

TIMOTHY KING
MARCH 25, 1977

CASE NO: 2116-77
AUTOPSY NO: A77-472

REPORT OF AUTOPSY

An autopsy was performed on, TIMOTHY KING, on the 23rd of March, 1977 at the Wayne County Medical Examiner's Office, Detroit, Michigan.

EXTERNAL EXAMINATION

The body is that of a well-developed, well nourished, white boy. The clothing removed from the body, includes shirt, corduroy pants, underwear, stockings, sneakers and a red ski jacket, with several sewn on patches. The body weighs 60 pounds, measures 4'1" in length and appears compatible with the stated age of 11 years. Rigor mortis is present to an equal degree in all extremities. Livor mortis is present on the posterior aspect of the body, as well as present in a patchy distribution of the face, and anterior portion of the trunk, except in those areas exposed to pressure.

The scalp hair is brown and long. Dandruff and mild scaling of the scalp are noted. Multiple, tiny, irregular abrasions, averaging 1/8 of an inch in diameter are present in an irregular distribution of the left upper forehead, in a zone measuring 1 1/2" in diameter, with evidence of hemorrhage in the underlying tissues. The eyes are partially open and mild drying of the corneae is noted. The nose and nasal bones are intact. There is a 1/4" superficial abrasion present at the anterior aspect of the lower portion of the left ear. Multiple, fine, linear abrasions are present at the left corner of the mouth, and also in the middle of the lower lip. These abrasions are uniformly parallel, 1/16 of an inch apart and average 1/8 on an inch in length. On the inner aspect of the left upper lip, there is a superficial abrasion corresponding with the shape of the underlying tooth. The tongue exhibits a fresh bite mark opposite the left lower molar.

Examination of the neck, reveals no evidence of injury or other abnormalities. Examination of the chest and abdomen, reveals no findings of special note. The penis is circumcised and external genitalia of normal size and shape for the age. There is a superficial scaling area of the buttocks and the perianal area, the zones of scaling measure 1 1/2" x 1/2" bilaterally. The ano-rectal opening is grossly dilated with loss of the integrity of the anal sphincter. Fine, small, superficial fissures are noted at the opening of the anal canal. Swabs are taken from the anal canal for examination.

Superficial zone of discoloration, linear in shape, 1/2" x 1/8" is present on the posteromedial aspect of the right wrist. Incising this area reveals no underlying hemorrhage. A diagonal zone of reddish-purple discoloration is noted on the posteromedial aspect of the left wrist, measuring 3/4" x 1/4". There is a superficial irregular abrasion present on the posterior aspect of the left 4th metacarpal phalangeal joint measuring 1/4" in diameter. A faint zone of purple discoloration linear in shape, 1/2" in length, parallel to the horizontal axis of the body, is noted on the back of the right ankle. Incising this area reveals no underlying hemorrhage. Examination of the hands and feet, reveals an extreme degree of cleanliness of all fingernails and toenails. No dirt or debris accumulation is present in the webs of the hands or feet.

The remainder of the external examination is without further note.

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INTERNAL EXAMINATION

HEAD:

The scalp is reflected. The calvarium of the skull is partially removed. The dura mater and falx cerebri are intact. There is no epidural or subdural hemorrhage present. The leptomeninges are thin and delicate. There is a moderate degree of flattening of the cerebral gyri and both hippocampal unci are grooved. There is no herniation of the cerebellar tonsils. Structures at the base of the brain, including cranial nerves and blood vessels, are otherwise intact.

NECK:

Examination of the soft tissues of the neck consisted of layer wise dissection of the superficial muscles in the anterior aspect of the neck and floor of the mouth. No zones of hemorrhage or injury were noted nor was any injury of the underlying larynx and trachea evident. Examination of the thyroid gland and large vessels at the side of the neck, similarly reveal no evidence of injury or other abnormalities.

RESPIRATORY SYSTEM:

The upper airway is clear of debris and foreign material. The mucosa of the larynx and trachea is uniformly gray-white and smooth and no abnormalities are present. The bronchial tree is similarly unremarkable. The lungs are collapsed. The pleural surfaces are smooth and glistening. The lung parenchyma is uniformly pink, with tiny zones of black pigmentation scattered throughout. No focal abnormalities are identified.

