HOMICIDE OF---TIMOTHY KING----AUTOPSY REPORT
March 23, 1977

DR. WERNER SPITZ, CHIEF MEDICAL EXAMINER WAYNE COUNTY MEDICAL EXAMINER'S OFFICE

SPITZ: Now it's different. It just looks entirely different. Now it is full with relatively big blotches that are empty, but then when I saw it it was like a fence, a knit fence.

Is that with clothing on?

SPITZ: No, he didn't wear clothing on here.

IMPRESSIEND

And he was fully clothed?

SPITZ: He was completely fully clothed with a red ski jacket, you know a nylon type jacket, and undershirt and pants and underpants and sneakers and socks. In fact you should probably mention that he was fully dressed with a red nylon ski-type jacket with these patches, you know like the kids have for skiing, and patches for skating, and patches for swimming or whatever. Green corduroy pants, very clean, everything clean. I didn't have him refrigerated because I wanted to see whether the <u>lividity</u> is going to be shifting to another place. _____ it did shift because, do you want to turn him over a bit, because if you look at him on the back now he's got full <u>lividity</u> on the back. He had nothing on the back. The body was beginning to be igid. I cannot tell you more than to say that it was cold out there, it was about 29°, and this was 2:00 in the morning and I estimated then that the time that he died in my opinion was 6 to 8 hours earlier. And not there! He was killed some place and he was dumped there within a couple of hours. The <u>lividity</u> corresponded to no more than 6 to 8 hours.

This is on 8 mile but on the south end, right?

SPITZ: All I did was drive from my house along 8 mile all the time until I saw the lights, the police lights and that was just west, maybe 1/2 mile west of Farmington Road, in Livonia. In the center of Livonia, I think it is the center of Livonia. I didn't want to put him in the refrigerator because I wanted it to be room temperature. This wasn't there yesterday. The only thing that I saw and right now you will see it is on the outside too, the thing that I saw was a thing the size of a lentil somewhere in this area. That's all. I kept looking in it and we looked at it under the black light and under this light and it comes out now. I didn't see this yesterday. I'm wondering whether this . This I didn't see yesterday. See when the lividity develops the blood sinks into these places. I didn't see this yesterday. I wonder if he was tied up. Now there is lividity. Something is here. I don't know what this is. There is a rough area here on the skin. Last night I saw this better because last night there wasn't lividity here. This should be cut into here and this I don't even know what this is. Look at this, now I didn't see this yesterday and I looked and looked and looked. Very congested but that could be from the lividity. He I took smears from the rectum and I took smears from the mouth and I gave the smears to the laboratory so I didn't give it to the State Police, I gave it to ir laboratory for staining and they are going to give me slides in in a little while. Now they are going to come in and identify the kid And there is a bruise there, so please look into this, b ecause you may not find anything in there and the question I pose is, what if he was just smothered. In that case he would have the tooth on him. Could you hold the head for just _____

on that side. That could be something here. If you do like I did now and take sample and very superficially cut into that. Now there is one other thing I want to show you

You have to be extremely careful on the neck and in the mouth.

You see now what happens to an autopsy......you have acome out. I had a case two days ago.....

SPITZ: You know why that is? Because is you cut the skin and you take the organs out, you relieve the pressure and all the lividity goes away.

(Other people have obviously entered the room as "hello" has been exchanged and confab between doctors is inaudible)

I try to find out what the matter is with him and I don't think he is going to be in there more than a couple of days but if you have to go to court today that doesn't help you any. If you cannot do it, then we will send somebody else over. Oh, he didn't well I may be able to testify from notes or somebody here may testify from recollection of the case because nobody here views cases all by himself. So, if you get into a bind let me know and then we will work something out. (Evidently, a phone conversation as the Doctor says "OK, fine. Your welcome".)

