

Police Officer Oates examined by Schroeder:

268

1 Q OKAY. AND SO HIS HEAD WOULD HAVE BEEN FACED IN A
2 SOU1

3 A

4 Q

5 TO :

6 THIS

7 Q

8 A THAT'S CORRECT.

9 Q AND THE TELEPHONE IS UP IN THIS AREA HERE (INDICATING);

10

11 Q SO IN EFFECT, THE TELEPHONE WAS ON THE RIGHT SIDE OF
12 MR. ALLRED; WAS IT NOT?

13 A WELL, I WOULD SAY MORE BEHIND HIM.

14 Q BEHIND HIM AND TO HIS RIGHT?

15 A YES, I WOULD SAY PROBABLY TO HIS RIGHT.

16 Q NOW, YOU RECALL TESTIFYING AT THE PRELIMINARY HEARING; DO
17 YOU NOT? A YES.

18 Q THAT WAS IN LOS GATOS FOR THE RECORD ON APRIL 5TH, 1983?

19 A YES.

20 Q REFERRING FOR COUNSEL'S INFORMATION TO PAGE 81 OF THAT
21 TRANSCRIPT, DO YOU RECALL INDICATING THAT THE PHONE WAS TO THE
22 LEFT AND REAR OF MR. ALLRED?

23 A NO, I DON'T RECALL SAYING THAT. IF I SAID IT, IT'S IN
24 THERE, I MAY HAVE SAID THAT.

25

26 THE PRELIMINARY HEARING, PAGE 81. I HAVE A COPY OF THE PAGE
27 HERE IF YOU WANT TO TAKE A LOOK AT IT JUST TO REFRESH YOUR
28 MEMORY, SEE IF IT -- STARTING WITH LINE 10 DOWN THROUGH

ADDED COMMENTARY
OFFICER OATES' TESTIMONY TO JURY OF WHERE PHONE WAS IN RELATION TO ALLRED, UPON HIS ARRIVAL AT SCENE, CONTRADICTS POLICE DIAGRAMS AND PHOTOS BECAUSE HIS TESTIMONY OF ATTACKER BEING ON THE FLOOR WAS FALSE...

AIR
IN

tabbles
EXHIBIT
LL
21 PAGES

ADDED COMMENTARY

...HERE (4 MONTHS EARLIER) OATES STATED THE PHONE WAS OPPOSITE THE ATTACKER -- BECAUSE THE PREMISE WAS FALSIFIED. ALLRED WAS STANDING AGAINST THE WALL OVER THE TRASH BASKET NOWHERE NEAR THE PHONE WHEN OATES AND LAZOR ARRIVED

OU.
KEYS WERE TO
ON THE GROUND ON
FIVE FEET.

8 Q. AND WAS THIS A SINGLE KEY OR SEVERAL KEYS ON A RING?

9

10 Q. AND I TAKE IT THE PHONE WAS TO THE VICTIM'S RIGHT
11 WHEN YOU FIRST OBSERVED HIM, OR TOWARDS THE NORTH PORTION?

12 A. THE PHONE, IN RELATIONSHIP TO THE VICTIM, WOULD
13 HAVE BEEN IN AN AREA TO HIS LEFT AND REAR.

14

15 SAW WITHIN THE KITCHEN AREA, DID YOU DISCOVER WHAT TYPE OF
16 WEAPON THAT WAS UPON CLOSER OBSERVATION?

17 A. YES, I DID.

18 Q. AND WHAT TYPE OF WEAPON WAS IT?

19 A. IT APPEARED TO BE A BB OR PELLET TYPE OF HANDGUN IF
20 YOU WILL.

21 Q. AND DID IT HAVE THE APPEARANCE OF BEING AN AUTOMATIC?

22 A. YES, AND --

23 Q. DID YOU OBSERVE ANY BLOOD ON THE WEAPON ITSELF?

24 A. AS I RECALL, THERE WAS BLOOD ON EVERYTHING, ON ALL
25 THE ITEMS ON THE FLOOR.

0085

1 Q IT'S FAIR TO SAY, THOUGH, THAT THAT FOOTPRINT WAS
2 APPROXIMATELY HALFWAY UP THE DOOR, WASN'T IT, RIGHT AROUND THE
3 KNOE

ADDED COMMENTARY
*POLICE ADMISSION THAT OTHER POLICEMAN
HANDLED THE BLOOD-COVERED BB GUN IN HIS
HANDS (GLOVED OR NOT), SUBJECTING THE BLOOD
TO HANDLING SMEARS WHICH LAZOR WAS LATER
BLAMED FOR IN TRIAL WITHOUT OBJECTION, AS
SUPPOSED PROOF HE "WIPE" THE GUN OF HIS
FINGERPRINTS, PROVING HE PLANTED IT ON
ALLRED, PROVING MURDER*

4 A
5
6 Q
7 RIG
8 A
9 FOO

REA
THE
AVE

10
11 JUST A MOMENT? I NEED TO LOOK UP SOMETHING.

12
13 Q (BY MR. SCHROEDER) YOU DID SEE OFFICER CAMPOS PICK UP
14 THE BB GUN, WHAT TURNED OUT LATER TO BE A BB GUN?

15 A I BELIEVE I DID.

16 Q DO YOU RECALL IF HE USED HIS HANDS TO PICK THAT UP OR IF
17 HE HAD SOME MECHANICAL DEVICE FOR PICKING IT UP?

18 A I RECALL OFFICER CAMPOS WEARING WHAT I WOULD CALL THE
19 SURGICAL GLOVES THAT WE HAVE IN OUR SUPPLY KITS, AND I KNOW HE
20 HAD THEM ON THAT DAY, BUT WHETHER OR NOT HE HAD THEM ON AT
21 THAT TIME, I CAN'T SAY.

22 Q SO YOU ARE SAYING THAT YOU DON'T REMEMBER WHETHER OR NOT
23 HE ACTUALLY HAD THE WEAPON IN HIS HANDS, YOU JUST REMEMBER
24 THAT HE PICKED IT UP SOMEHOW?