CARDIOVASCULAR SYSTEM:

The heart is of normal size and shape for the age. The epicardium, myocardium and endocardium are unremarkable. The coronary arteries exhibit a normal pattern of distribution and are not involved with atherosclerotic change. The heart valves and vessels at the base of the heart are unremarkable.

LIVER AND BILIARY SYSTEM:

The liver is present in the right upper quadrant of the abdomen and has a smooth, glistening, capsular surface. The liver weighs 1050grams. The cut surface reveals a uniform pattern of red-brown, soft liver parenchyma, with normal biliary tree. The gallbladder contains 8cc of green mucoid bile.

SPLEEN:

The spleen is situated in the left upper quadrant of the abdomen and has a dull gray, smooth, glistening, capsular surface. The splenic parenchyma is uniformly red-purple and soft, with tiny gray-white areas scattered throughout. No focal abnormalities are identified.

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GASTROINTESTINAL SYSTEM:

The esophagus is unremarkable. The stomach contains 300cc of partially digested food, in which gray-white, fibrous material resembling fowl, can be identified. Partially digested food extends into the pylorus and the first part of the duodenum. Digested material is present throughout the length of the small intestine and formed fecal material is identifiable. Golden-yellow particles, resembling corn are identified in the transverse and descending colon. The pancreas has a uniform gray-white lobular appearance and no focal abnormalities are identified.

GENITOURINARY SYSTEM:

The kidneys are covered by a thin, translucent capsule which strips easily, revealing a smooth, external, red-brown, cortical surface. The cut surface reveals a uniform pattern of cortex and medulla. The calyces, pelves, and ureters are unremarkable. The bladder is unremarkable.

ENDOCRINE SYSTEM:

The pituitary, thyroid and adrenal glands are unremarkable.

SKELETAL SYSTEM:

The skeleton, including the vertebral column, exhibits no evidence of injury or other abnormalities.

OPINION:

This 11 year old, white boy, TIMOTHY KING, died of smothering.

Injuries of the face, included scrapes at the margins of the mouth, a scraped area of the inner lining of the mouth, and a bite mark of the tongue. Also a scrape was noted in front of the left ear lobe.

Abrasions on the left forehead are believed to have resulted after death when the body was dumped from a short height.

Areas of indentation and discoloration on the wrists and one ankle suggest binding.

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The anal canal was grossly dilated and abrasions of the lining of the anal canal were present indicating sexual abuse. No sperm or evidence of semen were present in swabs from the ano-rectal area, nor were sperm or semen found in swabs from the oral cavity.

No other injuries were present on the body.

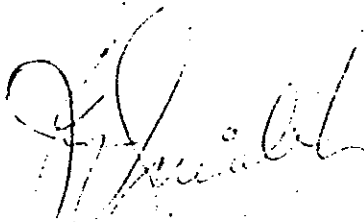
The stomach contained partially digested food. Particles were apparently that of fowl. This was ingested very shortly before death. The large intestine contained identifiable fragments of kernels or corn, ingested possibly two days before death.

In consideration of the findings at the time of examination of the body at the scene the time of death is estimated at approximately 6-8 hours prior to the body being found.

The body was dumped at the scene approximately 2 hours or less before being found.

The clothing and external surface of the body, including fingernails and toenails were exceptionally clean.

Extensive toxicological studies, including carbon monoxide, were entirely negative.



JOHN E. SMIALEK, M.D.
DEPUTY CHIEF MEDICAL EXAMINER

JES/smk:dlb

TIMOTHY KING
MARCH 31, 1977

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TOXICOLOGY REPORT:

ORAL AND RECTAL SWABS:

Acid Phosphatase: Negative

BLOOD:

Alcohol: Negative
Barbiturate: Negative
Carbon Monoxide: Negative
Quaalude: Negative
Group and RH Factor: B:Positive
Placidyl/Bromids: Negative

STOMACH CONTENTS:

Salicylate: Negative
Phenothiazines: Negative
Organic Bases: Negative
Valium: Negative

LIVER:

Halocarbons: Not Detected
Organic Bases: Negative
Opiates: Negative

KIDNEY:

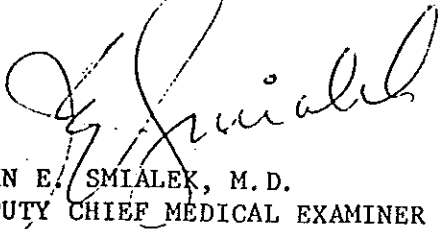
Halocarbons: Not Detected
Organic Bases: Negative
Opiates: Negative

