

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

DIRECT EXAMINATION OF JEROME POELKING

By Mr. Parrino:

Q State your name?

A Jerome Poelking.

Q Where do you live?

A 1339 Brainard Road, Lyndhurst.

Q What is your occupation?

A I am employed by the City of Cleveland in the Detective Bureau, Scientific Identification Unit.

Q How long have you been a member of the Cleveland Police Department?

A Oh, 12 years.

Q How long have you been a member of the Bureau of Scientific Identification?

A Seven years.

Q And do you have certain specific duties in that Bureau?

A Yes, sir, I do.

Q And of what do those duties consist?

A I examine latent fingerprints that are obtained at different

crime scenes and compare them against ink impressions on file at our Bureau to try to make an identification.

Q And what training have you received for that particular work, Jerry?

A I am a graduate of the Federal Bureau of Investigation Fingerprint School and --

Q When was that?

A That was in '47, 1947.

Q Continue.

A And I spent approximately two years -- three years under the older men in the Bureau in practical experience, seven years' practical experience, and then by contact and association with other identification units, and by reading books and magazines, articles on the subject.

Q And have you made identifications of fingerprints and palm prints at scenes of burglaries at any time in your career, sir?

A Yes, I have.

Q And a great number of times, I take it, in the last several years?

A Yes, I have.

Q Now, what are the facilities that your Bureau has for performing work of that kind?

A Well, we have magnifying glasses and different powders, and things of that nature, to bring out latent prints at

the scene of a crime, and then by bringing these latent prints into the office and comparing them through our magnifying glasses, it is possible to make an identification.

Q. I see. Now, either on July 4th or a short time after July 4th, did you have some conversation with Detective Mike Grabowski?

A. Yes, I did.

Q. And was that in relation to the investigation of the death of Marilyn Sheppard?

A. Yes, it was.

MR. PARRINO: Will you mark this,
please?

(State's Exhibit 55,
being a palm print, was
marked for identification.)

Q. Now, Officer Poelking, showing you what is marked for identification as State's Exhibit 55, have you ever seen that before?

A. Yes, I have.

Q. Tell us what that is?

A. This is a photograph of a latent palm print.

Q. And when did you see that for the first time?

THE COURT: Photograph of
what?

THE WITNESS: Of a latent palm
print.

Q When did you see that for the first time?

A That was on the 5th, July 5th.

Q And where did you see it?

A At Central Station.

Q Now, in the course of the investigation what, if anything, did you do or have done relative to palm prints?

A In this case?

Q Yes.

A I went to Bay Village and I fingerprinted neighbors, friends of the Sheppard family.

Q Name some of those people, please?

A The Critchfields, the Paines, the Schueles, Larry Houk, the Bruschino boy and --

Q The Aherns?

A I didn't take the Aherns' prints. That was done by another man.

Q You had someone do that for you?

A Yes.

Q Anyone else?

A That I did myself?

Q Yes.

A Yes, there were a great number of them.

Q Members of the Sheppard family?

A I didn't print the members of the Sheppard family, except Chip.

Q I see. But did you have prints of members of the Sheppard family brought to you?

A Yes, I did.

Q And whose prints did those include, please?

A Dr. Sam Sheppard, Dr. Richard Sheppard, Dr. Steve Sheppard and their wives.

Q And did you have the prints of various members of the Police Department brought to you?

A Yes, I did.

Q And ultimately, were you able to match the print shown in State's Exhibit No. 55?

A Yes, I was.

Q And on what day did you do that, sir?

A That was on August 17th.

Q And what did you do on August 17th?

A On August 17th, I received permission to go out to Dr. Steve's home and take Chip's palm print.

Q And did you do that?

A Yes, I did.

Q Did you take Chip's palm print?

A Yes, I did.

Q And upon taking Chip's -- withdraw that.

Exactly how do you take a palm print of an individual?

A Well, we have a hard rubber roller, and we apply some fingerprint ink to a piece of paper or glass and roll the

blot of ink out so it makes a fairly even film on the paper or the glass, and then by rolling -- after this thin layer has been spread on the roller, you roll it on the person's palm, up and down so the whole palm is covered, and then you take and starting at the heel you press forward on the fingers, and that way get their palm print.

Q And that is what you did with the boy, Chip, of course?

A Yes.

Q Now, after obtaining that print of the boy, you took it to your police headquarters, I take it?

A Yes, that's right.

Q And what did you do there?

A I compared it with this State's Exhibit 55, this latent palm print, brought in by Detective Grabowski.

Q And will you describe the manner in which you made that comparison?

A Well, here's --

Q Describe how you compare prints?

A Well, first of all you go according to the pattern, try to ascertain what type of pattern is in the print, in the latent print, and then after you have decided the approximate location of that pattern in the palm print, you compare it with the area on the inked impression with the latent print and --

Q Now, referring to State's Exhibit No. 55, the photograph that was taken by Grabowski, was this the print of a full palm?

A No, it's just a portion of a palm.

Q I see. Continue.

A And by checking the flow of lines and the pattern, I was able to ascertain that it came from what is known as the hypothenar of the palm.

Q Of what hand?

A The left palm.

Q And will you take your hand, please, and show the jury the area in which you were able to match State's Exhibit 55 with Chip's palm print?

A This lower portion in here, about the bottom quarter of the palm.

the 21 Q I see. Now, upon making this examination of State's
g Exhibit 55 with the palm print of Chip that you obtained,
did you come to some conclusion, sir?

A Yes, I did.

Q And what conclusion did you come to?

A They were identical.

MR. PARRINO: I wish to offer
State's Exhibit No. 55.

MR. GARMONE: May we see the card
that he is making the comparison with?

Q Are these both hands?

A They are both hands.

MR. PARRINO: Mark these 56-A
and 56-B.

(State's Exhibit 56-A and
56-B, being palm prints,
were marked for identification.)

Q Now, showing you what is marked for identification as
State's Exhibit A and State's Exhibit B, do you recognize
those, sir?

THE COURT: What is the number?

Q State's Exhibit 56-A and 56-B, do you recognize those?

A Yes.

Q And what are they, please?

A They are the inked impression of Chip's palm print, left

and right palm print.

MR. PARRINO:

I wish to offer

State's Exhibit 55, 56-A and 56-B.