The thing that I wanted to show you, there is nothing wrong with the rectum that I could see. I just don't see anything there. This I didn't see. And he was naked too, from here, I didn't that, but this is waht I wondered about. This is drying to mee, this thing and I just have never see this. I don't know what this is. I think this is an irritation, due to the sweating and rubbing, but this looks maybe that is why they picture it. (More conferring amongst doctors) It is just unbelievable. Food in the stomach would be important. What food, what kind of food and in and what kind of food what state of digestion, and how much it entered the that you can recognize and in the intestine if he had been fed in recent days, you want to know all the intestines. I couldn't refuse them to take finger prints off the body. They filmed the body. But I was here when they did it. The State Police printed his hands. They are the ones that collect the evidence, they did not cut the finger nails as far as I can see. What good that would have done, I don't know. Take a blood sample, ya. After you look at the stomach, the stomach will be no good to you so keep it for and I will do a complete set of on it. But this definitely is intriguing. This I never saw yesterday. There is a very faint mark, but if he uses a soft scarf or something there wouldn't be anything, more than that.

Did the City take any prints off him?

SPITZ: They got one print off him. A beautiful one. They got......well, I'm going to try but.....but immediately......(mostly unintelligible)

(The above previous comments were made by DR. WERNER SPITZ, Chief Medical Examiner for Wayne County Medical Examiner's Office. This is during the counsultation he had with several of the medical examiners as they examined the body of TIMOTHY KING.)

There is no brake impact.

Down into that ditch and then let him go. They said that the .. and I saw the knees and they were..

And he stiffened somewhere else.

But they said that the a...well, I saw the dirt on the head. They said that he was partially face down as though there had been a roll....

I think he probably ate within the hour or hour and a half before he was ...two hours maybe, I don't know. Difficult to say, somewhere in there.

Do you know approximately what time....of his death?

- I said yesterday, 6-8 hours.

6-8 hours. 2:00 in the morning?

- I think I placed the time of death around 6:00 to 8:00, but not where he was found. He was killed somewhere else and taken there.

Do you know if rigormortis?

No, but he was about to develop it. I don't think he was sitting, I think he was lying down. From the position of the body it looked like it was stiffening in the position f lying down not sitting up. It wasn't curved enough for sitting up. It could have been in the trunk.

In one indication, the tracks that we have in the snow does not indicate that the man went around to the back of the car. That he only was on the drivers side.

Maybe he was lying down, the kid was only about 4 foot long. A Gremlin is big enough to have

In the back of it, it is big enough to..............Unless this guy has _____ super clean, very few cars have a good clean trunk. They just are not made that well. There is a certain amount of dust and yet the last time they went over the clothes, everything. They couldn't find anything, dust or anything, just absolutely clean.

Can you think of anything unusual to this particular body?

(Conversation of several people and inaudible)

Very doubtful that they will come up with anything (that is what it sounded like,,mp)
But the amount that they would come with would be so small

Any indication from the marks that were on the wrists? What type of binding (more questions of type of binding but is not clear)

That type of thing could possibly a quarter of an inch wide.

Could it be a clothesline?

- I didn't know that he was bound. Was he?

I don't know. I understand that there were marks.

DR. JOHN SMIALEK DR. WERNER SPITZ

One or the other had a positive carbon mononxide. One of them 9% apparently. And I asked BOB to run the......on this one.

Death certificate is "smothering" on the side, found smothered, left on side of road.

While you are going ahead with this, is there a phone I could use? We'd like to have our Chief's advice before the newspapers get it.

Your name is Dr. SIALAK, JOHN (I'm not sure of this info, Couldn't follow his voice)

If it was facing on buildingwhich there would be versus, if he was driving around with him in the car, for instance, alive, in the trunk, we should have the same factor, or close to it, somewhere to the same thing. If it is a space heater in a room where they are being held and that space heater is not commonly used because of the warmer temperature, then it might count for the difference.

Let's wait for a few of the fellows to come in.

The evidence that wwe have indicates that the child was smothered. There are injuries of the mouth, tongue, no evidence of any strangulation. Aside from the smothering, evidence there are abrasions on the top of the head which are quite superficial that appear to have been inflicted before death. Then there is a small abrasion at the front of the left ear Examination of the genital and rectal area that is definite dialation of the penis and rectum indicating some form of sexual abuse in that area. Aside from whether or not the slides show any sperm, there is no question that he was assaulted..

Sexually assaulted? Answer: Yes. Question: How about his penis, had that been injured in any way? Answer: NO. No injury at all.

The abrasions, there was a small abrasion on his left hand, just in this area here. Over the fourth finger. The area of discoloration that we saw might indicate binding on the wrists but there was no evidence of any hemorage in the underlying tissue so that doesn't conclusively prove that he was bound but it doesn't necessarily prove that he wasn't either.