URINE:

Alcohol: Negative
Salicylate: Negative
Phenothiazines: Negative

BILE:

Organic Bases: Negative
Opiates: Negative



JOHN E. SMIALEK, M. D.
DEPUTY CHIEF MEDICAL EXAMINER

JES/smk

HOMICIDE: TIMOTHY KING

77006883

O.J.C. Det. Sgt. Mike Varajon
DETECTIVE BUREAU

TX FROM DR. SMIALEK, ASST. WAYNE COUNTY MEDICAL EXAMINER AT 1400 hrs
ON 4-15-77, REFERENCE ANALYSIS OF VEGETABLE MATTER IN STOMACH OF VICTIM.

FOUND IN STOMACH WAS CHICKEN, CHICKEN CARTILAGE AND BONES, BEAN OR PEA
COVERING, CORN. IN LOWER INTESTINE, CORN ONLY WAS FOUND.

THIS INFORMATION SUPPLIED AS A RESULT OF A QUERY BY DET. SGT. R. RIVARD,
MICHIGAN STATE POLICE AND WRITING OFFICER TO DR. WERNER SPITZ, WAYNE COUNTY
MEDICAL EXAMINER ON 4-13-77 REFERENCE CLARIFICATION OF PROTOCOL ON POST OF
VICTIM. WAYNE COUNTY MEDICAL EXAMINER CASE NUMBER 2116-77, AUTOPSY #A77-472
GASTROINTESTINAL SYSTEM CONTAINING 300 c.c PARTIALLY DIGESTED FOOD EXTENDING
INTO THE PYLORUS AND FIRST PART OF THE DUODENUM.

CASE OPEN - PENDING

D/Sgt. M. Varajon

D.B.

4-15-77

1730 hrs.

MV/mak

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.

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 lividity 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 lividity on the back. He had nothing on the back. The body was beginning to be rigid. 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 lividity 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 had his face 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 our laboratory for staining and they are going to give me slides 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, because 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 _____? nothing

IMPRESSION

DR. SPITZ (cont)

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.

SPITZ: You do the head and go down and elevate that and cut the neck from the chest as low as you can and take it all out, everything clean out and raise this up on a block and do it very well. Just do me a favor, when you do it be careful, but don't be so careful that you cut into the skin here. See this, I didn't see either. I don't know what that is. He's been photographed by the police, not us This needs to be cleaned so that we can see the skin. Then there was one other thing I wanted to show you on the back,

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 what state of digestion, and how much it entered the _____ and what kind of food 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 consultation he had with several of the medical examiners as they examined the body of TIMOTHY KING.)

DR. SPITZ (cont)

Prior to this, SGT. RIVARD couldn't get the first part of the consultation as they were all huddled around the body and they were not speaking too clearly.

DR. SPITZ (cont)

The body is in relatively good condition, there are indications on the ankles that they were possibly bound. Also, on the wrist the possibility of the wrists being bound.

DR. WERNER SPITZ

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 of 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)

-the State Police. That is the only thing that I have to come up with anything. 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.

There were marks, suggestive! Suggestive!

(The next sentence by anyone is not clear. End of tape)

DR. JOHN SMIALEK
DR. WERNER SPITZ

①
MARCH 23, 1977
WAYNE COUNTY MEDICAL EXAMINER'S OFFICE

One or the other had a positive carbon monoxide. 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 building which 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 we 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 dilation 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 hemorrhage 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 hemorrhage 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 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?

So that would prevent any marks, any bondage marks?

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

Then 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 inside of the lip, do you feel that that would be something similar to a hand or a hand pressure versus a pillow?

No, 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 occurred 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 pediatriician and asked the pediatriician 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 with vaseline. It will stay that way. But if he had been sodomized, I don't

believe it would return because what you are talking about you are talking about probably some of the muscle fibre because what is down there? It is a ring of muscle and some of these muscle fibres would be stretched, some would be torn and I think it would take a long time to come back normal. In fact, the youth of it..... That is my way of thinking. Do you think that it is logical??

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 dilate 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 cleanliness.

I agree with what we were talking about earlier that certainly the body was extremely clean. 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 digested 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 warm when they found

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it at 11:00?

