



Independent Forensic Services

### *Conclusions*

Based on the materials provided and the investigation performed by IFS the following can be concluded. Should new information become available, then I reserve the right to revise my report and my conclusions.

1. In the case of Cynthia Tincher and the case of Debra Ogle both the examination and the documentation by the pathologist do not meet the requirements of the quality standards.
2. There is no record of the degree of rigor in the other joints, no record of the exact distribution of the livor and whether or not the distribution is according to the positions of the victims when they were found.
3. There is no record of a body temperature, or if, when and how taken.
4. There is a discrepancy in the observations, made by the pathologist. There is no scientific explanation for the observations made by the pathologist in the case of the victim Cynthia Tincher.
5. The autopsy of the victim Debra Ogle was done a day after the body was discovered. There is no record of the time of death indicators once the body of the victim was discovered.
6. Warming up the body of Debra Ogle would have accelerated the decomposition and the postmortem indicators, like rigor and livor. The exposure of the decedent to varying temperatures has complicated the estimation of time since death.
7. An examination of the body of Debra Ogle carried out closer to the moment of death would have resulted in a more precise estimation of the postmortem interval.
8. The procedures applied by the pathologist reduce the reliability of his observations. Nevertheless, it is most likely these are the observations on which the coroner based his conclusions regarding time of death of Debra Ogle.
9. It appears that after the coroner's verdict was signed, the date of death was altered from March 12, 1986, to March 8, 1986. Changing a document without providing any reason is not considered acceptable forensic practice.
10. The body of Debra Ogle was discovered face down. She was then moved to her left side. She was then moved to her back. Lividity shifted accordingly. This proves that not all the lividity was fixed at the moment of discovery of the body.
11. The finding of non-fixed lividity does not support the hypothesis that the victim died on March 8, 1986.
12. The finding of non-fixed lividity puts the time since death of Debra Ogle somewhere between 12 hours to a maximum of 36 hours prior to discovery of the body. Given the fact that these hours apply to fixation of lividity and in this case the lividity was **not** fixed, the actual time since death would most likely be shorter than longer.
13. There is no sign of animal activity, neither from insects nor from animals like rodents or foxes. The area of injuries would have been specifically targeted by such animals.
14. The difference in interpretation between the experts in 1986 and those of IFS can be fully explained by the fact that the principles about time of death signs, available in practically every textbook on forensic pathology, were not applied in 1986.

Based on the findings there is considerable support for the hypothesis that the victim Debra Ogle died around March 12, 1986.

This report has been reviewed, discussed and approved by Dr. J.J. Nordby, Ph.D., forensic medical consultant from Final Analysis Forensics in University Place, WA.

I sign the report under pain and penalty of perjury.

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January 15, 2010

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