But there are bruises??

Well, there was superficial discoloration of the skin but a bruise in terms of hemmorage in the underlying tissue wasn't there.

Then if he had struggled, even some minor struggle against the bindings, it would have marked so that you would have been able to tell?

Yes, he should have had some abrasions or even a friction burn usually they get.

Even with, say cloth, something like that?

If it was soft material it might have prevented a more friction development.

Say a wide tape, like duct tape used by furnace men or certain....

How about those articles used in bondage, if you are familiar with that, they wide bands.....

THEy can use anything at all, belt whatever. THe

I told you that.

That the body was warm?

Sure, I told you that. When I came out there ...

He said that when he felt underneath and it felt like a normal human body practically.

..and I lifted the right jacket and the shirtand I told him feel, that feels warm and he put his hand there and he said "Oh, yah". But the back part was up and he felt it here on the left side......

And the rigor was starting to develop, you say?

And that time there was rigor present, not very much. I would said yesterday and I maintain that now, that I believe the time of death would be 6 and 8 hours before I saw him at 2:00.

If I interpret that correctly that would be about 6:00 and 8:00 yesterday evening.

Right, and if you consider, and I didn't know at that time about the food, but that if he ate at 5:00

Any indication how long the body had been out there? I mean from warmth and weather factor?

That is consistent with what Dr. SPITZ was saying about a 6-8 hour period for the body ot to have lost it's normal body temperature completely.

In talking with Dr. SPITZ earlier, he said something about a dertain amount of rigidity starting to form in the legs, he felt that the body had been transported in a prone position, I'm not that well versed. Could you give us an interpretation behind that?

If the person had been moved in the trunk with the knees bent up, he would started to develop rigormortis in that position. So when he was left out on the side of the road he would still maintain that body attitude. The stiffening of the muscles would maintain it, but the fact the rigormortis had already to develop in the legs and the legs were outstretched indicated that he had been transported in that particular body attitude.

Is there anything you can tell from the seven......that was on his back side.....?

What he said when that at the scene would be more important because you could see the difference from turning the body over. It was face down at the scene, right? And when we turned over when it was transported here, it was left on that stretcher for awhile you could see the change already from the blood settling back to the now dependent part of the body. The fact that he had been only dead for sy 48 hours meant that the lividity could change, as soon as we changed the body it was going to change and it did and we saw how it changed from the front at the scene.

And it could have changed several times Do you have a case number on here? #2126.

here was no indication on initial investigation of the body regarding the lividity at that time was there?

This is what Dr.SPITZ made some observations at the scene which would be more pertinent as to.....No, they were on the front because he was face down but when we transported

we put them on their and bring it in and leave it on the stretcher on the back and all liver was starting to form in the other area.

So that indications are that he was transported face down after death?

That was my impression. You could check with Dr SPITZ.

.....finger nails. That appears then to be an obvious scraping that went along with the ultimate cleaning of the body..

There wasn't any evidence that the person had abraided or used considerable amount of force to clean the body. The nail beds weren't ..it doesn't take much to cause hermorage when you stick an instrument under that area especially in that young of a child. There wasn't any evidence of any bruising, any evidence of any abrasion of that tissue to indicate that it had.....probably not too soon before death.

Before or after???

The fact that all the tissue was intact suggested to me that it had not occurred within hours before death or after death.

You know we are looking at this thing.....and we were wondering if after he done with the act versus had he done it prior to having.... and you're talking about it being a male and having himself a clean tender thing versus having had intercourse or sodomy and then he cleans the body to rid it of all evidence including sperm.

That would be another thing I would care to ask. With the sodomy thing. I would assume and I have not had the experience with the sodomy viloations, if he had been sodomized would there be some other indications on the outside of the body if for instance if .e had been washed before the sodomy in contrast to after? So the sodomy could occur. There was no blood, he wouldn't have had any blood outside of ...

Any ejulation should not be affected, regarding the washing after providing he had not pulled out first, he had ejaculated in the boy, this should be available through the test no matter what ...

If the fluid was there ...

ould it not have ran out or spilled out if it had been a normal amount of a normal male would there not have been some that would have come back out of the opening?

