

IV. RESULTS AND CONCLUSIONS (Continued)

The maximum heights of the ejected cartridge cases observed during their ejections ranged between approximately 2.5 and 8.5 inches above the top of the pistol frame and these maximum heights occurred at a lateral distance ranging from 1.5 to 1.8 feet.

ADDED COMMENTARY

REPORT BY PROSECUTOR'S "CRIMINALIST", MR. GADD:

GADD'S ADMISSION THAT HE "MAY HAVE...ALTERED" THE STREAKING OF ALLRED'S BLOOD ON THE BB GUN, WAS VEILED TO OBSCURE THE TRUE MEANING; THAT THE "STREAKING, SMEARING" EFFECT, WHICH THE PROSECUTOR PERSUADED THE JURY PROVED LAZOR PLANTED THE GUN AND WIPED HIS FINGERPRINTS OFF IT, WAS ACTUALLY CREATED BY THEIR AUTOCLAVING ALTERATIONS.

NOTE: "CURRENT APPEARANCES", MEANING NO RECORDS WERE MADE DESCRIBING THE GUN/BLOOD CONDITION, NOR FINGERPRINT TESTING ATTEMPTED, UNTIL AFTER IT WAS "ALTERED" BY AUTOCLAVING (HOT STEAM)

9c

Since the BB pistol (Item 8) has been autoclaved, the appearance of the blood residues may have been altered from its initial appearance. Based upon the blood deposits' current appearances, some apparent streaking of blood deposits is present on both sides of the pistol frame and also near the barrel muzzle on the right side. There are some thick crusts of blood deposits which do not show any streaking. The streaking may indicate that an attempt was made to wipe the pistol after the blood was deposited on it.

V. DISPOSITION OF EVIDENCE

The shoeprints (Item 14) and the shoes (Item 10a) were released to Cadet Bob Douglas on July 21 and July 22, 1983, respectively.

Items 3, 4, 8, and 18 as well as the other items of clothing (Items 10b-10f) are being held for you at the Laboratory. You or your representative should pick it up as soon as possible.

*Robert F. Gadd*  
Robert F. Gadd  
Criminalist



1 BLOOD APPEARED TO BE QUITE HEAVY IN NATURE; IS THAT CORRECT?

2 A IN SOME AREAS, YES.

3 Q NOW, MR. GADD, AGAIN RETURNING TO PEOPLE'S 16, THE BB  
4 GUN, WHAT AREAS SPECIFICALLY HAD THE LIGHTEST CONCENTRATION OF  
5

6 A OKAY. THE AREAS THAT APPEARED TO HAVE THE LIGHTEST  
7 CONCENTRATION AND APPEARED TO HAVE THE LIGHTEST CONCENTRATION  
8 FOR THE REASON THEY APPEARED TO BE SMEARED OUT OR STREAKED OUT  
9 WAS BASICALLY ON THE LEFT SIDE OF THE WEAPON, ON THE AREA OF  
10 THE LEFT SIDE OF THE FRAME, THE FORWARD PORTION, FORWARD OF  
11 THE AREA OF THE TRIGGER GUARD, AND ALSO THE REAR PORTION --  
12 EXCUSE ME -- THE LEFT SIDE OF THE FRAME, THE VERY BACK END.  
13 AND THEN ON THE RIGHT SIDE OF THE BARREL APPEARED TO BE SOME  
14 BLOOD THAT WAS SOMEWHAT STREAKED OUT AND, LET'S SEE, SOME  
15 SLIGHT STREAKING OR SMEARING INDICATED ON THE RIGHT BACK FRAME  
16 AREA IN THE REGION OF THE DIAGONAL LINES IN THE FRAME, AND  
17 ALSO NEAR THE MUZZLE ON THE PLATE, THAT METAL PLATE CONTINUOUS  
18 WITH THE FRONT SIGHT ON THE RIGHT SIDE, SOME INDICATION OF  
19 SMEARING AND STREAKING OUT OF THE BLOOD.  
20