THE COURT:

They will be received.

(State's Exhibits 55, 56-A
and 56-B were offered and
received in evidence.)

Q Now, did you go to the Sheppard home at any time, Officer
Poelking?

A Yes, I did.

Q And when did you go there?

A The first time I was there was July 23.

Q Was that after the Cleveland Police Department officially
came into the investigation?

A That's correct.

Q And at what time of the day was it that you went there on
the 3rd?

A It was approximately 8:30 in the morning.

Q Tell us what you did there that day?

A Well, I arrived at the scene, and I examined Marilyn's
bedroom where the body --

Q Were you alone when you went there?

A No.

Q Who was with you, if anyone?

A You mean from the station?

Q Yes. Police officers.

- A There was Detective Dombrowski, Detective Ruble, Detective O'Hara was on the scene, Detective Naso was on the scene.
- Q And who are Detectives Ruble and Dombrowski?
- A They are two members of the laboratory team.
- Q They work in the same unit that you work in, is that correct?
- A That's correct.
- Q And Detectives O'Hara and Naso, who are they?
- A They are -- Detective O'Hara is a member of the Homicide Squad, and Detective Naso is a member of the Detective Bureau, and he was assigned to the Homicide Unit for the time being.
- Q Now, did you go into the room of Marilyn Sheppard?
- A Yes, I did.
- Q And did you make an examination of her bed at any point?
- A Yes, I did.
- Q And what examination did you make?
- A I made a fingerprint examination, examined it for latent fingerprints.
- Q What parts of the bed did you examine?
- A I examined the complete bed, that is, the headboard, the posts, the rail at the bottom, and the head board.
- Q And how did you do that?
- A By dusting it with a fingerprint powder.
- Q And describe to the jury the manner in which you did that--
- in which you dusted that bed with powder.

A Well, I had a two-inch camel hair brush, and by applying a thin coating of the powder to the brush and then applying this powder to the bed, I was able to -- if there is a latent print on the bed, or on any object which you are examining, the powder will adhere to the ridges of the fingerprint or palm print, whatever the case may be.

Q Now, as you examined that bed did you find anything, sir?

A Yes, I did.

Q On what portion of the bed did you find something?

A On the headboard.

Q And whereabouts on the headboard?

A Well, it was 10 inches from the right side of the bed. That is considering that would be the east -- from the east -- the eastern side of the bed.

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

A Well, I found a latent fingerprint.

Q Now, what did you do when you found that?

A I took a photograph of it.

Q How did you do that?

A We have what we call a fingerprint camera, a fixed focus camera, and it is made especially for fingerprint work. It does not distort the print. It keeps the print the same size. It is not like a 4 by 5 camera, a Graflex camera. It is made just for fingerprints, and it does not make the print larger or smaller. It is the same identical size.

Q Now, after you took that photograph what did you do?

A I repowdered it with black powder, and then made a lift of the latent print.

Q When you say you made a lift, what do you mean by that?

A Well, I repowdered with a black powder, and in that way the ridges that were white, the black powder adhered to the white ridges and it became black, and I used a fingerprint lifting tape, it is like similar to Scotch tape. It is a cellulose tape. It is transparent.

Q Will you describe to the jury how you use that cellulose tape?

A It is about an inch and a half wide, and it comes in a regular roll, and when you develop a latent print with your powder you cut off a portion of your tape and apply it to the print, and as you pick it up the powder adheres to the tape, and you put it down on a white card, and then you have your contrast, the black on the white, and the tape is transparent and you can see through it.

Q After you placed this tape, then, against that bed you removed the tape, is that correct?

A That's correct.

Q And what did you do with that tape after you removed it?

A I placed it on a latent fingerprint card. It is a special card we have for the mounting of latent prints.

Q Now, did you take that back to the Scientific Identification Bureau?

A Yes, I did.

Q Did you make a comparison of that print with any other prints at any time?

A Yes, I did.

Q And when did you begin making those comparisons?

A That was -- let's see -- on August the 3rd. August 3.

Q What comparison did you make?

A I compared them with Dr. Sam Sheppard's prints.

Q Had you taken Dr. Sam Sheppard's prints?

A I didn't take them, no.

Q And where did you get Dr. Sam Sheppard's prints?

A They were turned over to me by Detective Ruble.

Q Who is he, please?

A He is attached to the Fingerprint Division of the Scientific Bureau.

Q Will you describe to the jury what comparison you made?

A I compared the prints of Dr. Sam Sheppard with the latent print just mentioned, and I found that the left thumb of Sam Sheppard was identical with this latent print found at the headboard.

Q Now, you say that this print that you found at the headboard was 10 inches from the top?

A No. One inch from the top and 10 inches from the right

side of the bed, that is, if you were lying on the bed it would be your right side.

Q You stated, of course, did you not, that you removed that print on the 23rd of August, did you not?

A 23rd of July.

Q 23rd of July. I'm sorry. Is that the date?

A The latent print from the bed?

Q Yes.

A It was on the 23rd of July.

Q Fine.

MR. PARRINO: You may inquire.

CROSS EXAMINATION OF JEROME POELKING

By Mr. Corrigan:

Q Mr. Poelking, was that the only place that you examined, the bed?

A No, sir, it is not.

Q What other places did you go to in the house?

A I examined the doors on that same room.

Q What?

A I examined the closet doors and the door leading into the room and the framework around the door.

Q Did you examine the inside of the door?

A On the inside of the door?

Q Yes.

A Yes, I did.

Q Inside of the closet door?

A Yes, sir, I did.

Q Did you examine the jamb inside the closet door?

A No, I didn't.

Q Did you make a report of what examination you made?

A Yes, I did.

Q Do you have it with you?

A No, I haven't.

Q Can I see it?

A I haven't it with me, right now. I don't have it with me.

Q Can you bring it over so I can look at it?

A I don't have it with me, no.

Q Well, you did look at it before you came over here, didn't you?

A The report?

Q Yes.

A No, I didn't.

Q Well, you refreshed your recollection, didn't you?

A No, I didn't.

Q Did you just remember all this without looking at your report from --

A I have notes.

Q Well, you looked at your notes?

A That's right.

Q That would be the normal thing to do before you testify?

A That is correct.

Q You looked at your notes?

A Right.