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 shirt ...and 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 not to have lost it's normal body temperature completely.

In talking with Dr. SPITZ earlier, he said something about a certain 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.

There 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

6
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 hemorrhage 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 he 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.

Probably.

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.?

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

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

4 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?

I 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.

A 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 would 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

ripping and tearing and bruising, depends on how much resistance there is .

....how far he puts it in, all kinds of stuff. Don't get in tangles, don't draw conclusions(Dr SPITZ)

I agree. They are trying to exclude whether it might have been an instrument in which case they can rule out male or female and whether there definitely there was male.

CITY OF LIVONIA POLICE DEPARTMENT
 15050 Livingston Road • Livonia, MI 48154 • Phone 421-2260

REPORT NO. 032277 / 2315
 DATE 10.7.3
 SERIAL NO. 032277
 TIME OCCURRED 2:31 P

TYPE OF INCIDENT: **1. MURDER**
 LOCATION: **STREET**
 ADDRESS: **DITCH WEST SIDE GILL - YOUNG S. OF ELDT MGR - WILMINGTON**

REPORTING OFFICER: **N/A**
 OFFICER'S ASSIGNED: **N/A**

(1) COMPLAINANT (2) VICTIM (3) SUSPECT (4) WITNESS (5) ARRESTED (6) MISSING

1. **COMPLAINANT**
 NAME: **2. KING, TIMOTHY**
 ADDRESS: **BIRMINGHAM MICH.**
 HOME PHONE: **11** SEX: **M** RACE: **W**

2. **VICTIM**
 NAME: **P.M. P. BREGE**
 ADDRESS: **L.P.D.**
 HOME PHONE: **L.P.D.** SEX: **M** RACE: **W**

3. **SUSPECT**
 NAME: **CPT. KUNST.**
 ADDRESS: **L.P.D.**
 HOME PHONE: **L.P.D.** SEX: **M** RACE: **W**

VEHICLE: (8) HOLD (5) STOLEN (E) EVIDENCE (L) LOST (A) ATTACKED (R) RECOVERED (4) SUBJECT (6) SUSPECT (X) IMPOUNDED

1. **VEHICLE**
 MAKE: **HANDKERCHIEF**
 MODEL: **WHITE**
 COLOR TOP/BOTTOM: **WHITE**
 YEAR: **1** STATE: **MI** PLATE NO.: **EFC**

2. **EVIDENCE**
 MAKE: **HANDKERCHIEF**
 MODEL: **WHITE**
 COLOR (1): **WHITE**
 COLOR (2): **WHITE**

PROPERTY TAG NO. **1** VEHICLE LOCATION **DITCH WEST SIDE GILL** LOCKED NOTIFYING OFFICE DEPT./PERSON NOTIFIED **L.P.D.** DATE/TIME **10.7.3**

18. TYPE OF ESTABLISH-PROPERTY: **STREET** POINT OF ENTRY/ATTACK: **---** METHOD OF ENTRY: **---** TOOL/OBJECT/WEAPON USED: **---** OUTSTANDING CHARACTERISTICS: **---**

19. C.P. CALLED IN PROGRESS NON-VICTIM CITIZEN HELP ASK FOR I.D. VISIBLE FROM STREET DAYLIGHT INCIDENT LIGHTING STREET **X / P** RECLASSIFICATION: **---**

REMARKS (INCL. DETAILS NOT COVERED ABOVE, I.E. CLOTHING, DESCRIPTION, ETC.)

20. **REPORTING OFFICERS DISPATCHED TO ASSIST L.P.D. UNIT E-55 (P.M. SHAW #010**

21. **AND P.M. ROOD #131) ON REPORT OF A SUBJECT LYING IN THE DITCH AT ABOVE**

22. **LOCATION. UPON ARRIVAL OFFICERS WERE MET BY WITNESSES WILKINSON, PETERSON,**

23. **AND DAVIS IN FRONT OF 20417 GILL; ALL THREE WERE POINTING TO THE NORTH.**

24. **OFFICERS OBSERVED A W/M/ APPROX. 10 YRS, BRN HAIR, WEARING A RED NYLON JACKET**

25. **W/TH CREST B.H.A., DENIM SHIRT, GREEN CORDUROY TROUSERS, AND WHT. TENNIS**

26. **SHOES WITH BLUE AND RED STRIPES, LYING ON HIS STOMACH WITH HIS LEFT SIDE OF HIS**

27. **FACE TO GROUND AND IN DITCH FACING WEST. L.P.D. RESCUE #3 RESPONDED TO**

28. REPORTING OFFICER: **J.P. #5** SERIAL NO.: **011** BUREAU ASSIGNED: **5D B** DATE: **10-7-3** OFFICER'S ASSIGNED: **---** SERIAL: **---**

