withdraw that.

There was a quantity of objects there lying on the floor right in front of that leaf desk, is that correct?

A V That's right.

Q Would you describe in a general way what those objects consisted of?

A Those were just letters, some sales tax stamps, there was some pencils there and there also was an ink bottle.

Q I see. And did you examine that for prints of any kind?

A That's right.

Q And how did you do that?

A I looked them over by visual inspection, and if I seen what looked like a fingerprint, I put powder on it.

MR. GARMONE: Object -- well,
I'll withdraw the objection.

THE COURT: All right.

Q Did you find any prints on those papers there on the floor?

A No.

Q Now, other than this partial palm print that you found on the desk, did you find any other prints of any kind on that desk?

A No, none on the desk.

Q Well, describe what, if anything, you did discover as to that desk?

A Well, in my examination on the powder I noticed very peculiar lines throughout the desk, on the drop leaf and on the fronts of the drawers.

Q Describe these lines?

A It's just like a -- in other words, it's just like a straight line, like if I had a very rough, sandy hand and I just ran my hand right straight through it. That's a rather loose description of it.

Q And over what part of the desk did you see these lines?

A Over the drawers, the front and the back of the drop leaf

and on the sides and on the top.

Q Over all this area?

A Over this area.

Q Was that the only place that you found those lines, sir?

A No. ✓ I found them on some articles, also, that I examined from the study.

Q And describe those articles?

A Well, those articles that I examined from the study, there were two statuettes, two broken statuettes, a couple of metal boxes, and then there was -- just on those statuettes and on the two metal boxes.

Q Now, will you describe those lines, please?

A ✓ Those are about the same lines like the other one, like if somebody took a piece of sandpaper and just scratched it right straight through.

Q And these lines that you saw there on that leaf desk, how wide were those lines apart?

A They were not very much apart. I think it would have to take a very, very minute measuring instrument to measure the lines.

In other words, they were very close together.

Q ✓ And as you poured this powder on that desk, what happened, in so far as those lines were concerned?

A ✓ They were made very visible. You could see them very well.

Q Now, what else, if anything -- withdraw that.

Did you examine the door at the north of the living room, sir?

A Yes, sir.

Q And tell us how you examined that door and what, if anything, you found?

A I examined that door for two reasons. One was for fingerprints, which I did by the oblique light method, that is, a method that you can see fingerprints without applying powder.

Q And how is that, please? Describe how you do that?

A Just holding a flashlight, instead of holding it at a parallel, you tilt it slightly at about a 45 degree angle, and you run your flashlight over it, either your flashlight or any other source of light.

Q And what, if anything, did you discover?

A I discovered a lot of smudges on the door and also -- and another thing I examined the door for was to see if there was any forcible means of entry there, but I could find no marks which showed that there was anybody trying to get in that door.

Q I see. Now, these smudges that were found on that door, were there any recognizable prints on that door?

A No, they were not legible at all for prints.

Q Now, that door has a door knob, does it?

A Yes, sir.

Q Did you examine that door knob?

A Yes, sir.

Q By what method did you examine the door knob?

A By the light method, by the oblique light method.

Q And what, if anything, did you see on the door knob?

A I seen displayed plenty of prints, one on top of the other.
I just couldn't make anything out of them.

MR. GARMONE: You said you
saw plenty of prints, one on top of the other,
did you say?

THE WITNESS: Yes.

THE COURT: And you couldn't
make anything out of them?

THE WITNESS: Yes.

MR. GARMONE: And that was with
the flashlight?

THE WITNESS: With the flash-
light, that's right.

Q Now, have you ever used that method of obtaining or
discovering prints prior to that, sir?

A Yes, sir. We use that all the time.

Q Now, in your work with the Bertillon Section of the
Cleveland Police Department, what do you investigate
generally?

A We generally go out to house breakings, safe jobs, murders and anything else that we might be -- where stolen autos are discovered, to examine for fingerprints. Anyplace where our service would be required.

Q And in the course of years that you have been working in the Bertillon Division in a city as large as Cleveland, I take it that you have done that on numerous occasions, is that right?

A That's right.

Q And have you used this oblique light method of discovering prints on numerous occasions?

A That's right, use it all the time.

Q And as to the dusting of powder over suspected areas, have you used that on numerous occasions?

A That's right.

Q Now, did you do anything further there in the living room?

A No. That's all I done in the living room.

Q Other than the photographs?

A Yes. The photographs, and also I examined some papers that were in that chair. There was -- the drop-leaf table was like if supported on a chair, and there was a bunch of papers inside that chair -- on that chair. I examined those papers on that chair.

Q Now, as I understand it, the drop-leaf --

A Was down.

Q And a portion of that drop-leaf was on a chair?

A Resting on a chair.

Q In the living room?

A In the living room.

Q And that chair had certain papers on it?

A That's right.

Q And did you examine those papers?

A Yes.

Q How did you examine that?

A I examined them by the visual method, and if I had anything for a suspected fingerprints, I applied powder to that.

MR. GARMONE: I object and ask
the latter part of the answer be stricken and
the jury be instructed to disregard it.

MR. DANACEAU: It is responsive.

THE COURT: Do I understand
that he said that he used the powder method?

MR. GARMONE: No. He used the light
method.

MR. MAHON: And powder.

THE WITNESS: And then I --

MR. PARRINO: Just a moment.

And over the suspected area he put powder
if he so found it necessary.

Is that correct?

THE WITNESS: That's right.

Q And were you able to find any identifiable prints on any
of those papers?

A None.

Q At any place in that room, other than the palm print,
were you able to find any identifiable prints, sir?

A None.

Q Did you go into the den that morning, sir?

A That's right.

Q And describe what you saw in the den.

A ✓ In the den I saw a desk and a chair. The desk contained
six drawers. One drawer was inside the desk, two drawers
were piled on, facing the north, on the eastern part
of the desk, and the three other drawers were strewn on
the western part closer to the wall.

Q And what, if anything, did you do in that room?

A I examined all the desk. I examined the sides of the desk, and also the drawers -- sides, bottoms and fronts of the drawers.

Q And for what did you make an examination?

A For fingerprints.

Q How did you make the examination?

A I did that by powder, powder and also -- and by the visual light method.

Q And did you find any identifiable fingerprints in any of those places?

A No, sir.

Q Did you do anything further in that room, sir, in the den?

A Yes, sir. There was a lot of loose cardboard boxes that were strewn around there, too. I examined all those, and then also -- there was also two broken statues laying on the side. I examined those, too.

Q How did you do that?

A By the powder method.

Q Did you find any identifiable prints?

A None.

Q Anything further in the den?

A And then there was two metal boxes. I examined those, plus the contents on the inside, which showed no prints.

Q Now, where were these marks that you described in the den,

please?

A They were on the -- they were noticeable -- I noticed them particularly on the two metal boxes and the statuettes.