21 EXAMINATION PROCESS TO EXAMINE THE DEFENDANT'S CLOTHING THAT  
22 WAS SUBMITTED TO YOU. A YES, I DID.

23 Q AND DID DETECTIVE MC CARTY SUBMIT TO YOU THE DEFENDANT'S  
24 CLO

25 Q **ADDED COMMENTARY** OF  
26 BLO MORE "FRAMING": GADD KNEW THE GUN HAD BEEN  
27 Q WAS "STREAKED" BY HIS OWN AUTOCLAVING; BUT 'S  
28 CLO HID THIS FROM THE JURY...

1 DIDN'T HAVE THE GUN AT THE TIME YOU SAID THAT, SO I WAS KIND  
2 OF LOST AS TO WHERE YOU WERE TALKING ABOUT THE LIGHTEST  
3 CONCENTRATIONS HAPPENED TO BE. IF YOU COULD PLEASE INDICATE  
4 THAT.

5 A OKAY.  
6 CONCENTRATI  
7 SMEARED OL  
8 CONCENTRATION.

ADDED COMMENTARY  
...MORE OF SAME

9 NG THE LIGHTEST  
10 Y APPEARED TO BE  
11 RELATIVELY THICK

9 Q LET ME PURSUE THAT B Y WITH YOU BEFORE YOU GET INTO  
10 THE QUESTION I JUST ASKED. WILL WITHDRAW THAT QUESTION AND

12 YOU USED THE TERM "THEY APPEARED TO BE SMEARED OUT". DID  
13 YOU DO ANY KIND OF AN ANALYSIS TO DETERMINE WHETHER OR NOT  
14 THERE WAS SOME SPECIFIC SMEARING OF THE BLOOD?

15 A OKAY. I DID JUST A VISUAL EXAMINATION AND NOTED WHAT  
16 APPEARED TO BE SMEARED OUT IN TERMS OF NOT BLOOD THAT WOULD  
17 ORDINARILY JUST LIE THERE AND DRY IN THAT SET POSITION BUT  
18 RATHER, IT HAD BEEN MOVED AFTER IT HAD BEEN APPLIED TO THE  
19 SURFACE.

21 YOUR POSSESSION A -- WELL, JUST FOR REFERENCE FOR  
22 YOU

23 HAD IN FACT WHAT YOU DESCRIBED AS A BLOODY TOWEL?


24 A THAT'S CORRECT.

25 Q DID YOU EVER IN THE COURSE OF YOUR EXAMINATION EXAMINE  
26 THAT OTHER THAN JUST TO SEE THAT IT WAS IN FACT PRESENT AS A  
27 PIECE OF EVIDENCE? A NO.

1 SMEARING OR STREAKING ON THE WEAPON, DID YOU -- OTHER THAN  
2 JUST A VISUAL EXAMINATION, DID YOU DO A -- SAY A MICROSCOPIC  
3 OR SOME KIND OF CLOSE UP PERHAPS WITH A MAGNIFYING GLASS?

4 A NO.

5  
6 LIGHTEST CONCENTRATION, THEN.

7 A OKAY. IT WOULD  ON THE FORWARD LEFT PORTION OF THE  
8 FRAME.

9 Q NOW, IF YOU WILL  WITH ME FOR A SECOND, LEFT SIDE OF  
10 THE

**ADDED COMMENTARY**

**STATE AGENTS DELIBERATELY AVOIDED MEANINGFUL TESTING THAT WOULD EXONERATE. SCHROEDER REFUSED INDEPENDENT TESTING. ("VISUAL EXAMINATION" WAS MERELY "LOOKING AT IT")**

11 Q  
12 Q  
13 A  
14 Q  
15 A ALSO SOME SLIGHT INDICATION ON THE RIGHT SIDE OF THE  
16 BARREL, PRETTY MUCH ALONG THE LENGTH THAT THE BLOOD MAY HAVE  
17 BEEN DISTURBED.