DETECTIVE BUREAU

DATE	REPORT TIME	SERIAL NOS.	ATTEMPT	HEPT. TAKEN AT	SUPP.	CLASS NO.	INCIDENT NUMBER
032274	42315	1073	UNF	SCENE	CORR.	2110	77006883
			CLEAR	PHONE	DELETE		

COMPLAINANT: _____ DATE: 3-22-77 ASSIGNED TO: D.B.

DEFENDENT: _____ TIME: _____ REPORTING OFFICER: BREGE

SCENE MANAGED BY FIREMAN MARSON, COLOMINA, AND TEXAR. FIREMAN MARSON AND COLOMINA APPROACHED BODY WITH WRITER. NO VITAL LIFE SIGNS COULD BE FOUND ON VICTIM. AREA WAS IMMEDIATELY SECURED AND ALL AGENCIES CONCERNED WERE NOTIFIED. ME ON SCENE. SGT. JARAJON IN CHARGE OF SCENE.

EVIDENCE WAS FOUND BY UNIT E-53 ON THE S/W CORNER OF EIGHT MILE AND GILL. HANKELCHIEF HAD ROCK ON TOP APPEARING TO HAVE BEEN PLACED ON GROUND. THIS EVIDENCE WAS TURNED OVER TO M.S.P. CRIME LAB AT SCENE.

FURTHER EVIDENCE (1) ORANGE SKATE-BOARD LYING IN DITCH APPROX. 10' FROM BODY (NEATH). THIS EVIDENCE TO CRIME LAB ALSO.

REVIEWING OFFICER	SERIAL NO.	BUREAU ASSIGNED	DATE	OFFICERS ASSIGNED	SERIAL	SERIAL
				1.	2.	

01 CIVIL DATE 03/21/79 REPORT TIME 2:31 P. SERIAL NOS. 1073 ATTEMPT DEPT. TAKEN AT SUPP. CLASS NO. 21107 INCIDENT NUMBER 7006883
 02 UNF SCENE STAT CORR. CLEAR PHONE OTHER DELETE TIME(S) OCCURRED 2:31 P. SECTION/DISTRICT CG

(1) COMPLAINANT (2) VICTIM (3) SUSPECT (4) WITNESS (5) ARRESTED (6) MISSING

03 CODE 4 NAME (LAST, FIRST, MIDDLE) WILKINSON, DARRELL LEE LEIN ENTRY C ADDRESS DETROIT MICH APT. NO. 48139 CITY DETROIT MICH STATE MI ZIP 48139

04 HOME PHONE BUSINESS PHONE AGE SEX M RACE W DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

05 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

06 CODE 4 NAME (LAST, FIRST, MIDDLE) PETERSON, OLAF SAREN LEIN ENTRY C ADDRESS DETROIT MICH APT. NO. CITY DETROIT MICH STATE MI ZIP

07 HOME PHONE BUSINESS PHONE AGE SEX M RACE W DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

08 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

09 CODE 4 NAME (LAST, FIRST, MIDDLE) SMITH, LESTER LEIN ENTRY C ADDRESS LIVONIA MICH APT. NO. CITY LIVONIA MICH STATE MI ZIP

