



file

OFFICE OF THE
DISTRICT ATTORNEY
OF SARATOGA COUNTY



JAMES A. MURPHY, III
DISTRICT ATTORNEY

MUNICIPAL CENTER • 25 WEST HIGH STREET
BALLSTON SPA, NEW YORK 12020
(518) 885-2263
FAX (518) 884-8627

June 14, 2000

John H. Ciulla, Jr., Esq.
Saratoga County Public Defender
Municipal Center
Ballston Spa, NY 12020

Jeffrey Bagnoli and W. Donald Carola, Esqs.
122 South Second Ave.
Mechanicville, NY 12118

*Very poor
report extremely
limited.*

Re: People v Seeber and Hampshire
Ind: M-083-2000V

Gentlemen:

Enclosed please find a copy of the first written lab report received in the above matter. I will be meeting with lab personnel in the next few days to determine what other analyses will be conducted and will advise as to the progress of such testing.

Yours truly,

Richard Wendling
Richard E. Wendling

cc: Hon. Jerry J. Scarano (without enclosure)

Rec'd 6/16/00



JAMES W. MCMAHON
SUPERINTENDENT

NEW YORK STATE POLICE
FORENSIC INVESTIGATION CENTER
Building 30
1220 Washington Ave.
Albany, New York 12226-3000
(518) 457-1208

TO: Chief John Grebert *May 25, 2000*
Colonie Police Department Lab Case #00H-000611
312 Wolf Road Case #00-053232
Latham, New York 12110 Additional

Supplemental Report

SUBJECT: *RUTH M. WITTER - Victim*
February 16, 2000

DESCRIPTION:

Container #3 - One (1) cardboard box:

Item #2	Hair brush and hair comb.	No Examination Conducted
Item #3	Toothbrush.	No Examination Conducted
Item #4	Black nylon duffle bag	No Examination Conducted
Item #5	One (1) pair black stockings	No Examination Conducted
Item #6	Two (2) trunk carpet liners	No Examination Conducted
Item #7	One (1) green washcloth	No Examination Conducted
Item #8	One (1) pair <i>FILA</i> black gloves — <i>not used</i>	
Item #9	One (1) pair black suede gloves — <i>kate</i>	
Item #10	One (1) pair black stockings	No Examination Conducted
Item #11	One (1) pair black gloves — <i>Jeff</i>	
Item #13	Five (5) trace evidence filters <i>navy blue?</i>	No Examination Conducted
Item #14	Three (3) evidence tapings	No Examination Conducted
Item #15	One (1) hair	No Examination Conducted

Supplemental Report

RUTH M. WITTER - Victim

DESCRIPTION - continued:

Container #4 - One (1) cardboard box:

Item #16 Gray duct tape
Item #17 Gray duct tape
Item #18 Gray duct tape

Container #6 - One (1) cardboard box:

Item #24 One (1) black jacket (Women's) No Examination Conducted
Item #25 One (1) gray fleece shirt (men's) No Examination Conducted
Item #26 One (1) blue fleece pullover Jeff

Container #7 - One (1) cardboard box:

Item #21 Sexual Assault Kit No Examination Conducted
Item #22 Avon lip balm No Examination Conducted
Item #23 Hair from blanket No Examination Conducted
Item #27 Piece of wire/duct tape No Examination Conducted
Item #28 Loose hairs/head No Examination Conducted
Item #29 Black electrical cord No Examination Conducted
Item #30 Piece of white/yellow string No Examination Conducted
Item #31 Hair from hallway floor No Examination Conducted
Item #32 Hairs from victim's bathroom No Examination Conducted
Item #33 Loose hair No Examination Conducted
Item #34 Victim's red shirt ✓
Item #35 Victim's tan pants No Examination Conducted

Supplemental Report

RUTH M. WITTER - Victim

DESCRIPTION - continued:

Container #7 - One (1) cardboard box - continued:

Item #36 Bed sheet

EXAMINATION/CONCLUSION:

Items #8A and #8B One (1) pair *FILA* black gloves.

Macroscopic and microscopic examination revealed hairs and fibers. This debris was collected and preserved on microslides #8AQ1 thru #Q4, #8BQ1 thru Q7, and plastic boxes #8AQ5 and #8DQ8, also, microslide controls #8AC1, C2 and #8C1 were created.

Items #9A and #9B. One (1) pair black suede gloves.

Macroscopic and microscopic examination revealed fibers and one (1) hair. This debris was collected and preserved on microslides #9AQ1, Q2. And #9BQ1, and plastic boxes #9AQ3 and #9BQ2, also, microslide controls AC1, C2 and #9BC1 were created.

Items #11A and #11B. One (1) pair black gloves.

Macroscopic and microscopic examination revealed hairs and fibers. This debris was collected and preserved in plastic boxes #11AQ1 and #11BQ1, also, microslide controls #11C1 thru C6 were created.

Item #16 Gray duct tape.

Macroscopic and microscopic examination revealed hairs and fibers. These fibers were collected and preserved on microslides #16Q1 thru Q12, also, hairs were collected and preserved in plastic box #16Q13.

Item #17 Gray duct tape.