Q And your notes show what you examined?

A Yes, sir.

Q Now, can I have your notes?

A They are over at the office.

Q Will you bring them over tomorrow?

A I sure will.

Q Now, the first connection you had with it, Mr. Poelking, as I understand it, was the presentation to you of a fingerprint that was -- or of a palm print that was taken by Mr. Grabowski?

A That's right.

Q And that was along sometime in the early part of July?

A That's right.

Q Now, was that handed to you by Detective Grabowski, or how did it come to your attention?

A Mr. Grabowski gave it to me.

Q And Mr. Grabowski himself is a capable fingerprint man, isn't he?

A Yes.

Q The lines -- when you examined this, -- you have microscopes over there, haven't you, for the purpose of making an

examination?

A We have magnifying glasses for fingerprint work, yes.

Q They are powerful magnifying glasses?

A They will magnify four to five times, I would say.

Q Do you have the magnifying glass that has the deep penetration?

A Are you speaking of a microscope or a magnifying glass?

Q No. I am speaking of a magnifying glass that has a deep penetration of the picture so that all the details of the picture are brought out, or of the fingerprint.

A Well, this glass that we have magnifies four and a half, five times, and it is sufficiently strong to bring out all points necessary to make an identification.

Q You don't have to have any stronger magnifying glass than that in your business in order to make a proper identification of a fingerprint or a palm print?

A That is correct.

Q Now, then, sometimes the fingerprint is blurred, is it not?

A The latent print, you mean? You mean the print found at different crime scenes? Is that what you are speaking of now?

Q I don't understand the word "latent." How do you use that word in your language?

A It is a -- the meaning is -- it actually means hidden, and by that I mean that is the term they use for fingerprint work. Latent print, prints found at the scene of a crime oftentimes you will find a print, they call it a latent

print, but I mean you can see it without dusting. You can see it with the naked eye.

Q But there are methods, are there not -- I will withdraw that.

If I take a piece of glass like that, and now lay my hand down there on it, and the sweat, and so forth, attaches to the glass, you can see that readily?

A Sure, yes.

Q Now, there are also fingerprints that are hidden, that are only brought out by using -- you using your skill in discovering them?

A That is correct.

Q That is, the ordinary person and you wouldn't be able to distinguish them, but by using skill developed in the fingerprint science you can bring out fingerprints that are not discoverable by just looking at the surface or by ordinary light, or by the use of a magnifying glass?

A Well, it all depends on what type of surface it is.

Q Well, let's take the most favorable kind of surface.

A The most favorable kind of surface?

Q Yes.

A It all depends on the amount of pressure and --

Q Yes. Well, what I am trying to develop, Mr. Poelking, through your testimony is that you can develop, and the science of developing fingerprints has been developed to

the point where you can develop hidden fingerprints?

A That is right.

Q Now, in your development of your knowledge of this subject, when you look at this exhibit of this hand and this palm, could you not tell that it was a child's palm?

A Not necessarily.

Q Well, aren't you able to tell in your knowledge of this subject the difference between the palm of a child and the palm of an adult?

A Not all the time.

Q What?

A Not all the time, no.

Q Sometimes you can?

A You can guess at it.

NS: Q Well, can you guess at it?
m
th -O A You can guess at this, yes.

Q And as you look at that, you know that it demonstrates to you the palm of a child?

A No, I didn't.

Q You didn't. That was the only fingerprint that was brought in the office of the Cleveland Police Department, that palm print, that you saw?

A When? Do you mean on the 4th?

Q Before you went out. I understand you went out on the 23rd of July?

A That's correct.

Q That was the only one that was brought in there?

A That's right.

Q Now, then, did you do some fingerprinting in the vicinity of the Sheppard home?

A Yes, I did.

Q And how many people did you fingerprint?

A Oh, all together, including the other men that went out there?

Q Yes.

A There were 46 people palm printed, a total of 92 prints.

Q 92 prints were made about the neighborhood. Were you at Dr. Sheppard's home on the Friday following the 4th of July?

A No, I wasn't.

Q Do you know that there was some member of your department that was there on Friday following the 4th of July and made some prints?

A I know one of our men went out there. I don't know the exact date.

Q Do you know who he was?

A Detective Norman Ruble.

Q And he made some prints of the Sheppard family?

A That's correct.

Q Did you know that Chip, the little boy, was there at the time Mr. Ruble was there?

A No, I didn't know that.

Q You did not know that?

A No, sir.

Q But, anyway, you kept taking fingerprints until the 17th day of August, when you took the fingerprint of -- or the palm print of Chip, the little boy?

A That's right.

Q Now, this Exhibit 56-B and 56-A show both the left hand and the right hand of Chip?

A That's right.

Q This 55 is A -- funny, I can't think of that word.

THE COURT: It's a photograph.

Q An enlargement? I couldn't think of that word.

A State's Exhibit 55?

Q Yes. Is it an enlargement?

A No. That's the actual size.

Q That is the actual size?

A That is correct.

Q Now, which is this, the right or the left palm?

A The left palm.

Q And which of these pictures is the left palm?

A 56-A.

Q Now, the only reason I ask if it is an enlargement, it seems so much bigger than your picture.

A No. It's the same size.

Q What?

A It's the same size.

THE COURT: Speak a little
louder, please.

THE WITNESS: It's the same
size.

Q It's the same size?

A Yes, sir.

Q Well, now, will you indicate on this left palm what part of 55 is shown on 56? Can we use a pencil? Could you mark it out with a pencil?

MR. DANACEAU: If the Court
please, we object to any marking out. He

has shown the jury, he can direct it again.
He can show the jury the portion without
marking anything on the exhibit.

THE COURT: I don't know
that there would be any serious injury in
marking the portion that is photographed.

MR. DANACEAU: All right, then.

Q Will you do that, Mr. Poelking.

A Mark the photograph?

Q Yes, mark this photograph.

A This isn't a photograph. This is the actual ink impression.

MR. MAHON: Is that the
original?

THE WITNESS: This is the
original.

MR. MAHON: We object to
marking the original.

THE WITNESS: This is not a
photograph, this is the original inked impression.

MR. DANACEAU: We object to marking
the original. We will agree to have a photostatic
of that and then have it marked on that.