25 A WELL, I REMEMBER HE HAD IT IN HIS HANDS, HE HAD PICKED IT
26 UP.

27
28 PART?

Police Officer Campos examined by prosecutor:

405

CHEN

TWO

1 Q
2 WA
3 Q
4 CA
5 A
6 Q

ADDED COMMENTARY
THIS 6 FOOT MEASUREMENT, PROVES THE POLICE AND PROSECUTOR REPEATEDLY LIED ABOUT THE 6-FOOT WIDTH OF THE ROOM AND POSITIONS OF LAZOR AND ALLRED UNAVOIDABLE EXPOSURE OF FALSIFIED (RE-POSITIONED) LOCATION OF BB GUN BY POLICE...

8 Q GOING TO NO. 8 ON THE DIAGRAM, THE METAL CABINET DOOR
9 WITH THE APPARENT BULLET HOLE WITHIN, DID YOU MEASURE THE
10 ENTRANCE OF WHAT APPEARS TO BE A BULLET HOLE TO THE EAST WALL
11 OR THE EAST PANTRY WALL? IN OTHER WORDS, FROM NO. 8 ON THE
12 DIAGRAM TO THE EAST PANTRY WALL?

13 A YES, I DID.

14 Q AND THAT DISTANCE, PLEASE?

15 A IT WOULD BE 6 FEET.

16 Q 6 FEET EXACT?

A YES.

18 - THE TELEPHONE, DID YOU TAKE SOME
19 MEASUREMENTS ON THE TELEPHONE AS FAR AS ITS DISTANCE FROM THE
20 NORTH SINK WALL? A YES, I DID.

21 Q AND WHAT DISTANCES DID YOU RECORD ON THE DIAGRAM?

22 A THAT WOULD BE 4 INCHES.

23 Q AND DID YOU ALSO RECORD IN YOUR NOTES A DISTANCE FROM THE
24 PANTRY OR EAST WALL? A YES.

25 Q AND THAT DISTANCE?

26 A IT WOULD BE 5 FEET 11 INCHES.

27 Q NOW, AS IT RELATES TO THE TELEPHONE, NO. 10, AND THE BB
28 GUN, NO. 4, YOU HAVE THE BB GUN IN FRONT OF THE TELEPHONE ON

CONTINUED

LL-4

Police Officer Campos examined by prosecutor:

1 THE DIAGRAM, ISN'T THAT CORRECT, OR FURTHER FROM THE NORTH
2 KITCHEN WALL; IS THAT CORRECT? A YES.

3 Q NOW, THE PHOTOGRAPH OF THE ITEMS SHOW DIFFERENTLY; ISN'T
4 THAT CORRECT? A YES, IT IS.

5 Q BECAUSE THERE HAS BEEN SOME SORT OF MISTAKE AS TO YOUR
6 MEASUREMENTS AS IT RELATES TO ITEM 10, TELEPHONE, AND TO
7 ITEM 4, THE BB GUN? A YES.

8 Q AND WOULD YOU EXPLAIN WHAT MISTAKE WAS MADE?
9 A ON THE ORIGINAL CRIME SCENE SKETCH, I INADVERTENTLY
10 SWITCHED OR HAD PUT DOWN THE WRONG DISTANCES WHICH ARE FROM
11 THE SOUTH KITCHEN WALL ALL THE WAY UP TO NO. 10 AND ALL THE
12 WAY UP TO NO. 4. I HAD SWITCHED THE MEASUREMENTS ON THAT.

13 Q SO WHAT SHOULD THE CORRECT MEASUREMENTS BE; FIRST OF ALL,
14 BEGINNING WITH THE ITEM NO. 4, THE BB GUN?

15 A ITEM NO. 4, THE BB GUN MEASUREMENTS SHOULD BE JUST
16 OPPOSITE OF THAT OF NO. 10, WHICH WOULD BE 14 FEET 6 INCHES
17 FOR ITEM NO. 4.

18 Q OKAY. SO THAT WOULD MEAN 4 INCHES, THEN, FROM THE NORTH
19 SINK WALL? A YES, FOR NO. 4.

20 Q WOULD YOU CORRECT THAT, PLEASE, ON THE DIAGRAM?

21 A (WITNESS INDICATING.)

22 Q AND HOW FAR WOULD THAT SAME BB GUN BE FROM THE PANTRY OR
23 EAST

24 A THE
25 MEASUREMENTS WOULD BE
26 STILL THE
27 Q THE
28 OF THE

ADDED COMMENTARY
...IS COVERED UP BY THE PROSECUTOR'S ART-
FUL SCHEME THAT IT WAS A "TRANSPOSITIONAL
MISTAKE" BY OFFICER CAMPOS, ACCIDENTLY
SWITCHING THE GUN AND PHONE POSITIONS ON
PAPER

Police Officer Campos examined by Schroeder:

497

1 Q (BY MR. SCHROEDER) REFERRING YOU TO PEOPLE'S 9-5, THERE
2 IS IN FACT A CHALKED CIRCLE AROUND THAT ITEM, IS THERE NOT,
3 THAT .45? A YES.

4 Q DID YOU MEASURE UP TO THE CHALKED CIRCLE OR DID YOU
5 MEASURE UP TO THE GUN, ITSELF?

6 A I BELIEVE WE PROBABLY ESTIMATED IT UP UNTIL ABOUT THE
7 MIDDLE SECTION. I COULDN'T REALLY SAY.

8 Q YOU ARE NOT SURE WHERE YOU MEASURED?

9 A NO.

10 Q IN THIS INSTRUCTION, THIS 80 HOURS OF INSTRUCTION THAT
11 YOU HAD IN EVIDENCE COLLECTION, DID THEY EVER TELL YOU WHERE
12 TO MEASURE TO AN ITEM, SPECIFICALLY A GUN?

13 A APPROXIMATELY THE TRIGGER AREA.

14 Q AND THAT'S SOMETHING YOU HAVE BEEN SPECIFICALLY
15 INSTRUCTED ON, OR IS THAT --

16 A WELL, BECAUSE OF THE ODD SHAPE OF THE GUN, GENERALLY IN
17 THE GENERAL AREA WOULD BE THE TRIGGER AREA, WHICH IS USUALLY
18 THE CENTER.