Q Where exactly was this metal box located that you are describing?

A ✓ One metal box was located in front of the desk, that is, the sitting part -- if I was sitting at the desk, on my right side on the floor.

Q Did you dust that box?

A Yes, sir.

Q Did you find any fingerprints on that box?

A None whatsoever.

Q ✓ Describe these marks that you found on that box.

A The marks are like the same -- like it was before somebody took a fine piece of sandpaper and just ran through them, and you was able to see those scratches in there.

Q * Could marks of that kind be, in your opinion, sir, created with a cloth?

A ✓ That's right.

Q Now, did you do anything further in that room, sir?

A Outside of the photographs, no, not in that room.

Q Before you go into the den, did you see anything there in the hallway?

A Yes, sir. There was a medical kit with spilled contents.

Q Describe that medical kit, please.

A The medical kit was a sort of a black alligatory leather kit, and it was one of those -- it is shaped oblongy, and when you open the front -- in other words, if you open the front, everything shows up on there.

Q Now, describe the surface of that kit, please, the outer surface.

A The outer surface was sort of pebbly. It was not smooth. It was wavy.

Q Was that, in your opinion, suitable for fingerprints, sir?

A It is not.

MR. CORRIGAN: I object to that.

"Was it suitable for fingerprints?" I think --

MR. GARMONE: It is a conclusion.

MR. CORRIGAN: It is a conclusion.

MR. DANACEAU: Yes, but he is an expert.

MR. MAHON: He is an expert.

THE COURT: He is an expert in that field, I take it.

MR. GARMONE: Let's find out if he examined it for prints.

THE COURT: Let him tell what he did with it, yes. The jury will disregard that entirely.

Q Now, what, if anything, did you do relative to the outer

surface of that bag?

A The first thing I did was on the back of it, I put my print, and then I powdered it with powder to see if I could get anything, and I found I could not get my print, because the main reason for it is because I could not get the uninterrupted flow of lines which is needed for a clear, legible print.

Q In other words, after putting your own print on that bag, you poured powder over your own print?

A That's right. Used it as a sample.

Q After you poured the powder over your own print, were you able to see an identifiable print of your own finger?

A No.

Q Will you describe the contents of that bag, sir?

A The bag contained little bottles of various medicines, various medicines. There was quite a few of them.

Q And what, if anything, did you do in regard to them?

A I examined each one individually for fingerprints.

Q And how did you do that?

A With powder.

Q And did you find any identifiable fingerprint on any of those items?

A None.

Q Now, did you go upstairs in that home at any time?

A Yes, sir.

Q Did you go into Marilyn's bedroom?

A That's right.

Q And what, if anything, did you do in that bedroom?

A In Marilyn's bedroom I took several pictures, and I also dusted the northwest window for prints.

Q Did you find any identifiable prints there?

A No, I found none.

Q Did you do anything further in that room?

A Yes. When I examined the inside and the outside -- no, I didn't do anything else outside of taking the pictures and dusting that window.

Q Was there a reason for that?

A Yes.

Q Would you state to the jury the reason for that?

MR. GARMONE: Object to whatever
his reason was.

THE COURT: He may give his
reason.

Q Continue.

A The main reason that I did not want to do any more on there was No. 1, was contamination.

Q What do you mean by that?

A In other words, if I applied that powder that I have on any of those surfaces, in case anybody would want to conduct

any chemical test, or anything like that, he would not be able to, because it would be contaminated by that powder.

And reason No. 2 was the peculiar pattern of the blood, and I did not want to bother that in case the pictures I took did not come out, I could always go back and take another picture, or if somebody else wanted to study them, he would have an opportunity to study them with the thing being as it was in the beginning.

MR. CORRIGAN: I didn't get what he was referring to.

MR. DANACEAU: Would you read it back?

MR. CORRIGAN: He don't have to read it back. I just want to have it clear. The rest of the room was the --

MR. PARRINO: I don't recall the exact words myself.

MR. GARMONE: He was asked if he did anything other than dusting the window.

MR. CORRIGAN: I see. Well, all right. Go ahead. Let it go.

Q Now, at any time that morning did you go down to the beach, sir?

A Yes, sir.

Q What time was it when you went down to the beach?

A I'd say it was about 9:15, somewhere around there.

Q Was there anyone else down there at the time?

A Yes, sir. Patrolman Gareau.

Q Who is Patrolman Gareau?

A Patrolman Gareau is a member of the -- I mean Detective Gareau, I will stand corrected -- Detective Gareau is a member of the Cleveland Police Department assigned to the Homicide Unit.

Q And did you go down to the beach at anyone's instructions, sir?

A At his instructions.

Q ✓ Now, when you got down to the beach at or about 9:15, what, if anything, did you see on the beach?

A ✓ I noticed some footprints, barefoot prints on the beach.

Q Now, keeping in mind the stairway at the Sheppard home there that leads down to the beach, and what has been called a boat house there, there are some other steps that lead down into the beach itself, isn't that correct?

A That's right.

Q ✓ Now, you say there were some footprints there on the beach?

A ✓ That's right.

Q Now, where were these footprints that you are now about to describe?

A ✓ Well, they started off at about 50 feet away from the steps, and they extended down to about 75 feet.

Q Now, you say these were 50 feet away --

A They seemed to start --

Q Just a moment, please. They were 50 feet away from the steps, is that correct?

A That's right.

Q In what direction?

A In an easterly direction.

Q And describe these prints as you saw them.

A Well, they were prints -- they were barefoot prints that looked like the water was washing into it, and it sort -- where normally you'd have a rough edge where it is impressed in, they were pretty well rounded off.

Q And what, if anything, did you do relative to these prints?

A Well, we debated whether to make a plaster cast out of the prints first.

Q Did you make a plaster cast?

A No.

Q For what reason did you not do that?

A Reason No. 1 was --

MR. CORRIGAN: Object.

MR. GARMONE: Object to this, if the Court please. He made no plaster cast, and I don't think it is necessary to ask the reason for it.

MR. MAHON: I think he has a right

to tell why.

THE COURT: He may state just why. You have been challenging the efficiency of the investigation.

MR. GARMONE: We have made an objection. What is the Court's ruling?

THE COURT: All right, the Court has ruled he may answer.

MR. GARMONE: Exception.

MR. CORRIGAN: Except to the statement of the Court, also, that we have been challenging.

THE COURT: Exception may be noted.

Q Tell us slowly why you did not do that.

A Number -- the main reason was the condition of the soil which was sandy, and when you pour plaster on sand it adheres very much to the plaster and you lose all the detail of the print.

Q And what type of a print was this?

A It was a barefoot print.

Q And did you take some photographs of that, sir?

A Yes, sir.

THE COURT: Mr. Parrino, could you suspend now before you go to the pictures?

MR. PARRINO:

Yes.