With the dialation it would seem that there would be some stuff.....

I'm thinking of the probabilities, I'm not saying that it has to be, well....

I'd rather look at the smears that we have, that we have taken and see if there is any evidence that there was anything injected into that area.

What I'm asking is if there had been, would it have come outside of the body??????

If it was a normal adult individual, yes, there could have been some leakage of fluid around that anal area, there wasn't any.

You would have been able to see it with the naked eye, I assume.

rrobably.

If there is semen in the anal tract, is there any other tests that you can get a possible type even though it was in the passage.

Yes, you could pick up both types, even the boys type.

(Next confab unintelligible)

Where do you find anything unusual about this particular case.?

Think the cleanliness is unique, the minimal amount of injuries of the body. Is there any indication how well kept this.....

Perfectly well kept. THere was a lot of food in the intestinal tract, no indication that he had been starved and physically abused to any great degree.

So the lack of physical abuse and cleanliness are the two leading factors?

The degree of cleanliness and the other actions on the body, does this indicate anything to you regarding the person?

Well, I'd agree that certainly the person was a very compulsive type of individual but commenting on that very bazaar type of behavior, I don't think it is very fruitful.

Is that thing about washing the body, is it any different than if anybody had taken a shower? In other words, if I had taken a shower, would my body be in any different condition than that body.

For a, kid, the cleanliness in the nails would be remarkable.

But as far as the skin, is clean clean or is there clean and super clean?

wouldn't on whether it was clean or super clean but it definitely was clean.

.....Tape apparently turned and started again.....

bleeding from her head. It was that 9 year old girl that was killed behind the house a few months ago..

Another thing about the sodomy thing, is there any way for you to determine whether in fact that it would have been a penis in contrast to a foreign object, a broom handle if you want to call it that?

It would depend on whether there was sperm or not in there.

My point is, we are trying to pin it down to male or female.

We don't know if, for instance, on the last girl that was found, if it is a male, that kind of helps us along. Could have been a foreign object is what we are trying to determine.

I couldn't tell you that one way or the other unless I find sperm in which case

I was wondering also, is this unusual in crime......sodomy, I'm not familiar with......I would assume they do use vaseline or petroleum or whatever.

I don't think it would be necessary.

child of his age, I would assume his anal opening would relatively small in its normal state and if you take the average male his penis quite a bit larger, probably 3 or 4 times as large and I wuld think that by trying to force that opening there would be some ripping and tearing if it would be a normal mail.

....how much resistance there was and how.....that is very elastic tissue and a lot of

I was thinking of cloth because there is a certain amount of give that wouldn't cause the cutting.

Right, it would protect the overlying skin. That is certainly possible. There just isn't any evidence to definitely confirm that.

But if there was, it would be more likely that than rope or cord.

That type of evidence would more likely be there with rope, than cloth.

....with what you had found or with more hemmoraging?

But what we haven't found would more likely be there with rope than cloth, but we haven't found anything which more along with something loose like a cloth.

Any indication that he may have been unconscious at the time of death? Do you have tests at this time?

There was some swelling of the brain which would indicate that he had been unconscious for a short period of time before he expired.

Any idea what would cause that unconsciousness? Would the blow or the abrasion seen on the head, would that have caused it?

4 SE ...

So that would prevent any marks, any bondage marks?

Yes, if he was unconscious, he wouldn't struggling.

Hen the swelling of the brain.....?

It is a bio-chemical cellular change that occurs once the brain is deprived of oxygen then the cells start allow the seepage of fluid in the surrounding tissue.

....that there was a partial suffocation and then possibly a period later that he..

He could have been suffocated but not completely dead. He might of remained metabolically alive for another period of one half hour or an hour. During that time he would have for intents and purposes appeared dead. Some of the cellular changes continued to occur in his body for a period of half an hour to an hour and then he finally completely expired.

I was wondering because of the sodomy in the other case could have been pressing... during the course of the sodomy and then there was apparent recovery and then a harder object, possibly the hand finished the job.

No, I don't think he recovered and then was assaulted again. I think he was asphyxiated to a point almost to approaching death and then remained chemically alive for another short period of time.

If I may go back to the very start and you were talking about the marks on the face, the cuts on the insideof the lip, do you feel that that would be something similar to a hand or a hand pressure versus a pillow?