19 Q SO WHEN YOU MEASURED THAT 1 FOOT DISTANCE, THEN YOU HAD
20 ALREADY PICKED UP THE GUN SO YOU ESTIMATED ABOUT WHERE THE
21 TRIGGER HOUSING WAS WHEN YOU MEASURED 1 FOOT; IS THAT WHAT YOU
22 ARE SAYING? A YES.

23 Q IS THERE ANY PARTICULAR REASON THAT YOU PICKED UP THE GUN
24 BEFORE YOU MEASURED IT?

25 A WELL, SINCE IT HAD ALREADY BEEN CHALKED OFF, WE PRETTY
26 MUCH HAD A GENERAL IDEA WHERE THE LOCATION OF THE GUN WOULD
27 BE.

28 Q BUT THE CHALK IS A SEMI-CIRCLE THAT'S CONSIDERABLY LARGER

CONTINUED

LL-6

1 THAN THE GUN, ITSELF, ISN'T IT? A YES.

2 Q IS THAT A STANDARD PRACTICE, THEN, TO PICK UP THE ITEM
3 BEFORE YOU MEASURE IT? A NO.

4 Q BUT YOU DO REMEMBER IN THIS PARTICULAR INSTANCE THAT THE
5 .45 WAS PICKED UP BEFORE THE MEASUREMENT WAS MADE?

6 A YES.

7 Q IS THERE ANY PARTICULAR REASON THAT THAT WAS DONE?

8 A YES.

9 Q WHAT WAS THAT? FOR SAFETY PURPOSES?

10 A YES.

11
12 IN THE PANTRY-OFFICE AREA.

13
14 PHO

ADDED COMMENTARY

THESE TWO PAGES (497-498) SPEAK FOR THEM-
SELVES IN CATCHING POLICE TAMPERING WITH
THE LOCATION OF THE .45 GUN, AND MAKING
VAGUE APPROXIMATION-MEASUREMENTS THEY
COULD LATER READJUST IN TRIAL TO FIT WITH
THEIR FRAMING OF THE MURDER CASE

ONLY AFTER BEING CAUGHT DID POLICE ADMIT
CONDUCTING NON-STANDARD PROCEDURES INDICAT-
ING TAMPERING WITH THE GUN. BUT THAT WAS
NEVER MADE EVIDENT TO THE JURY...

...AS AGAIN, SCHROEDER HELPED ANOTHER POL-
ICE WITNESS COVER UP CRITICAL EVIDENCE-
TAMPERING, OFFERING HIM A PLAUSIBLE EXCUSE
TO KEEP THE JURY FROM UNDERSTANDING THEIR
REPOSITIONING, ALTERING, MANUFACTURING OF
CRIME SCENE EVIDENCE

15
16 TYP
17 A
18 Q
19 A
20 Q
21 MAR
22 A
23 Q
24 A
25 Q
26 A
27 Q OKAY. SO IT WASN'T UNTIL YOU SAW THE PHOTOGRAPHS THAT
28 YOU SAW IT WAS THERE? A YES.

Police Officer Campos examined by Schroeder:

504

1 Q SO ARE YOU SAYING, THEN, THAT THE 9-INCH DIFFERENCE
2 BETWEEN 5 FEET 11 INCHES AND 5 FEET 2 INCHES IS ACCOUNTED FOR
3 BY THE RELATIVE POINTS TO WHICH YOU MEASURED THESE ITEMS?

4 A CONSIDERING THE BARREL AND DISTANCE FROM INNER PART OF
5 THE PHONE, YES, THAT WOULD BE AN ACCURATE --

6 Q SO YOU ARE SAYING, THEN, IT WAS 9 INCHES FROM THE TRIGGER
7 HOUSING THAT YOU POINTED TO TO THE CENTER OF THE TELEPHONE?

8 A YES. I DIDN'T REALLY MEASURE THOSE TWO POINTS, BUT I
9 SUBMIT THAT WOULD BE CORRECT.

10 Q OKAY. NOW, AS I UNDERSTAND IT, YOU ARE SAYING THAT THERE
11 WAS ABSOLUTELY NO MOVEMENT OF ANY OF THE ITEMS OF EVIDENCE; IS
12 THAT RIGHT? A WELL, --

13 Q AS FAR AS YOU KNOW?

14 A THAT, I REALLY DON'T KNOW.

15 Q NOW, DIRECTING YOUR ATTENTION TO THE FOLLOWING ITEM,
16

17 THE CLERK: DEFENSE A MARKED FOR IDENTIFICATION.

18 (WHEREUPON, THE ABOVE-MENTIONED ITEM, A PHOTOGRAPH,
19 WAS RECEIVED AND MARKED AS DEFENDANT'S EXHIBIT A FOR
20 IDENTIFICATION.)

21 Q **ADDED COMMENTARY** TEM
22 AND **NINE INCH DISCREPANCY IN MEASUREMENT OF** LE'S
23 9-2. **CRITICAL BB GUN POSITION, INDICATING RE-** HS,
24 I NO **POSITIONING/PLANTING; "STAGING" OF THE** S A
25 PIEC **CRIME SCENE. THE LUDICROUSNESS OF THE** THE
OFFICER'S JUSTIFICATION SPEAKS FOR ITSELF

26 TELEPHONE? A YES.

27 Q DID YOU PUT THAT PIECE OF PAPER THERE?

28 A NO.

Police Officer Campos examined by Schroeder:

ADDED COMMENTARY

505

7 ADMISSIONS OF EVIDENCE TAMPERING [ARROWS,
RIGHT MARGIN] BY POLICE OFFICER ON NEXT 3
PAGES (AND PAGE 513), INDICATING A "RE-
STAGING" OF ENTIRE CRIME SCENE TO FRAME A
MURDER CASE AGAINST LAZOR