THE COURT:

Ladies and gentlemen
of the jury, we will now be adjourned until 1:15
this afternoon.

Please do not discuss this case.

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(Thereupon at 12 o'clock noon an adjournment
was taken to 1:15 o'clock p.m., Tuesday, November
23, 1954, at which time the following proceedings
were had):

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Tuesday Afternoon Session, November 23, 1954 (1:15 p.m.)

Thereupon, MICHAEL S. GRABOWSKI resumed
the stand and testified further as follows:

MR. PARRINO: Will you mark
these State's Exhibits 53 and 54?

(State's Exhibits 53 and
54, being photographs,
were marked for identi-
fication.)

DIRECT EXAMINATION OF MICHAEL S. GRABOWSKI (CONT'D)

By Mr. Parrino:

Q Now, Officer, you say that you went down to the beach
that morning, is that correct?

A That's right.

Q And that there you observed a set of bare footprints in
the sand, isn't that correct?

A Yes, sir.

Q And I think you said that you photographed those prints,
did you?

A Yes, sir.

Q Now, you further stated that for various reasons you did
not make a cast of those prints, isn't that correct?

A Yes, sir.

Q Now, are there any additional reasons other than those

which you have already stated why you did not make a cast?

MR. GARMONE: Objection.

THE COURT: He may answer.

MR. GARMONE: Exception.

A Well, I'll have to repeat them. There was two main reasons. One of them was the condition of the soil and the other one was the detail, in other words, even if you did make it, it would not show the detail of the footprint.

MR. GARMONE: Object to that answer and ask it be stricken.

THE COURT: Yes. He has already answered that.

Q Now, is there any other reason or reasons?

THE COURT: Additional to what you said this morning?

MR. PARRINO: Yes.

A Another reason for that was it was too shallow, it was not deep enough for a good plaster cast print.

Q You are speaking of the print itself?

A That's right, the print itself.

Q Now, showing you what is marked for identification as State's Exhibits 53 and 54, will you examine those pictures, please, and tell us if you recognize them?

A Yes, sir.

Q And by whom were those photographs made?

A They were made by me.

Q At the time you have just described this morning?

A That's right.

Q And what did those photographs represent?

A They represent the footprint in the sand.

Q And I see a ruler there portrayed in this photograph.

By whom was that placed?

A That was placed by me.

Q And for what purpose?

A For the purpose to show the size of the foot.

Q Now, was a specific purpose indicated to you as to why this picture was taken, by anyone?

A No.

Q Did you talk to Detective Gareau?

A He just wanted -- I did talk to him, but he did not give me the reason for taking those footprints. He just wanted me to take them.

Q He asked you to take the picture?

A He asked me to take them, that's right.

MR. PARRINO: I wish to offer
State's Exhibits Nos. 53 and 54 at this time,
your Honor.

THE COURT: They may be
received.

(State's Exhibits 53 and 54 were received in evidence.)

MR. PARRINO: May I pass them
among the jury, please?

THE COURT: Yes.

(State's Exhibits 53 and 54 were passed
among the jury.)

13 Q Now, Officer Grabowski, what time did you leave the Sheppard home that morning?

A It was about 10:30.

Q And did you ever return there again at any later time?

A No.

Q This was the one and only occasion that you personally were there, is that correct?

A That's right.

MR. PARRINO: You may inquire, sir.

CROSS EXAMINATION OF MICHAEL S. GRABOWSKI

By Mr. Corrigan:

Q Mr. Grabowski, as I understand it, you have had considerable training in criminal investigation, is that so?

A Yes, sir.

Q You have been in this department for nine years?

A Yes, sir.

Q And you have been always confined in your work to the Criminal Investigation Bureau; that is the part of the department that carries on the scientific investigation in the matters of crime?

A Not during those nine hours. Only six years.

Q Six years?

A That's right.

Q And before that, you were doing general police duty?

A That's right, sir.

Q And you say that you have made some study of the matter of criminal investigation, and what should be done in the matter of criminal investigation?

A Yes, sir.

Q And then when you were assigned to the Army, you also engaged in criminal investigation there?

A Yes, sir.

Q And you had the advantage of the training that was given by the Army?

A Yes, sir.

Q Now, in the making of a fingerprint, will you tell me if it is not true that when a fingerprint is deposited on a surface, there is left the results of what is on the finger when it is laid on the surface; that's right, isn't it?

A Yes, sir.

Q There may be oil and dust, perspiration, and if there is blood on the hand, the blood?

A Yes, sir.

Q And you know that in the -- you know from your experience that a person who is committing a crime -- or has this been your experience and the result of your investigation and study, that a person who is committing a crime is very likely to perspire?

A Yes, sir.

Q That is true?

A Yes, sir.

Q And one of the results of that perspiration from the finger results in the deposit upon the surface of the perspiration from the finger?

A Yes, sir.

Q Now, that perspiration will contain salt, you know that?

A Yes.

Q Now, in the examination of a fingerprint, there are a great number of ways to determine fingerprints, are there not?

A Yes, sir.

Q And a great many methods of determining fingerprints?

A (Witness nods affirmatively.)

Q Now, when you went out to the Sheppard home on the morning of July the 4th, Mr. Grabowski, you carried with you a camera?

A Yes, sir.

Q Before you went there did you have any information as to what had occurred in the Sheppard home?

A No.

Q Who did you get your orders from?

A Captain Hauschild.

Q Did he tell you that it was a murder?

A Well, he did.

Q

Did he tell you anything about it?

A

No, sir.

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Q So you were to go out and make a scientific investigation, is that correct?

A To assist the Bay Village men in making one.

Q In making a scientific investigation?

A That's right.

Q And when you departed from headquarters, what besides the camera did you carry with you?

A Well, we not only have one camera, we have two cameras. We have the regulation press camera and we have the fingerprint camera in there.

We also have our various equipment for making plaster casts.

We also got our various methods that we can take tool marks with inside the various kits. We have all kind of kits.

Q Well, now, let me see, when you departed, then, you departed with kits, investigation kits that were made up in the police station?

A That's right.

Q Now, the fingerprint camera is a different kind of a camera than the ordinary camera?

A That's right.

Q Especially designed for the taking of fingerprints?

A That's right, sir.

Q So you took that. Now, then, what was in the kit?

Did you have more than one kit with you, investigation kit?

A Yes, sir.

Q What was in the kit? Did you have two kits?

A Well, some of the -- some equipment, like this camera equipment, and so forth, is in the car permanently, and each individual has his own powder kit with brushes which he carries, and his flashlight and forceps and any other things that he thinks is necessary for him that will help him in his work.

Q Now, that is what I want to find out, about what you carried. You carried the camera kit?

A That's right.

Q Then you carried a kit that contained the material for fingerprinting?

A Yes, sir.

Q Then you carried a kit that contains forceps --

THE COURT: You will have
to speak out. He doesn't see you nod your
head.

