

CERTIFICATE OF SERVICE

I, Tara Thompson, an attorney, certify that on May 24, 2013, I caused to be delivered the attached Motion to the above-named counsel by hand-delivery.

Tara Thompson

conviction resulted from the combined results of ineffective counsel and police and prosecutors who hid the truth from him. Despite the Illinois courts' rulings in his initial post-conviction proceedings denying him relief and denying his request for a new trial, Mr. Snow has continued to investigate his case and to develop evidence demonstrating his innocence and the violations of his constitutional rights that caused his conviction. That new evidence is detailed in Mr. Snow's successive petition for post-conviction relief presented contemporaneously with this Motion.

2. Since his conviction in January of 2001 for the murder of Bill Little during an apparent gas station robbery, Mr. Snow has been fighting to prove his innocence and overturn his conviction and life sentence. As Mr. Snow detailed in prior pleadings, he was convicted based on two main pieces of evidence: testimony from a purported eyewitness who first identified Mr. Snow years after the murder occurred, and testimony from people who claimed, after receiving consideration from the State, that Mr. Snow had made incriminating statements about his involvement.

3. This is a case that cries out for physical corroboration of incredible testimony from the State's witnesses. Because despite the fact that this crime occurred in an enclosed area – a gas station – and despite the fact that the perpetrator apparently took the money drawer out of the cash register and had to enter and leave the gas station to commit the crime, no physical evidence has ever connected Mr. Snow to the robbery or the murder.

4. As detailed below, a significant amount of physical evidence was collected from the scene. At the time of the investigation, DNA testing and other sophisticated methods of forensic testing were still in their infancy, and so there remain important forensic analysis that

has the scientific potential to identify the true killer. That forensic analysis will show Mr. Snow's innocence. This Court should therefore grant the testing Mr. Snow now seeks.

**SUMMARY OF RELEVANT FACTS
AND AVAILABLE FORENSIC EVIDENCE**

5. On March 31, 1991, an unknown person killed Bill Little, the attendant at the Clark Oil gas station in Bloomington. (Ex. 1, Crime Scene Report.) Mr. Little died at the scene. (*Id.*) He was found shot behind the counter of the gas station with the cash drawer missing from the register. (*Id.*; Ex. 2, Trial Testimony of Edward Kallal at 18.) Contusions were found on one forearm. (Ex. 3, Autopsy Report.) Crime scene technicians collected a variety of evidence at the scene.

A. Blood Found on the Floor Near the Gas Station Counter

6. First, crime scene technicians from the Illinois State Police found blood on the floor near the gas station counter and on the bottom shelf of the gas station counter. They collected "swabs" of that blood according to testimony, although the crime scene report references only one swab of blood and one "control" swab. (Ex. 1 at 2; Ex. 2 at 21.) Records are unclear where specifically these swabs came from and why, if this blood came from the floor, the blood found on the bottom shelf was not collected. Importantly, investigators apparently never determined whose blood this was, even failing to rule out Mr. Little as the contributor, meaning this blood may very well have come from the true perpetrator of this crime. (Ex. 3, April 23, 1991 Forensic Science Laboratory Report.)

7. On September 2, 2008, Mr. Snow filed a motion pursuant to 725 ILCS 5/116-3 seeking, among other things, testing of the collected swab. The parties then conferred about the motion, Mr. Snow consulted with a DNA expert, and the parties confirmed that the materials

sought to be tested still existed in the custody of the Bloomington Police Department. Based on this motion, Mr. Snow agreed to first conduct testing on a swab of the blood found near the counter, but specifically requested the opportunity to re-raise the other testing he previously sought depending on the outcome of the initial testing. (C.2568.) The Court entered an agreed order on June 24, 2009. (Ex. 5, Order to Establish DNA Testing Protocol.)

8. After testing had apparently begun, the State represented to counsel for Mr. Snow that there was not sufficient evidence in Exhibit 2 (the blood swab) to conduct testing. The State represented that it then submitted to the ISP Crime Lab a second sample of swab from the floor that had been separately prepared.

9. Documents recently obtained through a FOIA request confirm that the original evidence submitted to the Crime Lab, Exhibit 2 from the original crime scene report, was empty when crime lab examiners opened the exhibit at the laboratory. However, those documents reflect that what was sent back to the Crime Lab was an Exhibit "2A" that contained swabs of red blood cells labeled "P91-751, #2, floor PAO." (Ex. 6, Unknown Extractions Worksheet).¹

10. Based on this representation, the Illinois State Police Crime Lab conducted testing of Exhibit 2A. That testing determined that sample 2A belonged to the victim Bill Little. (Ex. 7, October 15, 2009 Laboratory Report.)

11. Following this testing Mr. Snow attempted to obtain more information about what specifically had been tested via a motion for discovery. (C.2600.) At oral argument on the State's Motion to Dismiss, Mr. Snow's counsel again pressed the discovery motion. (Rept. of

¹ Mr. Snow sought the documentation behind the ISP testing in discovery after receiving the testing results (C.2600), but the Court never resolved this motion in granting the State's Motion to Dismiss. A supporter of Mr. Snow later received Exhibit 6 and other documents through a FOIA request, so Mr. Snow cannot represent that he has all of the documentation of the ISP testing, only those documents provided to him through a FOIA request.

Proceedings, Nov. 5, 2010.) The Court never resolved this Motion for Discovery and instead granted the State's Motion to Dismiss.

B. Latent Fingerprints

12. Second, technicians collected what appear to be eight latent lift cards containing nine latent prints from the gas station door. (Ex. 1, Crime Scene Report at 3.) Of those nine latent lifts, the Illinois State Police concluded that seven of the latent impressions were suitable for impression, and that two of those seven belonged to Bill Little. (Ex. 8, May 31, 1991 Illinois State Police Report.) The Illinois State Police found no identifications associated with the remaining five latent impressions. (*Id.*) One of those fingerprints was apparently suitable for AFIS ("Automated Fingerprint Identification System") but there was no identification identified from the system when that testing was conducted in 1991. (*Id.*)

13. Reports Mr. Snow obtained through a FOIA request after the resolution of his prior post-conviction petition indicate that these prints were compared to other samples in 1999 and 2000, but there is no indication that any of these fingerprints have been analyzed in at least the last 12 years, and no indication that have been submitted to AFIS since 1991. (Ex. 9, November 22, 1999 and July 12, 2000 Illinois State Police Reports.) Further, there is no indication that any of these fingerprints have been subject to DNA testing.

14. These FOIA requests also show that it is unclear how many fingerprints were collected in this case. A "Latent Print Worksheet" that Mr. Snow never saw until his recent FOIA request appears to show that in addition to the nine lifts on the door (identified as "Ex. 4") there were inked fingerprint and palmprint cards from the victim (identified as "Ex. 7") and additional "inked fingerprint and palmprint cards marked [redacted]" ("Ex. 12"). (Ex. 10, Latent

Print Worksheet.) These records indicate that there have been some comparisons done on this evidence, but because these documents are redacted it is unclear precisely what comparisons have been done and how many of these cards relate to evidence collected in this case versus evidence compared from other open cases.

C. The Victim's Clothing

15. At the crime scene, technicians also collected the clothing that Mr. Little was wearing that night; based on the records in this case, and to the best of Mr. Snow's knowledge, that clothing remains in the possession of the Bloomington Police Department. (Ex. 1; Ex. 2 at 27.) These clothes include blue jeans, a black undershirt, and a gray t-shirt. (*Id.*)

D. Bullets Collected from Mr. Little's Body

16. Finally, crime scene technicians collected two .22 caliber bullets from Mr. Little's body. (Ex. 2 at 27; Ex.11, Bureau of Forensic Sciences Evidence Receipt.) These bullets have also remained in the possession of the Bloomington Police Department. Since the time of trial, the Bloomington Police Department has at least once compared these bullets with other forensic evidence collected from other crime scenes, and as of 2008 has yet to find the weapon that fired these bullets. (Ex. 12, March 25, 2008 Laboratory Report.)

REQUEST FOR DISCOVERY TO FULLY RESOLVE THIS MOTION

17. In order to fully litigate the requests for testing contained in this Motion, as an initial matter Mr. Snow requests limited discovery related to the forensic issues in this case. There is good cause for such discovery, it is in the interests of justice, and it will ensure the timely and full resolution of the requests contained herein. Limited discovery is appropriate to

resolve Section 116-3 motions. See People v. Sanchez, 363 Ill. App. 3d 470, 480-81 (2d Dist. 2006) (ordering discovery to assist in determining issues in the Section 116-3 motion).

A. The Complete Forensic File from the Illinois State Police

18. In order to fully determine what testing has been conducted in this case and what additional testing is needed in this case, and to avoid unnecessary requests for testing, Mr. Snow requests the opportunity to issue a subpoena to the Illinois State Police Forensic Sciences Center to obtain a complete set of documents related to their involvement in Mr. Snow's case. As discussed above, Mr. Snow made a request through the Freedom of Information Act for these documents. He received back a response that contained documents that were redacted (as evidenced by the portions of that FOIA response attached as exhibits to this email) and also clearly did not receive back the entire file. (Ex. 13, July 16, 2012 Letter.) To the extent that this Court determines that Mr. Snow has not presented a sufficient factual basis for the testing he seeks in this Motion, these documents may be necessary to present a full accounting of the evidence collected and testing previously performed.

B. Any Records Reflecting the Origin and/or Collection of "Exhibit 2A"

19. As described above, based on the limited records Mr. Snow received in response to his FOIA request and the few documents he had in discovery about the collection of evidence in this case, it is still unclear what Exhibit 2A, the evidence that was actually tested pursuant to Mr. Snow's original Motion for DNA Testing, is exactly or where it came from. These questions obviously need to be resolved before determining whether Mr. Snow is entitled to further testing related to the floor swab. Mr. Snow therefore respectfully requests any further documentation or explanation that the Illinois State Police, the Bloomington Police Department, or the McLean

County States Attorney can provide about the identity of this evidence, what prior testing was conducted on it, and the chain of custody of this evidence since collection.

C. Any Records Clarifying the Collection of Latent Fingerprint and Fingerprint Cards

20. Based on the redacted exhibits Mr. Snow recently received from the Illinois State Police, it remains unclear precisely how many latent fingerprints investigators collected in this case, and what other fingerprint or palmprint cards they collected and examined. Again, in order for Mr. Snow to fully present his case for fingerprint examination or DNA testing on fingerprints collected in this case, and particularly to the extent this Court believes Mr. Snow has not fully satisfied the requirements for the testing sought in this Motion, Mr. Snow requests limited discovery to establish precisely what latent fingerprints are available for AFIS submission and DNA testing, and complete records from the Illinois State Police, the Bloomington Police Department, and/or the McLean County States Attorney about the fingerprint evidence collected and tested in relation to this investigation.

REQUEST FOR FINGERPRINT AND DNA TESTING

21. Jamie Snow now brings this request for fingerprint and DNA testing pursuant to 725 ILCS 5/116-3.

22. The statute provides that a petitioner must be granted fingerprint and/or DNA testing when the following conditions are met:

a. The evidence to be tested was “secured in relation to the trial which resulted in [petitioner’s] conviction.” 725 ILCS 5/116-3(a);

b. The evidence “was not subject to the testing which is now requested at the time of trial,” 725 ILCS 5/116-3(a)(1), or although previously subject to testing, “can be

subjected to additional testing utilizing a method that was not scientifically available at the time of trial that provides a reasonable likelihood of more probative results.” 725 ILCS 5/116-3(a)(2);

c. “[I]dentity was the issue in the trial which resulted in [petitioner’s] conviction.” 725 ILCS 5/116-3(b)(1);

d. The chain of custody is sufficient to establish that the evidence to be tested “has not been substituted, tampered with, replaced, or altered in any material aspect.” 725 ILCS 5/116-3(b)(2);

e. Testing has the potential to produce “new, noncumulative evidence materially relevant to the defendant’s assertion of actual innocence.” 725 ILCS 5/116-3(c)(1).

f. The requested testing “employs a scientific method generally accepted within the relevant scientific community.” 725 ILCS 5/116-3(c)(2); and

g. Reasonable notice of the motion is served upon the State. 725 ILCS 5/116-3(a)(2).

23. Here, Mr. Snow seeks confirmation that the evidence originally tested by the Illinois State Police was blood collected from the floor of the gas station or testing, or retesting of whatever remains of the blood swabs from the floor; DNA testing on the bullets; fingerprint and DNA testing on the latent fingerprint lifts; and DNA testing on the victim’s clothing. The testing that Mr. Snow seeks satisfies all of the requirements of Section 116-3.

A. The Evidence to be Tested Was Collected in Relation to the Trial

24. Here, the evidence to be tested was collected in relation to Mr. Snow’s trial. Each piece of evidence was collected during the investigation of the scene of Mr. Little’s death. (Ex. 1; Ex. 11.)

B. The Evidence to be Tested Was Not Subject of Testing at the Time of the Trial

25. The evidence to be tested was not previously subjected to the testing Snow seeks here. First, it is not clear that the evidence tested in response to Mr. Snow's prior motion was a sample actually collected from the floor of the gas station. Mr. Snow has still never received any explanation or clarification of what precisely was tested by the Illinois State Police in 2009, and Mr. Snow is entitled to have the specific blood found behind the counter subjected to DNA testing.

26. Second, there is no evidence that the fingerprint lifts, the bullets recovered from the victim's, or the victim's clothing have ever been subject to DNA testing.

27. Finally, although the fingerprint lifts in this case were originally analyzed by a fingerprint examiner, only one of these prints was ever subjected to any kind of AFIS analysis, and that was years ago. It is also not clear whether any of these prints were previously submitted to the Illinois AFIS database and/or the FBI Integrated AFIS ("IAFIS") database. Both databases have expanded exponentially in size since their formation. The Illinois AFIS database currently has 3.7 million fingerprint samples included in it, and the IAFIS database has 70 million subjects in the criminal file and another 34 million civil prints. Thus, even if some type of AFIS analysis was originally conducted, the use of both the state and FBI AFIS databases and the expanded size of both databases means that the AFIS testing that would be conducted today was not available at the time of trial and would lead to more probative results. 725 ILCS 5/116-3(a)(2).

C. Identity Was the Issue at Trial

28. There can be no argument that identity was the central issue at Mr. Snow's trial. Mr. Snow has never disputed that Mr. Little was shot and killed at the gas station that night, but Mr. Snow maintained at trial, and at all times both before and after trial, that he was not involved in Mr. Little's death. Therefore, Mr. Little has satisfied the requirements of Section 116-3(c)(1). See People v. Johnson, 205 Ill.2d 381 (2002) (finding that identity was a central issue at defendant's trial within the meaning of 725 ILCS 5/116-3 where there was a single assailant, the only direct evidence of guilt was an identification by the victim, and the defendant never admitted to being at the scene of the crime).

D. The Evidence Was Subject to a Proper Chain of Custody

29. The chain of custody is undisputed here. The exhibits attached to this Motion demonstrate that all of the evidence for which Mr. Snow seeks testing were collected by the Illinois State Police and maintained in its custody or the custody of the Bloomington Police Department since that time. The two bullets recovered from the victim were presented as exhibits at Mr. Snow's trial, where the chain of custody was similarly established as part of their admissibility as evidence, and have remained in the custody of the Court and the Bloomington Police Department. See Johnson, 205 Ill.2d at 394 (stating that defendant had made a prima facie case for DNA testing even though he presented no evidence of a piece of evidence's location since the defendant's conviction). Additional discovery may be appropriate, and should be ordered, in order to clear up any lingering concerns about the proper chain of custody for these items. See Sanchez, 363 Ill. App. 3d at 480-81 (remanding case back to determine, with

the aid of discovery if necessary, whether the chain of custody and other statutory requirements were satisfied).

E. DNA and Fingerprint Testing Have the Scientific Potential to Produce New and Non-Cumulative Evidence of Actual Innocence

30. The State's case against Jamie Snow always depended on the word of an eyewitness who claimed to see Mr. Snow outside the gas station, and the word of witnesses with every reason to lie who claimed that Jamie Snow made inculpatory statements to them. What this case has always needed to solve the question of who really killed Bill Little is an answer from the objective, forensic evidence about who was present in that gas station, who had contact with Mr. Little's body shortly before his death, and who had contact with the bullets that caused Mr. Little's death.