MR. CORRIGAN: What's the
difference? We are going to use it again -

MR. DANACEAU: We don't want

any of this argument. Those are permanent records, and we object to them being marked.

THE COURT: Just a minute, gentlemen. Let me get clear what we have marked here.

Do I understand that that small picture that we have over here, 55 I think the number is, is a photograph of part of this?

THE WITNESS: No. This is the photograph found at the scene -- this is the print found at the scene, photograph of the print found at the scene.

THE COURT: And it has nothing to do with this?

THE WITNESS: Oh, yes.

THE COURT: All right.

THE WITNESS: This is Chip's palm print. I made an inked impression of his palm print and I compared it with this latent impression, the impression found out at the scene, and I found this to be identical with Chip's.

MR. CORRIGAN: Now, what I want marked, your Honor, so that I can make a proper examination of it, is what part of the --

THE COURT: 56-A shows 55?

MR. CORRIGAN: No. What part
of 55 is shown on 56-A.

Now, can we mark that?

THE COURT: I see no
objection, Mr. Danaceau.

MR. DANACEAU: We can have a
photo of that original record, and then mark
it on the photo. That is the original palm
print, that is not a copy of it. That's the
original.

MR. GARMONE: He is not
destroying it in any way.

MR. DANACEAU: He certainly is
defacing it by putting a mark on it.

MR. GARMONE: He is only going
to mark that portion that represents 55.

MR. DANACEAU: Whatever mark is
put on that original palm print -- that is not
a photo of it, that is an original palm print --
will deface it.

MR. CORRIGAN: What difference
will it make?

THE COURT: When we get through,
we will get to the business.

If you now make some pencil markings on this original, could you erase them out without any showing whatever later?

THE WITNESS: I don't know as I could erase them. I wouldn't want to touch the inked impression with an eraser.

THE COURT: This is an original police record?

THE WITNESS: Yes.

THE COURT: Well, I think, Mr. Corrigan, we ought to have a photostatic copy of it.

Q Have you got a photograph of it?

A I can have one made.

Q All right. You bring that over tomorrow and you can mark the photograph.

Now, Mr. Poelking, I asked you to bring tomorrow your notes so that I can check just what places you went in the house on the 23rd day of July.

A I went completely through the house.

Q You went completely through the house on the 23rd day of July?

A That's correct.

Q Now, as I understand it, this palm print that we now have in Court and which we were discussing, was taken on the

17th day of August?

A Chip's palm print?

Q Yes.

A That's right.

Q And part of that time you and a number of other men had been going around through Bay Village taking palm prints of a number of people?

A That is correct.

Q Now, the 23rd day of July, or that, you say, was the time that the Cleveland Police Department took over the investigation?

A Yes.

Q And how do you know that they took over the investigation at that time?

A I was instructed to go out there, out to the Bay Village residence of Dr. Sheppard.

Q Was there some meeting that you attended or you were aware of?

A No.

Q Whereby the Cleveland Police Department took charge of the investigation?

A No, sir.

Q There was not?

A Not that I know of.

Q You had received your instructions from whom?

A Inspector McArthur.

Q Now, in the Detective Bureau, besides fingerprint --
do you do any work besides the fingerprint work?

A I compare the latent prints; I look for latent prints;
I take photographs of crime scenes.

Q But your work pretty much is confined to that particular
branch of the scientific investigation, is that so?

A That's right.

Q Now, you have other branches of scientific investigation
up there, do you not?

A That's right.

Q And what are they?

A The laboratory, they have to do with the chemical analysis
of different things.

Q Yes.

A And we have the photographic laboratory. They've the
developing of the photographs and the printing of the
photographs.

And then the men that handle the prisoners as they
are brought in, photograph and fingerprint the prisoners,
take down their physical description, and things of that
nature.

Q Now, on the 23rd, when you went there in the morning, did
you make any photographs of the blood stains on the wall?

A Not on the 23rd, no.

Q Did you at any time?

A Yes, I did.

Q And when did you make the photographs of the blood stains on the wall?

A That was approximately the 6th of August.

Q And do you have those photographs?

A I don't have them with me, no.

Q Will you bring them to Court?

A Yes, sir.

Q Did you make any analysis of the blood stains on the wall?

A That's not my job.

Q You did not, then?

A No, sir.

Q Do you know how to analyze a blood spot on the wall?

A No, sir.

Q As to its origin?

A No, sir.

Q The speed with which it hit the wall?

A No, sir.

Q And the angle it hit the wall?

A No, sir.

Q You do not. All right. Now, then, when you made an examination for fingerprints on the 23rd day of July, of course a great many people had been in and out of that house, you knew that, didn't you?

A No, I didn't.

Q You didn't?

A No.

Q Didn't you have any information about the fact that during the week succeeding, especially on the day of the murder, there had been a great many people in and out of that house?

A No, I didn't. I wasn't at the scene.

Q But I say, did you have that information as a detective before you went out there?

A No, I didn't.

Q As to who had been in and out?

A No, I didn't know who was in and out.

Q Did you know that it had been occupied continuously from the time of the murder down until you went out there by police officers?

A No, I didn't.

Q You did not?

A No, sir.

Q The only fingerprint that you thought of any importance or that you discovered of any importance, was the fingerprint on the bed, of Sam Sheppard?

A That's right.

Q Of course -- did you find his fingerprint on any other parts of the room?

A No, I did not.

Q Just one fingerprint on the bed?

A That's right.

Q What other part of the room did you examine besides the bed?

A I examined the closet door, the bedroom door, the door in the west bedroom that is adjacent --

Q Wait until I find the west bedroom. Was that Chip's room?

A No.

Q The west bedroom, yes, that would be the one towards Elyria?

A That's correct.

That's just at the top of the stairs to the left as you are coming up.

Q As you go up to the top of the stairs, you go to the left?

A As you come up the stairs.

Q Did you examine that door?

A I examined that door and that door frame.

Q And did you examine anything else besides the door and that door frame?

A No, I did not.

Q And at the top of the stairs you examined the door frame entering into the room?

A Yes, sir, I did.

Q And how much of that door frame did you examine?

A The complete frame.

Q That is, the top of it?

A Yes, sir.

Q Well, you didn't expect to find any fingerprints up on top, did you?

MR. DANACEAU: Objection.

Q But you did examine the top of the frame?

