3-9-1995

AMSEC 03 -- Investigation Summary

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The re-investigation of the murder of Marilyn Sheppard focused on one suspect, Richard Eberling. Eberling is currently serving life plus 5 to 15 years and 13 years consecutive sentences in the Lebanon Correctional Institution (L.C.I.) located in Lebanon, Ohio. Eberling was convicted for the murder of Ethel Durkin plus forgery of the Durkin will, grand theft, and other crimes.

The evidence presented herein will show that Richard Eberling has had serious mental problems since birth. At the age of nine, Richard was evaluated by the Children's Aid Society, Cuyahoga County. The documented results of a CAS Treatment Conference held May 15, 1939, by two doctors, Child Guidance Clinic representatives, and several CAS staff members, show that CAS did not know what to do with Richard Eberling. "We wonder whether this might be the beginning of schizophrenia. The attention to detail shown in this child's drawings is an early characteristic of the Praecox. We may see this child develop a definite psychotic state, and there is nothing we can do at the present time to help him." The CAS records show that Eberling was a liar, would not admit to lying even when confronted. No punishment seemed to have any effect.

Dr. Louis J. Karnosh, M.D., Cleveland Clinic wrote November 11, 1959, when Eberling was turning 30, "Our working diagnosis is that of immature personality and obsessive-compulsive neurosis which is manifested by kleptomaniac tendencies. I believe that he is in dire need of
prolonged care which we recommend." Dr. Karnosh stated that Eberling had suffered from compulsive stealing since 1953. The Children's Aid Society report shows Eberling had this problem early in his childhood.

The evidence will show that Richard Eberling had a fascination for Marilyn Sheppard's rings. By his own admission, he saw them prior to Marilyn's murder, and later in 1958, stole the same rings from the residence of Dr. Richard Sheppard. The evidence will show that Marilyn Sheppard was very upset with Eberling concerning his "thievery."

The evidence will show that Eberling admits that he dripped blood throughout the Sheppard residence. Eberling has freely offered this information on multiple occasions. The investigators at the time of the murder found a human blood trail, but failed to group the blood.

Eberling claims he cut his finger washing the windows on July 2, 1954. The murder occurred in the very early hours of July 4, 1954. The evidence refutes Eberling's claim. A former employee of Eberling's, LaVern Lund, has submitted an affidavit that he washed the windows alone on July 2, 1954. Lund's statement is corroborated by a friend of Lund's who helped Lund obtain the job with Eberling and who worked for a foster brother of Eberling.

The evidence will show that Eberling contradicts himself regarding what he did on July 2, 1954. He told Bay View Police that he was alone in the Sheppard residence on July 2, 1954. He has told others that Esther Houk was there and that she threatened to kill Marilyn.
The evidence will show that Eberling had an extraordinary knowledge of the Sheppard house. Although he worked at the house perhaps four times, he was able to provide a floor plan drawing and description of wall colors, flooring, and furniture placement that shocked Marilyn's son, Sam Reese Sheppard.

The evidence will show that Eberling knew the Sheppard dog would not bark at him.

The evidence will show that Eberling knew the basement entry to the house through a cellarway door was never locked.

The evidence will show that Eberling knew Sam Sheppard often worked late. On the night of the murder, the night light was on although Sam was asleep on a cot adjacent to the living room wall and stairs leading to the second floor. The stairwell divided the living room and kitchen.

A person entering the house through the basement, climbing the basement stairs, and then walking to the stairs to the second floor followed a path through the kitchen on the other side of the stairwell from where Sam Sheppard was sleeping on a cot. The lights were turned out on the main floor of the house.

The evidence will show that Sam Sheppard was a deep sleeper and extremely difficult to wake up.
The evidence will show that Eberling knew what bedroom Marilyn was sleeping in. He had seen her pink slippers were at the foot of the bed. He knew the placement of every item of furniture in the room, even the type of doily placed on the night stand, curtains, and bedspreads.

The evidence will show that Eberling was jealous of Sam Sheppard, particularly of Sam's athletic achievements. During high school, Eberling was prohibited by his foster mother from participating in sports. Eberling resented Sam's success, good home, beautiful wife, and son.

The evidence will show that the only items found broken on the first floor of the Sheppard home on the night of the murder were Sam's athletic trophies.

The evidence will show that Eberling was not aware that Sam Sheppard had repaired the steps leading to the beach, that the police discovered a fresh path in the weeds over the steep embankment to the beach the night of the murder. According to Bay Village Police, one could not easily descend this "cliff" without falling or tumbling. Sam Sheppard testified that he chased a person down to the beach. Eberling claims Sam would not have used the stairs because they had rotted away and were dangerous. Eberling would most likely use the cliff to escape versus using the steps. If true, this would account for the newly formed path found by police.

The evidence shows Sam Sheppard chased a person out of the house and to the beach the night of the murder. Sheppard struggled with the person both inside the house and on the beach. Sheppard received extensive injuries from the struggle. Sheppard described his assailant as
having a large head with bushy hair.

The evidence will show that in July 1954, Eberling was 24 years, was 6' 1", weighed 180 to 190 lbs, and had a large head.

The evidence will show Eberling was seen wearing a neck brace around the time of the murder.

The evidence will show that Eberling claimed to be at his home, his foster mother's residence, the night of the murder. He contradicts the time that he went to bed telling Bay Village Police 11:30 p.m. and then later 1 a.m. Eberling claims that renters on the second floor would corroborate that he was in fact home that night. However, evidence obtained from the Cuyahoga County Probate Court indicates Mrs. Christine Eberling, Richard's foster mother, did not rent any part of the house from July 1, 1954 to July 1, 1955.

The evidence will show that Richard Eberling was bald and wore a variety of wigs/hair pieces. The evidence will show that Sam describes the attacker as having bushy hair. Witnesses describe the person seen near the Sheppard home on the night of the murder as having odd hair, sticking straight up.

The evidence shows a similarity between police artist sketch of the person described by witnesses as being near the Sheppard home on the night of the murder and a mug shot of Richard Eberling, particularly if straight "butch" hair is sketched in on Eberling's bald head.
During the investigation, information was obtained regarding the accident Eberling had on July 5, 1955, in which his girlfriend, Barbara Kinzel, was killed.

Additional information was obtained regarding the murder of Ethel Durkin, the murder of Ethel Durkin's sister, Myrtle Fray, and the accident leading up to the death of a third sister, Belle Farrow. In addition, the murder of another Lakewood widow, Ruth McNeil is addressed. Information was obtained regarding the burning of the Eberling barn which some believe was arson. Information regarding 40 or more thefts from private homes on the Cleveland west side culminating in a grand larceny charge against Eberling in 1959 is also addressed.

Finally, a psychiatric profile was prepared, not as a professional diagnosis, but as an organized report on information obtained regarding Richard Eberling's mental health history. This is submitted with the report with a recommendation that a professional evaluation be obtained either through the assistance of the F.B.I. or other law enforcement agencies that have professionals trained in this very specialized field.