Q -- forceps, and what else?

A And then I have a screwdriver and a pair of pliers.

Q Yes.

A And then I have a kit for taking persons' fingerprints, what they call an inkless method.

Q That is for taking live fingerprints?

A Live fingerprints.

Q All right. And anything else?

A Then I have another one that I can take fingerprints, also -- I have two kits, two ways, the inkless and the ink method, and then I have a little plasticene in there which I can -- sometimes if I have to, I can take impressions of tool marks, and then I have various envelopes which I gather my evidence in, tags, my tape that I use for lifting.

I also got my cards that I mount my lifting tape on. Then I also carry some paper towels which I need sometimes. I've got all that in my kit.

Q Did you have in your kit material for making a plaster cast?

A No. That's in the truck -- that's in the car.

Q Well, was it in the car when you went out there?

A That's right.

Q So that you know how to make a plaster cast?

A Yes.

Q And the material was available to you if you needed that material on that morning?

A Yes, sir.

Q Yes. Now, then, when you entered the house, what did you bring into the house besides the two cameras, the fingerprint camera and the regular camera?

A My fingerprint taking kit, a little suitcase that I have.

Q And what kind of powder did you have?

A I got three kinds of powder in there. I have black, white and aluminum.

Q The black powder is used on a white surface, isn't it?

A That's right.

Q And the white powder is used on a black surface?

A That's right.

Q And those powders are commercially -- made up commercially? You don't make them up yourself?

A Some of them we do and some we have that are commercially made up.

Q You know how to make up the powders?

A Yes, sir.

Q And the powders, when brushed upon a surface, will absorb -- or the surface on which it is brushed will absorb that powder, won't it?

A Now, I don't get it.

Q Well, if you have a surface where you put your finger down here and you deposit -- when I put my finger down there, the -- what do you call it?

When I put my finger on a surface, the friction edges, what you call the friction edges of the finger come in contact with that surface, don't they?

A Yes, sir.

Q Those are the sensitive parts of the finger. And those friction edges are in circles, or in loops, is that not so?

A Yes, in lines.

Q Lines. And they begin from a point in the middle of the finger, which I will call a spot, and then they revolve around that spot, and there are many hundreds of them on each finger, aren't there?

A There are very man pores, if you want to call them, but lines you don't have too many.

Q Well, you have lines. First you have lines around the end of the finger?

A Yes.

Q You can see them under a microscope. And then each one of those lines or pores come out all the way around the friction edges?

A Yes, sir.

Q And it is out of those pores that the oil or the salt or anything that is in the perspiration is deposited on the surface?

A Yes, sir.

Q And also there would be deposited on the surface any dirt or blood or anything of that kind that might be on the finger when it is laid on a surface?

A Yes, sir.

Q And when the powder is placed on this spot, there is a reaction, is there not, from the oil on the finger?

A Yes, sir.

Q And from the salts in the perspiration that reacts on this powder?

A Yes, sir.

Q Isn't that correct?

A That's right.

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Q Now, the first thing you did was take some pictures.
Did you do that before you did any fingerprinting?

A Yes, sir.

Q First you walked through the house?

A Yes, sir.

Q And kind of got the layout of the house?

A Yes, sir.

Q Marilyn was -- Mrs. Sheppard was still there in the house,
was she not?

A Yes, sir.

Q And you took pictures. Will you take these pictures, Mr.
Grabowski, and pick out the pictures that you took that
morning? Just yours. There is a number of others that
I know were not taken by you.

(Witness does as requested.)

Q Now, the pictures that are in evidence that were taken by
you, Mr. Grabowski, -- the pictures that were taken by you,
Mr. Grabowski, is Exhibit No. 8, which is a picture of the
couch?

A Yes.

Q I turn them this way so the jury can know what I am talking
about.

A Yes, sir.

Q The picture No. 9, Exhibit 9 is a picture of Marilyn in her
bed as you took it?

A (Witness nods affirmatively.)

Q The picture No. 12 is a picture of the back taken from the back door looking toward the front door?

A Yes.

Q And No. 11 is also a picture of the back taken from the back door looking toward the front door?

A Yes, sir.

Q And picture No. 10 is another picture of Marilyn Sheppard as she lay in her bed?

A Yes, sir.

Q And picture No. 14 is a picture of conditions as you saw them in the den?

A Yes, sir.

Q And picture No. 13 is a picture of the dining room showing the desk?

A Yes, sir.

Q And picture No. 18 is a picture looking down the steps that lead from the house to the lake?

A Yes, sir.

Q And picture No. 22 is a picture of the two doors in the bedroom?

A Yes, sir.

Q Showing the blood spots?

A Yes, sir.

Q We have picture No. 54 and picture No. 53, which you have

identified just a little while ago as being a picture you took on the sand?

A Yes, sir.

Q Now, did you take any other pictures?

A Yes. I can recall one missing there.

Q What one is missing?

A And that is the one that was taken of the bed after Marilyn Sheppard and the top cover has been removed.

Q Have you got it?

A The prosecution has it.

Q I haven't looked at these pictures that you showed here today, that is, that were identified by Mr. Parrino, but do they show a woman's foot in the sand?

A You mean the picture that was just presented?

Q Yes. The two pictures that were shown this afternoon, do they show a woman's foot in the sand?

A I couldn't say whether it was a woman or a man.

Q Was it barefoot?

A It was barefoot, that's right. I didn't study --

Q Now, when you went into the house, and after you made your general survey of the house and found out where the rooms were, and so forth, did you then begin the work of taking pictures before you did the work of fingerprinting? Which did you do first?

A I took the pictures downstairs first before I began the

fingerprinting.

Q Well, did you take the pictures upstairs before you did the fingerprinting?

A No. I did that later.

Q Now, after you had completed taking these pictures that we have here in the evidence, you then began your fingerprinting work? That is, the pictures that show the downstairs, after you had completed taking your pictures of the downstairs, you then began the fingerprinting work?

A That's right.

Q And the first thing that you fingerprinted was the desk?

A Yes, sir.

Q And what kind of powder did you use on the desk?

A I used white powder.

Q And you discovered on the desk -- you discovered fingerprints on the desk, didn't you?

A I discovered one palm print.

Q Was that all?

A That's all.

Q Didn't you discover traces of any other fingerprints?

A No, sir.

Q Just the palm print?

A Just the palm print.

Q And where was the palm print?

A It was on the inside of the drop-leaf on the right side

about --

Q Let's take a picture and you point it out. I think we have a picture of the desk here. This is the desk that you refer to. Now, where did you find the fingerprint?

A About right in there, about six inches from this edge and about three inches from that edge right over there.

Q That was on the drop-leaf?

A On the drop-leaf, yes, on the inside.

Q Will you just stand up and show the jury what you were pointing to? Just so they will know what you were doing.

(Witness does as requested.)