A Yes, I did.

Q And both the inside and the outside of the door?

A Yes, I did.

Q Did you examine the knob of the door?

A No, I did not.

Q You had no information about anybody touching that knob and closing the door prior to you going out there?

A No, I did not.

Q And as I understand, you did not examine the jamb inside the closet door?

A That's right.

Q Did you examine the closet door in the west bedroom?

A No, I didn't.

Q Did you examine the inside of the closet door in the west bedroom?

A In the west bedroom?

Q Yes.

A No, I didn't.

Q Did you examine the closet doors in any other part of the house upstairs?

A No, I didn't.

Q Except the closet door in the bedroom?

A That's right.

Q In Marilyn's bedroom. Was anything brought to you, Mr. Poelking, by the Police Department of the City of Cleveland or by anybody else to examine for fingerprints? Was anything brought to you?

A No, there wasn't.

Q There was not. Now, if I get it correctly, your examination as an expert consisted of taking some fingerprints, palm prints in Bay Village, of taking the impression of Chip's hand, is that right?

A That's right.

Q ✓ And of going there on July 23rd and making an examination of the frame of the door of the bedroom, the door of the bedroom, the door of the closet and the beds in the bedroom, and the door -- or the frame of the west bedroom, is that correct?

A ✓ That's right.

Q ✓ Now, have I repeated oompletely what you have done in your examination?

A ✓ Examination for fingerprints, yes.

Q ✓ And you examined nothing else?

A No, sir.

MR. CORRIGAN: Now, I think that what the balance of my examination of Mr. Poelking will be will consist of some examination about that palm print and the Exhibit 55, and I want to excuse him at this time until he can return with those, your Honor.

THE COURT: All right. That is all we need from you today. You bring those in the morning.

THE WITNESS: All right, your Honor.

MR. CORRIGAN: If the Court please, I would like Mr. Drenkhan recalled to the court room.

THE COURT: Sir?

MR. CORRIGAN: Mr. Drenkhan.

MR. GARMONE: We would like to recall Mr. Drenkhan, not today but --

THE COURT: The patrolman, you mean?

MR. GARMONE: Yes. We don't mean today.

THE COURT: You mean you want

to re-examine him?

MR. CORRIGAN: I wan to re-examine him on something that is entirely new that wasn't touched on.

THE COURT: All right. When do you want him?

MR. CORRIGAN: Any time.

MR. GARMONE: At the Court's convenience.

MR. CORRIGAN: At the Court's convenience or the Prosecutor's convenience. He is their witness, your Honor.

THE COURT: Let the Prosecutor take care of that so that he will fit in with the other witnesses.

MR. PARRINO: We will call him tonight, Judge.

THE COURT: Have you an idea as to how long you will take with Mr. Drenkhan? That may have something to do with the time.

MR. CORRIGAN: I haven't. I have something that I consider important to ask him, and I want to examine him --

THE COURT: Will it take an hour or a half a day?

MR. CORRIGAN: Oh, no, no.

It might be 15 minutes at the most. It will not be a very long examination.

THE COURT: Will you make that arrangement or will the Court make it?

MR. MAHON: We will call him, Judge.

MR. PARRINO: We will call him.

THE COURT: Can you do something more this afternoon, gentlemen?

MR. MAHON: I don't think so.

THE COURT: Ladies and gentlemen of the jury, it works out every afternoon that we must leave early.

We will now be adjourned until 9:15 tomorrow morning without any formality whatever. Please do not discuss this case in the meantime.

(Thereupon, at 4:15 o'clock, p.m., an adjournment was taken until 9:15 o'clock, a.m., Wednesday, November 24, 1954.)

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Wednesday Morning Session, November 24, 1954, 9:15 a.m.

Thereupon JEROME POELKING resumed the stand and testified further as follows:

CROSS-EXAMINATION OF JEROME POELKING (CONTINUED)

By Mr. Corrigan:

Q Were you able to make the picture, Mr. Poelking?

A Sir?

Q Were you able to make the picture?

A Yes, sir.

MR. CORRIGAN:

Will you mark

that, please?

(Defendant's Exhibit UU, being a photograph, was marked for identification.)

Q We will call that Defendant's Exhibit UU, Mr. Poelking. Comparing that to State's Exhibit 55, is Defendant's Exhibit UU the same portion of the hand as is shown on State's Exhibit 55?

A The same portion of the hand in State's Exhibit 55 is included in Defendant's Exhibit UU.

Q Is there more of the child's hand shown on Defendant's Exhibit UU than there is on State's Exhibit 55?

A Yes, there is.

Q Now, will you mark out with a pencil just the portion of

the hand that compares with the portion of the hand that is on State's Exhibit 55? Mark that out on State's Exhibit UU.

MR. MAHON: Defense Exhibit UU.

MR. DANACEAU: Defense Exhibit UU.

Q On Defense Exhibit UU. Will you do that with a pencil?

A In pen.

Q In pen, that's all right. Just so that I have it marked.

(Witness complies with request.)

Q Now, you have drawn an ink mark around the part of the palm that is shown on State's Exhibit 55?

A Yes.

Q Let me put it so we have it correct. You have drawn on Defendant's Exhibit UU the part of the boy's palm that is shown on State's Exhibit 55?

A That's right.

Q Now, looking at State's Exhibit UU and State's Exhibit 55 --

MR. MAHON: That's Defense
Exhibit UU.

Q Defense Exhibit UU and State's Exhibit 55, the State's Exhibit 55 shows a much larger area than you have shown on Defense Exhibit UU, is that not true?

A No, sir. The palmar area is the same, approximately the same. This photograph may show more area of the desk than shown there, but the palmar surface there --

MR. CORRIGAN: I just want to
show this to the jury, State's Exhibit UU --

MR. DANACEAU: Defense Exhibit UU.

MR. CORRIGAN: -- Defense Exhibit
UU and State's Exhibit 55.

(State's Exhibit 55 and Defendant's Exhibit UU
was passed among the jury.)

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Now, referring to Defendant's Exhibit UU, that is a good clear picture, isn't it?

A Yes, it is.

Q And you can see the ridges in that picture by the naked eye?

A Yes.

Q You can almost count them without using a microscope?

A Yes.

