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August 01, 2012

Re: JDSC Case 12-07-03 (12M07241)
Defendant: David Gardner

Background

On Friday July 06, 2012 I, Criminalist Jeff Saviano, met with Investigator Terrance Canter of Terrance Canter, Legal Investigations in order to discuss an assault case. The defendant in the case was David William Gardner. Mr. Gardner was accused of assaulting Rebecca Wilson in Ms. Wilson's residence, located at 3546 Columbus Avenue, Apartment 306. Mr. Canter requested that I observe and evaluate bloodstain patterns appearing in police photos in order to determine, if possible, the nature of the events that may have occurred in relation to the incident.

Items Reviewed

Reports:

- Police report by Officer Grant Jones dated May 22, 2012
- Police report by Officer Deborah Parker dated May 25, 2012
- Investigative report regarding interview of Carlos Montoya by Investigator Terrance Canter dated July 07, 2012

Photographs:

- Photos of crime scene taken by Officer Deborah Parker
- Photos of victim, Rebecca Wilson, taken by Officer Deborah Parker

- Photos of defendant, David Gardner, taken by Officer Deborah Parker

Bloodstain Evidence

1. Multiple spatter stains are observed on the front face of the refrigerator door.
2. Multiple spatter stains are observed on the refrigerator handle.
3. A single spatter stain is observed on the freezer handle.
4. Multiple drip stains are observed on the lower portion of the front face of the refrigerator door.
5. Multiple drip stains are observed on the floor in front of the refrigerator.
6. Multiple spatter stains are observed on the front face of the cabinet separating the refrigerator from the range.
7. Multiple drip stains are observed on the front face of the cabinet separating the refrigerator from the range.
8. Multiple drip stains are observed on the floor in front of the cabinet separating the refrigerator from the range.
9. Multiple drip stains are observed on the top and front of the oven handle.
10. Transfer (swipe) patterns are observed on the top and front of the oven handle.
11. Multiple drip stains are observed on the floor in front of the range.
12. Multiple drip stains are observed on the floor between the range and the kitchen door.
13. One to two drip stains are observed on the top of the island separating the kitchen from the living room.
14. One wipe pattern is observed on the top of the island separating the kitchen from the living room.

Observations/Conclusions

The majority of the bloodstains on the front face of the refrigerator door are consistent with being caused by blunt force trauma. Some of the bloodstains on the bottom third of the door are consistent with a drip pattern caused by blood being deposited onto a surface due, primarily, to the force of gravity. These two types of patterns are illustrated in the photo below. The pattern circled in yellow is consistent with blunt force trauma; the pattern circled in blue is consistent with dripping blood.



The photo below illustrates the Area of Convergence of the bloodstain pattern on the refrigerator door. The Area of Convergence represents the area from which the blood originated (Mr. Gardner's head wound) on a two-dimensional plane (the refrigerator door). This area was determined by examining the geometric shapes of the bloodstains comprising the spatter pattern.



Since CSPD officers did not document the bloodstains or the crime scene with measuring devices, one must estimate the actual height of the Area of Convergence shown above. Given that the standard height of a kitchen counter is 36", the Area of Convergence is

estimated to be approximately 40" to 45" from the floor. Mr. Gardner's height is listed in the police report by Officer Parker as 5' 9" (69 inches). This would mean that Mr. Gardner was not standing upright when he received the blow to the head that caused the blood to be deposited onto the refrigerator door.

It is important to note that a blow that would cause this much blood to be spattered onto the door is unlikely to have been the first blow to Mr. Gardner's head. If Mr. Gardner sustained a blow to the head with a wine glass, and if that wine glass caused the sharp force trauma to Mr. Gardner's head, then this blow would likely cause blood to come to the surface of Mr. Gardner's scalp, but would be unlikely to have caused the blood to be projected into the air at the same time. It would have been a second (or third) blow—after the blood had already reached the surface of the skin—that would likely have resulted in the spatter pattern on the refrigerator door.

The multiple drip stains observed in other areas of the kitchen, to include the bottom portion of the refrigerator door, are consistent with blood dripping from Mr. Gardner's head wound.

The swipe pattern on the oven door is consistent with a bloody object coming in contact with the handle with lateral movement from left to right (away from the refrigerator and toward the kitchen door).

The opinions stated in this report are based upon a reasonable examination of the available evidence, along with the application of standard principles and methods accepted within the forensic community, specifically the community of bloodstain pattern analysts and crime scene reconstructionists.

This examination was conducted based on the information provided as of the date of this report. Should additional relevant information or direct examination of evidence become available, it may be necessary to modify this report in order to reflect or incorporate the new information or evidence.

Examined by:

A handwritten signature in blue ink, appearing to read "Saviano", with a long horizontal flourish extending to the right.

Jeff Saviano, CFC
Criminalist/Owner
JDS Criminalistics, LLC