31. Here, the DNA and fingerprint testing that Jamie Snow seeks has the scientific potential, both individually and in concert, to produce new and non-cumulative evidence that Jamie Snow is actually innocent. It will do that by pointing to the real killer, a person who to date has evaded capture in this case and may well be committing other crimes in Bloomington or elsewhere. This person needs to be apprehended as much as Jamie Snow needs to be exonerated. This testing has the capability to do both.

32. Importantly, Jamie Snow need not show that the results of this AFIS and DNA testing alone would exonerate him. People v. Savory, 197 Ill.2d 203, 214 (2001); People v. Price, 345 Ill. App.3d 129, 134-35 (2d Dist. 2003) (cautioning courts not to "collapse" the consideration of a Section 116-3 motion into post-conviction claims a petitioner plans to make based on the results); People v. Henderson, 343 Ill. App. 3d 1108, 1117 (1st Dist. 2003) (holding that DNA testing is not limited to cases "where the proposed scientific testing will, by itself,

completely vindicate a defendant”). Instead, Mr. Snow need only show that the testing would produce evidence that would tend to “significantly advance” a claim of actual innocence. Savory, 197 Ill.2d at 214. At minimum, each piece of testing Mr. Snow seeks would achieve that goal.

1. **Confirmation of what evidence is available and what evidence was previously tested of the blood found on the ground could show the identity of a person who fought with Bill Little behind the counter and left blood there during a struggle.**

33. A court already concluded that Mr. Snow was entitled to DNA testing of the blood found on the floor of the gas station. (Ex. 5, Order to Establish DNA Testing Protocol.) As Mr. Snow argued previously, if this blood is neither Jamie Snow’s nor the victim’s, it likely belongs to the perpetrator. Thus, it significantly advances Mr. Snow’s claim of actual innocence. See Savory, 197 Ill.2d at 214. There is evidence that the perpetrator had some contact with Bill Little before his death; Mr. Little was found with contusions on his arms, behind the counter, with the cash drawer missing from the cash register. Testing this blood could lead to a CODIS match to the real perpetrator.

34. Some DNA testing on some sample was already conducted, but it remains unclear exactly what the ISP Crime Laboratory tested in the prior round of DNA testing. The newly-discovered FOIA documents, which Mr. Snow did not have access during his prior post-conviction proceedings, do not explain what precisely was tested. The McLean County States Attorney’s Office did tell counsel for Mr. Snow during the last round of DNA testing that the original evidence could not be located and that swabs related to the floor samples were given to the ISP lab instead, but the recently-discovered paperwork from the ISP Laboratory do not

explain what exactly the sample was that was provided to the ISP Crime Laboratory or whether there are other floor samples that could be tested.

35. What Mr. Snow seeks with respect to the blood found on the floor is (1) discovery into what testing was conducted before, as described above, and (2) identification from the States Attorney of what other samples exist of the blood found on the floor near Mr. Little's body. If other samples exist of blood found on the floor near Mr. Little's body, then Mr. Snow seeks testing of those samples.

2. AFIS and DNA Testing of the Latent Fingerprints Lifted from the Gas Station Door Will Show Who Was in the Gas Station Shortly Before Mr. Little's Death, and Could Identify Mr. Little's Killer

36. Crime scene technicians apparently identified a limited number of latent prints from the door of the gas station. These fingerprints were left by people entering and leaving the gas station. Initial examination of these prints by the Illinois State Police determined that none of these prints belonged to Jamie Snow, and that two of them belonged to the victim.

37. The question remains who the rest of these fingerprints belong to, and whether any of those people had anything to do with Bill Little's death. The only way to determine the answer to that question is to conduct DNA and AFIS testing, both of the Illinois AFIS database and the FBI IAFIS database, to determine the owner of those prints. DNA testing of these fingerprints has the scientific potential to create a profile that could be submitted to the national CODIS database and thereby identify the persons who left those fingerprints. Likewise, submission of these fingerprints to AFIS databases could also identify the person who left these fingerprints. Mr. Snow could then conduct further investigation that would connect those

individuals to Mr. Little's murder, either by their own admission or by other evidence that would connect them to the crime.

38. Just last year, Judge Robb ordered testing of latent fingerprints in People v. Whalen, Case No. 1991 CF 344 in a similar circumstance, where DNA testing of those fingerprints had the scientific potential to assist in resolving Mr. Whalen's case. Mr. Snow is in the same situation, and the testing he seeks is equally appropriate.

3. DNA testing on the bullets would show who loaded the gun that killed the victim.

39. Crime scene technicians were able to recover two bullets from the victim in this case. DNA could be recovered from these bullets, which could establish (1) that Jamie Snow's DNA is on one or both of the bullets, implicating him in the crime; (2) a DNA profile is on one or both of the bullets that matches neither Mr. Snow or Mr. Little, demonstrating that an unknown person had contact with the bullets and therefore likely killed Mr. Little; or (3) a DNA profile is on one or both of the bullets that can be submitted to the CODIS database and that reveals the identity of a person who had contact with these bullets, demonstrating that this specific person likely killed Mr. Little. The State should want to know the first potential outcome, and either of the latter two outcomes would at least significantly advance Mr. Snow's claim of actual innocence.

4. DNA testing on the victim's clothes could show who had contact with the victim shortly before his death.

40. The Bloomington Police Department collected the victim's clothes shortly after his death. As discussed above, there is evidence that Mr. Little had contact with his killer shortly before his death. DNA from the killer might be found on Mr. Little's clothes, left there as he and

the perpetrator struggled. DNA testing clothing could reveal blood or other biological material left by the perpetrator as he or she struggled with Mr. Little.³ Thus, it would have the scientific potential to materially advance Mr. Snow's claim of actual innocence.

5. Testing of all of these pieces of evidence would also advance a redundancy theory that would materially advance Mr. Snow's claim of actual innocence.

41. Finally, testing of all of these pieces of evidence cumulatively could still point to the true perpetrator in this case even if identification of a suspect through the AFIS or CODIS databases proves impossible. This is because the testing of multiple pieces of evidence could reveal a single DNA profile found on each the multiple items of evidence. Thus, even if the testing of these items reveals multiple DNA profiles on each single item, the presence of one profile linked to each of these items of evidence can exculpate Mr. Snow by providing a clear alternative suspect.

F. DNA Testing Is Widely Accepted in the Relevant Scientific Community

42. DNA and AFIS testing are both widely accepted by the scientific and legal communities as a method of determining the source of physical evidence. If Bill Little's death had occurred today, the first thing that police and prosecutors would do is to conduct the very testing sought by Mr. Snow in order to try to solve this crime.

G. The State Has Been Given Reasonable Notice of This Motion

43. This motion serves as reasonably notice to the State that Mr. Snow is seeking the testing identified in this Motion.

³ Testing of the clothing has the scientific potential to isolate the genetic profile of the person who may have struggled with Mr. Little because skin cells, saliva, blood, or other bodily fluids or DNA-containing substances from the perpetrator may have rubbed off the perpetrator's body and onto Mr. Little's clothing.

H. Mr. Snow's Prior Request for DNA Testing Does Not Bar These DNA Testing Request

44. Mr. Snow's 2008 DNA Testing Motion originally sought to conduct DNA testing on the blood found on the floor, on fingerprints, on the bullets, and on the victim's clothing. As discussed above, after determining what evidence was available Mr. Snow sought to prioritize testing of the blood sample, resulting in an order being entered solely on that testing and effectively withdrawing the other requests Mr. Snow originally sought. Indeed, the Court never entered an order either granting or rejecting the other requests for testing. After Mr. Snow received the confusing results on the purported blood sample from the floor, Mr. Snow sought further discovery from the Court to identify specifically what testing was done, and to further determine if additional DNA testing was warranted. Before he could resolve the DNA issues in this case the Court granted the State's Motion to Dismiss Mr. Snow's pending post-conviction petition and denied Mr. Snow's motion for further discovery, depriving the court of jurisdiction to resolve further issues related to his case while he was on appeal in the higher courts. Through this Motion Mr. Snow seeks not to duplicate testing requests decide by the Court in the previous motion, but to expand on his original requests and seek additional testing not resolved by his prior motion. Thus, this Court now has the ability to resolve these remaining important DNA testing requests.

I. Mr. Snow Seeks To Pay for All of this Testing at His Expense at a Private Laboratory

45. Mr. Snow wants to make perfectly clear that he and the lawyers representing him in this Motion intend for all of this testing to be conducted by a private, accredited lab agreed to by both sides in this case. Mr. Snow stands ready to pay all costs associated with this testing, so

that the granting of this Motion will be entirely without cost or expense to police, prosecutors, the Illinois State Police Crime Laboratory, McLean County, or taxpayers.


CONCLUSION

Mr. Snow stands convicted of the murder of Bill Little, but this is a case where unanswered questions have persisted in the over 20 years since the crime occurred, and in the decade-plus since Mr. Snow's conviction. We only know what one eyewitness claimed he saw at the scene, and that eyewitness was a person who was thoroughly impeached by the evidence presented in Mr. Snow's initial post-conviction petition. We only know that a number of people came forward after Bill Little's death claiming that Mr. Snow confessed to them, when each of those people had every reason to lie and when there was a pattern of police and prosecutors offering these witnesses benefits, most of which were undisclosed at the time of trial. How can we have confidence in this verdict when there is scientific information available which would establish who the perpetrator was? The court, police and prosecutors, and the public, have every reason to want to conduct further testing that would show who really killed Bill Little. Some of this testing could even implicate Jamie Snow, were he the person who really committed this crime. As discussed above, this testing will cost the taxpayers nothing. Mr. Snow and his legal team stand ready to pay for the testing at their own expense using private, not public, resources. There is no reason not to allow the truth to come forward. This is not only in Jamie Snow's interests, but in the interests of the courts, of prosecutors, of the public, and of the family and friends of the victim, all of whom deserve to know the truth of what happened to Mr. Little. And, the real perpetrator of this crime is out there somewhere, possibly committing more crimes.

Testing that could identify this person could stop this person before more people are hurt by his or her conduct.

WHEREFORE, Jamie Snow respectfully requests that this Court order the discovery and the testing sought herein. All such testing should be conducted pursuant to a protocol for testing approved by this Court, after the parties have had the opportunity to confer and advise the Court on conditions that will ensure the integrity of the samples and the testing.

Respectfully submitted,



Attorney for Petitioner
May 24, 2013

Jon Loevy (ARDC Number 6218254)
Russell Ainsworth (ARDC Number 6280777)
Tara Thompson (ARDC Number 6279922)
Liz Wang (ARDC Number 6287634)
David Owens (ARDC Number 6311285)
THE EXONERATION PROJECT
at the University of Chicago Law School
6020 S. University Avenue
Chicago, Illinois 60637
(312) 243-5900 (tel)
(312) 243-5902 (fax)

**Exhibits to Petitioner's Motion for DNA and
Fingerprint Testing Pursuant to 725 ILCS 5/116-3**

- Exhibit 1 Crime Scene Report
- Exhibit 2 Trial Testimony of Edward Kallal
- Exhibit 3 Autopsy Report
- Exhibit 4 April 23, 1991 Forensic Science Laboratory Report
- Exhibit 5 Order to Establish DNA Testing Protocol
- Exhibit 6 Unknown Extractions Worksheet
- Exhibit 7 October 15, 2009 Laboratory Report
- Exhibit 8 May 31, 1991 Illinois State Police Report
- Exhibit 9 November 22, 1999 and July 12, 2000 Illinois State Police Reports
- Exhibit 10 Latent Print Worksheet
- Exhibit 11 Bureau of Forensic Sciences Evidence Receipt
- Exhibit 12 March 25, 2008 Laboratory Report
- Exhibit 13 July 16, 2012 Letter

ILLINOIS STATE POLICE
 Division of Forensic Services and Identification
 Bureau of Crime Scene Services

Crime Scene Report

			Crime Scene Technician Ed Kallal
Requesting Department Bloomington P.D.	Requesting Department Case Number C91-2150	B.C.S.S. Case Number X91-0120-9-1	Classification Death Investigation
Date, Time, by Whom Notified (Name) 3-31-91 8:35 p.m. Bloomington P.D. Dispatch	Date and Time of Arrival 3-31-91 9:21 p.m. Sunday	Weather Clear	Temperature 40°
Evidence Transported to Laboratory #2, #3, #8, #9 #4, #7 #1, #10	Date and Time Received at Laboratory 4-3-91 10:00 a.m. 4-3-91 10:00 a.m. 4-3-91 10:00 a.m.	Received by Patricia Orr Chris Jacobson Walter Kryszak	B.F.S. Case Number P91-0751
Evidence Retained by Agency #5, #6, #11	Date and Time 4-3-91 1:35 p.m.	Received by Cindy Rousey	Other Laboratory N/A
Photography Yes	Sketch Pending	Latents Yes	Other Evidence Yes

Victim William W. Little
 M/W, DOB 10-12-72
 2 Wilmette Dr.
 Normal, IL

On 3-31-91 at 8:35 p.m., Crime Scene Technician Ed Kallal was requested by the Bloomington Police Department to process the scene of an armed robbery/death investigation at the Clark Super 100 Service Station, 802 East Empire Street.

At 9:21 p.m., CST Kallal arrived at the scene and met with McLean County Deputy Coroner Dixie Smith, Bloomington Police Chief Myron Miller, Assistant Police Chief Tim Linskey, Lieutenant Bill Emmett, Sergeant Gene Irvin, Sergeant Dennis O'Brien, Crime Scene Technician Randall McKinley and several uniform officers.

Sgt. Irvin advised CST Kallal that at approximately 8:20 p.m., the Bloomington Police Department received a call from the alarm company of an alarm at the Clark Super 100 Service Station. Officer Paul Williams, the first officer at the scene, found the victim lying on his left side on the floor behind the counter. Officer Williams cut open the victim's shirt and found two (2) gunshot wounds to the chest. Officer Williams began CPR on the victim until two (2) Emergency Medical Technicians arrived and pronounced the victim dead.

EXHIBIT
1

ILLINOIS STATE POLICE
Division of Forensic Services and Identification
Bureau of Crime Scene Services

X91-0120-9-1

B.C.S.S. Case Number

C91-2150

Requesting Agency Case Number

Crime Scene Report

The scene located at the northeast corner of Linden and Empire Streets, was roped off with yellow tape and both Linden and Empire Streets were lined with people. The scene was a one-story concrete block building that had a gas station in the front portion of the building and storage in the rear portion.

The station consisted of a sales area, storage room, office, and employee's bathroom. There was another bathroom entered from the outside on the east side of the station.

There were three (3) islands containing two (2) gas pumps on each island south of the station.

The east plate glass window had been broken out on an earlier date and was covered with plywood.

The entrance door was located in the center of the south wall. Inside the station was an L-shaped counter along the south wall with a cash register, credit card machine and a gas pump computer on the counter. The gas pump computer showed \$21 and the cash register was open with the cash drawer missing.

Above the counter was a rack contained packs of cigarettes. Just east of the counter was a shelf that contained cigarette lighters, candy and miscellaneous items.

A storage room located north of the counter contained several boxes of candy, cigarettes and soda.

A recessed cooler containing soda was located along the north wall of the station, and just east of the cooler was a sunglasses display rack with several other items hanging on the wall.

CST Kallal observed the victim lying on the floor behind the counter, partially in the doorway of the storage room. The victim was on his back with his black undershirt and gray tee shirt cut away exposing two (2) small caliber gunshot wounds, one (1) to the center upper abdominal area and one (1) to the left shoulder. The victim was wearing a pair of blue jeans with a red belt, a pair of black and white hi-top tennis shoes and white socks.

A small amount of blood was observed on the floor and on the bottom shelf of the counter.

The exterior of the scene was photographed by CST Kallal. The electrostatic lifter was used on the concrete stoop in front of the entrance door and on the floor of the service station, with additional photographs being taken of the footwear impressions by CST Randall McKinley. Measurements were also taken by CST Kallal for preparation of a sketch.

ILLINOIS STATE POLICE
Division of Forensic Services and Identification
Bureau of Crime Scene Services

X91-0120-9-1

B.C.S.S. Case Number

C91-2150

Requesting Agency Case Number

Crime Scene Report

At 10:10 p.m., CST Kallal removed a black wallet from the victim's right rear pants pocket. The wallet contained identification of the victim, William Walter Little, and one (1) \$20 bill. At 10:15 p.m., the wallet and its contents were given to Deputy Coroner Dixie Smith.