1 Q NOW, REFERRING YOU TO DEFENSE A, IN LOOKING AT THAT
2 Q PHOTOGRAPH, DO YOU NOTICE THAT THERE IS A DIFFERENCE IN THE
3 POSITION, RELATIVE POSITION BETWEEN THE BB GUN AND THE
4 TELEPHONE? A YES. #1

8 Q DID YOU SEE THE BB GUN OR THE TELEPHONE MOVED IN ANY WAY?

9 A NO, I DIDN'T.

10 Q NOW, YOU ARE ABLE TO TELL THAT THERE IS A MOVEMENT,
11 NUMBER ONE, BECAUSE OF THE ANGLE OF THE BB GUN IN RELATION TO
12 THE TELEPHONE; ISN'T THAT CORRECT? A YES. #2

13 Q ADDITIONALLY, WOULD IT BE FAIR TO SAY THAT THE TELEPHONE
14 CORD IS IN A DIFFERENT POSITION IN RELATIONSHIP TO THE BLOOD
15 SPLOTCH THAT'S IN THOSE TWO PHOTOGRAPHS? LET ME BE MORE
16 SPECIFIC: THE LOWER BLOOD SPLOTCH. A YES. #3

17 Q IN FACT, IN DEFENSE -- STRIKE THAT -- IN PEOPLE'S 9-2,
18 THE TELEPHONE CORD IS LAYING OVER THE BLOOD SPLOTCH BUT IN
19 DEFENSE A, THE TELEPHONE CORD IS NOT LAYING ON THAT BLOOD
20 SPLOTCH; IS THAT CORRECT? A YES. #3

21 Q ALSO, DIRECTING YOUR ATTENTION TO THE -- LET ME JUST SHOW
22 THE JURY THIS. I NEGLECTED TO DO THAT AND I APOLOGIZE.

23 THE COURT: YOU BETTER OFFER IT IN EVIDENCE,
24 COUNSEL.

25 MR. SCHROEDER: EXCUSE ME, YOUR HONOR. I WOULD ASK
26 THIS BE MARKED. OVERSIGHT ON MY PART.

27 THE COURT: ANY OBJECTION?

28 MR. HAMES: NO, YOUR HONOR.

CONTINUED

LL-9

Police Officer Campos examined by Schroeder:

1 THE COURT: DEFENDANT'S A WILL BE ADMITTED IN
2 EVIDENCE AND CERTAINLY, THEY CAN SEE IT NOW.

3 MR. SCHROEDER: THANK YOU, YOUR HONOR. I APOLOGIZE.

4 (WHEREUPON, THE ABOVE-MENTIONED ITEM, PREVIOUSLY
5 MARKED FOR IDENTIFICATION, WAS RECEIVED AND MARKED AS
6 DEFENDANT'S EXHIBIT A IN EVIDENCE.)

7 (WHEREUPON, THE ABOVE-MENTIONED EXHIBIT WAS SHOWN TO
8 THE JURY.)

9 MR. SCHROEDER: YOUR HONOR, PROBABLY FOR
10 CLARIFICATION PURPOSES, I WOULD ASK THE JURY BE ALLOWED TO
11 REVIEW PEOPLE'S 9-2 SINCE THERE IS A MATTER OF COMPARISON
12 BETWEEN THE TWO PHOTOGRAPHS.

13 THE COURT: CERTAINLY.

14 (WHEREUPON, THE ABOVE-MENTIONED EXHIBIT WAS SHOWN TO
15 THE JURY.)

16 Q (BY MR. SCHROEDER) NOW, DIRECTING YOUR ATTENTION TO
17 THESE TWO PHOTOGRAPHS, IT'S CORRECT, IS IT NOT, THAT THE CORD
18 IS ON THE SMUDGE ON THE PEOPLE'S 9-2 AND ON DEFENSE A, IT IS
19 NOT?

A YES.

#4

20 Q SECONDLY, THE GUN BUTT IN PEOPLE'S 9-2 IS BY THE -- BY
21 THE "BUTT", I SHOULD SAY THE GRIP, THE BACK OF THE GRIP, THE
22 ACTUAL HANDLE IS CLOSER TO NO. 4, THE CHALK NO. 4 IN DEFENSE A
23 THAN IT IS IN PEOPLE'S 9-2; IS THAT CORRECT?

24 A YES.

#5

25 Q AND, LASTLY, THE END OF THE BARREL OF THE BB GUN ON THIS
26 PIECE OF REMNANT CARPETING, ALL-WEATHER CARPETING ON THE
27 FLOOR, THE TIP OF THE BARREL DOES NOT TOUCH THE BLUE TRIANGLE
28 ON PEOPLE'S 9-2 BUT IT DOES TOUCH THE BLUE TRIANGLE IN

Police Officer Campos examined by Schroeder:

507

#6

1 DEFENSE A; IS THAT RIGHT? A YES.

2 Q NOW, DO YOU KNOW WHETHER OR NOT THE PHOTOGRAPH IN
3 PEOPLE'S 9-2 WAS TAKEN PRIOR TO THE EMERGENCY PERSONNEL BEING
4 THERE OR AFTER? A I COULDN'T SAY.

6 NUMBER 10 ON THA
7 PEOPLE'S -- OR I
8 THERE?

ADDED COMMENTARY
WHY "COULDN'T HE SAY", RATHER THAN
HE "DIDN'T KNOW"?

9
10 Q IS IT NORMAL PROCEDURE TO PLACE A CHALK NUMBER NEXT TO
11 THE CIRCLED AREA OR WITHIN THE CIRCLED AREA?

12 A YES.

13 Q SO IT'S OUT OF THE ORDINARY, THE ORDINARY NORMAL WAY THAT
14 YOU DO THINGS TO ACTUALLY TAKE A PIECE OF PAPER AND LEAN IT UP
15 AGAINST A PIECE OF EVIDENCE; IS THAT CORRECT?

16 A NORMALLY, THEY HAVE -- THERE IS CARDBOARD SECTIONS THAT
17 ARE NUMBERED THAT YOU CAN USE, BUT AT THAT TIME AT THE CRIME
18 SCENE, THERE WERE NONE TO BE USED SO THAT'S WHY THE CHALK WAS
19 USED.