Q Right there. All right. Now, Mr. Parrino, during his examination, asked you constantly about unidentified fingerprints. Did you understand what he was asking you?

A Yes, sir.

MR. MAHON: He was talking about identifiable fingerprints.

THE COURT: Just a minute.

Mr. Parrino didn't, Mr. Corrigan. What he asked the witness was whether or not he found any identifiable fingerprints.

Q Well, did you find some fingerprints that were not identifiable?

A Are you talking of a specific -- are you talking about the desk itself?

Q I am talking about the question that was given to you by Mr. Parrino and which you answered a number of times, that you did not find any identifiable fingerprints at certain places where you made examinations.

A He specified the places, if I recall correctly.

Q Well, did you in those places that were specified in his question find any fingerprints that were not identifiable?

A Yes.

Q So you found fingerprints?

A Yes.

Q I just wanted to make that clear.

A Yes.

Q But you didn't identify them?

A That's right.

Q Now, the palm print that you found on the desk, did you make a picture of that palm print?

A Yes, sir.

Q Have you got it?

A The prosecution has it.

Q Well, they didn't show it to you.

MR. DANACEAU: We will show it
before the case is over.

MR. CORRIGAN: Well, let's have it
now.

MR. DANACEAU: We will have it with the

proper witness.

Q They didn't show you that palm print.

(Mr. Parrino hands palm print to the witness.)

Q Do you have it now, Mr. Grabowski?

A Yes, sir.

Q Now, that is a palm print, is that correct?

A A partial palm print.

Q What part of the palm is it?

A I wouldn't be able to say.

Q You couldn't tell?

A No, I couldn't tell.

Q Can you tell whether it is the palm print of a man, a woman?

A No.

Q There is a difference between the palm prints of men and women, isn't there?

A In some cases, yes.

Q And can you tell whether it is the palm print of a child or a man?

A Not in this case.

Q You couldn't tell. You can tell, though, the difference between a palm print of a small child and the palm print of an adult?

A In some cases, yes.

Q But you couldn't do it in this?

A No, I could not in this one.

Q Could you tell it was a palm print?

A Yes, sir.

Q Now, then, you developed that back at your office after you had taken the photograph --

A I do not do the printing and developing. We don't do it. When we bring it in, they are turned over to the laboratory unit and they are the ones that do the printing and the developing.

Q Well, what do you do, turn your film over to some unit over there?

A That's right.

Q And they did the developing and the printing?

A Yes, sir.

Q Was it returned to you then?

A Yes.

Q For examination?

A Yes, sir.

Q Did you make a report on it?

A Yes, sir.

Q Have you got the report here?

A I have it available in the office.

Q Could you bring it over here or send for it?

A I think I can.

Q You have no reluctance in me seeing that, have you?

MR. MAHON: Object to this.

MR. DANACEAU: Object to these
remarks by counsel.

MR. CORRIGAN: Questions are not
remarks, sir.

MR. DANACEAU: They certainly are
remarks, unnecessary remarks, too.

MR. CORRIGAN: I ask that be stricken
out, your Honor.

THE COURT: The jury will disregard
that entirely.

Q Now, then, on the desk itself, did you examine the front
of the desk as it folds up?

A Yes, sir. You mean where the drop-leaf closed up?

Q Yes.

A Yes.

Q You examined that?

A Yes.

Q And you examined that with a white powder?

A Yes.

Q And you found fingerprints on that part of the desk, did
you not?

A No, sir.

Q Nothing at all?

A No, sir.

Q Did you examine the drawers?

A The fronts of the drawers.

Q Did you examine that with powder?

A Yes, sir.

Q Now, you say then you examined the papers?

A Yes.

Q There was a number of letters thrown around the floor?

A Yes.

Q How did you examine those?

A By a visual examination first and where I suspected a print, I used powder on there to bring it out.

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- Q Now, how many letters did you examine?
- A There was quite a few of them. I don't recall the exact number.
- Q Did you make a note of the letters that you examined?
- A No, sir.
- Q You didn't find any identifiable fingerprints on them?
- A No.
- Q Of course, you know that a letter passes through a great many hands?
- A That's right.
- Q And that it goes through the Post Office and the mailmen use it and handle it, the clerks, and so forth, on up to the delivery to the person who receives it at their home?
- A Yes, sir.
- Q So that there would be fingerprints on letters?
- A That's right.
- Q Yes. Now, you examined those fingerprints on the letters by means of what kind of powder?
- A Black.
- Q Black powder. And you found none?
- A No, sir.
- Q What?
- A No, sir.
- Q Is that the proper way to examine --
- A When you are making a --

Q Now, wait a minute. Is that the proper examination by an expert, a fingerprint expert for the examination of paper?

A I can't answer that with a yes or no.

Q All right. Well, there is an accepted method of examining paper to bring out fingerprints that is not the use of powder, isn't there?

A Yes, sir.

Q What?

A Yes.

Q What is it?

A There's the iodine method and the silver nitrate method.

Q Yes. That is, you use iodine fumes on paper, do you not?

A Yes, sir, when I am looking for old prints.

Q Well, isn't it a fact that iodine fumes will discover recent prints?

A Yes, sir.

Q Yes. Now, you did not use the iodine method, did you?

A No, sir.

Q You had that material there at hand, did you not?

A Yes, sir.

Q In your kit?

A Yes, sir.

Q And there is another method used in determining fingerprints, which is called the silver chloride method?

A That's right.

Q And you had that material there?

A We do not have that available. That work is done in the laboratory.

Q I see. But you didn't have that with you?

A No.

Q But that is a method, isn't it?

A That's right.

Q Because when the silver chloride comes in contact with the deposit of the salts that is in the perspiration, the silver chloride will turn those salts black, isn't that so?

A Brown.

Q Brown. All right. So the only thing you used was white powder on those letters?

MR. PARRINO: Object to that.

Q Well, was there anything you used except white powder --

MR. DANACEAU: He said black powder.

Q -- black powder on the letters?

A No.

Q All right. That was, Mr. Grabowski, not the best scientific method to examine those letters, was it?

A Under the circumstances, yes.

Q What was the circumstances?

A I was looking for fresh prints and --

Q Well --

MR. PARRINO: Just a moment,
please. Let him finish.

MR. MAHON: Let him finish.

MR. CORRIGAN: All right.

A I was looking for fresh prints and on paper, especially, with letters fresh prints stand out the best with black powder, that is, in other words, the accepted method at least about 12 hours -- I mean below 12 hours.

Q Well, the iodine method and the iodine fumes is the accepted method of examining paper, one of the accepted methods of examining paper to bring out fresh prints, isn't it?

A Fresh and old prints.

Q Yes. All right. And you had it in your case but you didn't use it?

A Yes, sir.

Q All right. Now, then, you examined only such letters as you picked out?

A Yes, sir.