At 10:36 p.m., the body was removed from the scene by Metzler Froelich Funeral Home and transported to the McLean County Morgue.

A search of the outside area was completed with two (2) pennies observed on the east side of the dumpster, two (2) pennies on the drive near the center set of gas pumps, and one (1) penny on the drive at the southwest entrance to the station.

At 12:10 a.m. on 4-1-91, CST Kallal received a cash register tape from Reggie Ragland, the territory manager for the Clark Oil Company.

Processing of the scene was completed at 2:50 a.m. on 4-1-91, with the following items of evidential value being collected, packaged and marked by CST Kallal as reflected on the evidence receipt:

- Exhibit #1 Sealed paper bag containing victim's black/white "Nike" hi-top tennis shoes.
- Exhibit #2 Sealed box containing swab of floor near counter.
- Exhibit #3 Sealed box containing control swab of floor near counter.
- Exhibit #4 Eight (8) latent lift cards with latent prints from entrance door.
- Exhibit #11 Sealed paper bag containing cash register tape.

At 3:00 a.m., CST Kallal departed the scene and arrived at the Bloomington Police Department at 3:05 a.m.

At 3:20 a.m., CST Kallal departed the Bloomington Police Department.

At 8:20 a.m. on 4-1-91, CST Kallal returned to the scene and took additional photographs of the outside area around the station.

At 8:40 a.m., a search was conducted for a two (2) to three (3) block area in all directions of the scene by Lieutenant John Swearinger, Officer Robert Franks, Officer Cecil Raydon, CST McKinley and CST Kallal, with negative results.

298

ILLINOIS STATE POLICE
Division of Forensic Services and Identification
Bureau of Crime Scene Services

X91-0120-9-1

B.C.S.S. Case Number

C91-2150

Requesting Agency Case Number

Crime Scene Report

At 9:40 a.m., CST McKinley and CST Kallal departed the scene, arriving at the McLean County Morgue at 10:15 a.m., and met with Coroner Bill Anderson and Deputy Coroner Dixie Smith.

The victim (still dressed) was x-rayed at that time.

At 11:02 a.m., Dr. Joseph Sapala arrived at the morgue. The autopsy was started at 11:30 a.m. by Dr. Sapala.

Additional photographs were taken of the victim and the victim's wounds by CST Kallal.

A dollar bill, one (1) nickel and one (1) penny, found in the left front pocket of the victim's blue jeans, were given to Coroner Anderson from CST Kallal.

The autopsy was concluded by Dr. Sapala at 12:40 p.m., and will be the subject of a separate report.

The following items of evidential value being collected, packaged, and marked by CST Kallal as reflected on the evidence receipt:

- Exhibit #5 Sealed paper bag containing victim's blue jeans, red belt, white socks and white underwear.
- Exhibit #6 Sealed paper bag containing victim's black undershirt and gray tee shirt.
- Exhibit #7 Sealed envelope containing inked finger and palm prints of victim.
- Exhibit #8 Sealed envelope containing head hair standard of victim.
- Exhibit #9 Sealed container containing blood standard of victim.
- Exhibit #10 Sealed box containing two (2) projectiles (22 caliber) removed from victim.

At 12:45 p.m., CST Kallal departed the McLean County Morgue.

At 1:00 p.m., CST McKinley and CST Kallal arrived at Brown's Wrecker Service located at 308 North Dinsmore Street, where CST McKinley processed a light gray/green 1983 Chevrolet "Monte Carlo" that had been stolen from the east side of Bloomington on 3-31-91, and recovered on the west side of Bloomington on 3-31-91.

3989

ILLINOIS STATE POLICE
Division of Forensic Services and Identification
Bureau of Crime Scene Services

X91-0120-9-1
B.C.S.S. Case Number
C91-2150
Requesting Agency Case Number

Crime Scene Report

This vehicle had 1991 Illinois registration WK9939, VIN 1G1A23791DR108847 and mileage 60,012.7.

CST Kallal observed that the ignition switch and headlight switch were in the on position. The photographing and processing of the vehicle were performed by CST McKinley.

At 2:10 p.m., CST McKinley and CST Kallal departed Brown's Wrecker Service.

The exposed photographic film was mailed to the Bureau of Crime Scene Services Photo Lab in Springfield. Upon receipt, the photographs will be forwarded to the Bloomington Police Department, and the negatives will be maintained in the crime scene case file.

On 4-3-91 at 10:00 a.m., Exhibits #1 through #4 and #7 through #10 were receipted to personnel of the Morton Forensic Science Laboratory from CST Kallal.

On 4-3-91 at 1:35 p.m., Exhibits #5, #6, and #11 were receipted to Records Clerk Cindy Rousey at the Bloomington Police Department from CST Kallal.

398 400

Page	Crime Scene Technician	I.D. Number	Date
		1659	5-2-91

1 THE COURT: Okay. Can you get their
2 attention?

3 Have you all noticed that it has been hot
4 in here?

5 MR. RILEY: Yeah.

6 (The hearing was held in the
7 presence and hearing of the jury.)

8 THE COURT: All right. Folks, please be
9 seated. The record will reflect that the jury has
10 returned after our recess.

11 Ladies and gentlemen, we are prepared to
12 continue with the State's case.

13 Let me get a couple of housekeeping
14 matters out of the way quickly. I have a meeting this
15 afternoon so we are going to go into the noon hour to
16 finish up a witness and then break for the day, and you
17 will be required to come back at 9:00 o'clock.

18 Now, there is an advantage to that.
19 Maintenance has promised me they will check the heating
20 and cooling system in this courtroom this afternoon, and
21 I'm aware that it is uncomfortable in here. It is just
22 that it is always uncomfortable so for me it is nothing
23 different. I noticed all of you fanning yourself
24 yesterday so they promise they will look at it.

EXHIBIT

2

1 that changes. I hope there is some remedy while we are
2 away this afternoon.

3 I wanted you to know that change in the
4 schedule. That is the only change we expect. The only
5 one we would plan on is the meeting that I have got this
6 afternoon.

7 At this time we will go ahead and
8 continue with the State's case.

9 Mr. Reynard.

10 (Witness sworn.)

11 E D W A R D K A L L A L

12 called as a witness on behalf of the People herein,
13 being first duly sworn, was examined and testified as
14 follows:

15 DIRECT EXAMINATION

16 BY MR. REYNARD:

17 Q Good morning. Please state your name.

18 A Edward Kallal.

19 Q Could you spell your last name for the reporter?

20 A K-A-L-L-A-L.

21 Q What is your current business or occupation?

22 A Currently now I'm a semi-professional bass
23 fisherman.

24 Q Did you have a former business or occupation?

1 A Yes, I did. I was a crime scene technician with
2 the Illinois State Police.

3 Q And were you so employed in 1991?

4 A Yes, sir.

5 Q When did you have the conversion experience?

6 A I retired January 31st of 1993.

7 Q How long had you been so employed by the
8 Illinois State Police?

9 A Twenty-six and a half years I spent with the
10 Illinois State Police.

11 Q And how many of those years were you involved in
12 crime scene investigations?

13 A About thirteen, almost thirteen and a half years
14 I spent in the crime scene part of it.

15 Q I want to direct your attention to Easter Sunday
16 1991. That was March 31, 1991, and ask if you received
17 a telephone notification relating to an assignment that
18 you then received?

19 A Yes, I received a call from the dispatcher of
20 the Bloomington PD that there was a death investigation
21 in the City of Bloomington and requested my assistance.

22 Q Okay. And where were you when you received that
23 notification?

24 A I live approximately fifty miles, forty-five

1 miles east of here around Gibson City in the country
2 around Melvin, really out around nowhere.

3 Q Do you recall the time that you received the
4 call from the Bloomington PD?

5 A Around 8:35 I believe it was in the morning,
6 something like that.

7 Q Do you have some notes with you that you can
8 refresh your memory on that?

9 A Yes. 8:35 p.m. I was called on Sunday evening.

10 Q Okay. And where were you directed to go?

11 A To the Clark Station on the corner of Linden and
12 Empire.

13 Q And when did you arrive at that location?

14 A 9:21 p.m. that evening.

15 Q Okay. Basically what did you do first once you
16 arrived?

17 A First thing I did I met with Deputy Coroner --
18 well, several police officers, Deputy Coroner Dixie
19 Smith, Chief Miller, Assistant Chief Jim Lewinski,
20 Sergeant O'Brien, Lieutenant Emit, also Officer Randy
21 McKinley who is a Bloomington police officer I was
22 training at that time to become a crime scene technician
23 for the Bloomington PD. Also there were several other
24 officers there when I arrived.

1 Q Without going into all the details of what you
2 were advised were you basically briefed by one or more
3 of those individuals as to what they knew had occurred
4 up to that point in time?

5 A Yes, I was.

6 Q And specifically were you advised of Officer
7 Paul Williams' initial response activities?

8 A Yes, I was.

9 Q Can you describe the premises as you observed
10 them at that time?

11 A Yes, the Clark Station set on the northeast
12 corner of Linden and Empire. It is a one story block
13 type building not very big compared to our filling
14 stations nowadays. I imagine -- it had three islands
15 in front for gas. Each island having two gas pumps on
16 it. The entrance is located on the south side of the,
17 facing south really because when you entered, you
18 entered the center of the building there.

19 Q Okay. Now, Mr. Kallal, I'm going to show what
20 is marked for identification as State's Exhibit 54, and
21 ask if that is a fair representation of the exterior
22 premises that you just verbally described?

23 A Yes, it has the islands and the small building
24 here where the filling station was and the islands for

1 the gas.

2 Q Okay. Which direction is north?

3 A At the back end. The top would be north. This
4 would be south facing on Empire.

5 Q Empire Street runs east and west?

6 A Right, and west would be over here on Linden and
7 this way would be east.

8 Q Okay. Now, procedurally what was -- could you
9 fly over in summary terms what the procedure was that
10 you implode as you approached your investigative
11 activities?

12 A After I was briefed we took photographs of the
13 outside area and then we started using the electrostatic
14 lifter. There is a stoop or a step as you first go in.
15 Before we went in we wanted to check it for footwear
16 impressions so we did electrostatic lifting. What that
17 is--

18 Q Let's hold up on the detailing of that. We
19 will get to that.

20 Did you -- after the photography of the
21 exterior did you do photography of the interior or did
22 go straight to the electrostatic lifting?

23 A Well, really we kind of stepped off to the side
24 and went inside and took our photographs on the inside

1 before we did all the electrostatic lifting.

2 Q Exterior photography, interior photography, and
3 then the electrostatic lifting?

4 A Yes, sir.

5 Q Okay. Let me show you some of the exterior
6 photographs. First of all, Exhibits 12 and 14 which I
7 believe are already in evidence. This is 12 and this is
8 14.

9 Could you -- we will need to the bring
10 screen down and we will show those on the screen as
11 well.

12 Ed, is that an -- on the screen is that
13 image the one of People's 12 that you are looking at?

14 A Yes, except on, to the left side of that needs
15 to be moved over a little bit if it could. It may not
16 show it. What I'm looking at that, sir, is the front
17 of the filling station. I'm looking straight north.
18 The plywood was -- that window was a plate glass window
19 that was knocked out earlier and they put up plywood
20 until the glass could be replaced. Just on the left
21 side of the plywood is the entrance door into the
22 filling station.

23 Q In the upper left area on the horizontal what is
24 that that is depicted there?

1 A Above that you are seeing the florescent
2 lights. There is a light there. Right below that there
3 is a cigarette case up there on that window right below
4 that that kind of blocks things, but to the left side of
5 that is the counter area or where the service station
6 attendant took care and had the cash register and
7 everything right in that area.

8 Q And this area to the right which is represented
9 in a dark area is that on the east side of the station
10 structure?

11 A Yes, it is.

12 Q Okay. Would you please go to State's Exhibit
13 14.

14 What is depicted in this picture?

15 A This is the east side of the filing station. It
16 shows the ice machines. I don't remember what the
17 little foot things were there. I think they might have
18 been kerosene at that time. Also on the outside a
19 bathroom there just behind that tape. Just behind that
20 tape is an outside bathroom.

21 Q What is to the right or to the east of the ice
22 machines?

23 A There is a car parked there, a maroon colored
24 car. I don't remember whether it was one of the

1 officers or the victim's car at that time.

2 Q Now, in terms of the opening just literally to
3 the right of the ice machine where does that opening go
4 if you know?

5 A To an alley back in there. It is the back part
6 of the alley.

7 Q Okay. And I think you indicated earlier that
8 you did take some interior photography as well?

9 A Yes, sir, I did.

10 Q Okay. I want to show you some exhibits that are
11 not in evidence yet. Exhibit 13, Exhibit 15, and
12 Exhibit 16, and ask if each of those truly and
13 accurately portray what they, excuse me, I don't want to
14 show you 16 yet. Just 13 and 15 do those fairly and
15 accurately portray two different exterior views of the
16 Clark Station that night?

17 A Yes, it shows a south and east--

18 Q Hold onto what it contains.

19 A Yes, it does.

20 MR. REYNARD: Move the admission and ask
21 leave to publish.

22 THE COURT: Any objection?

23 MR. PICL: Can I look at them?

24 MR. REYNARD: You betcha.

1 THE COURT: Thirteen and 15 are the two?

2 MR. REYNARD: Yes.

3 MR. PICL: No objection.

4 THE COURT: All right. They are admitted.

5 MR. REYNARD: Thirteen please, Kim.

6 Q What is depicted in this photograph?

7 A Exhibit 13 I'm taking a picture of the southwest
8 corner. I'm showing kind of the west side of the
9 filling station building also the whole front of the
10 building station showing the coke machines, the
11 different things. The liters of pop there on the
12 right-hand side, the right-hand lower liters of pop that
13 was for sale. It also shows a little bit of -- the
14 picture depletes it a little. It shows a little bit the
15 west side of the block building.

16 Q With regard to that last remark you indicated
17 that the picture shows things a little better. Can you
18 describe for the benefit of the jury a little bit about
19 the quality of the actual photographic print exhibit
20 versus the projected image of it?

21 A The photograph is a lot better more depicting
22 than this thing. These were all taken at night too with
23 a flash. Also that screen up there is not deflecting.
24 Down on the lower left is the hose, an air hose and

1 another water hose. You just barely see one of them.
2 There is another one right to the left is an air hose
3 that is not depicted. There is also a window further
4 back that is boarded up.

5 Q I will show you People's Exhibit 15.

6 A People's Exhibit 15 again is that, again is that
7 west side of the filling station which shows a gas
8 meter. It is a little more designed than the first
9 picture of 13. It shows further down how that window
10 was either boarded up or painted.

11 Q With respect to your interior photography I want
12 to show you one exhibit which is not yet admitted
13 People's Exhibit 16. Without going into detail as to
14 the contents does it truly and accurately portray an
15 interior view of the station?

16 A Yes, it does.

17 MR. REYNARD: Tendering 16 to counsel.

18 MR. REYNARD: Move for admission.

19 MR. PICL: No objection.

20 THE COURT: All right. 16 is admitted.

21 MR. REYNARD: Sixteen please, Kim.

22 Q Ed, would you describe the depiction
23 of this exhibit please?

24 A Yes, I am standing inside the filling station at

1 this time looking straight west. That area there is
2 the service counter where you pay for your gas, the
3 little counter right there. The rods going up on the
4 left holds cigarettes above him. Right behind those
5 two rods there is the cash register. On the west wall
6 is more cigarettes and snacks. This here is a very
7 small area. There is probably less than two foot area
8 for the counter to be serviced right there.

9 Q Number 2 please.

10 I will show you People's Exhibit Number 2
11 in evidence, and ask if that is pretty much the same
12 view with a little bit more of the horizontal
13 perspective and less of the vertical?

14 A Yes, it is. It is the same one. I just lowered
15 the camera a little more and got a little bit closer
16 showing the uprights things there that do hold
17 cigarettes up above the window. That is a rack. There
18 is a cash register behind those two things, and also
19 shows the cigarettes and candy and lighters and things
20 on the back wall. That would be the west, excuse me,
21 straight west.