ADDED COMMENTARY
SCHROEDER DROPS
SUBJECT FOREVER

20 Q EXCEPT IN THE CASE OF NUMBER 10?

21 A YES.

22 Q NOW, YOU NOTICE THAT THE RAG THAT IS SHOWN IN BOTH THOSE
23 PHOTOGRAPHS, THE WHITE RAG WITH THE RED SPOTS ON IT WHICH YOU
24 PRESUME TO BE BLOOD? A YES.

25 Q DID YOU IN ANY WAY MEASURE THAT RAG'S RELATIVE POSITION
26 IN THE MANNER THAT YOU DID ALL THE OTHER ITEMS THAT WERE
27 THERE? A NO, I DID NOT.

28 Q ANY PARTICULAR REASON YOU DID NOT MEASURE THE RAG, I MEAN

CONTINUED

1 MEASURE ITS POSITION?

2 A AT THE TIME, IT WAS MY BELIEF THAT IT WAS USED IN PART TO
3 AID MR. ALLRED.

4 Q YOU DIDN'T KNOW, THAT WAS AN ASSUMPTION ON YOUR PART,
5 WASN'T IT? A YES.

6 Q WOULD IT BE FAIR TO SAY, THEN, IT WAS JUST AN OVERSIGHT
7 ON YOUR PART THAT YOU DIDN'T CONSIDER THAT POSSIBILITY AND,
8 THEREFORE, YOU DIDN'T MEASURE IT?

9 A I DIDN'T CONSIDER IT AN OVERSIGHT. WE KNEW IT WAS THERE
10 BUT AT THE TIME, I DIDN'T THINK IT WAS THAT IMPORTANT.

12 SCENE JS

13 THING 'T

14 HE? 'E

15 Q 'E

16 IN? 'E

17 A 'E

18 Q 'E

19 ASSU: 'E

20 SOME: 'E

21 A WELL, IT WAS THERE, BUT I DON'T RECALL WHAT HE HAD SAID

23 Q HE DIDN'T IN ANY WAY -- I WOULD ASSUME HE DIDN'T TELL YOU
24 WE SHOULD MEASURE THE RAG. OTHERWISE, YOU WOULD HAVE DONE IT,
25 FAIR?

26 A (WITNESS NODS HEAD UP AND DOWN.)

27 Q YOU DID, HOWEVER, COLLECT THE RAG, DIDN'T YOU, AS A PIECE
28 OF EVIDENCE? A I DON'T BELIEVE SO, NO.

CONTINUED

Police Officer Campos examined by Schroeder:

509

1 Q SO AS FAR AS YOU KNOW, IT WAS JUST LEFT THERE?

2 A YES.

3 Q DID YOU MEASURE THE DISTANCE OF THE .45; THAT IS, ITEM
4 NO. 6 UP THERE FROM THAT EAST COMMON WALL?

5 A OF THE PANTRY?

6 Q RIGHT. DID YOU MEASURE THE DISTANCE OF IT FROM THE WALL,
7 ITSELF? A NO.

9 THE LENGTH OF THE CORD. BY "CO
10 BASE TO THE TERMINAL LEADING II
11 THAT AT 15 FEET. YOU DIDN'T MEA

ADDED COMMENTARY
SPEAKS FOR ITSELF

12 A NO, I DID NOT.

13 Q I ASSUME YOU COULD TELL BY LOOKING AT THE TELEPHONE, THAT
14 IT LED INTO THE ROOM OF THE PANTRY-OFFICE?

15 A

16 Q
17 AREA

ADDED COMMENTARY
**LIKE MANY OTHER CRITICAL ITEMS: THIS WAS
NOT MEASURED, SO THAT ITS "ELASTIC" VAGUE-
NESS COULD BE RE-ADJUSTED IN TRIAL TO BEST
FIT WHATEVER OTHER MANUFACTURED EVIDENCE
WOULD MOST SUCCESSFULLY FRAME A MURDER**

18 A

19 Q
20 STACK

21 A YES.

22 Q AND IN FACT, THERE WAS A DOOR, LIKE A CABINET DOOR WHERE
23 THE CORD ACTUALLY COULD BE FOLLOWED; IS THAT CORRECT?

24 A YES.

25 Q AND THAT DOOR WAS OPEN; DO YOU RECALL THAT?

26 A THAT, I DON'T RECALL.

27 MR. SCHROEDER: MAY I HAVE JUST A MOMENT, YOUR
28 HONOR?

Police Officer Campos examined by Schroeder:

511

1 CORD HAD BEEN YANKED OR PULLED IN ANY WAY FROM ITS TERMINAL
2 BASE IN THE WALL? A YES.

3 Q AND WHAT DID YOU DETERMINE?

4 A THAT IT WAS STILL INTACT.

5 Q DID YOU LOOK AT THE -- DID YOU LOOK AT IT JUST TO DETER-
6 MINE WHETHER OR NOT IT WAS INTACT OR DID YOU ACTUALLY OPEN IT
7 TO SEE WHETHER THE WIRES MIGHT HAVE BEEN DAMAGED IN SOME WAY?

8 A I AM SORRY. YOU ARE GOING TO HAVE TO REPEAT THAT.

9 Q OKAY. DID YOU LOOK AT IT JUST TO DETERMINE WHETHER OR
10 NOT THE CORD WAS INTACT OR DID YOU IN SOME WAY REMOVE THE
11 LITTLE PLASTIC COVER TO SEE IF THE WIRES HAD SOMEHOW BEEN
12 BROKEN OR SEVERED IN SOME WAY?

13 A

14 Q

15 THAT

16 A

17 Q

18 WIRE

19 SOME WAY ALTHOUGH THE CORD MAY STILL HAVE BEEN THERE?

20 A I KNOW IT WASN'T DAMAGED.

21 Q HOW DO YOU KNOW THAT?

22 A BECAUSE WHEN WE WANTED TO TAKE THE WIRES OUT TO
23 DISCONNECT THE TELEPHONE TO TAKE IT AS EVIDENCE, I HAD A
24 HELL OF A TIME TAKING IT OUT OF THERE.