Q Was any of that material taken by you to the Police Investigation Laboratory downtown?

A No.

Q Did you take anything with you when you left that house?

A No. I did not need to.

MR. CORRIGAN: I ask that "I did not need to" be stricken out. I asked him if he took it. I ask that the latter part of that answer be stricken out.

THE COURT: He said he did not.

MR. CORRIGAN: He said, "He did not need to."

Q Is that what you said?

A That's right.

MR. CORRIGAN: I ask that be stricken out.

THE COURT: Yes. The jury will disregard that part. I didn't get that. I heard him say he did not.

Q You didn't take anything with you?

A No, sir.

Q All right. Except the equipment that you took out there?

A Yes, sir.

Q Now, then, you say that you examined the bag, the overturned medical bag in the hall?

A Yes, sir.

Q What?

A Yes, sir.

Q But the examination you made of that -- that was a leather

bag, was it not?

A Yes, sir.

Q And you say that you put your own fingerprint on it?

A First.

Q And then spread some powder on it?

A Yes, sir.

Q You didn't get the result of your own fingerprint?

A No, sir.

Q So you made no further examination?

A No, sir.

Q Yes. Now, you examined the knob -- or, wait a minute -- you examined the back door?

A Yes, sir.

Q Isn't that so?

A Yes, sir.

Q And you examined the knob of the back door?

A Yes, sir.

Q You found fingerprints there, did you not?

A Yes, sir.

Q And you found those fingerprints by putting a flashlight around them?

A That's right.

Q But you made no further attempt to identify any of those fingerprints, did you?

A They were not identifiable.

Q I didn't ask you that question. I said beyond looking at them and putting your flashlight on and seeing fingerprints there, you made no further effort to identify them?

A On the knob, yes, sir.

Q Now, then, you didn't apply the silver chloride test there or the iodine fume test, did you?

A Not to metal.

Q No. Well, that door wasn't metal, that door was wood, wasn't it?

A You are talking about the knob?

Q I am talking about the door and then I am talking about the door knob.

MR. MAHON: Well, you have talked about the knob. That's what you have been talking about.

MR. CORRIGAN: Well, all right. When you settle down, then I will get my questions.

MR. PARRINO: You ask them right, sir.

MR. MAHON: You settle down, too.

THE COURT: Well, put your question to him.

MR. CORRIGAN: Are you through

now?

MR. PARRINO: Just about.

MR. CORRIGAN: All right.

Q The door is wood, is it not?

A Yes, sir.

Q And the knob is metal?

A Metal.

Q And one of the very best places that you find the result of fingerprints is on metal, is it not?

A Yes, sir.

Q Yes. And you did find fingerprints on that metal?

A On the door knob metal, yes, sir.

Q But beyond looking at them, you did nothing further?

A That's right.

Q All right. Now, then, you went into the den and you made an examination of the den?

A Yes, sir.

Q What did you examine in the den? Just tell me.

A I examined the sides of the desk drawers and also some of the objects that were strewn around. I remember there was two metal boxes, there was a lot of little paper boxes which contained various articles.

Q Now, then, did you use powder in there on all those articles that you have talked about?

A On the desk and on the front of the drawers I used powder,

but on the sides and on the bottoms and so forth I used powder only where I suspected there were prints.

Q I see. And you found prints, did you not?

A No, none.

Q None?

A None what I powdered, on the sides of the desk.

Q None on the desk?

A No, sir. On the glass top there were plenty of smudge marks there, on the top of the desk.

Q They were fingerprints?

A That's right.

Q And beyond noting the fact that they were fingerprints, you made no further examination of them? You didn't take pictures of them?

A No.

Q You didn't take pictures of the fingerprints on the door, on the front door?

A No.

Q Or the fingerprints on the knob?

A No.

Q All right. Now, the doctor's bag, did you make a note of what the composition of the doctor's bag was?

A I know what it is.

Q What is it?

A It's a leather, it's a pebbly black leather bag.

Q Are you sure of that?

A Yes, sir.

Q Did you make a record of it?

A I can see it from the pictures, too.

Q What?

A I can notice it from the pictures, and I remember it.

Q You remember it?

A That's right.

Q That it is a pebbly black bag?

A Yes.

Q It isn't a smooth black bag?

A No, it was not smooth, no.

Q You are sure of that?

A I'm sure.

Q Was there any canvas on it?

A Not on the outside. There could have been on the bottom, but I mean not on the --

Q Well, was there any canvas on the inside?

A Yes, sir.

Q Did you make an examination of that?

A Yes, sir.

Q With what?

A Visual examination.

Q What?

A Visual examination.

Q Visual?

A Yes.

Q Well, you know that there are many fingerprints that are developed that you can't see visually, don't you?

A I made a visual -- I made a visual examination to see if I could get a good print and --

Q I know, but --

MR. MAHON: Let him finish
his answer.

A And from that canvas --

MR. MAHON: Go ahead and
finish your answer.

A And I noticed by the weave on that canvas, that I could not get a good identifiable print. In other words, again I would not have my uninterrupted flow of lines.

Q Well, I know, but you did find prints there, didn't you?

A Smudge marks, I mean there were smudge marks on there.

Q Well, those were prints, those were fingerprints?

A (No response.)

Q But that is as far as you went with that, wasn't it?

A I didn't get that last question, sir.

Q Now, then --

MR. MAHON: Wait a minute.

He didn't get the last question.

MR. GARMONE: He said, "That

is as far as you went with that?" That was his question.

A As far as the bag itself is concerned.

Q ✓ All right. Now, then, you went upstairs, and you say that you went into Marilyn's room or where Mrs. Sheppard was lying, and you made an examination of the -- or, took some fingerprints in that room, made an examination -- I should say you made an examination of part of that room?

A Yes, sir.

Q Now, beyond making the examination, I think you said, of the north window --

A Northwest.

Q Northwest. Well, it was the window that looked out on to the lake, is that correct?

A One of the windows.

Q One of the windows that looked out on to the lake?

A That's right.

Q And that, as we understand it, is in the north side of the house?

A Yes.

Q That is just below the bed where this lady lay, it was just north of where the lady lay, is that right?

A On the side of the bed.

Q Well, now, I don't get that, on the side of the bed. Let's you and I get this clear.

We were out there, Mr. Grabowski, and the jury was out there, and we found as you entered the room, you would enter and just inside the room there was a bed that ran north and south.

A Yes, north and south, that's right.

Q Is that right?

A That's right.

Q You got it in your mind now?

A That's right, yes.

Q All right. At the north end of that bed there were two windows, is that your recollection?

A That's right. My recollection is-- that's correct, there were two windows on the north end of that house -- north end of that bedroom.

Q Now, was it one of those windows where you made an examination?

A Yes, one of those windows, yes.

Q And did you examine the window that was towards the east or the window that was towards the west?

A No, just that one window, just the northwest window.