22 Q Okay. People's Exhibit Number 3.

23 Okay. Mr. Kallal, what is depicted in
24 this photograph?

1 A Okay. I'm standing right at the edge of the
2 counter. Really to the right of that is a storage
3 room. I'm standing in that storage room looking
4 straight south showing the cash register, the drawer
5 being open. To the left side of the cash register is a
6 machine to operate the pumps. Below that counter it
7 just shows some cigarettes, paper towels and things.
8 Again I'm looking south showing the south wall behind
9 the counter.

10 Q Now, is the condition of the drawer of the cash
11 register the condition it was in when you first observed
12 it?

13 A Yes, it was open and the insert was missing.

14 Q And were you later advised that the cash drawer
15 insert had been observed by someone?

16 A Well, it wasn't observed being there, yes.

17 Q Let me show you People's Exhibit Number 4.

18 A Okay. People's Exhibit 4 is the floor and
19 behind the service counter this chair or stool, whatever
20 it is, has been knocked over and laid on the floor.
21 I'm looking south really kind of southwest when I took
22 this picture. This would be just to the right and
23 below the cash register.

24 Q And People's Exhibit Number 9 please, Kim.

1 Would you detail your, this photograph
2 please?

3 A Yes, I am standing in the center of the filling
4 station looking straight west showing the victim William
5 Little laying on his back. His head to the east, his
6 feet to the west. His right arm is in the doorway of
7 the storage room. His left arm is right behind the
8 counter. His shirt had been cut away by Officer
9 Williams initially.

10 Q Thank you. Could you bring the lights up for a
11 few moments please.

12 Mr. Kallal, could you now indicate to the
13 ladies and gentlemen of the jury what the electrostatic
14 lift process is?

15 A Yes, sir. Electrostatic lifting is we reverse
16 the process sucking chemical or the dust off the
17 floor. What we use is Mylar that you use to get Mylar
18 that you covered your windows with. We get sheets of
19 two by four foot sheets. We have a static lifter. We
20 attach that to the Mylar. We run over it and it
21 reverses the process. It sucks all the dust off the
22 floor on the back side of this Mylar. Then we turn
23 over the Mylar over and photograph the footwear
24 impression to a one to one camera. Then have them

1 blowed up to one to one to compare to any foot print.
2 that we may have found. If we have a suspect, we have
3 something to compare to it.

4 Q Is that a little bit like getting a latent
5 finger print lifts so to speak but a different process?

6 A It is a different process. Fingerprints we use
7 powder or different things to lift with. With the
8 static lifter we have to plug this in and have to
9 reverse the process to suck this dust up on to the
10 Mylar. It is like combing your hair and if you touch a
11 balloon, you can get a static charge out of it.

12 Q Let me show you People's Exhibit Number 55, and
13 ask you if that is a fair and accurate diagrammatic
14 representation of the interior portions of the Clark
15 Station and the immediate exterior area of the Clark
16 Station?

17 A Yes, it is.

18 Q Now, with regard to your process of taking the
19 electrostatic lifts with the aid of the diagram please
20 explain to the ladies and gentlemen of the jury what you
21 did first and what you did next?

22 A This is the open area here which is more or less
23 where the people come in. This would be the bathroom.
24 This is the counter with the cash register. Out here

1 we have a stoop or step that you step in. We used the
2 electrostatic lift there and worked our way back where
3 the victim was found right in this area here. We did
4 this whole complete area with the electrostatic lift,
5 and then we sat there and photographed every one that we
6 collected.

7 Q What other sorts of things did you do that
8 evening while you were at the Clark Station with Officer
9 McKinley?

10 A I also fingerprinted the door, the counter area,
11 cash register, anything that we thought may have been
12 touched by someone or the suspect or whoever. We
13 checked it. I checked it for fingerprints I think with
14 the eight or nine lifts, latent prints being found on
15 the door. The counter area was of a rough material
16 which we didn't get any fingerprints off the counter
17 area itself.

18 Q Did you take measurements of the various
19 interior and exterior locations?

20 A Yes, I did.

21 Q And what, if any, physical evidence other than
22 what you already mentioned did you secure?

23 A We took swabs of the blood on the floor. Also
24 we collected the victim's shoes at that time before he

1 was removed, but really latent prints and the blood and
2 the shoe impressions were the only thing we collected at
3 that time I believe.

4 Q Did you provide any of that evidence to the
5 deputy coroner that evening?

6 A Yes, I had the victim's wallet which I gave to
7 the Deputy Coroner Dixie Smith that evening around
8 10:30. I think it contained one twenty dollar bill and
9 the identification of the victim William little.

10 Q Did you observe Mr. Little, Mr. Little's body
11 being removed?

12 A Yes, I did.

13 Q And that was removed to the morgue, is that
14 correct?

15 A Yes, the funeral home removed it that evening
16 and took it to the morgue at McLean County Law and
17 Justice Center here.

18 Q Did you receive any other evidence from any
19 other person that evening or that early morning?

20 A Yes, I did.

21 Q And what was that?

22 A Later around 12:30 that morning, be the next
23 morning on April 1st, I received the cash register
24 receipt from the cash register from the manager area,

1 the manager of Clark Service Station Mr. Ragland.

2 Q I want to show you what has been marked for
3 identification People's Exhibit 19, and ask if you
4 recognize that packaging?

5 A Yes. When I initially received this, I received
6 this at 12:05 a.m. This would be the cash register
7 tape. I received it from Mr. Ragland. I sealed it up
8 with the original tape and taped it up, and whenever it
9 was taken to somebody else or turned over to Cindy
10 Rousey later on at the Bloomington PD and put it into
11 evidence over there.

12 Q And it also bears your initials on the reverse
13 side EK?

14 A Yes, it has my initials on there.

15 Q Could you look at the interior contents
16 momentarily, and ask if that appears to be the same tape
17 that you secured at that time?

18 A Yes, it does.

19 Q What did you do after you received this evidence
20 from Mr. Ragland?

21 A We stayed there at the scene until around 3:00
22 a.m. in the morning, and then we secured the scene, and
23 then I left and went to the Bloomington PD.

24 Q What, if anything, did you do next?

1 A We had a debriefing at the Bloomington PD. I
2 left at 3:20 in the morning. I returned to the scene
3 8:20 the next morning, 8:30 on April 1st. Met with
4 three or four other officers from Bloomington PD. At
5 this time a search -- I think additional photographs
6 were taken and a search of the area was conducted.

7 Q With respect to the photographs that you just
8 mentioned -- I will show you Exhibits 1 and 5 which I
9 believe are already in evidence. First of all, 1.

10 Could you bring the lights down please?

11 A People's Exhibit 1 is a photograph that I took
12 the next morning probably around 8:30 showing -- I'm
13 looking straight north. It shows where the plywood has
14 been put on the door on that broken window. Also the
15 light blue van was my squad car at that time. It also
16 shows that little maroon car behind it. It also shows
17 back there is a garage or a house back behind, be on the
18 east side of the filling station the northeast corner.
19 It also shows the one far east gas pump.

20 Q What is the little white item on the very right
21 side of the picture, if you know, this item right here?

22 A I can't tell what that is. I don't remember,
23 sir. I think that is a light post I believe. I don't
24 know.

1 Q I will show you Number 5 please.

2 A Number 5 is I'm standing on the south side of
3 the service station out on Empire Street. I'm shooting
4 kind of northwest showing the other pumps. There is a
5 pair of pumps and also behind them two there is a pair
6 of pumps kind of north of those two on the west side.
7 It shows again the south side of the filling station
8 with the broken glass. Also shows a large building on
9 the opposite side of Linden Street on the west side of
10 Linden Street.

11 Q What did you do next?

12 Bring the lights up for a few moments
13 please.

14 What did you do next, Mr. Kallal?

15 A There was four or five officers there, myself
16 and Randy McKinley. We searched for a two or three
17 block area looking for anything that may have been
18 dropped especially either the gun or the insert from the
19 cash register. At that time -- nothing was found at
20 that time.

21 Q Now, at approximately twenty minutes before
22 10:00 o'clock that morning where did you go?

23 A I went to the McLean County morgue.

24 Q And what were your responsibilities at that

1 location?

2 A We were, had an autopsy scheduled at 11:00
3 o'clock by Doctor Surpaul (sp). I took -- at that time
4 I took additional photographs and stuff of the victim
5 before Doctor Surpaul got there.

6 Q Just for the record I would like you to identify
7 People's Exhibit 17 which is not going to be projected.
8 at this time.

9 A People's Exhibit 17 it was taken by me at the
10 morgue. Shows a gun shot wound to the left shoulder of
11 the victim Mr. Little, the upper left shoulder area.

12 Q And People's Exhibit 18.

13 A People's Exhibit 18 is a photograph taken by me
14 again showing another entrance wound on the center chest
15 area, center upper of the abdominal area of the victim
16 Mr. Little.

17 Q And both of these exhibits were marked with your
18 case number and your initials on the back side, is that
19 right?

20 A Yes, they are.

21 Q Did you stay for the conduct of the autopsy and
22 actually observed that procedure?

23 A Yes, I did.

24 Q And did -- as part of that procedure did you

1 secure any additional evidence?

2 A Yes, I did.

3 Q And what was that?

4 A I took finger and palm prints of the victim. I
5 also took hair head, pubic hair or head hair standards.
6 A standard of his blood was taken, and Doctor Surpaul
7 found the two projectiles during the autopsy. They were
8 handed directly to me and I put them in a sealed box.

9 Q In that connection let me show you People's
10 Exhibit Number 20, and ask if you recognize that
11 package?

12 A Not this original package here. My package was
13 inside here. This is a package from the Bloomington PD
14 that they put on. This here package is my original
15 package.

16 Q For the record you are referring to the smaller
17 manila envelope?

18 A This was done at the crime lab which they also
19 have Charlie Crowe's name on it. Originally I put the
20 two projectiles, two 22 projectiles which are inside
21 this box. I sealed it with the red tap over here. It
22 has my case number and the date 4/1 11:56 in the
23 morning, and my initials and everything on it and I
24 sealed it up.

1 Q Does it appear to be in the same condition as
2 when you sealed it up?

3 A Yes, other than it has been opened and closed
4 for a few times by other people in the lab and other
5 people.

6 Q I will ask you if you left the morgue about
7 12:45 that day?

8 A Yes, I did.

9 Q And, excuse me, I will ask you if you then took
10 the various exhibits that you secured to any particular
11 location?

12 A Yes, I took them back to my office first here in
13 Bloomington. We have an office, and then on April 3rd I
14 took several of the items to the Morton Crime Lab around
15 10:00 o'clock in the morning and receipted them to three
16 different personnel there at the crime lab.

17 Q And those are, excuse me.

18 And did you take additional exhibits to
19 Bloomington and receipt them to Cindy Rousey?

20 A Yes, I did. The other items that I collected
21 around 1:35 that afternoon of April 3rd I receipted that
22 evidence to Cindy Rousey who is the evidence clerk for
23 the Bloomington PD.

24 Q And all told it included in those items of

1 evidence were Bill Little's blue jeans, belt, socks
2 underwear, undershirt, T-shirt, his finger and palm
3 prints, hair sample, blood sample, and the two 22
4 caliber projectiles?

5 A Yes, sir.

6 MR. REYNARD: At this time, your Honor, we
7 would be moving in admission those exhibits addressed by
8 this witness that hadn't already been introduced into
9 evidence specifically People's Exhibit Number 20.

10 THE COURT: Okay. Is there any objection to
11 20?

12 MR. PICL: No.

13 THE COURT: All right. That is admitted.

14 MR. REYNARD: And I don't have any further
15 questions at this time.

16 THE COURT: Okay. Mr. Picl.

17 CROSS EXAMINATION

18 BY MR. PICL:

19 Q Excuse me, how would you like to be addressed?
20 You are a retired officer, trooper.

21 A Trooper. You can call me trooper or whatever,
22 sir.

23 Q I will call you trooper.

24 Trooper, what is or was State's Exhibit

1 17? I think you may have looked at it here just a
2 moment ago.

3 Photos from the autopsy?

4 MR. REYNARD: Yes.

5 MR. PICL: Fine. Thank you.

6 Q Now, you said to us when you started
7 that you are semi-pro bass fisherman, is that right?

8 A Yes, sir. I travel the country fishing.

9 Q Are you any good at it?

10 A Once in awhile, sir.

11 Q You support yourself by your winnings from
12 tournaments?

13 A Not last year, but the year before, yes.

14 Q I have heard over the years that fishermen tell
15 a lot of tales. You haven't told us any tales today?

16 A No. Just like lawyers.

17 Q What time did you respond to the station again
18 the first?

19 A 9:20 p.m., sir.

20 Q We looked at some photos specifically I think
21 exhibit, State's Exhibit Number 12 which I believe was a
22 photo taken of the front of the station, and it shows
23 Number 12. Would you look at that please. That is the
24 station, a photo taken of the front of the station,

1 right?

2 A Yes, sir, it is.

3 Q And why in that, if you could explain to us if
4 you could please, why in that photograph is some areas
5 appear to be noticeably lighter or better illuminated
6 than other areas?

7 A Well, I can say that would be the above lighting
8 from the filling station itself the lights on the
9 pumps. There is lights on each of the pumps I believe
10 at that time. You know this is at night. I'm taking
11 it with a flash so I'm getting some of the light from
12 the overhead lighting.

13 Q Okay. What would -- how would the flash, the
14 fact that you were taking the photo with a flash what
15 affect would that have on how would it would show up in
16 the photograph?

17 A It would lighten up the area quite a bit.

18 Q Within the range of the flash?

19 A Yes, sir.

20 Q So that portions of the scene in the photograph
21 that were beyond the effective range of the flash would
22 appear darker, is that right?

23 A Yes, sir.

24 Q Okay. Comparing that photograph to the

1 projection of that photograph that we saw a little while
2 ago I think you already told us that is in better
3 detail, is that right?

4 A Yes, sir, it is.

5 Q Would it be fair to say that almost without
6 exception all of the projections are not as finely
7 detailed as the corresponding photographs?

8 A Yes, sir, that is correct.

9 Q Okay. So when we saw -- when that photo was
10 projected we saw the front of the station pretty much
11 dark that would be attributed to the distortion caused
12 by projecting it. Would that be a fair statement?

13 A Yes, sir.

14 Q Okay. Now, officer, Trooper Kallal, is that
15 how you pronounce your last name?

16 A Yes, sir.

17 Q You were a crime scene technician for your last
18 thirteen and a half years on the job, right?

19 A Yes, sir.

20 Q Would you tell me briefly how you were trained
21 as a technician? You indicated at the time of this
22 investigation that you were training someone else.

23 A Can I read off my schools that I have been to?

24 Q Sure. Is it several pages?

1 A Well not really not to many. If I can find it.
2 If not, I may have to do it from memory.

3 Q Well, before you get into that let me ask you
4 what was the general -- before you were a crime scene
5 technician what were your duties as a state trooper?

6 A I was a trooper on the road assigned to Ford and
7 Iroquois County.

8 Q What district were you in?

9 A That would district 21. At the time I started
10 District 6 and that was a subpost, and then they later
11 made it a separate district, District 21.

12 Q How was it that you got interested in becoming a
13 crime scene technician?

14 A We had the shoot out in 1977 over at Paxton,
15 Illinois, where a state trooper, a Paxton police officer
16 was shot. There was five people killed altogether. I
17 was the first, well, really the second officer on the
18 scene. I wasn't even working that night. I was the
19 second officer on the scene. I led several of the
20 searches over in that area and knew the area from
21 hunting, and I led a lot of the searches and stuff.
22 Right after that they started putting me on crime scene
23 techs. I applied for it, and they put thirteen more
24 crime scene techs in 1978; December 1st of 1978.

1 Q Okay. And is there an -- is there some sort of
2 once you had a certain measure of training do you have
3 to take like a national exam or be certified in some way
4 as an expert in some fashion?

5 A Yes, we had to be certified in our
6 fingerprinting examination and stuff like that. The
7 blood work and hair work is all done by personnel at the
8 lab.

9 You want me to read through my resume?

10 Q Sure.

11 A Okay. In the early part of 1980 I attended my
12 basic course for crime scene was 720 hours of crime
13 scene processing. That was taught mostly at the
14 Illinois State Police Academy. They brought in
15 different people to teach us.

16 After the initial 720 hours I spent 80
17 hours in 1980 a ride along program with the Chicago
18 Police Department.

19 Before I could be certified as a crime
20 scene technician I came back and had to have 170 hours
21 of ride along program with the certified crime scene
22 technician here in Central Illinois.