25
26 YOU SAID THAT YOU OBSERVED A MEAT CLEAVER IN THAT CHEST.

27 DO YOU RECALL THAT?

A YES.

28 Q DID YOU IN ANY WAY ATTEMPT TO TAKE FINGERPRINTS OFF THAT

CONTINUED

L1-14

ADDED COMMENTARY
**ADMISSION BY POLICE THAT THE MEATCLEAVER
ATTACK WEAPON THAT GAVE RISE TO THE SHOOTING,
JUST 2 FEET OR LESS FROM THE ATTACKER'S
HANDS, WAS LEFT AT THE CRIME SCENE BY POLICE**



**YOU SAID THAT YOU OBSERVED A MEAT CLEAVER IN THAT CHEST.
DO YOU RECALL THAT? A YES.
DID YOU IN ANY WAY ATTEMPT TO TAKE FINGERPRINTS OFF THAT**



1 MEAT CLEAVER OR SOME WAY RETRIEVE IT AS EVIDENCE?

2 A NO.

3 Q DID YOU EXAMINE IT IN ANY WAY?

4 A NO, I DIDN'T.

5 Q NOW, DIRECTING YOUR ATTENTION NOW TO THE FIESTA

6 THE 14TH OF
7 JANUARY, -- LET ME GET THIS OUT OF THE WAY HERE.

8 THE COURT: MR. SCHROEDER, IF IT'S NOT INCONVENIENT,
9 BEFORE WE GO TO THE FIESTA ROAD QUESTION, PERHAPS THE JURY
10 SHOUL

11 GIVEN

12 THE F

13 PRESE
14 STAND.

15 PLEASE PROCEED.

16 MR. SCHROEDER: THANK YOU, YOUR HONOR.

17 Q (BY MR. SCHROEDER) BEFORE WE GET TO FIESTA ROAD, I HAVE
18 A FEW MORE QUESTIONS FOR YOU, OFFICER CAMPOS, ON THE SCENE AT

19 I AM GOING TO DIRECT YOUR ATTENTION TO TWO PHOTOGRAPHS AT
20 THIS POINT, PEOPLE'S 9-1 AND PEOPLE'S 9-3, AND I WILL HOLD
21 THESE UP AND WALK SLOWLY IN FRONT OF THE JURY, YOUR HONOR, IN
22 THE INTEREST OF TIME HERE.

23 DIRECTING YOUR ATTENTION, THEN, TO THESE TWO PHOTOGRAPHS
24 AND SPECIFICALLY DIRECTING YOUR ATTENTION TO THE RAG THAT IS

CONTINUED

1 IN THOSE PHOTOGRAPHS, DO YOU NOTICE THAT THERE IS A DIFFERENCE
2 IN THE CONFIGURATION OF THE RAG AS IT LAYS THERE ON THE FLOOR?

3 A EXCEPT FOR THE DIFFERENT ANGLES OF THE PHOTOGRAPH, I
4 CAN'T REALLY TELL.

5 Q SPECIFICALLY DIRECTING YOUR ATTENTION TO THIS PHOTOGRAPH
6 9-3, PEOPLE'S 9-3, SPECIFICALLY DIRECTING YOUR ATTENTION TO
7 TWO SPLOTCHES OF BLOOD ON THE LOWER EDGE OF THE -- OR TWO RED
8 SPLOTCHES APPEARING TO BE BLOOD ON THE LOWER EDGE OF THAT RAG,
9 DO YOU NOTE THAT THERE IS NOT IN FACT THE SAME TWO SPLOTCHES
10 IN THE UPPER PHOTOGRAPH, WHICH IS PEOPLE'S 9-1?

11 A AGAIN, BECAUSE OF THE ANGLE --

12 Q THE QUESTION I HAVE IS DO YOU NOTICE THAT THERE IS A
13 DIFFERENT -- THAT THE TWO SPLOTCHES DON'T EXIST IN 9-1 -- THEY
14 ARE NOT IN THAT POSITION, I SHOULD SAY, IN 9-1 BUT THEY ARE IN
15 9-3? A YES.

16 Q I WANT TO CLARIFY. DID YOU, YOURSELF, EVER PICK UP THAT
17 RAG OR MOVE IT AROUND DURING THE TIME THAT THE PHOTOGRAPHS
18 WERE BEING TAKEN? A NO.

19 Q DID YOU EVER SEE OFFICER JATES DO THAT?

20 A I DON'T RECALL.

21
22 YOU DON'T REALLY REMEMBER WHETHER OR NOT THAT DOOR, THE
23 CABINET DOOR IN THE PANTRY AREA -- IT WOULD BE THIS AREA HERE

24 (INDI

25 SITUA

26 OPEN

27 Q

28 A

ADDED COMMENTARY

**"I DON'T RECALL" SPEAKS FOR ITSELF IN
LIGHT OF ALL OTHER PROOF OF EVIDENCE--
TAMPERING SURROUNDING THIS ITEM AND ALL ELSE**

#7

1 IN HERE (INDICATING). WAS THERE ANY INDICATION THAT THERE WAS
2 SMEARING OR STREAKING THERE THAT YOU COULD TELL?

3 A NO, THERE WASN'T ANY OBVIOUS INDICATION OF STREAKING OR
4 SMEARING.

5 Q
6 TO ENI

7 MORE

8 A (

9 YOU C)

10 SOME I

11 ON C

12 USUALLY A WEAPON OF THIS SORT, IF YOU WERE TO TRY TO APPLY
13 THAT SORT OF REAGENT, IT WOULD PROBABLY MAKE EVERYTHING RUN.

14 Q I SEE. OKAY. SO THERE ISN'T ANY REALLY EFFECTIVE WAY
15 THAT YOU CAN DO THAT?

16
17 Q ALL RIGHT. NOW, WITH RESPECT TO THE ANALYSIS OF
18 MR. ALLRED'S SHIRT, THIS T-SHIRT, YOU SAID THAT YOU CHECKED
19 FOR STIPPLING OR POWDER MARKINGS ON THE SHIRT, DIDN'T FIND
20 ANY, AND YOU SEARCHED THE RADIUS OF 5 INCHES?