18 Q AND THAT WAS -- WHERE AGAIN ON THE BARREL WAS THAT?

19 A AROUND THE RIGHT SIDE OF THE BARREL, PRETTY MUCH ON THE  
20 RIGHT.

21 Q OKAY.

22 A THAT'S PROBABLY ABOUT ALL I SAW IN TERMS OF POSSIBLE  
23 DISTURBANCES OR SMEARING OF THE BLOOD.

24 Q OKAY. NOW, WITH RESPECT TO THE AREAS OF THE GUN IN WHICH  
25 ONE WOULD NORMALLY HANDLE IT IF ONE WERE HOLDING IT IN A  
26 FIRING POSITION, AND WITH PARTICULAR REFERENCE TO THE AREA ON  
27 THE FRONT SIDE OF THE PISTOL GRIP -- IN OTHER WORDS, FOR THE  
28 RECORD OR FOR THE JURY'S VIEWING, I AM TALKING ABOUT THIS AREA

Prosecutor arguing to jury against Lazor:

1615

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

5 **ADDED COMMENTARY**

6 **PROSECUTOR EMPHASIZING TO JURY WHILE KNOWING THAT:**  
7 **A) HE AUTOCLAVED OFF ALLRED'S FINGERPRINTS,**  
8 **B) AND THAT STATE MEDICS BROUGHT THE TOWEL TO**  
9 **THE CRIME SCENE AFTER LAZOR WAS TAKEN TO JAIL**

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

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. WHY IS THAT SIGNIFICANT? AGAIN, WE RETURN TO MR. BOB

CONTINUED

J-5

CONTINUATION

Prosecutor arguing to jury against Lazor:

1616

1 GADD, WHO EXAMINED THE BB GUN. WHAT DID HE SEE? SIGNS THAT  
2 THE GUN HAD BEEN WIPED, SMEARING OF THE BLOOD. HE ACTUALLY  
3 TESTED FOR THE PRESENCE OF BLOOD. BLOOD WAS IN FACT PRESENT,  
4 BEEN WIPED. WHAT WAS RIGHT NEXT TO IT? A RAG. THE  
5 DEFENDANT'S VERSION, OF COURSE, IS QUITE DIFFERENT. I MERELY  
6 MOVED IT. THAT DOES NOT ELIMINATE PRINTS, LADIES AND  
7 GENTLEMEN, FINGERPRINTS.

9 PARTICULAR BB GUN? WELL, I THINK IF WE RETURN TO THE MANNER  
10 OF

ADDED COMMENTARY

*THE PROSECUTOR FURTHER KNEW THAT:*

*C) HIS OWN AUTOCLAVING CAUSED THIS "STREAK-  
ING" WHICH WAS NOT "WIPING",*

*D) AND THAT HIS AUTOCLAVING DESTROYED THE  
CARPET AND FIBERS THAT PROVED THE "SMEARING"  
WAS FROM ALLRED DRAGGING THE GUN ACROSS THE  
CARPET*

17 TO

18 WE KNOW THAT FROM THE WALL OF THE CUBBY. WE HAVE THE  
19 PHOTOGRAPHS OF THE BLOOD THAT WAS ALL OVER THE CUBBY WHERE ONE  
20 OF THE BULLETS WERE RECOVERED, THE BLOOD ON THE CABINET DOORS  
21 AND THE KITCHEN WALL WHERE HE FELL AND STRUCK HIS HEAD.  
22 MR. ALLRED UNFORTUNATELY IS BLEEDING TO DEATH AND BLEEDING  
23 OVER EVERYTHING.