Q Now, State's Exhibit 55 is somewhat blurred, isn't it?

A No, it is not. The lines -- the ridge lines are not blurred.

Q There isn't any comparison between State's Exhibit 55 and Defendant's Exhibit 52 in relation to the clearness of the two pictures, is there?

MR. MAHON: Defendant's Exhibit UU.

MR. CORRIGAN: Defendant's Exhibit UU.

Well, I guess everybody understands by now what I am talking about.

A There is no comparison, did you say?

Q One is clearer than the other, let's put it that way.

A No, I wouldn't say that.

Q Well, now, look at them both together and tell me if one isn't clearer than the other?

A No.

Q They are both the same?

A They are not both the same. One is a darker -- State's

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Exhibit 55 is a little lighter, but it is just as clear.

Q It is just as clear?

A To me it is.

Q That is what you said?

A Yes, sir.

MR. PARRINO: To him it is,
he said.

Q To him. But is it to the ordinary eye?

MR. MAHON: Well, how would he
know what it would be to the ordinary eye?

MR. CORRIGAN: Well, the jury
has looked at it. I will pass it.

Q Now, this is true, Mr. Poelking, as a handwriting expert,
you can tell the difference between the palm print of a
child and the palm print of an adult, can't you?

MR. MAHON: I object to that.
He is not a handwriting expert.

THE COURT: He hasn't qualified
as a handwriting expert.

MR. CORRIGAN: I beg your pardon.

THE COURT: Fingerprinting expert,
you mean.

MR. CORRIGAN: Yes. I used the
wrong word.

Q As a fingerprint expert, you can tell -- you are a finger-

print expert, are you not?

A Yes, sir.

Q You can tell the difference between the palm print of a child and a palm print of an adult, can't you?

A You mean the complete palm print or just a portion?

Q Well, let me say the complete palm print.

A Not all the time.

Q You cannot. Isn't it a fact that in your expert business that you know that the ridges -- and when I talk about the ridges, that is what you count, the friction ridges, isn't it?

A The friction ridges, that's correct.

Q And those are those lines that we can all see on our hand?

A That's right.

Q And those friction ridges are -- they have a different pattern -- everybody has a different pattern?

A Different pattern?

Q Yes.

A There are no fingerprints or palm prints identical.

Q That's what I mean. And on those ridges, what you call friction ridges, the ridges that touch the surface, there are pores, are there not?

A Yes, sir, there are.

Q Many thousands of pores?

A Yes, sir, there are pores.

Q And those pores that are in the friction ridges create a separate pattern also, don't they?

A The pores themselves have a distinct pattern of their own.

Q That is, as a fingerprint expert there are at least two things that you consider in determining a fingerprint: The ridges, the circles, and so forth, and the pores that are in the surface, is that right?

A I don't -- in examining a latent print, fingerprint? For what purpose?

Q Well, when you examine a fingerprint there are two separate patterns that are distinct in every person's finger; the ridges, that is distinct, isn't it?

A That's right.

Q And the pores that are in the ridges are distinct?

A That's right.

Q Now, then, when you get a part of a palm print, for instance, if you would get part of my palm print here, you could tell, could you not, that that was the palm print of an adult?

A Just a portion?

Q Yes. The portion.

A Not all the time you can't.

Q Well, could you sometimes?

A Sometimes, yes.

Q And if you get the palm print of a child, there is a

distinct difference, for instance, in the palm print -- or the part of a palm print of a six-year-old child and the palm print of a man of my age, about 80? Oh, no. Past 60.

A Well, in an adult, the friction ridges sometimes are larger. It all depends on the type of work that the person does. Occupation has a lot to do with it, and if the person is a large person, they might have larger ridges and more space between them.

In the child you usually find that there is less space between the ridges, but sometimes in an adult female with a small hand, it would be very difficult to determine whether it was a child or an adult.

Q Well, in a child the ridges are closer together, are they not?

A Oftentimes, yes.

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Q Than they are in an adult. As we grow and develop, the ridges in the hand grow and develop, too, don't they?

A Yes.

Q Now, the palm print that was taken by Mr. Grabowski first came to your attention when?

A On the 5th of July.

Q On the 5th of July?

A Yes, sir.

Q And at that time was it that you went out to take other palm prints in the neighborhood?

A About that time was it?

Q Yes.

A No, it wasn't, not myself. I didn't go out in the neighborhood at that time.

Q But somebody did from your department?

A Shortly after, I understand someone did, yes.

Q Do you know who it was?

A Detective Norman Ruble.

Q Who?

A Detective Norman Ruble.

Q He is another fingerprint expert in your department?

A Yes, sir.

Q And how many days did he spend, if you know, taking palm prints in the neighborhood?

A I couldn't say definitely.

Q But he did take quite a number?

A He took some. I don't know exactly who they were. I know the Sheppard family was involved.

Q And then there came a time when you went out?

A Yes, sir.

Q And have you got the date?

A The date that I went out?

Q Yes.

A I originally went out on July 23rd.

Q But did you go out before that?

A No, sir.

Q That was the first time that you entered into the matter of making any investigation, is that correct?

A No. I compared the palm prints that had been turned in to me against the palm prints found at the scene previous to July 23rd.

Q Well, then, other men had been taking palm prints before the 23rd?

A Yes, sir.

Q And do you know if there was anybody else besides Mr. Ruble?

A No, I can't say.

Q And those palm prints that were taken were turned in to your department?

A Yes, sir.

Q Are you the head of the department, Mr. Poelking?

A No, sir.

Q Who is the head of that particular department?

A Sergeant Blaha..

Q And was everything done under the direction of the Sergeant in regard to your work of comparing palm prints, and so forth?

A The Sergeant supervises all my work.

Q Now, then, on the 23rd you went out, that was July 23rd, you went out directly on a mission that was assigned to you?

A Yes, sir.

Q And accompanying you at that time there were a number of other men?

A No. There was two other men.

Q Sergeant O'Hara?

A No, sir. They didn't accompany me out there.

Q Well, were they out there on that day, the 23rd?

A Yes, they were.

Q Will you tell me the names of the officers that were with you on the 23rd, or in the house, from the Cleveland Police Department, on the 23rd?

A Detective Dombrowski, Detective Norman Ruble, Detective O'Hara, Detective Naso and Detective Popovich and Sergeant Lockwood, and a number of others. I don't recall them all.