Macroscopic and microscopic examination revealed hairs fibers and debris. These fibers were collected and preserved on microslides #17Q1 thru Q8, and hairs on microslides #17Q9 and #17Q10, also, debris was collected and preserved in plastic box #17Q11.

Supplemental Report

RUTH M. WITTER - Victim

EXAMINATION/CONCLUSION continued:

- Item #18 Gray duct tape.
- Macroscopic and microscopic examination revealed fibers, hairs and debris. These fibers were collected and preserved on microslides #18Q1 thru Q7, and hairs on microslides #18Q8 and #Q9, also, debris was collected and preserved in plastic box #18Q10.
- Item #26 One (1) blue fleece pullover.
- Macroscopic and microscopic examination revealed fibers, hairs and debris. This debris was collected and preserved on tapings #26Q1. Fibers were preserved on microslides #26Q3 thru #26Q5. Hairs were preserved into plastic box #26Q2. Also fiber controls #26C2 and C3 on microslides and control fabric sample #26C1 were created.
- Item #34 One (1) red shirt.
- Macroscopic and microscopic examination revealed hair and debris. This hair and debris were collected and preserved into plastic box #34Q1. Also, fiber controls #34C1 thru C3 on microslides and control fabric sample #34C4 were created.
- Item #36 One (1) bed sheet.
- Macroscopic and microscopic examination revealed fibers, hairs and debris. This debris was collected and preserved on taping #36QA thru QD. Fibers were preserved on microslides #36Q1 thru Q12. Also into plastic boxes Q13 and Q14. Hairs were preserved into plastic boxes #36Q13 and Q15.
- Item #9A Black suede glove *compared* with Item #16Q1 black fibers from gray duct tape.
-
- Samples of black fibers (#9AC1) were mounted and compared to the black fibers from the gray duct tape (#16Q1). When the black suede control fibers (#9AC1) were compared to the questioned black suede fibers from (#16Q1), they were found to be identical in macroscopic and microscopic appearance. Therefore, (#16Q1), questioned black fibers are consistent with having originated from the same material as Item #9A, black suede glove.
- Snow-White*

Supplemental Report

RUTH M. WITTER - Victim

EXAMINATION/CONCLUSION continued:

Item #9A Black suede glove compared with Item #17Q1 black fibers from gray duct tape. *where*

Samples of black fibers (#9AC1) were mounted and compared to black fibers from gray duct tape (#17Q1). When the black suede control fibers (#9AC1) were compared to the questioned black suede fibers from (#17Q1), they were found to be *similar* in macroscopic and microscopic appearance. Therefore, (#17Q1), questioned black fibers could have originated from the same material as Item #9A, black suede gloves.

Item #9A Black suede glove compared with Item #18Q1 black fibers from gray duct tape. *where*

Samples of black fibers (#9AC1) were mounted and compared to black fibers from gray duct tape (#18Q1). When the black suede control fibers (#9AC1) were compared to the questioned black suede fibers from (#18Q1), they were found to be *similar* in macroscopic and microscopic appearance. Therefore, (#18Q1), questioned black fibers could have originated from the same material as Item #9A, black suede gloves.

Item #9A Black suede glove compared with Item #36Q1 black fibers from bed sheet. *where*

Samples of black fibers (#9AC1) were mounted and compared to black fibers from bed sheet (#36Q1). When the black suede control fibers (#9AC1) were compared to the questioned black suede fibers from (#36Q1), they were found to be *similar* in macroscopic and microscopic appearance. Therefore, (#36Q1), questioned black fibers could have originated from the same material as Item #9A, black suede gloves.

The following items have been placed in a Biological Evidence Bag (BIOBAG) on microslides/plastic evidence box and are being retained frozen at the New York State Police forensic Investigation Center: #8AQ1, Q2 and Q3, #8BQ1 thru Q6, #16Q13 and #17Q9.

If there is no further activity on this case, the BIOBAG will be returned to your agency twelve (12) months from the date of this report. It is recommended that the BIOBAG be stored frozen. If further analysis is required after this time, the BIOBAG can be resubmitted to the Laboratory.

Forensic DNA analysis is a possibility in this case. For the examination to proceed, we require a control blood sample, which must be collected in purple-stoppered EDTA tubes, from the *victim* and *defendant*.

May 25, 2000
Lab Case #00H-000611
Case #00-053232
Additional

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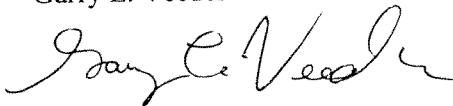
Supplemental Report

RUTH M. WITTER - Victim

(CPL 190.30(2) Certification)

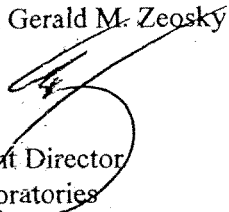
I, Garry L. Veeder, Forensic Scientist III, hereby certify that I am a public servant in the employ of the New York State Police Forensic Investigation Center, and that I performed an examination on the above referenced evidence. The above report contains the results of the examination I personally performed and is the original report of my examination.

Garry L. Veeder



Forensic Scientist III /
Trace Evidence

Captain Gerald M. Zeosky



Assistant Director
SP Laboratories

cc: 1 - Chief Grebert
1 - Albany County DA's Office

GMZ/dmf