21 A THAT'S CORRECT.

22 Q ANY PARTICULAR REASON YOU USED THAT DISTANCE?

23 A OKAY. IN LIGHT OF THE FACT THAT THE AREA OF INTEREST
24 SHOWED A LOT OF MOLD GROWING AND THE SHIRT WAS ALSO VERY
25 BLOODY, MUCH OF THE AREA WAS OBSCURED BY THE GROWTH OF MOLD
26 AND EVERYTHING, SO I FIGURED A RADIUS OF 5 INCHES WOULD BE
27 ADEQUATE TO DETERMINE IF YOU ARE TALKING ABOUT A VERY CLOSE
28 RANGE OF FIRING,

ADDED COMMENTARY
PROSECUTION AGENTS CULTIVATED MOLD TO GROW ON ATTACKER'S SHIRT IN EFFORT TO DESTROY CLOTHING FIBERS WHICH PROVED THE GUNSHOT WAS FRONT-TO-BACK; NOT "SHOT IN THE BACK." BUT SCHROEDER NEVER OBJECTED AND HELPED THE PROSECUTION COVER-UP BY ASKING ONLY IRRELEVANT QUESTIONS THAT PRETENDED TO DEFEND

1
2 Q OKAY. NOW, WHEN YOU SAY THAT ON THE TELEPHONE, THAT YOU
3 FOUND FIVE PARTIAL FINGERPRINTS BUT THEY WERE NOT SUITABLE FOR
4 IDENTIFICATION, CAN YOU BE A LITTLE MORE SPECIFIC ABOUT WHAT
5 YOU DID IN FACT -- HOW YOU DID KNOW THEY WERE FINGERPRINTS?
6 WHAT KINDS OF THINGS TOLD YOU THAT?

7 A WELL, YOU COULD SEE A RIDGE DETAIL.

8 Q ALL RIGHT.

9 A AND VERY LIMITED RIDGE DETAIL IN THOSE PARTIAL PRINTS.

10 Q NOW, I TAKE IT THAT WHEN YOU WERE DOING THIS EVALUATION,
11 YOU HAD WHAT ARE CALLED ROLLED IMPRESSIONS, INKED IMPRESSIONS
12 OF MR. LAZOR'S FINGERPRINTS?

13 A NO, BECAUSE OUR LABORATORY USUALLY DOES NOT DO THAT
14 COMPARISON.

15 Q I SEE. OKAY. SO YOU WERE JUST LOOKING TO SEE IF YOU
16 COULD FIND SOME AND THEN PERHAPS TELL SOMEBODY ELSE TO CHECK
17 IT OUT IF YOU FOUND ANY? A THAT'S CORRECT.

19 BY

20 OF

21 CO

22 CO

23 MR.

24 A

25 Q

26 EVI

27 A

28 Q

ADDED COMMENTARY
WITH THE NAKED EYE: LUCID DETAILS WERE
PLAINLY VISIBLE
AGAIN, SCHROEDER IS SEEN HERE OFFERING PLAUS-
IBLE EXCUSE-IDEAS FOR THE PROSECUTION WITNESS
TO JUSTIFY HIS CONCEALMENT AND ALTERING OF
CRITICAL EVIDENCE -- THEN DROPS THE ISSUE FOR-
EVER. SCHROEDER REFUSED TO HAVE ALLRED'S FINGER-
PRINTS (OR ANYTHING) EXAMINED BY THE DEFENSE

BUT NOT THE PHYSICAL DOOR?

A NO.

Prosecutor arguing to jury against Lazor:

1614

1 NO EMOTION. HE WAS CALM WITH OFFICER MILLER AND DETECTIVE
2 MC CARTY IMMEDIATELY FOLLOWING HIS ARREST. WHY? BECAUSE
3 THERE

ADDED COMMENTARY

4
5 HIS
6 AN A
7 DEFE:
8 IT W
9 THEN
10 ADVI
11 THEN

THREE INTERLOCKING EXAMPLES ON 2 PAGES (1614-1615) OF HOW PROSECUTOR WAS ENABLED TO FABRICATE THE WHOLE MURDER CASE TO THE JURY, BASED ON THE EVIDENCE-TAMPERING BY POLICE, CRIMINALIST, AND PROSECUTOR HIMSELF: [REPOSITIONING OF THE BB GUN; AUTOCLAVING-DESTRUCTION OF ALLRED'S FINGERPRINTS; THE TOWEL BROUGHT BY MEDICS LEFT FOR POLICE TO PHOTOGRAPH AS "CRIME SCENE EVIDENCE"]

12 ADVICE, THEN THE DEFENDANT CALLED THE AMBULANCE AND POLICE,
13 THE CONVERSATION THATS RECORDED TRANSCRIBED THAT WAS HELD
14

15 FOR SOME OTHER REASONS, WE KNOW THAT MR. ALLRED DID NOT
16 HAVE THAT BB GUN. LOOK AT THE PHOTOGRAPH 9-2, ONE OF THE
17 ENLARGED PHOTOGRAPHS. IT'S A PHOTOGRAPH OF THE BB GUN, AND I
18 WANT YOU TO PAY PARTICULAR ATTENTION TO IT'S LOCATION ON THE
19 FLOOR IN THE AREA OF THE KITCHEN RIGHT NEXT TO THE NORTH
20 KITCHEN WALL. IF YOU RECALL THE DIMENSIONS, THE GUN WAS 5
21 FEET 2 INCHES FROM THE PANTRY OR EAST WALL OF THE KITCHEN,
22 THAT COMMON WALL OR, IN THE ALTERNATIVE, 1 FOOT 4 INCHES FROM
23 THE WEST KITCHEN WALL, BUT IT WAS 4 INCHES FROM THE NORTH
24 KITCHEN WALL. IT WAS VERY CLOSE TO THAT KITCHEN WALL, THE
25 NORTH WALL, VERY CLOSE TO THE EAST WALL AND VERY FAR AWAY FROM
26 THE COMMON PANTRY WALL -- EXCUSE ME -- THE WEST WALL. BUT
27 MORE IMPORTANTLY THAN THE DIMENSIONS WHICH ARE CRITICAL --
28 THOSE ARE SHOWN IN THE PHOTOGRAPH -- IS THE PLACEMENT OF THAT