Q And before you went out, did you have a meeting?

A No, sir.

Q Who was the organizer of this group that went out on that particular day?

A I wouldn't know.

Q Well, you had some knowledge, didn't you --

MR. DANACEAU: We object to
this. The witness has answered the question.
There is no need to argue with him.

THE COURT: He says he doesn't
know.

Q You don't know?

A No, sir.

Q Who did you get your orders from?

A Inspector McArthur.

Q And were the other men there when you received your orders?

A No, they won't.

Q But you met all these officers out at the house?

A I saw them out at the house, that's right.

Q And who was in charge at the house?

A Sergeant Lockwood.

Q This gentleman that is sitting here?

A Yes.

Q And he was there?

A Yes, sir.

Q And then you proceeded to take these fingerprints upstairs?

A Yes, sir.

Q And did you know that there had been a great many people in that bedroom before you went in there on the 23rd?

A I didn't know that to my own knowledge, no.

Q But you did learn it, didn't you?

A I heard rumors.

Q What?

A I heard rumors. I knew an investigation had been conducted.

Q Well, what were you to investigate, you, particularly, what were you investigating out there?

A Well, I was to look for fingerprints, any evidence of value, and to take photographs when necessary.

Q What fingerprints were you looking for?

A I was looking for any fingerprints in the death room.

Q And did you examine the both beds in the death room?

A Yes, I did.

Q And did you find no fingerprints at all except Sam Sheppard's fingerprint?

A I found Sam Sheppard's fingerprint on --

Q On the bed?

A On the one bed, Marilyn's bed.

Q Yes. You told that.

A And none on the other bed.

Q Well, did you find no fingerprint of any kind?

A Yes, I did.

Q What?

A Yes, I did.

Q What else did you find except Sam Sheppard's?

A I found some palm prints that belonged to one of the detectives on the scene.

Q And where was the palm print belonging to the detective on the scene?

A That was on the door leading into the bedroom.

Q On the door leading into the bedroom?

A Yes, sir.

Q Did you find any fingerprints of Mrs. Sheppard?

A No, I did not.

Q Did you have her fingerprint?

A Yes, I did.

Q Did you find any fingerprints of Chip?

A No, I didn't.

Q Well, did you find partial blurred fingerprints of any kind?

A I found some fingerprints, yes. They belonged to the detective, also.

Q They belonged to also the detective?

A Yes, sir.

Q And where were they?

A They were on the same door.

Q On the same door?

A Yes.

Q Whose fingerprints were those?

A Detective Carmen Naso.

Q And was he with you that day?

A He was there that day.

Q Had he been there before?

A I don't know.

Q And what was the palm print that you found, what detective was that?

A Carmen Naso.

Q Did you find any blurred fingerprints?

A No, I didn't.

Q No sign of a fingerprint at all of Mrs. Sheppard or Chip?

A No, sir.

Q Or any of the people that had been in that room?

A No, sir.

Q You did not?

A No, sir.

Q Now, then, did you find any evidence of -- when you talk about fingerprints, did you find any evidence of the pore pattern of anybody in that room?

A No, I didn't.

Q Did you look for it?

A Yes, I did.

Q Did you take photographs?

A Yes, I did.

Q Of the bed?

A Yes, I did.

Q Did you know that Sam Sheppard had been in that room after July 4th?

A No, I didn't.

Q Did anybody tell you that?

A No, sir.

Q Did they tell you that he had been in that room on two occasions, on the 9th and on the 12th?

A No, they didn't.

Q They did not?

A No, sir.

Q You didn't take any fingerprints downstairs?

A No, I didn't.

Q Now, then, you took that fingerprint. Did you take the detective's fingerprint down to the station, the photograph of that?

A Yes, I did.

Q Developed that and found that was the detective's fingerprint?

A Yes.

Q You didn't develop that fingerprint for sometime afterwards, did you?

A Which fingerprint?

Q The fingerprint of Sam Sheppard on his wife's bed.

A Yes, that was developed. That was developed the following day.

Q Filmed the following day. And is it a fact that you were asked to go out there to see if you could find any bloody fingerprints of Sam Sheppard?

A No, I wasn't.

Q What?

A I wasn't.

Q But you didn't find any, did you?

A No, sir.

Q Now, did you take and did your office take the fingerprints of Mrs. Helms?

A Yes.

Q And did you take the fingerprints of these officers at Bay Village, Callahan, Drenkhan, Hubach?

A Yes, sir.

Q All the officers out there?

A Yes, sir.

Q And they had been in the house?

A Yes, sir.

Q And the house had been searched, you know that, don't you?

A I assume it was.

Q During the process of your investigation, Mr. Poelking, did

you read the reports that had been made by Mr. Schottke and Mr. Gareau of their first conversation with Dr. Sheppard?

A No, sir.

Q Did you ever see them?

A No, sir.

Q They weren't called to your attention?

A No, sir.

Q What were all these other officers doing while you were around taking the fingerprints -- or examining the door and the bed and the room?

A Conducting an examination there, naturally.

Q Did you know what it was?

A No, sir. I was busy myself.

Q I see. Do you remember, Mr. Poelking, when you were in that room, did you make a measurement of the distance of the top of the mattress from the floor?

A Yes, I did.

Q And what distance was it?

A Two feet.

Q Two feet. Did you stand alongside the bed?

A Yes, I did.

Q And would you stand -- how tall are you?

A Five-ten.

Q Five-ten. Would you stand up a minute, Mr. Poelking?

(Witness complies with request.)

Q Would you show the jury, if you can remember, where the top of the mattress would come on you?

A Just above the knee.

Q Just above the knee. Now, this fingerprint of Sam's that was found on the bed, could you determine when it was placed there?

A No.

Q You could not?

A No, sir.

MR. CORRIGAN: I guess that is
all, Mr. Poelking. Thank you.

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REDIRECT EXAMINATION OF JEROME POELKING

By Mr. Parrino:

Q Now, Detective Poelking, referring again to Defense Exhibit UU and State's Exhibit 55. Now, as I look at these two photographs, are these photographs made in the same shade of one another?

MR. GARMONE: Objection, unless
he knows.

Q As to being light or dark?

MR. GARMONE: All right.