Q Well, there was two windows there?

A Three.

Q Three? There is one on --

A There is one on the side and two in the front.

The north -- there was one window on the west and

two on the north.

Q Well, the window that you examined was on the north side of the room?

A That's right.

Q And what part of that window did you examine?

A I examined the frame itself, the inside jamb and the outside door jamb.

Q Well, there are two windows there together, do you recall that?

A There's a little separation on them.

Q A little separation, yes. Did you examine the other window?

A No.

Q Just one window you made an examination of?

A Just one window.

Q And that was for the purpose of discovering if you could find any tool marks, showing an entry into the room?

A One of the reasons.

Q And the other window was not examined at all by you?

A No.

Q Did you use fingerprint powder around there?

A On the inside.

Q And there were fingerprints there, were there not?

A Smudge marks.

Q But those were the result of fingerprints?

A Yes, sir.

17 Q ✓ Now, was that the only thing that you examined in that room?

A ✓ Yes, sir.

Q ✓ You didn't examine the bed itself?

A No, sir.

Q ✓ Or the wooden parts of the bed?

A No, sir.

Q ✓ You made no examination of the -- did you notice there was a dresser in the room?

A Yes, sir.

Q You made no examination of that?

A No, sir.

Q ~~There was another bed in the room which had wooden parts~~ on it. You made no examination of that?

A No, sir.

Q Or of the stand or the lamp or the telephone in between the two beds?

A No, sir.

Q Now, did you notice, Mr. Grabowski, that in that room there was a closet door?

A Yes, sir.

Q Did you open that closet door?

A No.

Q You did not go inside to make an examination for fingerprints inside on that closet door?

A No, sir.

Q Now, you did notice, did you not, that on the walls, on the door there was blood spots?

A Yes, sir.

Q And there was also -- did you notice blood spots any place else in the room except the door?

A On the wall at the head -- I mean on the westerly head of Marilyn Sheppard's bed.

Q On the --

A Marilyn Sheppard's bed heading north and south.

Q Yes.

A Well, on the western section where her head was -- on the wall there was some blood spots, too.

Q And was there some blood spots on the south wall up above the bed?

A Well, that's the area I have reference to.

Q Now, then, you noticed, did you not -- and I will show you a picture that you took that shows some blood spots on the door?

A Yes, sir.

Q Did you take any other pictures of any other part of the room showing the blood spots on the other walls?

A No, sir.

Q You did not. This was all the pictures you took?

A Yes, sir.

Q Did you notice that there is a variation in the size of

the blood spots?

A You mean as to the size? Yes, sir.

Q Yes. There was quite a variation showing on that door as to the size of the blood spots, isn't there?

A Yes, sir.

Q Now, in your scientific investigation, and in your scientific education, you know, do you not, that the size of a blood spot -- from the size of a blood spot you can determine how far the person was away from the place where the blood landed?

A I will say it is possible to determine that.

Q You could also determine the angle at which that blood was thrown onto the surface?

A I'll say it is possible in some cases.

Q And isn't it a fact that the larger the blood spot that is thrown against the surface, it will create a pattern of stars around it or a sort of a splatter?

A Let me get that question again, please.

Q When a blood spot hits a surface, it will create a splatter?

A Yes, it will.

Q And there is a scientific method of determining from the size of the blood spot and the splatter that is surrounding it just where the person was when that splatter hit that surface, isn't there?

A In some cases, yes.

Q You made no investigation?

A No, sir.

Q You didn't try to determine any of those things, did you?

A No, sir.

Q Now, you said ~~that~~ you did not go any farther in the examination of that room because you did not want to do anything that would interfere with chemical examinations that might be made in the room?

A That's right.

Q You didn't want to disturb anything, isn't that it, Mr. Grabowski?

A That's it.

Q And when you were in that room and making that examination, you had determined as an expert that certain chemical examinations should be made and certain measurements should be made in that room in order to get the true picture of what occurred in there, didn't you?

MR. PARRINO: Objection.

THE COURT: Objection sustained.

Q Did you determine when you were in that room that certain experiments should be performed in that room to get the true picture?

A Yes, sir.

MR. MAHON: Objection.

THE COURT:

He has answered "Yes."

Q And that was the reason that you left it just as it was, outside of this one examination that you made of the window?

A Yes, sir.

Q Now, then, after you completed, did you make any examination of the outside of the door, the jamb outside?

A Which door do you have reference to?

Q Going into the bedroom.

A No.

Q You did not. Did you make any examination of the stairway?

A No.

Q Or the rail going down the stairway?

A No.

Q The examination that you made, now you have told all you did, have you not, all the examinations you made? Is there any that you have left out?

A We examined the outside, the shrubbery, too, for footmarks and footprints.

Q Where?

A The shrubbery part near the windows for --

Q I am talking about the inside.

A The inside, yes.

Q You have told all that you did inside?

A I think we did mention the bag.

Q What?

A The examination of the contents of the bag for fingerprints.
I don't think that was brought out.

Q Did you examine the bag for fingerprints?

A The bag and the contents.

Q That is, you are talking about the medical bag?

A The medical bag, yes.

Q Now, Mr. Grabowski, was the green bag -- was there a green bag found before you departed?

A No.

Q With a watch in it?

A No.

Q Did you see a lady's watch on the floor?

A Yes.

Q Did you examine that?

A Yes.

Q How did you examine it?

A I examined it by giving it a visual examination -- I mean with powder, black powder on the sides and also the bottom of it, but did not touch the crystal part.

Q You did not touch the crystal part. Well, there was blood on the crystal part, was there not?

A That's right.

Q And the crystal part with the blood on it -- you are talking about the glass?

A That's right.

Q Would very likely have disclosed to you, if you made that examination, a fingerprint, wouldn't it?

A If it had one, it would.

Q Now, then, when you departed from the house at 10:30 in the morning, you went about other business?

A Yes, sir.

Q Did you have any more to do with the Sheppard case?

A No. I had no more to do with the Sheppard case.

Q No more to do with it from that time down to this when you came in here to testify, is that correct?

A That's right.

Q Was anything submitted to you at any time for examination?

A No.

Q After you left there. Was there a man's watch ever submitted to you?

A No, sir.

Q And we will let it go that nothing else was submitted to you, nothing was submitted to you after you left that house?

A Not to me.

Q All right. At the time that you were in the house, during the time you were in the house did you see a cigarette butt that was found in the toilet bowl?

A I don't recall.

Q Did you see any glasses or a handkerchief -- was that submitted to you in the house?

THE COURT:

You mean eyeglasses?

MR. CORRIGAN:

Eyeglasses, yes.

A No.

Q Or sunglasses. They were not. ✓ I want to ask you a couple of questions about these prints of the foot.

Mr. Grabowski, Exhibit 53 and Exhibit 54 are the two pictures of the same location, or --

A ✓ They are close to each other.