CONTINUED

LL-19

1 PARTICULAR GUN. LOOK HOW THE PARTICULAR GUN IS PLACED. IF
2 YOU RECALL, THE BUTT OF THE GUN IS FACING THE KITCHEN CABINET,
3 THE NORTH SINK WALL CABINETS. THE MUZZLE OF THE GUN IS FACING
4 THE WEST WALL, BUT TAKE A LOOK AT THE PICTURE. IT SHOWS ITS
5 LOCATION. WHEN YOU LOOK AT THAT PARTICULAR PHOTOGRAPH, YOU
6 WILL NOTICE ONE THING AND ONE THING IN PARTICULAR. THAT GUN
7 IS PLACED -- IF YOU PICTURE THE NORTH WALL DIRECTLY AHEAD OF
8 ME, THE PANTRY WALL TO MY RIGHT AND THE OTHER WALL, THE WEST
9 WALL TO MY LEFT, THAT GUN WAS PLACED DOWN, THE BUTT TOWARDS
10 THE PANTRY WALL, THE MUZZLE TOWARDS THE SINK WALL BY A RIGHT
11 HAND. TAKE A LOOK AT THAT, PLACED BY A RIGHT-HANDER. WHO IS
12 RIGHT-HANDED? THE DEFENDANT. WHO IS INEXTRICABLY LEFT-
13 HANDED? MR. ALLRED. CONSIDER THAT.

14 WHAT ELSE DO WE KNOW ABOUT THIS BB GUN THAT THE DEFENDANT
15 CLAIMS MR. ALLRED HAD? ACCORDING TO THE DEFENDANT, HE HANDLED
16 ALMOST EVERY PART OF THAT BB GUN, HE HAD IT TRAPPED IN HIS
17 HANDS, AT ONE POINT HE HAD IT GRIPPED. BOB GADD EXAMINED THAT
18 BB GUN. HE DID THE BEST PROCESS KNOWN TO SCIENCE, THE
19 CYANOACRYLATE PROCESS, THE CRAZY GLUE PROCESS TO SEE WHETHER
20 OR NOT THERE WERE ANY PRINTS, FINGERPRINTS ON THAT PARTICULAR
21 BB GUN. HIS RESULT? ZERO. NONE. I ASKED MR. GADD WERE
22 THERE EVEN PARTIAL PRINTS? NONE. ZERO. I ASKED MR. GADD DID
23 YOU PRINT WITH THIS NEW MODERN CYANOACRYLATE PROCESS THE
24 ENTIRE GUN? YES. NO PRINTS.

25 WHAT WAS RIGHT NEXT TO THAT BB GUN? AGAIN, YOU WILL SEE
26 IT IN PHOTOGRAPH 9-2. RIGHT NEXT TO THAT PARTICULAR BB GUN
27 WAS A BLOODY RAG, A BLOODY RAG RIGHT NEXT TO THAT PARTICULAR
28 BB GUN.

Prosecutor arguing to jury against Lazor:

1691

1 OF BOTH ALLAN WALLIS AND BRET ELLIS. THAT IS DIRECT EVIDENCE,
2 EYE WITNESS TESTIMONY, ALLAN WALLIS, WHO PARTICULARLY OBSERVED
3 THE DEFENDANT PICK UP THE BB GUN AND TAKE IT INTO THE KITCHEN.

4 THE DEFENDANT SAYS THAT MR. WALLIS AND MR. ELLIS HAVE
5 POOR RETROSPECTIVE MEMORY; NOT THE DEFENDANT, NOT HIS
6 WITNESSES, JUST MR. WALLIS AND MR. ELLIS, AND YET WE KNOW FROM
7 THE

8 AWARI

9 ACUT

10 PROP

11 MR.

12 INTE

13 TEST

14 WITH

15 MR. SCHROEDER, AND, PARTICULARLY AS IT RELATES TO MR. WALLIS
16 WHO CONTINUALLY SAID, COUNSEL FOR THE DEFENDANT, I AM TELLING
17 YOU EXACTLY WHAT I SAW, I CAN TELL YOU NO MORE, I CAN TELL YOU
18 NO LESS. THIS IS WHAT I SAW. DOES THAT SOUND LIKE A MAN WITH

ADDED COMMENTARY

*AGAIN AND AGAIN THE PROSECUTOR ARGUED PROOF
OF MURDER TO THE JURY BY CAPITALIZING ON HIS
OWN TAMPERING AND MANUFACTURING OF EVIDENCE,
WITH AGREEMENT INSTEAD OF OBJECTION FROM MR.
SCHROEDER -- SO THE JURY NEVER HAD ANY BASIS
TO THINK THERE MIGHT HAVE BEEN ANY EVIDENCE
MISHANDLING IN THE CASE*

19
20 IT'S ALSO INTERESTING, TOO, THAT COUNSEL FOR THE
21 DEFENDANT, MR. SCHROEDER, JUST BASICALLY DROPPED THE ISSUE OF
22 THE PLACEMENT OF THE GUN IN POSITION NO. 6 -- EXCUSE ME -- 4,
23 THE RIGHT-HANDED PLACEMENT, JUST DROPPED THE ISSUE. WHY DID
24 HE DROP THE ISSUE? HE HAD TO. IT WAS PLACED THERE BY A
25 RIGHT-HANDED PERSON, AND THERE IS ONLY ONE PERSON WHO IS
26 RIGHT-HANDED IN THIS SCENARIO. THAT'S THE DEFENDANT.

27 THE PRINTS ON THE GUN, THE LACK OF PRINTS ON THE BB GUN,
28 NO PRINTS WHATSOEVER, NO PARTIAL PRINTS, NO FINGERPRINTS AT

LL-21