23 In 1981 I went to the basic 80 hours of a
24 basic arson investigation at the Chicago PD. Later on

1 in 1981 I went to the advanced arson investigation in
2 1981. We had an advance photographic course in 1981, a
3 40 hour course at the state police academy in
4 Springfield.

5 In 1982 I went to a 40 hour basic
6 fingerprint classification identification course at the
7 Will County Sheriff's Office in Joliet. 1982 I went to
8 the Roselle Police Department for an advanced 40 hour
9 course in the classification of fingerprints.

10 1984 a 20 hour advanced course in the use
11 of chemicals and different things in the crime scene
12 processing at the Morton Crime Lab. 1985 a 40 hour
13 death investigation course St. Louis University of
14 Medicine. 1987 advanced 40 hour course of death
15 investigation St. Louis University of Medicine. 1988 a
16 40 hour blood splatter workshop Minneapolis,
17 Minnesota. 1990 40 hour course of questionable death
18 investigation Orlando, Florida.

19 Also during these each year we had small
20 workshops set up at the crime labs to teach us advanced
21 and new processing of collecting prints or evidence and
22 how to handle evidence. We had these courses several
23 times a year at least two to three times a year either
24 at the crime lab or set up a class at the Springfield

1 State Police Academy.

2 Q So in summary it would be fair you received
3 quite a bit of basic training, and then once you reached
4 a level of competency you continued to receive from time
5 to time advanced training just to keep your skills
6 sharp?

7 A Yes, sir.

8 Q All right. And basically what a crime scene
9 technician does is go to the scene of the crime and look
10 around for physical evidence, correct?

11 A Yes, sir.

12 Q And that would include fingerprints, foot prints
13 or shoe prints, and technically it is a shoe print if a
14 person is wearing a shoe, is that correct?

15 A Yes, sir.

16 Q You look--

17 That is not me. That is your phone.

18 Sorry, judge. I haven't had it on for
19 three months. I apologize, ladies and gentlemen.

20 You look for weapons, right?

21 A Yes, sir.

22 Q You look for clothing that might have been
23 involved. Anything, in other words, that is tangible
24 objects that might have been involved in the crime or

1 might lead to the identification of persons involved in
2 a crime, correct?

3 A Yes, sir.

4 Q So in this case you knew what took place when
5 you arrived. The attendant at the gas station had been
6 shot apparently during a robbery, and you were then
7 looking for evidence left behind by the person that shot
8 him, correct?

9 A Yes, sir.

10 Q You told us that, in fact, it was -- it was your
11 information that the insert out of the cash drawer was
12 missing. Who told you that?

13 A I don't remember, sir, who told me at that time.

14 Q It would be fair to say then what you saw was a
15 cash register drawer open with no insert in it, correct?

16 A Yes, sir.

17 Q And there wasn't any cash or coins in the drawer
18 that was open, correct?

19 A No, sir.

20 Q So we can probably assume that someone took
21 that, right?

22 A Yes, sir.

23 Q Who took it?

24 A I don't know, sir.

1 Q Well, who shot Bill Little? Who shot the
2 attendant?

3 A I don't know, sir, right now.

4 Q Do you even know if the person who took the
5 insert from the cash drawer was the same person who shot
6 Bill Little?

7 A No, I don't.

8 Q We have heard some evidence that, in fact, there
9 was a silent alarm button pressed under the counter in
10 the gas station. Was Bill Little shot before or after
11 that button was pressed?

12 A I would assume -- it is hard to say. I would
13 assume it was after or right before.

14 Q Well, doesn't that contain another assumption
15 that, in fact, Bill Little pressed that button?

16 A Yes.

17 Q Well, you don't know who pressed the button?

18 A No, sir, I don't.

19 Q Did you fingerprint the button?

20 A I fingerprinted around the area, yes.

21 Q Did you fingerprint the button?

22 A The button itself I don't think, no, because of
23 the area it is in I don't think it could be
24 fingerprinted.

1 Q But you don't know for sure, do you?

2 A No, sir.

3 Q The station is now knocked down?

4 A Oh, it is gone, yes, sir.

5 Q So nobody bothered fingerprinting the button to
6 your knowledge?

7 A To my knowledge, no, sir.

8 Q So in fact, the person who pressed the button if
9 that was the person who shot the attendant, nobody
10 bothered to try to recover the shooter's fingerprints,
11 correct?

12 A Not off the button, no, sir.

13 Q Excuse me, just a second.

14 Now, you checked both for fingerprints
15 and for shoe prints, correct?

16 A Yes, sir.

17 Q You told us about this electrostatic technique
18 for lifting shoe prints, and as I recall your testimony
19 you dust the area that you wish to check. You then
20 apply Mylar which a thin plastic film. Is that
21 basically -- is that a good description?

22 A Mylar is a thin plastic film, yes.

23 Q You then pass over the top of the Mylar with
24 some sort of an electrostatic, what a wand or a

1 generator?

2 A It is like a wand. It has a power source, but
3 it is a wand that goes over it, yes.

4 Q And then that somehow causes the dust that you
5 put under the Mylar to arrange itself in the patterns
6 that would correspond to the shoe prints?

7 A No, sir.

8 Q How does it work?

9 A We don't use no dust at all there. What we are
10 lifting off the floor is what is already there.

11 Q The natural dirt?

12 A Yeah, the natural dirt. The dust is what I was
13 talking that is the powder that we use for
14 fingerprinting.

15 Q Oh, we will get to that here in a second.

16 So you are actually lifting the dirt that
17 is on the floor onto the Mylar, and then as I recall you
18 carefully then photograph what is on the Mylar?

19 A Yes, sir.

20 Q How do you do that if the Mylar is clear?

21 A The Mylar is not clear. One side is silver.
22 One side is a dark color. If you remember years ago
23 when people put Mylar on their windows to darken their
24 windows, that is what this stuff is. We use the dark

1 side of that. It is made of like a tin foil material.
2 That is why we can use an electrical charge with it in
3 order to make it suck this dirt off the floor.

4 Q And I would assume then when you put the Mylar
5 down on the floor it is the dark side that is down?

6 A Yes, sir.

7 Q So then when you take it up carefully so the
8 dirt doesn't fall back off, right?

9 A Right.

10 Q Then the dirt shows up fairly well against the
11 black surface of the Mylar, correct?

12 A Yes, sir.

13 Q Now, you then take a photograph of the Mylar
14 with the dirt on it, right?

15 A Yes, sir.

16 Q Where did you take the photograph of the Mylar
17 that you used in this case?

18 A There at the filling station right then. They
19 were turned over. The silver side is up. The dark side
20 is down. We turn it over. We have a camera set up on
21 a tripod and at that time they were photographed.

22 MR. PICL: Do we have any of those
23 photographs here today?

24 MR. REYNARD: Yes.

1 MR. PICL: Can I see some of them?

2 Judge, may I take a minute to look at
3 this packet of stuff?

4 THE COURT: Sure.

5 MR. PICL: Q Oh, by the way was there any
6 other area right around the counter in the station that
7 you checked for shoe prints with the Mylar technique?

8 A Any other area besides around the counter?

9 Q Right.

10 A No, we took from the entrance door right
11 straight toward the counter area.

12 Q Did you check outside at all for footprints?

13 A No, we didn't other than the stoop or step going
14 in.

15 Q Did you check -- I think there is a restroom
16 back at the northeast corner of the station where the
17 door that opens to the outside, did you check in there
18 at all?

19 A No, sir, we didn't not for footwear.

20 Q Did anyone ask you to?

21 A No, they didn't.

22 Q You have indicated in your testimony that there
23 was a search conducted over two or three blocks around
24 the station later, is that correct?

1 A Yes, sir.

2 Q And you participated in that search?

3 A Yes, I did.

4 Q Did you check any of that area that was searched
5 for shoe prints?

6 A Not really because at the time of the year there
7 is nothing that could compare or I should say being
8 April 1st the weather was nice I believe at that time.
9 There was nothing, you know, there was no snow, no mud,
10 no nothing to really look to find shoe wear impressions.

11 Q There was no shoe print impressions found during
12 the search of the area around the station, is that
13 right?

14 A That's correct, sir.

15 Q I am going to hand you a group exhibit. It has
16 a tag on it 7B. Oh, that is from the first.

17 Thank you.

18 I'm going to hand you, trooper -- I'm
19 going to call you Ed if you don't mind. I can't
20 remember trooper or officer.

21 A That will be fine.

22 MR. PICL: Can I approach the witness,
23 judge?

24 THE COURT: Sure.

1 MR. PICL: Q I'm going to hand you, just so
2 the record is clear -- let's stick these back in -- what
3 has been marked as State's Exhibit 57B and ask if you
4 can tell us what that is?

5 A These are photographs that were taken that
6 evening at the Clark Station by Officer Randall
7 McKinley. I was breaking him in or training him, and
8 these are several photographs that were taken of shoe
9 wear impressions that we collected on the Mylar that
10 evening from the floor of the Clark Station.

11 Q And those were photos that your training officer
12 took, well, the officer being trained. You would have
13 been the training officer?

14 A Yes, I was the training officer.

15 Q The trainee officer how is that. These are the
16 photos that he took. Was it a special type of camera
17 used or just a regular camera?

18 A Yes, it is a large format camera. I'm trying to
19 think of the name of it. It is a very large format in
20 order to make a one to one photograph you need the large
21 format camera. I can't think of the name of it at this
22 time.

23 Q Okay. On those -- on those photos that were
24 taken by the trainee officer there are in fact

1 impressions which clearly are, that were formed by the
2 bottom of shoes on a number of them, correct?

3 A Yes, sir, there is.

4 Q Can you tell me in the case of anyone of those
5 photographs of how long any impression had been there
6 prior to the time the alarm button was pressed?

7 A No, sir, I have no idea.

8 Q Can you in looking at any of those photographs
9 tell me if, in fact, any of those impressions were left
10 by the shoes worn by the person who shot Bill Little?

11 A Not at this time I can't, no.

12 Q Not at any time?

13 A At that time, no, we had nothing to compare them
14 to at that time.

15 Q Can you tell me if the person who shot Bill
16 Little wore shoes when he shot Bill Little?

17 A Not really, no, sir.

18 Q Nobody ever told you that anyone saw the person
19 shoot Bill Little, did they?

20 A No, sir, they didn't.

21 Q All right. We don't know if it was a man or a
22 woman, do we?

23 A No, sir.

24 Q How many different shoe prints as far as you

1 could tell were identified in your photos that were
2 taken that night?

3 A There are several. I don't know how many.
4 There would be several.

5 Q Okay. And I think you told us that you really
6 cannot tell us how long any of them had been there prior
7 to the shooting, correct?

8 A That's correct, sir.

9 Q The bathroom that we are talking about that I
10 mentioned to you earlier at the northeast corner of the
11 station did you during your crime scene investigation
12 look in the bathroom?

13 A Yes, we did.

14 Q So you can tell us with certainty that there is
15 a door in that bathroom that opens to the outside?

16 A Yes, it is a locked door. The door is located
17 here.

18 MR. REYNARD: Referring to the diagram is
19 that what you are doing, officer?

20 THE WITNESS: Yes. This is the employee
21 bathroom they call it. This would be the outside
22 bathroom. The public bathroom would be over here.

23 MR. PICL: Q Okay. Did you fingerprint
24 the door knob?

1 A No, sir.

2 Q Now, you mentioned that door was locked when you
3 checked it. Was it locked when Bill Little got shot?
4 You don't know, do you?

5 A I don't know.

6 Q Can you tell me from your study of the shoe
7 prints that you lifted in the area of the station that
8 you concentrated on how many different people entered
9 the gas station during the day and evening of March 31,
10 1991, before Bill Little got shot?

11 A I have no idea how many people entered that.

12 Q Can you tell if any of the shoe prints that you
13 lifted in the station were left by a person or persons
14 entering the station more than once?

15 A No, there is no way to tell if they entered more
16 than once.

17 Q So you have no way of telling if anyone entered
18 the station more than one time on the day Bill Little
19 got shot, do you?

20 A No, sir.

21 Q Was Bill Little dead when the insert was taken
22 from the drawer?

23 A Unknown, sir.

24 Q Now, let's talk a little bit about finger prints

1 because I think you did both in this crime scene
2 investigation both fingerprints and shoe prints,
3 correct?

4 A Yes, sir.

5 Q The general idea, correct me if I'm wrong,
6 behind fingerprinting and shoe printing is the same. A
7 person leaves behind either a fingerprint or a shoe
8 print which is then lifted, if you will, and I will have
9 you explain that here in a second, by the investigator
10 or the technician, and then if the lift is complete
11 enough and there is later on a known fingerprint or shoe
12 print against which to compare it you try to match the
13 two. Is that the general idea behind this type of
14 procedure?

15 A Yes, it is.

16 Q Okay. Would you tell us please how or the
17 technique that you used for fingerprinting the areas
18 that you did on the 31st of March or into April? Did
19 you do finger printing late on the night of the 31st or
20 just on April 1st?

21 A It was done that evening of the 31st.

22 Q Okay. Tell us what you did please.

23 A I used powder. We have really three or four
24 different kinds. We have black, silver, red powder that

1 we use. We use a real fine brush put on the powder on
2 like the entrance door we did the glass area and the
3 handle. We apply powder to this area. If a print comes
4 up, it is lifted with a piece of, it is like Scotch
5 tape. It is wider and a little more durable like Scotch
6 tape and clear. It is then applied to a backing card
7 which we use dark powder. We put it on a white backing
8 card. If we use lighter colored powder, we put it on
9 the black backing card. These are marked, then marked
10 where we located, where they were taken from, and later
11 used for comparison if we have a suspect or something to
12 be used for comparison.

13 Q Okay. Now, a fingerprint isn't considered to
14 be the same in a number of respects as a shoe print, is
15 it? I'm sorry. That was unclear.

16 Fingerprint experts are considered by
17 fingerprint experts to be unique to each person, is that
18 correct?

19 A Yes, sir, it is.

20 Q Shoe prints however aren't unique to each
21 person, are they?

22 A Yes and no, sir. On the shoe print it is a
23 wear pattern. A lot of times it is a wear pattern how a
24 person walks on his foot. If he steps on a piece of

1 glass or rock, there may be a cut on the sole of shoe.
2 Some of these are unique features of a shoe pattern, but
3 two shoes even coming off the assembly line a lot of
4 times has a little bit of difference in the pattern.
5 You would have to be under a microscope in order to see
6 these, but fingerprints are more unique than a shoe,
7 yes.

8 Q And that is why they are considered when a match
9 is made of a print left at a crime scene to the known
10 print of a suspect is considered generally to be a
11 better form of identification?

12 A Yes.

13 Q Stronger evidence?

14 A Yes, sir.

15 Q The fingerprints that you found how long had
16 they been where they were found?

17 A Unknown, sir.

18 Q Were any of the fingerprints that you found in
19 the station the fingerprints of the person who shot Bill
20 Little?

21 A Not that I know of, sir.

22 Q Do you know if the person who shot Bill Little
23 wore gloves when he shot Bill Little?

24 A It is unknown.

1 Q Did the person -- I think you told us that the
2 area that was searched around the station -- how many
3 blocks was it by the way? I didn't get it down.

4 A Two to three blocks, sir.

5 Q And you searched that with a number of other
6 officers?

7 A Yes, sir.

8 Q You were aware at the end of the search what the
9 results of the search were, is that correct?

10 A Yes, sir.

11 Q Did you give the other officers then
12 instructions for searching the area?

13 A Yes, we did.

14 Q What did you tell them?

15 A Really we were altogether. We were spread out
16 and went down each side of the street and the alleys.
17 We were all close enough that we could holler back and
18 forth if something was found. I carried by camera and
19 evidence bag. If something was found, we would take a
20 picture of it and they were told not to pick anything
21 up. They were told just to identify it.

22 Q And no one found the insert from the cash
23 drawer?

24 A Not at that location where we searched, no, sir.

1 Q No one found a gun of any type, did they?

2 A No, sir.

3 Q And I am not sure I may have asked. If I did,
4 please bear with me. Do we know if the person who shot
5 Bill Little took the insert?