, it could have been a pillow.

With that amount of force and the mark that was on his face..../

He would have to have been truced up tight to completely include his



Would it be more consistent with the hand? This is just off the wall.

No.

I might have even expected more injuries if there was a hand. I wouldn't be surprised if he might have even, just speculating, even had that. been asphyxiated while he was asleep, possibly. There are no evidence of struggle, I would have expected more injury on his mouth if it was a hand rather than a pillow.

You mentioned the abrasion on the head; it is that more likely a mat burn, rug burn type abrasion? Could that have occurred during...

It would be consistent with them...It could have been if there was a rough carpet. It would be a rough surface., something firm underneath them, rather than a soft mattress.

Moving down to the chest, was there some type of marks on the chest?

They were a ...

I saw the chest and it looked almost like old burn scars.

That completely disappeared and that is why I asked her if he had a scar. I asked the mother. She said "no" and if you look at it now, it is completely gone. Apparently he had some snap buttons in his ski jacket and that was just an area where the hadn't developed but now it is completely gone.

The sodomy, with the dialation that you found, are you able to estimate any way of how long before that would have returned to normal if he had remained alive? What I am trying to say is how far back from the itme that he expired, do you have any idea when he was sodomized? Or did it happen afterwards? Or could it have been frequent?

I assume that the body would..that the dialation would delete after a certain period of time, if he remained alive. It is possible that it could have occured after he died. And it is also likely that it occurred more than once for that degree of dialitation to occur and remain there.

I am sure you may well be aware why we are asking the various psychological backgrounds, the party who has the sex and the culmination thereof isthe fear of......

If he had not been sodomized after he was dead can you estimate the minimum amount of time or the maximum before he died, that he was sodomized?

How long would it take a body and sodomy had occurred and if death had not been the final result, how owuld it have taken the anal track to return to its normal size?

There is obviously that the anal tract is dialated from sodomy, what we are trying to ask is if we go back and say if , assume for the moment he was not sodomized that he was not sodomized after he died, it would take a certain amount of time for the body after sodomy and he stayed alive, to return to its normal size. Would you have any idea what length of time would be?

If he was being sodomized before death, how long does it take the anus, the sphincter to return to its normal tone after sodomy has occurred?

I think I can answer that of a first hand experience in some way. My little boy when very young could not go to the bathroom, and my wife took him to the pediatrician and asked the pediatrician what to do and he said that is very simple. He put a finger in there and said I cannot put my little finger in there, it would mean that he is too narrow. Therefore, what you have to do is work his anua open by putting your finger in there wish verying. It will stay that way. But if he had been sudmitted. I don't

Well, if this happened, and he has been gone four days, you are saying he used it, well to go to the bathroom, if he has been sodomized constantly over this period of timejust before death.

....would dialate it and I don't know what he stuck in there, something was stuck in there with something, his penis, or a broomstick or whatever, his thumb, he didn't do a lot of damage but there were bruises around there.

Any indication of any lubricant?

No, just normal secretion from that area.

Why, don't we let the doctor go on with his report rather than

NO, I think we are just about finished.

Any foreign objects on the body?

For the purpose of the recording, I covered it earlier, the condition as to clean-liness.

I agree with what we were talking about earlier that certainly the body was extremely lean. The finger nails and toenails were all extremely clean. I asked the mother about that, whether that was a normal condition for him and she indicated he wasn't that type of a kid, "No". And certainly they were extremely clean.

I'm going into the scalp a little bit. The scalp showed evidence of accumulation of scales on the scalp and the hairs which would indicate that it hadn't been washed within the previous 48 hours, that what I would estimate.

Stomach contents.

There was a lot of fluid in the stomach. There appeared to be some white meat suggestive of fowl along with other which appeared to be vegetable in the stomach, with fairly advanced in terms of digestion. Some completely digested food was extending into the samll intestine as well.

Would that be normal? Answer: Yes.

How long a period of time would that have been after eating?

About three hours.

You say vegetable. Can you identify that?

No, I would have to clean some of it up and filter it out and take a closer look at it. It was all just mixed together mixed with the mucus and everything. Corn in the lower intestinal tract. Maybe three days or so ago, possibly earlier, say 2-4 days. He had igested some corn and that was in the lower intestinal tract.