Q They are close to each other?

A Yes.

Q ✓ They are different, then?

A ✓ That's right. They are different. They are not of the same footprint.

Q ✓ Now, I see on this -- referring to Exhibit No. 54 -- there are a number of footprints on the sand.

A Yes, sir.

Q Can you identify them?

A No.

Q They are distinctly different, aren't they?

4 A Yes, sir.

Q Now, coming to the footprint of the bare foot, where is that?

(Witness indicates on photograph.)

Q That stands right next to the ruler?

A That's right.

Q ✓ And that footprint was taken by you at the request of

Q Detective Gareau?

A Yes, sir.

Q And was Schottke there at the time?

A No.

Q After you had taken this picture what did you do with it, after it was developed? Let me put it this way:

✓ After you took the picture, then it went through the process of development, and got back to you in the printed form?

A Yes, sir.

Q ✓ What did you do with it then?

A I just filed it with the rest of the photos.

Q It was filed in the photos in this case?

A That's right.

Q Available for all the officers that were working on this case?

A That's right.

Q And there was a number of detectives working on the case. You know that, don't you?

A Yes, sir.

Q Including Schottke and Gareau?

A Yes, sir.

Q Now, as far as you were concerned, your duty connected with it was over?

A That's right.

Q Now, then, Mr. Grabowski, turning to Exhibit 53, is that an imprint also of the bare foot? I can't see it, to tell you the truth.

A Yes, sir.

Q That is right there. And that also was taken at the direction of the detective?

A Yes, sir.

Q And developed and placed in the Marilyn Sheppard murder file?

A Yes, sir.

Q Well, I think that we understand that, Mr. Grabowski.

Then the examination of the bag, the only examination you made of it was to look at it. You made that examination, didn't you? You looked at it?

MR. PARRINO: What bag are you

talking about?

Q I am talking about the bag in the hall, the medical bag. You looked at it?

A I tried one of my prints to see --

Q I will come to that. But I will say first --

MR. MAHON: Now, you said, "Is that all you did?"

THE COURT: Let him say what he did. You are confining him --

MR. CORRIGAN: I am not confining him, your Honor.

THE COURT: That is what your question does.

MR. CORRIGAN: I am not going to confine him. I am just going to take it in logical order.

MR. DANACEAU: Object to it on the ground it has been gone over by counsel.

THE COURT: Sure.

Q Did you look at it, Mr. Grabowski?

A At first --

MR. DANACEAU: Just a moment.

Q You looked at it first?

MR. DANACEAU: We object to this line of questioning because he has already gone over it on cross-examination.

THE COURT: Well, he has, but let him answer.

Q And then after looking at it, you applied your finger to it?

A Yes, sir.

Q And then you tried to get a print of your own finger?

A Yes, sir.

Q You couldn't get it?

A No.

Q Now, that is all you did, wasn't it?

A That's correct.

Q Now, there were other footprints on the sand, were there not?

A Yes, sir.

Q You didn't try to find out whose those footprints were?

A No.

MR. CORRIGAN: I think that is all,
Mr. Grabowski. Thank you very much.

REDIRECT EXAMINATION OF MICHAEL S. GRABOWSKI

By Mr. Parrino:

Q Now, Officer Grabowski, you did say to Mr. Corrigan a moment ago that in the living room at points other than the leaf desk, you did find some evidence of fingerprints, is that correct?

A One point -- just the one point on the door.

Q Yes. And at what point on the door was that?

A It was in the area of the doorknob and above it.

Q Now, were these whole fingerprints that you found there that --

A Mostly -- mostly they were smudges.

Q Smudges?

A Yes.

MR. GARMONE: Ask that the answer
be stricken and the jury be instructed to disregard it, and instruct the witness that he should

answer the question.

MR. MAHON: He has answered it.

MR. GARMONE: No, he hasn't. He was asked whether they were whole fingerprints or not, and we are entitled to an answer to that question.

MR. PARRINO: He will give that to you if you give him a chance.

THE COURT: He said they were not fingerprints. He said they were smudges. That is what I understood him to say.

THE WITNESS: That's right.

MR. DANACEAU: He said most of them.

Q Now, were any of the prints on this doorknob -- were there sufficient of them for you to identify them as a whole fingerprint, sir?

A No.

Q Or as a palm print, sir?

A As a smudge -- just the outer part of a palm print, the outer edges, but not the inner part.

Q Describe to the jury what you mean when you say smudge.

A When I say smudges -- I mean, a print, in other words, when you leave a print on there, you get these individual lines. The valleys show up plainly. Now, by a smudge I mean is when you press your hand right against the door,

what happens, the valleys and the furrows flatten out and all you have got is just like a blur. All you have got is just one flat piece. You have no interrupting lines, or anything like that.

Q Is that what you found on that door?

A That's right.

MR. PARRINO: I think that is all.

Just a moment, please, Bill.

Q Now, when the term unidentifiable print is used, and has been used, will you describe what you know that to mean?

MR. GARMONE: Objection. He has already answered that question.

THE COURT: Well, I am not sure that he has quite in that form. Let him answer.

Q Go ahead, please.

THE COURT: In as few words as you can.

A Now, in identifying prints, you have to have what they call 12 to 16 characteristics on there. By characteristics I mean those exact lines in there where you can tell where a line ends. Does it form a circle down there? Does it form a dot? Does it form an ending?

Now, when I say that -- it has got to be quite a large area. It might be just a little tip, which isn't enough, and there's not enough points in there to make a

print indentifiable, or else it is all smudged and moved so that you can't see any of those at all.

Q Now, you say that you went upstairs into that home, is that correct?

A Yes.

Q Into Marilyn's room?

A Yes.

Q And that you examined one of the windows?

A Yes.

Q Why did you examine that particular window, sir?

A Because that was the window that had the screen in it, and that window was partly open from the bottom.

MR. PARRINO: That is all.

RECROSS EXAMINATION OF MICHAEL S. GRABOWSKI

By Mr. Corrigan:

Q Mr. Grabowski, just so we are clear:

You didn't take any pictures of these fingerprints that you saw in the house, except the one?

A This palm print, that's all.

Q You didn't take anything down to the Central Police Station to your laboratory, did you?

A No, sir.

Q You have in your laboratory high-powered microscopes, have you not?

A Yes, sir.

Q That you use on fingerprints?

A Yes, sir.

MR. CORRIGAN: I think that is all.

MR. PARRINO: That is all.

Thank you.

(Witness excused.)

MR. PARRINO: We are prepared to go forward, but I believe it is time for a recess, if the Court wants to adjourn now. The next witness may be lengthy.

THE COURT: What makes you think it is time for a recess?

MR. PARRINO: All I have to do is look at the jury, your Honor.

THE COURT: Ladies and gentlemen of the jury, we will have a few minutes' recess at this point. Please do not discuss this case.