6 A No, we don't.

7 MR. PICL: Okay. If I may have a second
8 here.

9 Q Oh, I am sorry. Did you do any of
10 the comparison work with the fingerprints later on?

11 A No, I did not. That was all done at the Morton
12 Crime Lab.

13 Q You are unaware of any of the prints of Jamie
14 Snow being found at the station, aren't you?

15 A Not that I know of, no, sir.

16 Q In other words, none of his were among the ones
17 that were lifted, correct?

18 A That's correct, sir.

19 Q Do you happen to know were any -- how many
20 actual latents were found, and when I use the term
21 latent, would you explain to the jury what latent print
22 means?

23 A Latent print, first of all, you have to be -- a
24 latent print is amino acid, sweat. You might as well

1 say sweat from your body which is left. Sometimes not
2 all of the time this material you could get a lift off
3 of. Sometimes you do not leave a fingerprint. Not all
4 people do. There are so many percent of the population
5 are nonsecretors. They do not have -- amino acid is
6 what leaves that. So it a lot of times depends on the
7 pressure, how much pressure you put down on something in
8 the surface. That is what a print is your amino acid
9 or sweat from your body.

10 Q To draw a parallel between the mechanics of
11 leaving a shoe print and the mechanics of leaving a
12 fingerprint, the oil in the secretions from a person's
13 finger tips, would be similar to the dirt on a floor in
14 which a shoe print is made, is that correct? You pick
15 up -- you identify the impression in the dirt, you
16 identify in a fingerprint situation the pattern of oils
17 left on the surface that is touched?

18 A That is correct, sir.

19 Q Do you know in this case how many actual usable
20 latents were found?

21 A I lifted eight that I believe was usable prints.

22 Q And were they eight from the same person or
23 eight from eight separate people?

24 A No, the lifts that I got I don't know how many

1 were from different people or what. They were all
2 taken from the door glass area or the entrance door of
3 the filling station.

4 Q Which we don't know whether the person who shot
5 Bill Little touched, do we?

6 A No, sir we do not.

7 Q And again we don't know how long any of those
8 eight latent prints had been there before you lifted
9 them, right?

10 A That's correct, sir.

11 Q Other than your involvement in the lifting of
12 the prints and the search of the station and the
13 photographs that you took and the search of the area
14 around the station and your visit to the morgue, were
15 you involved in any way in the sense of a continuing
16 investigation of this case?

17 A No, sir, I was not.

18 Q Did you follow it at all out of curiosity?

19 A Yes. I kept in contact with the Bloomington PD
20 for a while, yes.

21 Q Do you know if the eight usable latent prints
22 that you developed were compared from time to time with
23 prints of other suspects that they were looking at?

24 A Yes, sir, they were. I believe they were.

1 Q Were they marked to any of those other suspects?

2 A No, sir, not that I know of.

3 Q And this was worked on by Bloomington PD?

4 A Some comparison was done by the Bloomington PD
5 and some done at the Morton Crime Lab I believe.

6 Q Morton Crime Lab by the way is a facility run by
7 the state police in Morton. It is a laboratory, right?

8 A Yes, sir, it is.

9 Q Where relative to the Clark Station where the
10 murder occurred would 1105 North Linden have been?

11 A Would that be the address you mean, sir?

12 Q Yes. Can you tell us?

13 A No, I have 802 Empire Street.

14 Q The address of the Clark Station, is that right?

15 A I believe that is, yes.

16 Q It is at the intersection of Linden and Clark?
17 Are you unfamiliar with what block of Linden you would
18 have been in at the Clark Station?

19 A You said the corner of Empire and Clark that is
20 or you said the corner of Linden and Clark.

21 Q Linden and Empire is where the Clark Station
22 was?

23 A Yes.

24 Q Do you know what block of Linden that is?

1 A No, sir, I do not.

2 Q Okay. Did any of the officers mention to you,
3 the other officers investigating mention to you either
4 on the 31st of March or the 1st of April that a party
5 had been taking place at the residence of 1105 North
6 Linden residence inhabited by people named Whitmer? Was
7 that ever mentioned to you?

8 A Not to my knowledge, sir.

9 Q I take it then you never during the course of
10 your search you didn't have any reason to and you didn't
11 search either the Whitmer's garage or the residence, is
12 that correct?

13 A No, sir, I did not.

14 Q Were you ever -- do you know if any other
15 officers searched any of the Whitmer's building
16 including the garage?

17 A Not to my knowledge. At this time I do not
18 remember if they did.

19 Q Did you -- were you informed by anyone while you
20 were working at the crime scene either on the 31st of
21 March or the 1st of April that there was an eye witness
22 named Carlos Luna who had made certain observations of
23 the gas station from his residence?

24 A I was not advised of that at all.

1 Q So I take it you conducted no investigation and
2 did no photography work at his residence?

3 A That's correct, sir.

4 Q I'm sorry for the delay here.

5 During the course of your investigation
6 did you or to your knowledge any other police officers
7 or crime scene investigators attempt to recreate the
8 crime as it was believed to have taken place for the
9 viewing of an eye witness or a possible eye witness?

10 A Not to my knowledge we didn't. I was not
11 involved in any way.

12 Q And you are unaware if anything like that was
13 done?

14 A That's correct, sir.

15 MR. PICL: Let me just check here. May I
16 have a second to look at something here in the
17 exhibits.

18 Q You have identified State's Exhibit
19 as the cash register tape given to you by Reggie
20 Ragland?

21 A That's correct, sir.

22 Q And who was he?

23 A He was the area territory manager for the Clark
24 stations in this area.

1 Q When did he give you his?

2 A Be a little bit after midnight on the morning of
3 April 1st.

4 Q And why -- is this something that you requested
5 from him?

6 A Myself and Bloomington PD we wanted to see the
7 last transaction of the night on it.

8 Q So you examined the tape that it contained?

9 A I believe I did at that time, yes.

10 Q Can you tell me when the last transaction on the
11 tape was made?

12 A No, sir.

13 Q Would you like to look again at the tape?

14 A I would have to.

15 Q That would be helpful, wouldn't it?

16 A Yes.

17 Q Sorry.

18 By the way while you are looking at that
19 tape can you tell me if 57B and the photos contained
20 inside are in the same condition as when you took the
21 photos, had them generated and had them put in the
22 envelope?

23 A I did not put the photographs or put them in the
24 envelope. They were put in there by Officer Randy

1 McKinley. He had the film developed, and then when he
2 got the film back, he put them in the envelope and put
3 them into evidence.

4 Q Okay. You looked at the photos before he put
5 them into evidence?

6 A Well, yes. Before they were put in, yes, I seen
7 them, yes. That would have been three or four days
8 later is when I observed them.

9 Q The photos as you have observed them today
10 appear to be in the same shape as the photos were when
11 you looked at them, right?

12 A Right.

13 Q And do these photos accurately and correctly
14 depict the work that you did and the shoe printed
15 impressions that you found on the floor of the station?

16 A Yes, they do.

17 MR. PICL: Okay. Thank you.

18 Do you have any objection to them being
19 admitted now?

20 MR. REYNARD: No.

21 MR. PICL: Judge, I am going to offer into
22 evidence now State's 57B Exhibit.

23 THE COURT: Is there any objection to 57B?

24 MR. REYNARD: No, your Honor.

1 THE COURT: All right. That is admitted.

2 MR. PICL: Thank you.

3 Q Have you looked at it?

4 A Yes, sir.

5 Q Does it refresh your recollection?

6 A Yes, sir. No time on this because I think it is
7 just the old cash register which at that time just put a
8 date on it and did not have times.

9 Q So in other words, we cannot tell from that cash
10 register receipt when let's say the last half dozen
11 transactions were made, is that correct?

12 A I have looked at maybe a third of it and there
13 is no time anywhere. There is a thing that says eight
14 dash twelve. I don't believe -- I believe that is a
15 code on different things that was sold. It shows the
16 date. Every date for every transaction, but it has no
17 time.

18 Q What was the amount of the last transaction can
19 you tell us?

20 A Just a second, sir.

21 The last transaction that I see, I see a
22 twenty dollars, and then the next entry down shows
23 116.27. Now, I don't know if that is a total for the
24 night of his receipts or, but above there a little

1 farther up 136.27, but if you took twenty dollars off of
2 it, it would make it 116.27. So there is a twenty
3 dollars that was taken out sometime that evening before
4 the total the way it looks here.

5 Q How do you know it was done in the evening?

6 A Well, that is how this tape was run. It has
7 12/31, and the last entry 4/1 of '91 which is when the
8 tape was removed. It was a little after midnight when
9 the tape was removed. The last entry says 2647 dash
10 390, and that is -- and then right under 4/1 of '91.

11 Q Were you or any of the officers investigating
12 with you have any conversations with Mr. Ragland about
13 that tape?

14 A I'm sure other officers did. I did not, sir.

15 Q Okay. It would be fair to assume that Mr.
16 Ragland will be able to interpret that tape for us?

17 A I would imagine that he would, sir.

18 Q That was part of his job, wasn't it?

19 A Yes, sir.

20 Q Okay. Ed, I'm going to show you what has been
21 marked and admitted I believe as State's Exhibit Number
22 2, and I think we saw this during your direct examine
23 projected. Can you tell me again though what it is?

24 A Yes, People's Exhibit 2 is a photograph of the

1 interior of the station, and I'm standing inside the
2 station right in this area. I'm shooting the counter
3 and the west wall of the service area there showing the
4 cigarettes, cash register, the machine that operates the
5 gas pumps.

6 Q Okay. Is the portion of the counter that is
7 shown in State's Exhibit 2 the shorter leg shown on the
8 diagram?

9 A Yes, it is this arm right here or the L shape
10 counter. It would be showing this area right in there.

11 Q Along the longer leg of the counter then would
12 have been the front window to the left of the entry door
13 of the station?

14 A Yes. That would be on the south side, yes.

15 Q All right. At the end of the longer leg of the
16 counter that would be the western end of the counter was
17 there a window there also?

18 A Yes, sir, there is. It is covered mostly by--

19 Q By cigarettes it looks like?

20 A Cigarettes, and cigarette lighters and different
21 things for sale that was offered.

22 Q All right. Okay. Thank you.

23 State's Exhibit Number 4 which I think
24 has been admitted and we looked at on the screen. Tell

1 us quickly what that is again.

2 A This is the stool that Mr. Little would have sat
3 on that was located back in this area here. Whenever he
4 waited on people instead of standing up, he had a little
5 stool that he sat on.

6 Q How do you know that?

7 A Why would it be back there if not to sit on. If
8 you put in eight hours at the filling station.

9 Q You never saw Mr. Little sitting on this stool,
10 did you?

11 A I may have at one time. I stopped and got gas
12 there quite a few times.

13 Q Do you remember ever seeing him sit on this
14 stool?

15 A Well, I have seen the other people say that. I
16 don't know if Mr. Little did or not, sir.

17 Q So you don't why he had the stool back there?

18 A No, sir.

19 Q How did the stool get knocked over in this
20 photograph?

21 A I have no idea, sir.

22 Q Who knocked the stool over?

23 A I have no idea, sir.

24 Q When was the stool knocked over?

1 MR. REYNARD: Objection. No showing of
2 foundation of personal knowledge for any of these
3 theatrical questions to ever bear any meaningful answer.

4 MR. PICL: I will rephrase the question.

5 THE COURT: All right.

6 MR. PICL: Q Do you know when the stool was
7 knocked over?

8 A No, sir.

9 Q Okay. This photograph, State's Exhibit 15, I
10 was a little unclear about this. Would you show me on
11 the diagram the portion of the station that corresponds
12 to what is shown in that photo please?

13 A We are showing this area here, the west side of
14 the station.

15 Q And I think we have heard testimony from others
16 that inside room there was a storage room. Did you go
17 back in there during the course of your investigation?

18 A Yes, I did.

19 Q Did you take any or lift any shoe print
20 impressions?

21 A No, sir, I didn't.

22 Q Did you fingerprint any portion of that room?

23 A I don't believe I did, sir.

24 Q The room next to it we were told was a desk, or

1 excuse me, an office of some sort that had an old desk
2 in it. Did you go back there during your
3 investigation?

4 A Yes, I did.

5 Q Did you take any shoe print impressions in that
6 room?

7 A No, sir.

8 Q Did you take any fingerprint impressions in that
9 room?

10 A No, sir.

11 Q Why not?

12 A Nothing appeared disturbed or anything in that
13 area back there and the location of the victim in the
14 doorway didn't appear that anybody would want to cross
15 him.

16 Q You mean step across him into that doorway
17 behind him?

18 A Right. It didn't appear at that time, no.

19 Q Well, given the dimensions of the victim's body
20 it wouldn't require much to carefully step over his
21 body, would it?

22 A The location that he was at and where the
23 doorway was at he's laying across way here. It is hard
24 to step from here across into that room. I mean it can

1 be done, sure.

2 Q It could be done by simply watching where you
3 are putting your feet, right?

4 A Yes or no. It would be a very long step, yes.

5 Q How long?

6 A Roughly four, four and a half foot.

7 Q Well, if in fact someone moved his body away, it
8 could be easily, you could easily walk into that room,
9 right?

10 A If somebody moved his body, right.

11 Q You don't know if the body was moved before you
12 arrived or not, do you?

13 A Yes, I do know.

14 Q How do you know that?

15 A I was told it was moved.

16 Q You were told it was moved. Okay. Well, you
17 don't know whether it was moved before the alarm button
18 was pushed, do you?

19 A No, sir.

20 Q Okay. So let's assume that someone shot him and
21 walked into the back two rooms there looking for
22 something to take which is what robbers do I think we
23 can all conclude.

24 MR. REYNARD: Objection. Argument, speech

1 making.

2 MR. PICL: I am posing a question.

3 THE COURT: The objection is sustained. The
4 question is argumentative.

5 MR. PICL: Q Could the person who shot Bill
6 Little have gone back into either of those rooms before
7 leaving the station?

8 A He could have, yes.

9 Q So why didn't you check for shoe prints back
10 there?

11 A We just at that time didn't feel it was
12 necessary.

13 Q And if the person who shot Bill Little had gone
14 into the office room where the desk was looking for
15 something to take, why didn't you check for fingerprints
16 back there?

17 A As I advised earlier it didn't appear that
18 anything was disturbed in that area. No drawers open,
19 nothing disturbed in that area.

20 Q How do you know there were no drawers open?

21 A I believe there was photographs somewhere that I
22 took of the crime scene that show that.

23 Q Showing the drawers were closed when you took
24 the photos, right?

1 A Right.

2 Q That doesn't mean that a person couldn't have
3 opened and closed the drawers before you took the photo
4 without you knowing it, does it?

5 A Unlikely. Most the time when our burglar or
6 somebody is really in a hurry they leave the drawers
7 open. They don't close them. They don't take time to
8 close them.

9 Q Not all burglars operate like that, do they?

10 A Not all of them, no.

11 Q In other words, the killer could have left shoe
12 prints in the back room and fingerprints in the back
13 room, but we will never know because nobody checked for
14 them, is that correct?

15 A Yes, sir, it is.

16 MR. PICL: I have nothing else.

17 THE COURT: Mr. Reynard.

18 MR. REYNARD: Thank you.

19 REDIRECT EXAMINATION

20 BY MR. REYNARD:

21 Q Mr. Kallal, is it part of your expertise to
22 judge the nature of the surfaces from which latent
23 prints are able to be secured?

24 A Yes, it is, sir.

1 Q Can you very briefly indicate the nature of this
2 surface variable when it comes to whether something can
3 be lifted or secured from that various surface location?

4 A Certain areas, wood is hard. Your counter tops
5 some of them are the vinyl or the material they are made
6 of are a little bit rough and very hard to get
7 something, a good finger print or one that is
8 identifiable off of a surface that is a little bit
9 rough. So there are certain areas that can be and
10 cannot be fingerprinted.

11 Q Now, counsel asked you about the silent alarm
12 button, and you had indicated that you didn't believe
13 that you could secure evidence from that location.
14 Could you explain what you mean?

15 A The size of the button itself in that area where
16 it is located. Usually even on your counter area if you
17 notice on the underside they are very rough. Most
18 counters are not finished. They are finished on the
19 outer side, but on the underside they are not
20 finished. It is hard to get a fingerprint off
21 something that is unfinished at all like that.

22 Q Is it part of your job and part of your
23 expertise to decide which of a infinite number of
24 locations are the best locations to secure evidence in a

1 particular case?