How about time of death? Say that he had eaten 2-3 hours before, now how about approximate time of death? .

The technician indicated to me, did they tell you that the body was worm when they found

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Wayne County Medical Examiners Number File # 2116. Has a Michigan State Police Number 27-919-77.

Date March 23, 1977. On this date writer, Det/Sgt. Brandemihl, appeared at the Wayne County Medical Examiners Office with a copy of Livonia Police Report #77-006883- One of these reports was turned over to the Wayne County Medical Examiners Office to one Paul Campbell. Other copies were xeroxed and given to other Police Departments involved, namely Det/Sqt. Roger L. Rivard who is with the department of Michigan State Police and is coordinating the efforts for the Michigan State Police in regard to the deceased and missing subject. Other officers present was Thomas E. Cattel of the Ferndale Police Department and a Member of the Oakland County Task Force. Another officer in charge of the Birmingham Missing was Jack Kalbfliesch. Also present was Detective Norman Desimone of the Oak Park Police Department also member of the Oakland County Task Force. Also present were two members names unknown at this time of the Michigan State Police Crime Lab. who were processing the body at and during the postmortem autopsy. The autopsy was conducted by a Doctor John SMIALEK who is Deputy Chief of the Wayne County Medical Examiners Office. Also present at various times was Dr. Warner SPITZ. The body was identified by the victims mother one Marian K. King, address of the victim is 1509 Yorkshire in Birmingham, Michigan. The date the deceased was last seen was 3-16-77 which was on a Wednesday night at approximately 5:00 P.M. At the time officer examined the body the body was of a Timothy King who is white male, dob 7-9-65, he's approximately 4 foot tall, weight 60 lbs., brown hair brown eyes, a normally developed boy. At the time of autopsy was nude. The only remarkable thing about the body prior to autopsy was that it was very clean, exceptionally clean, under the toenalls, fingernails, had been manicured and apparently had not been cut or broken in the normal course of play by 11 year old child. Autopsy proved that the cause of death was smothering or suffocation. The only external injuries was injuries to the Inside of the lips, caused by being x pressed against the teeth, his tongue was swollen which is consistent with smothering to death. There was a small superficial scar on the top of the head that may have been caused when the body was placed in a ditch where it was found by police. Another exterior superficial mark between the left ear and the corner of the mouth which may have been made by a fingernall of the defendant. The victim also had a dilated and indicating sex abuses on numerous occasions. There was an abrasion over the top of a left hand knuckle on the 4th finger. According to food in the victims stomach which was chicken the Medical Examiners indicated that death occurred roughly three hours after ingesting food. Particles of what appeared to be chicken was found in the victims stomach, and there were indications that approximately 3 or 4 days ago or 3 or 4 days prior to death the victim had eaten corn as this was found in the lower digestive track. The doctor conducting the examination gave a rough estimation of the time of death between 6 and 8:00 P.M. on the 22nd of March, 1977. Dr. Warner Spitz who examined the body where it was found in the ditch in Livonia suggested that the body was transported face down because of lividity at the time he examined the body. The body was then transported to the Wayne County Medical Examiners Office face up which changed the direction of the lividity. There were swabs taken from all body cavities (cont.)

Reporting Officer(s)

Division_

Date_

Time

SUPPLEMENTARY REFU	eī į	REFE Report No	77006883					
OFFENSE: HOMICIDE COMPLAINANT: VICT DEFENDANT:	im: KINC, Timothy 7-9-65	Assigned TO:Pet/Sgt Division:D	£ 270					
		number is made hereinafter. The informat	ion is concerned					
a lubric from the defendar it can be of the s There we possibil the body	mouth, nose and anus at the time of examination, there was no indication of a lubricant being used in the area of the anus. In one passe hair was taken from the victims penis this would have to be in most cases a hair from the defendant as the victim had no pubic hair according to Dr. Smialek he states it can be determined from the pubic hair found on the victim, the blood type of the suspect and the sex. He said possibly other things can be found. There were slight bruises on the wrist of the victim indicating the possibility that victim was bound. When asked if there were anything about the body that was remarkable or unusual both doctors Smialek and Spitz indicated yes, the one remarkable thing was the cleanliness and the good							
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