A Well, there could have been a different exposure used on the one print. Developing will make that latent print darker.

Q Now, as to certain ridges that appear on Defense Exhibit UU, do those same ridges appear on State's Exhibit 55 to you as an expert?

A Yes, they do.

Q And referring to State's Exhibit 55, in what area do you find the identifiable ridges that you see in Defendant's Exhibit UU?

A In what area of this print here?

Q Yes.

A Here it is right here.

Q Would you step down, please, and show that to the jury?

Before you show it to the jury and while you are in this position, can you mark off with this pen in Defendant's Exhibit UU --

MR. MAHON:

No. State's

Exhibit --

MR. PARRINO:

On Defendant's

Exhibit UU.

MR. MAHON:

That is marked,

isn't it?

Q -- the area of identifiable ridges that you find in State's Exhibit 55? Can you do that?

A Yes.

Q Mark off the area on here on Defendant's Exhibit UU. What exactly does that represent?

A That is the approximate area.

2 Q Does that represent the approximate area of the identifiable area that is shown on State's Exhibit 55? Is that correct?

A Yes.

Q Now, this State's Exhibit 55, is this a photograph of the entire palm print, as you know it, that was obtained by Grabowski?

A Yes.

Q Now, referring to State's Exhibit 55, can you mark for us the area on State's Exhibit 55 that is an identifiable palm print as shown on Defendant's Exhibit UU? Can you

do that?

A

Yes.

(Witness does as requested.)

MR. PARRINO: All right. Take the stand, please.

May I just show this to the jury in a general way?

(Mr. Parrino shows exhibits to the jury.)

Q

Now, do you have a picture of that bed poster, sir, that you took?

MR. PARRINO: Mark this State's Exhibit 57.

(State's Exhibit 57, being a photograph, was marked for identification.)

Q

Showing you what is marked for identification as State's Exhibit No. 57, will you look at that photograph, please, and tell the jury, if you recognize it?

A

Yes, I do.

Q

And what does that picture represent?

A

It represents the place on the headboard of the bed where I found the left thumb print of Dr. Sam Sheppard.

Q

And by whom was this picture taken?

A

By myself.

Q

When did you take it?

A

July 23.

Q Does that picture accurately represent -- or, withdraw that.

Does this picture fairly represent the appearance of that area as you arrived there on the 23rd of July?

A Yes. There is powder on the bed.

Q And who put that powder on the bed, sir?

A I did.

MR. PARRINO: Now, I want to offer State's Exhibit No. 57.

MR. GARMONE: We have no objection to the introduction of it.

THE COURT: It will be received.

(State's Exhibit 57 was offered and received in evidence.)

Q Now, referring again to this -- you say it was a thumb print on that bed, sir?

A Yes.

Q Was that a thumb print of the left hand or the right hand?

A Left hand.

Q And what was the direction -- withdraw that.

Standing on the east side of that bed, what would be the direction of that palm print or that thumb print, assuming that the bed is here, how would that thumb print be? Like this, up, across, or just how?

A About a 45-degree angle, approximately.

Q Would you step down here, please?

Can you illustrate with this photograph as to the direction of that thumb print in this photograph?

A You mean on the photograph here?

Q Yes.

A Do you want me to put my hand on it?

Q Yes.

A It would be in this manner.

Q Could you step down here, please, and then walk down?

(Witness does as requested.)

MR. GARMONE: What description are you giving now? A description of the position of the print on the headboard? Not the description of any hand, just the print, is that right?

THE WITNESS: The print on the board.

MR. PARRINO: Take the stand.

Q Now, for the purposes of the record, will you describe exactly how you had your -- how you found that thumb print on that bed?

MR. GARMONE: Objection.

Q Because the record could not see how you were holding it, you understand, so the stenographer may have it.

A About a 45-degree angle, approximately.

Q As you would be standing on what side of the bed?

A On the east.

Q On the east side of the bed?

A East side of the bed.

Q And that would be facing the ceiling or downward?

A Downward.

Q Now, did you examine the area to the rear of where you found that thumb print, sir?

A Yes, I did.

Q That would be on the south side of that --

A Yes.

Q What would you call that? The back of the bed?

A I'd call it the back of the headboard.

Q Did you examine the area on the south side of that headboard?

A Yes.

Q What, if anything, did you see?

A There was some partial ridges on the back, fingerprint ridges.

Q Partial ridges, you say?

A That's right.

Q And how many of those partial ridges did you see?

A Oh, it could have been -- you mean the number of ridges, or the --

Q How many partial ridges did you see that would come from how many fingers?

A It looked to me like it might be three fingers.

Q And where exactly were these ridges in relation to the thumb print that you found on the opposite side of that backboard?

A Approximately opposite.

Q Were those identifiable, sir?

A No, they weren't.

MR. PARRINO: I have offered
that picture, haven't I?

THE COURT: Yes. 57 has been
received.

MR. PARRINO: You may inquire.

RECROSS EXAMINATION OF JEROME POELKING

By Mr. Corrigan:

Q Mr. Poelking, did you measure the height of this back or this headboard?

A Did I measure the height?

Q Yes.

A I had some notes --

MR. PARRINO: Mr. Corrigan, we
can't hear you.

Q Well, look at your notes and see if it shows.

MR. PARRINO: I still can't hear you.

MR. CORRIGAN: What is it you say,

gentlemen?

MR. PARRINO:

We can't hear you,

Bill.

Q Look at your notes and see if it shows whether you measured the height of the bedboard.

MR. CORRIGAN:

I am sorry I am

talking so low this morning.

A No, I didn't.

Q You did not?

A No, sir.

Q Well, it wasn't a very high bedboard?

A No, it wasn't.

Q Can you give me an estimate of the height of it now, looking back at it and looking at the picture? Can you give us any idea?

A I would say 18 to 20 inches.

Q And if a person were sleeping in the bed, lying in the bed, of course, and if there was a pillow there on the mattress, that would raise the head up some distance, wouldn't it?

A Yes.

Q Did you ever hear of a man coming into a bedroom at night and kissing his wife goodnight?

MR. DANACEAU:

Objection.

THE COURT:

Objection sustained.

MR. CORRIGAN:

That is all.

MR. PARRINO:

That is all. Thank

you.

(Witness excused.)

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