2 A Yes, it is.

3 Q The killer of Bill Little could have left a foot
4 print two blocks away, couldn't he?

5 A Yes, he could have.

6 Q I believe you indicated that the comparison work
7 is done on the evidence that you secure and that
8 evidence work is done by folks at the Morton Crime Lab
9 and also some crime scene folks at the Bloomington PD?

10 A Yes, sir.

11 Q I believe you also indicated earlier that that
12 kind of information might be secured when it came to the
13 footwear impressions that are in 57B might be obtainable
14 from Officer McKinley?

15 A Yes, sir.

16 Q And I believe you indicated that Mr. Ragland
17 would be able to interpret the cash register tape far
18 better than you?

19 A I hope so, sir.

20 Q You are not familiar with the Clark's specific
21 procedures and codes and those sorts of things, are you?

22 A No, sir, I'm not.

23 Q It is not part of your job, is it?

24 A No, sir.

1 Q MR. REYNARD: Nothing else?

2 THE COURT: Okay. Anything further, Mr.
3 Picl?

4 MR. PICL: I think maybe one more question.

5 RECROSS EXAMINATION

6 BY MR. PICL:

7 Q Ed, did you make a conscious decision that it
8 would be useless to try to dust the alarm button in this
9 case. Is that why you didn't do it?

10 A I don't know if you'd call it a conscious
11 decision or not, sir. I guess you would call it that
12 because I have to make that decision. When I'm looking
13 at a crime scene, I have to make that decision what area
14 can be printed and what will also give me a print back.
15 Certain areas won't and certain areas will. I don't
16 believe at that time that area would have gave me a
17 latent print back.

18 Q Well, what type of surface was there around the
19 button on the bottom of the counter?

20 A I'm trying to remember, sir. I'm just thinking
21 everything as I explained earlier the under surfaces of
22 a counter is usually rough. That had to be my reason
23 at that time. I don't know. That is nine years ago.
24 I'm trying to remember back.

1 Q The alarm button itself wasn't rough, was it?

2 A No.

3 Q What -- what was it a plastic button?

4 A I believe it was a plastic button.

5 Q You have lifted prints during the course of your
6 years as a crime scene specialist off of plastics,
7 haven't you?

8 A Several times, sir.

9 Q Okay. Nobody even tried though for whatever
10 reason. I'm not placing the blame, but nobody even
11 dusted that area?

12 A No, they did not.

13 MR. PICL: Thank you.

14 MR. REYNARD: Nothing else.

15 THE COURT: You may step down. Thank you.

16 (Witness excused.)

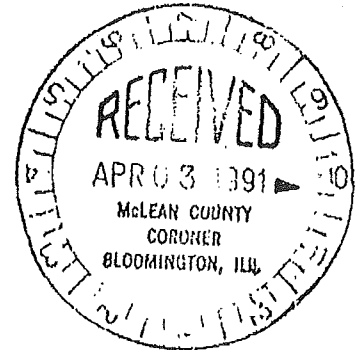
17 THE COURT: And we will take a ten minute
18 recess and ask the bailiffs to take charge of the
19 jurors.

20 (A recess was taken.)

21 THE COURT: Folks, please be seated. Show
22 for the record the jury has returned. Parties appear
23 same as before. We are prepared to continue with the
24 State's case.

Joseph C. Sapala, M.D.
Coroner's Pathologist
601 Lavinia Lane
Joliet, Il 60435
815-744-5424

AUTOPSY REPORT
Mc LEAN COUNTY, ILLINOIS



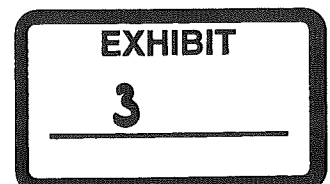
Deceased: [REDACTED]
Date of autopsy: April 1, 1991 at 11:30 A.M.
History: Was found shot to death.

FINDINGS

- I Gunshot wounds to anterior chest (2):
- A. Gunshot wound to L upper, anterior chest:
 - 1. 60" from heel and 4 1/2" L of midline (1/2" under L clavicle at L shoulder)
 - 2. 1/4" oval entrance wound with 1/4" dried blood around the circle - no soot or stippling
 - 3. Through:
 - a. 1st and 2nd intercostal space
 - b. L upper lobe of lung
 - c. L pulmonary artery
 - d. L and R atria of heart
 - 4. Recovered in R pleural cavity
 - 5. Path: Anterior to posterior
Up to down
L to R
 - B. Gunshot wound to lower L chest:
 - 1. 52" from heel and 1 1/2" to L of midline (adjacent to L side of sternum at area of 6th rib)
 - 2. 1/2" diameter semicircle - no soot or stippling
 - 3. Through:
 - a. Both ventricles of the heart
 - 4. Recovered in R pleural cavity
 - 5. Path: Anterior to posterior
Straight across
L to R
 - C. Both gunshot wounds caused:
 - A. L hemothorax (1,000 cc)
 - B. Hemopericardium (50 cc)
 - C. R hemothorax (1,000 cc)

CAUSE OF DEATH: Death was caused by hemorrhagic shock caused by two gunshot wounds to the L anterior chest. He bled to death inside of his chest cavities and heart sac.

Joseph C. Sapala
Joseph C. Sapala, M.D.
April 1, 1991



████████████████████
April 1, 1991

GENERAL: The body is that of an 18 year old caucasian male who is about 73 1/2" tall and weighs about 170 pounds. He has brown hair and slight acne on his face. His eyes are brown. He is in full rigor. His livor is pale.

EVIDENCE OF INJURY: He has a gunshot wound to the lateral aspect of his L shoulder on the anterior aspect of his body and he has another gunshot wound to the L of his sternum. Neither gunshot wound appears to have soot or stippling around it.

HANDS AND ARMS: He has 5 yellow/brown 1" contusions of his posterior R forearm. His hands are unremarkable.

INCISION: The body is opened through the usual incisions and all of the organs are of normal weight and size.

L PLEURAL CAVITY: Filled with blood from both gunshot wounds. The L upper lobe has a gunshot wound.

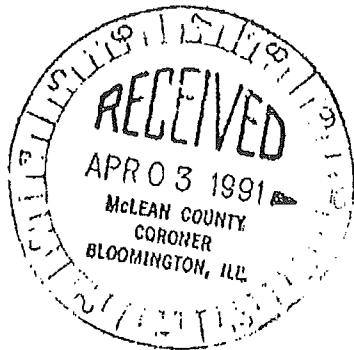
R PLEURAL CAVITY: Filled with blood and contains two bullets which were found freely on the posterior aspect of the cavity. Gunshot wound of both atria.

PERICARDIAL SAC: Filled with blood. There is a gunshot wound through the superior portion of the heart (both atria) and another through the lower part of the heart (both ventricles). The heart is otherwise normal.

SKULL: There is a 1" subgaleal hematoma on top of the frontal bone. The brain is normal.

ABDOMINAL CAVITY: No abnormal fluid accumulation. The gastrointestinal tract, spleen, pancreas, adrenals and kidneys are normal.

PELVIC CAVITY: The bladder contains about 200 cc of cloudy urine. The genitalia are normal.



Joseph C. Sapala
Joseph C. Sapala, M.D.
Forensic Pathologist
April 1, 1991



ILLINOIS STATE POLICE

Terrance W. Gainer
Director

April 23, 1991

Chief of Police
Bloomington Police Department
109 East Olive
Bloomington, Illinois 61701

Agency #C91-2150
B. of C.S.S. #X91-0120-9-1
Laboratory #P91-751

Attention: Sergeant Gene Irvin

OFFENSE: Murder and Armed Robbery

VICTIM(S): Willial W. Little

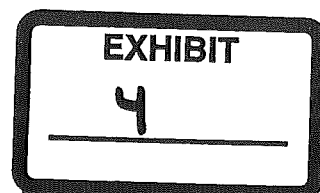
On April 3, 1991, the following evidence was received from GST Edward Kallal of the Bureau of Crime Scene Services.

The following is a summary of the analytical findings:

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>	<u>FINDINGS</u>
#2	Swabbing of floor	Human blood identified.
#3	Control swabbing of floor	Used as unstained control for Exhibit #2.
#8	Head hair sample of Willial W. Little	Visual examination conducted.
#9	Blood samples of Willial W. Little	ABO = O Lewis = Le ^{a-} Le ^{b+} (indicates secretor in ABO)

Continued

C 2548



Bloomington Police Department
April 23, 1991

Laboratory #P91-751
Page #2

CONCLUSION

At such time as known whole blood samples from the suspect(s) are submitted, the possible source of the bloodstains located on the evidence may be determined.

Respectfully submitted,



Patricia A. Orr
Forensic Scientist

PAO:d
cc: McLean County State's Attorney
CST Edward Kallal

C 2549

STATE OF ILLINOIS)
) SS.
COUNTY OF McLean)

IN THE CIRCUIT COURT FOR THE ELEVENTH JUDICIAL CIRCUIT
COUNTY OF MCLEAN

PEOPLE OF THE STATE OF ILLINOIS)

Respondent,)

- vs -)

JAMES SNOW,)

Petitioner.)

No. 99 CF 1016

FILED
JUN 24 2009
CIRCUIT CLERK

COUNTY

ORDER TO ESTABLISH DNA TESTING PROTOCOL AND TO
RELEASE EVIDENCE FOR FORENSIC TESTING

The parties having been advised in the premises, and this Court having granted Petitioner's Motion for DNA Testing Pursuant to 725 ILCS 5/116-3, it is hereby ORDERED:

1. A Detective from the Bloomington Police Department shall collect saliva reference samples commonly known as buccal swabs from Petitioner James Snow. Petitioner shall be entitled to the presence of counsel or a designated agent of his counsel during this procedure.
2. The following items now in the custody of the Bloomington Police Department:
(1) blood samples of William W. Little, identified as Exhibit #9 associated with B. of C.S.S. #X91-0120-9-1 and Laboratory #P91-751; and (2) swabbing of floor identified as Exhibit #9 associated with B. of C.S.S. #X91-0120-9-1 and Laboratory #P91-751.
3. A Detective from the Bloomington Police Department shall transport the aforementioned evidence along with the buccal swabs obtained from Petitioner James Snow to the Illinois State Police Forensic Science Center at Morton (FSC).
4. The evidence shall be opened and examined under proper laboratory conditions at FSC by a qualified forensic analyst.
5. A qualified forensic DNA analyst shall conduct forensic examination of the evidence. The analyst shall perform real-time PCR/quantitative analysis on the questioned samples to determine whether there is an adequate quantity of DNA for conventional STR.

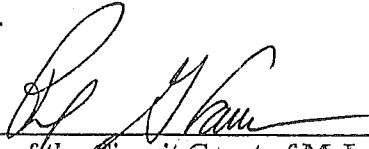
EXHIBIT

5

analysis and comparison. If the DNA analyst concludes that consumption of the remaining portions of the evidence is deemed necessary for optimal DNA results, the DNA analyst shall consult with the Office of the McLean County State's Attorney and counsel for Mr. Snow so that the parties can determine how to proceed.

6. If conventional STR analysis is feasible, FSC shall conduct STR/DNA testing on those items where it is possible.
7. The analyst shall also perform forensic DNA analysis on the saliva reference samples obtained from Petitioner James Snow and from William W. Little using a method appropriate for comparison to the results obtained from the evidence samples.
8. The analyst shall then conduct a DNA comparison of any DNA profiles obtained from the previously inventoried evidence to the DNA profile obtained from the reference sample of James Snow and William W. Little.
9. The FSC shall submit any unknown DNA profile(s) it obtains from the blood sample to a search using the Combined DNA Index System ("CODIS") in order to determine the donor of such profile(s).
10. If FSC concludes that STR/DNA testing is not feasible on either piece of evidence, FSC shall consult with the Office of the McLean County State's Attorney and counsel for Mr. Snow, and shall preserve all evidence in order for Mr. Snow to consult with an independent forensic analyst.
11. All parties and agents acting on behalf of parties concerned in this Order shall exercise maximum caution to prevent contamination of the evidence and shall ensure that a proper chain of custody is maintained at all times. All parties concerned in this Order shall provide documentation of chain of custody to this Court.
12. FSC shall provide in a timely manner reports of their findings, including any lab reports and analysts' notes, to this Court. Said findings and reports shall only be released to this Court and to the Attorney of Record for Petitioner and to the Office of the McLean County State's Attorney.
13. Upon completion of forensic testing the above listed items of evidence and the saliva reference samples obtained from Petitioner shall be released to an investigator from the Office of the McLean County State's Attorney.

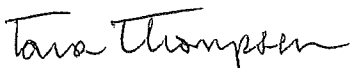
ENTER: _____

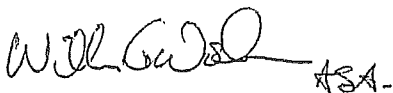

Judge of the Circuit Court of McLean County

DATED: _____

6-24-09

Approved:



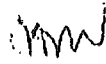


ILLINOIS STATE POLICE
Division of Forensic Services
Forensic Sciences Command

Case P91-751

Date 09/03/09

UNKNOWN EXTRACTION WORKSHEET

Time	Exhibit	Description
1:37 pm	2	Man env sid BET: "SWM/7462/8-11-09". Env is marked "...case #91-2150, [REDACTED] swab from floor...". Env cont a cdbd box marked "...X91-0120-9-1...200815989... swab of blood from floor...". Two seals present - BET: "PAO 4-3-91" and RET: "E...". Box was opened and found to contain no sample. Sid with BET 09/03/09.
<hr/> <i>It was discovered that the original stain in previous analysis had been preserved in a plastic vial, placed in an envelope, and returned to the agency in 2004. BPD found this evidence and resubmitted it as Ex. 2A on 09/24/09.</i>		
10/05/09 3:30 pm	2A	Man env sid BET: "JRH 6/6/04". BPD label reads: "Report#: 200501758... 2 swabblngs from C91-2150, Property #110298099". Env cont a closed ziploc bag. Bag cont 2 closed cryovials marked: "P91-751, #3, control PAO" - Not examined; and "P91-751, #2, floor PAO". This vial cont two swatches of white cloth. One swatch cont scattered areas of med RBS. Other swatch cont heavy RBS covering an area ~1 1/8" x 2". -->~1/8 in ² removed--> 1 SET. Also obs inside this cryovial is a small pfold - Not examined.
<hr/> <p>This sample was extracted in a group on the Maxwell16 robot on 10/06/09. The process began at 10:00 am. Tubes had been placed in the rack the day before. Samples and blanks were extracted in the following order, with a 50 uL final resol volume: M09-3016 8A, M09-3016 9A, M09-3016 1, M09-3016 2, M09-3016 4A, P91-751 2A, CTS 4; and four 10-6 blanks: RB-1, RB-2, RB-3, RB-4.</p>		
Repackaging: Original item: no additional packaging DNA substrate in mc tube into pl bag Extracted DNA into pl bag	Seal Date: 10/16/09	Analyst: 
	10-6 RB-1 --> P91-751 2A 10-6 RB-2 10-6 RB-3 --> M09-3016 8A 10-6 RB-4	

EXHIBIT

6

ILLINOIS STATE POLICE
 Division of Forensic Services
 Morton Forensic Science Laboratory
 1810 South Main Street
 Morton, Illinois 61550-2983
 (309) 284-6500 (Voice) * 1-(800) 255-3323 (TDD)

Pat Quinn
 Governor

Jonathon E. Monken
 Director

October 15, 2009

LABORATORY REPORT

DET DAN DONATH
 BLOOMINGTON PD
 305 SOUTH EAST STREET
 BLOOMINGTON IL 61701

Laboratory Case #P91-000751
 Agency Case # C91-2150
 200815989

OFFENSES: Murder/Robbery
 SUSPECT: James Snow
 VICTIM: William W. Little

The following evidence was submitted to the Morton Forensic Science Laboratory by Detective Dan Donath on September 24, 2009:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
2A	White cloth containing sample of stain collected from floor (human blood identified)

The following evidence was submitted to the Morton Forensic Science Laboratory by Detective Scott Mathewson on August 11, 2009:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
9A	Blood standard: William Little
21	Buccal standard: James Christopher Snow

RESULTS

DNA from Exhibits 2A, 9A and 21 was amplified using the Polymerase Chain Reaction (PCR) and profiled at the loci listed on the attached table.