24 ANOTHER FACTOR TO CONSIDER REGARDING THE BB GUN. WOULD  
25 MR. ALLRED USE AN UNLOADED BB GUN? WE KNOW THE GUN WAS  
26 UNLOADED. WOULD MR. ALLRED USE AN UNLOADED BB GUN AGAINST A  
27 PERSON WHO HAD PREVIOUSLY USED A REAL GUN ON HIM -- I AM  
28 REFERRING TO THE NOVEMBER 22ND INCIDENT -- AND WAS OBVIOUSLY

J-6

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 T

8 A

9 A

10 P

11 M

12 I

13 T

ADDED COMMENTARY

*MORE HAMMERING-EMPHASIS AND CONTRIVED THEORIES  
OF GUILT "PROVEN" BY THE LACK OF FINGERPRINTS,  
WHILE BOTH THE PROSECUTOR AND SCHROEDER KNEW  
STATE AGENTS DESTROYED THE PREVIOUSLY-VISIBLE  
FINGERPRINTS...*

14 WITNESS RETROSPEC MISRECOLLECTION AS CLAIMED BY  
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 CAN TELL YOU NO MORE, I CAN TELL YOU  
18 NO LESS. THIS IS WHAT I SAW. DOES THAT SOUND LIKE A MAN WITH

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

CONTINUED

J-7

1 ALL, ENTIRE GUN PROCESSED FOR PRINTS, FOR FINGERPRINTS. WHAT  
 2 DOES THE DEFENDANT SAY ABOUT THAT? HE GIVES YOU SPECULATION  
 3 THAT WHAT HAD HAPPENED IS MR. ALLRED HAD THE BB GUN SECRETED  
 4 IN ONE OF THE FOOTLOCKERS WITH THE RAG THAT WAS FOUND NEAR THE  
 5 BB GUN WRAPPED AROUND IT. PURE UNEQUIVOCAL SPECULATION.

6 AND WHY WOULD THE DEFENDANT WANT YOU TO SPECULATE AS TO  
 7 THE LACK OF FINGERPRINTS ON THAT BB GUN? THE REASON IS QUITE  
 8 SIMPLE. A FINGERPRINT, LADIES AND GENTLEMEN, IS LIKE YOUR  
 9 SIGNATURE. IT IS SO INDIVIDUALIZED THAT NO TWO PEOPLE HAVE  
 10 THE SAME SIGNATURE, NOR THE SAME FINGERPRINT. IT IS SO  
 11 INDIVIDUALIZED LIKE A SIGNATURE, THAT THE DEFENDANT HAD TO  
 12 HAVE HIS PRINTS REMOVED FROM THAT BB GUN.

13 AND WE ALSO KNOW THAT THAT BB GUN WAS WIPED, WIPED AS  
 14 EVIDENCE BY A COUPLE OF FACTORS: ONE, THE TESTIMONY OF THE  
 15 CRIMINALIST MR. GADD, WHO SAW THE BLOOD SMEARING ON THE GUN  
 16 CONSISTENT WITH WIPING. WE ALSO KNOW, AND YOU WILL SEE IN THE  
 17 EVIDENCE, THE PHOTOGRAPH OF THE RAG IMMEDIATELY NEXT TO THE BB  
 18 GUN. LOOK AT THAT PHOTOGRAPH. AND WHAT WILL THAT PHOTOGRAPH  
 19 SHOW YOU? IT WILL SHOW YOU MORE BLOOD THAN THE MERE TOUCHING  
 20 OR MOVING OF THE BB GUN AS CLAIMED BY THE DEFENDANT. AND YET  
 21 AT THE SAME TIME, IT DOES NOT SHOW THE DRIPPING BLOOD THAT  
 22 MR. ALLRED WAS DOING AFTER HAVING BEEN SHOT. LOOK AT THAT  
 23 RAG, LADIES AND GENTLEMEN.

24  
 25 WAS T  
 26 THAT  
 27 HE W/  
 28 HIM,

INGS  
 HILE  
 D TO  
 N MY

ADDED COMMENTARY  
 ...AND SEE EXHIBIT LL CONCERNING TRUST-  
 WORTHINESS OF THE POLICES' PHOTOS