10 HOME PHONE BUSINESS PHONE AGE SEX W RACE M DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

11 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

12 CODE 4 NAME (LAST, FIRST, MIDDLE) P.M. D. ROOD LEIN ENTRY C ADDRESS L.P.D. APT. NO. CITY STATE ZIP

13 HOME PHONE BUSINESS PHONE AGE SEX RACE DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

14 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

15 CODE 4 NAME (LAST, FIRST, MIDDLE) P.M. G. SHAW LEIN ENTRY C ADDRESS L.P.D. APT. NO. CITY STATE ZIP

16 HOME PHONE BUSINESS PHONE AGE SEX RACE DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

17 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

18 CODE 4 NAME (LAST, FIRST, MIDDLE) S.T. CORLEGAN LEIN ENTRY C ADDRESS L.P.D. APT. NO. CITY STATE ZIP

19 HOME PHONE BUSINESS PHONE AGE SEX RACE DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

20 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

21 CODE 4 NAME (LAST, FIRST, MIDDLE) S.T. HOOPER LEIN ENTRY C ADDRESS L.P.D. APT. NO. CITY STATE ZIP

22 HOME PHONE BUSINESS PHONE AGE SEX RACE DATE OF BIRTH DRIVER LICENSE NO./LOCAL USE STATE

23 HEIGHT WEIGHT EYES HAIR COLOR LENGTH STYLE BUILD COMPLEXION I.D. NUMBER CHARGE DISPOSITION

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31 REVIEWING OFFICER SERIAL NO. BUHEAD ASSIGNED DATE OFFICERS ASSIGNED SERIAL 2. SERIAL

Excellent scene protection
359' S of E M6 on Hill
~~CRASH~~
In west ditch
on left side toward stomach
fully clothed
Hair dry
Clothes dry
Body warm
No visible marks of violence
Stake board same ditch 25' N
of body
Rd runs N + S
Head toward west.
Possibly lifted out of veh & dropped
Very clean
Nearest house 200' South.
Body found 11 PM
1 Police officer - 1 or 2 firemen
touched body
Body in wide open area

DR. WERNER SPITZ

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 of 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)

-the State Police. That is the only thing that I have to come up with anything. 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.

There were marks, suggestive! Suggestive!

(The next sentence by anyone is not clear. End of tape)

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.

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 lividity 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 lividity on the back. He had nothing on the back. The body was beginning to be rigid. 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 lividity 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 had his face 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 our 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, because 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 _____? nothing

IMPRESSION

DR. SPITZ (cont)

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.

SPITZ: You do the head and go down and elevate that and cut the neck from the chest as low as you can and take it all out, everything clean out and raise this up on a block and do it very well. Just do me a favor, when you do it be careful, but don't be so careful that you cut into the skin here. See this, I didn't see either. I don't know what that is. He's been photographed by the police, not us This needs to be cleaned so that we can see the skin. Then there was one other thing I wanted to show you on the back,

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 what state of digestion, and how much it entered the _____ and what kind of food 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)

Sgt Rowe this says must have been the best print. RWR 4-12-77

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

DR. SPITZ (cont)

Prior to this, SGT. RIVARD couldn't get the first part of the consultation as they were all huddled around the body and they were not speaking too clearly.

DR. SPITZ (cont)

The body is in relatively good condition, there are indications on the ankles that they were possibly bound. Also, on the wrist the possibly of the wrists being bound.

DR. JOHN SMIALEK
DR. WERNER SPITZ

(1)
MARCH 23, 1977
WAYNE COUNTY MEDICAL EXAMINER'S OFFICE

One or the other had a positive carbon monoxide. 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 building which 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 we 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 dilation 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 hemorrhage 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 hemorrhage 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 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 hemorrhaging?

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?

So that would prevent any marks, any bondage marks?

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

Then 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 inside of the lip, do you feel that that would be something similar to a hand or a hand pressure versus a pillow?

No, 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 ocured 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 ocured 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 pütting your fing-er in there with vaseline. It will stay that way. But if he had been sodomized, I don't

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believe it would return because what you are talking about you are talking about probably some of the muscle fibre because what is down there? It is a ring of muscle and some of these muscle fibres would be stretched, some would be torn and I think it would take a long time to come back normal. In fact, the youth of it.....
That is my way of thinking. Do you think that it is logical??

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 dilate 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 cleanliness.

I agree with what we were talking about earlier that certainly the body was extremely clean. 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 small 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 digested 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 warm when they found

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it at 11:00?

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 not to have lost it's normal body temperature completely.

In talking with Dr. SPITZ earlier, he said something about a certain 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.

There 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 hemorrhage 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 thesodomy vilocations, if he had been sodomized would there be some other indications on the outside of the body if for instance if he 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.

Probably.

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 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?

I 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.

A 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 would 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

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ripping and tearing and bruising, depends on how much resistance there is .

....how far he puts it in, all kinds of stuff. Don't get in tangles, don't draw conclusions(Dr SPITZ)

I agree. They are trying to exclude whether it might have been an instrument in which case they can rule out male or female and whether there definitely there was male.