A human DNA profile was identified in Exhibit 2A which matches the DNA profile of William Little and does not match the DNA profile of James Christopher Snow. This profile would be expected to occur in approximately 1 in 1.1 quintillion Black, 1 in 56 quadrillion White or 1 in 36 quadrillion Hispanic unrelated individuals.

The DNA profile identified in Exhibit 21 has been included in the DNA Index.

See the attached table for a summary of observed alleles.

EXHIBIT

7

BLOOMINGTON PD
Laboratory Case #P91-000751

-2-

October 15, 2009

REQUESTS

For results of previous biological examinations, refer to the laboratory report by Forensic Scientist Patricia Orr dated April 23, 1991.

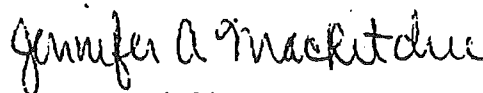
If you have in your possession additional evidence that may be of significant value in this case, please advise.

EVIDENCE DISPOSITION

The evidence will be held in the laboratory vault and should be picked up within thirty days.

If you have any questions regarding this report, please do not hesitate to contact me.

Respectfully submitted,



Jennifer MacRitchie
Forensic Scientist ✓

Attachment (s)

cc: MCLEAN CO SA



ILLINOIS STATE POLICE

Terrance W. Gainer
Director

May 31, 1991

Chief of Police
Bloomington Police Department
109 East Olive
Bloomington, Illinois 61701

Agency #G91-2150
B. of C.S.S. #X91-0120-9-1
Laboratory #P91-751

Attention: Sergeant Gene Irvin

OFFENSE: Armed Robbery/Murder

VICTIM(S): William W. Little

On April 3, 1991, the following evidence was received from CST Edward Kallal of the Bureau of Crime Scene Services at the Morton Laboratory.

EXHIBIT ITEM SUBMITTED

- #4 Nine (9) latent lifts on eight (8) lift backings
#7 Inked fingerprint and palmprint cards marked William W. Little

On April 10, 1991, the following evidence was received from Evidence Locker #6 at the Morton Laboratory.

EXHIBIT ITEM SUBMITTED

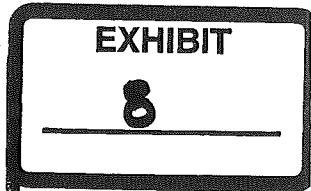
- #12 Inked fingerprint and palmprint cards marked Danny Hartley

EXAMINATION AND RESULTS

Examination of Exhibit #4 revealed seven (7) latent impressions suitable for comparison. Comparison revealed that two (2) of the seven (7) suitable latent impressions were made by the person whose inked fingerprints and palmprints appear on the cards marked William W. Little. Comparison of the five (5) remaining suitable latent impressions to the inked fingerprints of the above listed subjects did not reveal any identifications.

An AFIS evaluation of Exhibit #4 revealed one (1) latent impression suitable for AFIS processing. An AFIS search of the AFIS suitable latent impression did not reveal an identification. The unidentified AFIS latent impression has been registered in the AFIS unresolved latent print database. Please advise this laboratory when the case is closed so that the latent impression can be deleted from AFIS.

Continued. . . . C 2551



Bloomington Police Department
May 31, 1991

Laboratory #P91-751
Page #2

EVIDENCE DISPOSITION

The above evidence will be retained in our evidence vault and should be picked up within 30 days.

Exhibit #4 should be resubmitted in the event additional inked fingerprints, including those for elimination purposes, become available.

Respectfully submitted,



Chris C. Jacobson
Forensic Scientist

CCJ:d

cc: CST Edward Kallal
McLean County State's Attorney

C 2552



ILLINOIS STATE POLICE

Division of Forensic Services

George H. Ryan
Governor

November 22, 1999

Sam W. Nolen
Director

DETECTIVE TOM SANDERS
BLOOMINGTON POLICE DEPARTMENT
305 S EAST ST
BLOOMINGTON IL 61701-5247

Agency #91-002150
CSSC #X91-0120-9-1
Laboratory #P91-751
(Supplemental)

OFFENSE: Murder/Armed Robbery

VICTIM(S): [REDACTED]

SUSPECT(S): [REDACTED]

RECEIVED: November 3, 1999

FROM: T. L. Walters

EXHIBIT **ITEM SUBMITTED**

#4 Nine (9) latent lifts on eight (8) lift backings (resubmitted)

EXAMINATION & RESULTS

Comparison of the remaining previously reported suitable latent impressions in Exhibit #4 to the submitted fingerprint card marked [REDACTED] did not reveal any identifications. No additional comparisons were made at this time.

EVIDENCE DISPOSITION

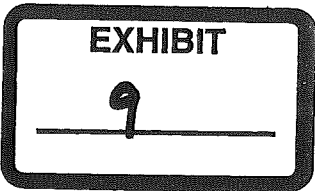
The above evidence will be retained in our evidence vault and should be picked up within 30 days. Exhibit #4 should be resubmitted in the event additional fingerprints become available.

Respectfully submitted

Chris C. Jacobson
Forensic Scientist

CCJ:l
cc: McLean County State's Attorney ✓
Crime Scene Services Command ✓

Forensic Sciences Command
Forensic Science Laboratory
1810 South Main • Morton, IL 61550-2983 • (309) 263-7491
1 (800) 255-3323 (TDD)



ILLINOIS STATE POLICE
Division of Forensic Services
Morton Forensic Science Laboratory
1810 S MAIN
MORTON, Illinois 61550-2983
(309) 263-7491 (Voice) * 1-(800) 255-3323 (TDD)

George H. Ryan
Governor

July 12, 2000

Sam W. Nolen
Director

DET T E SANDERS
BLOOMINGTON POLICE DEPARTMENT
305 SOUTH EAST STREET
BLOOMINGTON IL 61702

Laboratory Case #P91-000751
Agency Case #91-2150
SUPPLEMENTAL REPORT

OFFENSES: Murder/Robbery
SUSPECT: [REDACTED]
VICTIM: [REDACTED]

The following evidence was received from Detective Tom Sanders by the Morton Forensic Science Laboratory on June 22, 2000:

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>
4	Nine latent lifts on eight lift backings
19	Copy of a fingerprint card marked [REDACTED]

The following evidence was received from T. E. Sanders by the Morton Forensic Science Laboratory on July 6, 2000:

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>
20	Fingerprint card marked [REDACTED]

EXAMINATION AND RESULTS:

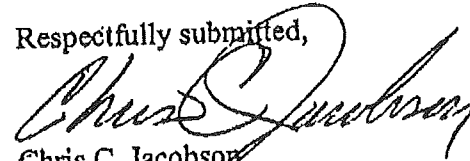
Comparison of the remaining previously reported suitable latent impressions in Exhibit #4 to the submitted copy of a fingerprint card marked [REDACTED] did not reveal an identification; however, legible inked fingerprints, including the extreme tip and side areas, are needed for a conclusive comparison.

Comparison of the one remaining previously reported AFIS suitable latent impression in Exhibit #4 to the submitted inked fingerprint card marked [REDACTED] did not reveal an identification. No additional comparisons were made at this time.

REMARKS:

The evidence will be returned at the laboratory. Exhibit #4 should be resubmitted in the event additional inked prints, including those for elimination purposes, are submitted.

Respectfully submitted,


Chris C. Jacobson
Forensic Scientist

cc: CRIME SCENE SERVICES COMMAND (X91-0120-9-1)
MC LEAN COUNTY STATE'S ATTORNEY

ILLINOIS STATE POLICE
 DIVISION OF FORENSIC SERVICES AND IDENTIFICATION
 BUREAU OF FORENSIC SCIENCES

LATENT PRINT WORKSHEET

LAB CASE # 091-751
 ORIGINAL SUPPLEMENT

PACKAGING	DATE STARTED	RECEIVED FROM	PAGE	OF	REPACKAGING
	DATE COMPLETED	AGENCY	EXAMINER'S SIGNATURE		
	4-4-91	BST Ed Kalla	1	1	
	5-29-91	Bloomington P.D.	<i>[Signature]</i>		
6E	EX#4 → Nine(9) latent lifts on eight(8) lift bookings → Lifts marked 4A → 4I → Eval.				5E
	4A → "Inside door glass" → ^{One(1) suit.} No suit. → 4A1 4B → "Inside push bar on door" → No suit. 4C → "Inside door glass" → No suit. 4D → "Inside door glass" → Two(2) suits. → 4D1, 4D2 4E → "Inside door frame" → One(1) suit. → 4E1 4F → "Inside door glass" → One(1) suit. → 4F1 4G → "Inside door glass" → No suit. 4H → "Entrance door handle outside (inside of handle)" → ^{One(1) suit.} No suit. → 4H1 4I → "Entrance door handle outside (inside of handle)" → One(1) suit. → 4I1 (4I - Dup. of area lifted in 4H)				
	<u>7 suits. Total</u>				
5E	EX#7 → Inked ⁽⁶⁾ fingerprint & palmprint cards marked [REDACTED]				5E
	Rec'd 4-10-91 → From evid. locker #6				
3E	EX.#12 → Inked fingerprint and palmprint cards marked [REDACTED]				5E

ITEMS PROCESSED	LATENTS EVALUATED	PRINTS OF VALUE	PRINTS COMPARED	PRINT CARDS COMPARED	PRINTS IDENTIFIED	IMAGE ENHANCEMENT EXAMS	LASER EXAMS	NEGATIVES TAKEN	PHOTOGRAPHS MADE	LIFTS MADE
0	21	7	7	2	2	0	0	6	3	0

AFIS: Number of Fingerprints Searched									
Type				Identifications					
LI	LRI	LIM	DI	LI	LRI	TLI	L/LI	DI	

PACKAGING CODES:

S = SEALED
 N = NONE
 O = ORIGINAL
 C = CAUTION LABEL

PL = PLASTIC
 P = PAPER

BX = BOX
 B = BAG
 E = ENVELOPE
 W = WRAPPING

OTHER:

1. _____
 2. _____

EXHIBIT
10

Illinois State Police
Division of Forensic Services and Identification
Bureau of Forensic Sciences
Bureau of Crime Scene Services
EVIDENCE RECEIPT

BCSS Number
 091-0120-3

Page 1 of 1

TYPE OR USE BLACK BALL POINT PEN ONLY; INSTRUCTIONS ON REVERSE

AGENCY DATA	(1) Originating Agency Name Bloomington Police Dept.	(2) Agency Telephone 309-827-6251	(3) NCIC Number	(4) Agency Case number C91-2150	
	(5) Send report to: Sgt. Gene Irvin	Agency address: CityHall Bldg.		City: Bloomington	
				Zip Code: 61701	
	(6) Offense Armed robbery & Murder	(7) Location of Offense Clark Station 802 East Empire St		(8) Date Offense Occurred 03-31-91	
	(9) Victim(s) Name(s), Sex, Race, DOB Willial W. Little W/M DOB 10-12-72				
	(10) Suspect(s) Name(s), Sex, Race, DOB				
	(11) Printed name of investigating case officer if different than (5) above. Ed Kallal CST #1659		(12) Printed name of the officer and agency delivering evidence.		
	(13) Lab Exhibit Number(s)	(14) BCSS Exhibit Number(s)	(15) Agency Exhibit Number(s)	(16) Evidence description (see instructions)	
				Sealed paper bag with victim's black/white "Nike" high top tannis Shoe	
				Sealed box with swab of blood from floor near counter	
			Sealed box with control swab of floor near counter		
			Eight (8) latent lift cards with latent prints from entrance door		
			Sealed paper bag with victim's blue jean's, red belt, pr. white socks & white underwear.		
			Sealed paper bag with victim's black undershirt & gray tee shirt		
			Sealed envelope with inked finger & palm prints of victim		
			Sealed envelope with head hair standard of victim		
			Sealed container with blood standard of victim		
(19) Lab Report					

EVIDENCE INVENTORY	(19) Lab Exhibit Number(s)	(20) BCSS Exhibit Number(s)	(21) Date Rec'd	(22) Rec'd by	(23) Received From (Signature)	(24) Received By (Signature)

REMARKS	(19) Lab Exhibit Number(s)	(20) BCSS Exhibit Number(s)	(21) Date Rec'd	(22) Rec'd by	(23) Received From (Signature)	(24) Received By (Signature)

EXHIBIT
 11

WW

ILLINOIS STATE POLICE
Division of Forensic Services
Morton Forensic Science Laboratory
1810 South Main Street
Morton, Illinois 61550-2983
(309) 284-6500 (Voice) * 1-(800) 255-3323 (TDD)

RECEIVED
MAR 31 2008
STATES ATTORNEY
MCLEAN COUNTY
Harry G. Trent
Director

Rod R. Blagojevich
Governor

March 25, 2008

LABORATORY REPORT

DET. DAN DONATH
BLOOMINGTON POLICE DEPARTMENT
305 SOUTH EAST STREET
BLOOMINGTON IL 61701

Laboratory Case #M07-005734
Agency Case #200719071

OFFENSE: Felon in Possession of a Firearm
SUSPECT: Susan Powell

The following evidence was submitted to the Morton Forensic Science Laboratory by Detective Scott Mathewson on December 27, 2007:

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>	<u>FINDINGS</u>
1	Tanfoglio, model GT27, 25 Auto caliber semiautomatic pistol, serial #MI90982, one magazine and seven 25 Auto caliber unfired cartridges	<p>The firearm in Exhibit #1 was examined, found to be in firing condition and test fired by Evidence Technician Dennis Hoyland. Test shots fired by Exhibit #1 were entered into the IBIS database. A search of the IBIS database did not reveal an identification.</p> <p>Test shots fired by Exhibit #1 were compared to the unsolved case file; however, no identification was made.</p> <p>The magazine in Exhibit #1 fits and functions in Exhibit #1, the firearm.</p> <p>The unfired cartridges in Exhibit #1 were examined for caliber and type only.</p> <p>As per agency request, test shots fired by Exhibit #1 were compared to laboratory case #P91-751; Bloomington Police Department case #C91-2150. The firearm in Exhibit #1 did not fire the two fired bullets in Exhibit #10 of laboratory case #P91-751.</p>

EXHIBIT
12

BLOOMINGTON POLICE DEPARTMENT
Laboratory Case #M07-005734

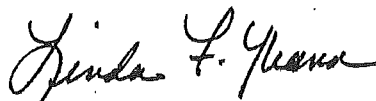
-2-

March 25, 2008

EVIDENCE DISPOSITION:

If you have any questions regarding this report, please feel free to call me.

Respectfully submitted,



Linda F. Yborra
Forensic Scientist

cc: MC LEAN COUNTY STATE'S ATTORNEY ✓
Laboratory Case File #P91-751



ILLINOIS STATE POLICE
Office of the Director

Pat Quinn
Governor

Hiram Grau
Director

RESPONSE GRANTING A FOIA REQUEST IN PART
AND DENYING A FOIA REQUEST IN PART

July 16, 2012

Ms. Tammy Alexander

[REDACTED]
FOIR #12-761

On June 20, 2012, we received your request for the following information: Copies of evidence inventory receipts for Case #99-CF-1016 and #91-G-2486, lab Case #P91-0751; #C-91-2150/B of C ss #X91-0120-9-1/Lab #91-751 all suspect profiles by ISP regarding William Little murder investigation all DNA testing of suspects and evidence receipts.

The Illinois State Police Freedom of Information Officer, Lieutenant Steve Lyddon, is denying your request for portions of the file for the following reasons:

- **5 ILCS 140/7(1)(b)** – The report is provided with redactions based on the Freedom of Information Act's exemption regarding private information for unique biometric identifiers. Social security numbers, Driver's License numbers, and State Identification numbers are redacted.
- **5 ILCS 140/7(1)(c)** – Personal information which would clearly constitute an unwarranted invasion of personal privacy, including, but not limited to dates of birth, home addresses, telephone numbers.

You have the right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Attorney General (5 ILCS 140/9.5(a)). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: (217) 782-1396
E-mail: publicaccess@atg.state.il.us

801 South Seventh Street, Suite 1000-S
Springfield, IL 62794-9461
(217) 782-7263 (voice) (800) 255-3323 (TDD)
www.illinois.gov www.isp.state.il.us

EXHIBIT

13

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court (5 ILCS 140/11).

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter (5 ILCS 140/9.5(a)). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Respectfully,



Lieutenant Steve Lyddon
FOIA Officer
801 South 7th Street, Suite 1000-S
Springfield, Illinois 62794-9461